

Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 517

Pretoria, 7 July
Julie 2008

No. 31217

CONTENTS*No.**Page
No. Gazette
 No.***GENERAL NOTICE****Communications, Department of***General Notice*

832 Electronic Communications Act (36/2005): Notice inviting comments on proposed policies and policy directions drafted in terms of sections 3 (1) and (2)	3	31217
--	---	-------

GENERAL NOTICE

NOTICE 832 OF 2008

MINISTER OF COMMUNICATIONS ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

NOTICE INVITING COMMENTS ON PROPOSED POLICY DIRECTION ON INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE LICENSES TO PROVIDE SATELLITE INFRASTRUCTURE

The Minister of Communications, Dr. Ivy Matsepe-Casaburri, intends to make the Policy Direction in the Schedule, in terms of section 3(2) read with section 5(6) of the *Electronic Communications Act, 2005 (Act No. 36 of 2005)*.

Interested persons are invited to furnish comments on the proposed policy direction, within 30 days of the date of publication of this notice at any of the following addresses:

For attention: Dr. Mashilo Boloka
The Director, Broadcasting Policy
Department of Communications;

post to: Private Bag X 860
Pretoria
0001;

or deliver to: First Floor, Block A3
iParioli Office Park
399 Duncan Street
Hatfield;

or fax to: (012) 427 8059/086 550 7525

or e-mail to: mashilob@doc.gov.za

Please note that comments received after the closing date may be disregarded.

Dr. Boloka can be reached at tel. (012) 427 8055 for any enquiries.



Dr. Ivy Matsepe-Casaburri
Minister of Communications

SCHEDULE**POLICY DIRECTION ON INDIVIDUAL ELECTRONIC COMMUNICATIONS
NETWORK SERVICE LICENSES TO PROVIDE SATELLITE
INFRASTRUCTURE**

The limited availability of frequencies in many metropolitan areas has become a critical problem which cannot be downplayed if the objectives of making services available to our people are to be met. Driven by technological development, the demand for frequencies for a wide range of services including, State or local authority usage for emergency services, radio astronomy and earth exploration has increased tremendously. This heightened demand occurs as the country is in the process of migrating its broadcasting systems to digital, which also requires adequate spectrum allocation.

Together, these developments require us to be innovative on how we efficiently manage our spectrum, particularly on platforms that were not previously utilized to the maximum in South Africa. This will ensure that as we await the spectrum to be freed by broadcasting digital migration process and the finalization of the spectrum policy, innovation is not inhibited and ICT services are not affected so that our consistent pursuit of the country's national developmental goals are not retarded.

The Independent Communications Authority of South Africa is hereby directed, in terms of section 3(2) read with section 5(6) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), to issue an Invitation to Apply and accept and consider applications for individual electronic communications network services licenses to provide satellite infrastructure.

The following requirements must be met by applicants:

- (i) the ECNS license should be operated on an open access, transparent and non-discriminatory basis;
- (ii) it should be based and operated from South Africa;
- (iii) it should, when requested to do so, carry other South African licensees, including commercial, community and public broadcasting services at cost-based prices;
- (iv) local ownership, particularly from historically disadvantaged communities;

Where necessary, the Authority should prescribe necessary regulations to facilitate the licensing of the ECNS within the prescribed time frames.
