

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

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## GENERAL NOTICE

### NOTICE 1608 OF 1996

#### **NOMINATIONS FOR APPOINTMENT AS COUNCILLORS OF THE SOUTH AFRICAN TELECOMMUNICATIONS REGULATORY AUTHORITY (THE AUTHORITY) IN TERMS OF THE TELECOMMUNICATIONS ACT, 1996**

In terms of the Telecommunications Act, 1996 (Act No. 103 of 1996), the President must appoint councillors for the Authority who must be committed to—

- ▶ fairness, openness and accountability on the part of those entrusted with the governance of a public service; and
- ▶ the objects and principles of the Act.

#### *Invitation*

In terms of the powers vested in the Parliamentary committees on communications in section 9 of the Telecommunications Act, 1996, interested persons are hereby invited to submit not later than 12:00 on 26 November 1996, written nominations for appointment as councillors of the Authority.

#### *Nomination*

A nomination must include a CV as well as particulars of the qualifications which render the nominee **suitable** for appointment. The nominee shall also submit a sworn declaration confirming all the undermentioned aspects:

That—

- ▶ the nominee is a citizen of the Republic;
- ▶ the nominee is permanently resident in the Republic;
- ▶ if applicable, the nominee shall resign as a public servant or the holder of any other office of profit under the State before appointment as councillor;

- ▶ if applicable, the nominee shall resign as a member of Parliament, any provincial legislature or local authority or any council before appointment as councillor;
- ▶ if applicable, the nominee shall resign as an office-bearer or employee of any party, movement, organisation or body of a party-political nature before appointment as councillor;
- ▶ if appointed, the nominee shall serve in a full-time capacity as councillor to the exclusion of any other remunerative employment, occupation or office;
- ▶ the nominee or a member of the family of the nominee, does not have a controlling interest or any substantial financial interest in the telecommunications or broadcasting industry;
- ▶ the nominee or his or her business partner does not hold an office in or with or is employed by any person, company, organisation or other body, whether corporate or unincorporated, which has an interest in the telecommunications or broadcasting industry;
- ▶ the nominee is not an unrehabilitated insolvent;
- ▶ the nominee is not of unsound mind or is not subject to an order of a competent court declaring such nominee to be mentally ill or disordered;
- ▶ the nominee has never been removed from an office of trust on account of misconduct;
- ▶ the nominee has never been convicted, whether in the Republic or elsewhere, of—
  - (i) theft, fraud, forgery or uttering a forged document, perjury, an offence in terms of the Corruption Act, 1992 (Act No. 94 of 1992), or any other offence involving dishonesty;
  - (ii) an offence under the Telecommunications Act, 1996; or
  - (iii) any offence corresponding materially to any offence referred to in subparagraph (i) or (ii).

In the nomination it must be indicated to what degree the nominee possesses qualifications, expertise and experience in the fields of, amongst others, telecommunications policy and technology, frequency band planning, law, economics, business practice and finance.

The nomination must be accompanied by an acceptance thereof signed by the nominee and by two witnesses.

#### ***Public hearing***

Should a nominee be shortlisted as contemplated in section 9 (2) (b) of the Telecommunications Act, 1996, the shortlisted nominee must be available to participate in a public hearing, currently scheduled for the 5th and 6th of December 1996, at such time and place as will be announced in the *Government Gazette* and other media.

#### ***Period of employment***

As prescribed in section 10 of the Telecommunications Act, 1996, for a fixed period of 5 years, 4 years or 2 years, as the case may be.

#### ***Remuneration***

Remuneration will be as determined by the Minister for Posts, Telecommunications and Broadcasting in concurrence with the Minister of Finance.

#### ***Submission of nomination***

The written nomination, accompanied by the CV, sworn declaration and acceptance of the nomination by the nominee must reach any of the following addresses not later than 12:00 on 26 November 1996. Receipt of each nomination complying with the above requirements will be acknowledged in writing:

(a) By Post:

Attention: Mr E. du Toit

P.O. Box 15

Parliament

CAPE TOWN

8000.

(b) By hand:

10th Floor  
Parliament Towers  
Plein Street  
CAPE TOWN.

(c) By facsimile:

(021) 461-7969 or (021) 462-2141.

#### *Enquiries*

Telephonic enquiries can be directed to Mr E. du Toit at telephone number (021) 403-3840.

#### **CHAIRPERSONS**

#### **Parliamentary Committees on Communications**

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## **ALGEMENE KENNISGEWING**

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### **KENNISGEWING 1608 VAN 1996**

#### **BENOEMINGS VIR AANSTELLINGS AS RAADSLEDE VAN DIE SUID-AFRIKAANSE TELEKOMMUNIKASIEREGULERINGSOWERHEID (DIE OWERHEID) INGEVOLGE DIE TELEKOMMUNIKASIEWET, 1996**

Ingevolge die Telekommunikasiewet, 1996 (Wet No. 103 van 1996), moet die President raadslede van die Owerheid aanstel wat verbind moet wees tot—

- ▶ billikheid, openlikheid en verantwoordbaarheid aan die kant van diegene aan wie die bestuur van 'n openbare diens toevertrou is; en
- ▶ die oogmerke en beginsels van die Wet.

#### *Uitnodiging*

Ingevolge die bevoegdhede gevestig in die Parlementêre komitees oor kommunikasie in artikel 9 van die Telekommunikasiewet, 1996, word belanghebbende persone hiermee uitgenooi om nie later nie as 12:00 op 26 November 1996 skriftelik benoemings vir aanstelling as raadslede van die Owerheid voor te lê.

#### *Benoeming*

'n Benoeming moet 'n CV insluit, asook besonderhede van die kwalifikasies wat die benoemde vir **aanstelling** geskik maak. Die benoemde moet ook 'n beëdigde verklaring wat die volgende aspekte bevestig, voorlê:

Dat—

- ▶ die benoemde 'n burger van die Republiek is;
- ▶ die benoemde permanent in die Republiek woonagtig is;
- ▶ indien van toepassing, die benoemde as 'n staatsamptenaar of die bekleër van enige ander besoldigde amp onder die Staat sal bedank voor aanstelling as raadslid;
- ▶ indien van toepassing, die benoemde as 'n lid van die Parlement, enige provinsiale wetgewer of plaaslike owerheid of enige raad sal bedank voor aanstelling as raadslid;
- ▶ indien van toepassing, die benoemde as 'n ampsdraer of werknemer van enige party, **beweging**, organisasie of liggaam van 'n party-politieke aard sal bedank voor aanstelling as raadslid;
- ▶ indien aangestel, die benoemde in 'n heeltydse hoedanigheid as raadslid sal dien met die uitsluiting van alle ander besoldigde werk, beroep of amp;
- ▶ die benoemde of 'n lid van die gesin van die benoemde nie 'n beherende belang of enige finansiële belang by die telekommunikasie- of uitsaaibedryf het nie;
- ▶ die benoemde of die benoemde se vennoot nie 'n amp beklee in of by of in diens is by enige persoon, maatskappy, organisasie of ander liggaam, hetsy ingelyf of oningelyf, wat 'n belang het in die telekommunikasie- of uitsaaibedryf nie;
- ▶ die benoemde nie 'n ongerehabiliteerde insolvent is nie;

- ▶ die benoemde nie geestesongesteld is of deur 'n bevoegde hof kranksinnig of versteurd verklaar is nie;
- ▶ die benoemde nooit weens wangedrag uit 'n vertrouensamp onthef is nie;
- ▶ die benoemde nooit skuldig bevind is nie, hetsy in die Republiek of elders, aan—
  - (i) diefstal, bedrog, vervalsing of uitgifte van 'n vervalste dokument, meened, 'n misdryf ingevolge die Wet op Korruptsie, 1992 (Wet No. 94 van 1992), of enige ander misdryf waarvan oneerlikheid 'n element is;
  - (ii) 'n misdryf ingevolge die Telekommunikasiewet, 1996; of
  - (iii) enige misdryf wat wesenlik ooreenstem met enige misdryf in subparagraaf (i) of (ii) bedoel.

In die nominasie moet aangedui word tot watter mate die genomineerde oor kwalifikasies, kundigheid en ondervinding op die gebied van onder andere die telekommunikasiebeleid en -tegnologie, frekwensieband-beplanning, die reg, ekonomie, sakepraktyk en finansiering beskik.

Die nominasie moet vergesel word deur 'n aanvaarding daarvan geteken deur die genomineerde en twee getuies.

#### ***Openbare verhoor***

Kandidate wat ingevolge artikel 9 (2) (b) van die Telekommunikasiewet, 1996, in die kortlys genoem word, moet beskikbaar wees om deel te neem aan 'n openbare verhoor wat geskeduleer is vir die 5de en 6de Desember 1996, op 'n tyd en plek wat in die *Staatskoerant* en openbare media gepubliseer sal word.

#### ***Tydperk van indiensneming***

Soos voorgeskryf in artikel 10 van die Telekommunikasiewet, 1996, vir 'n vaste tydperk van 5 jaar, 4 jaar of 2 jaar, na gelang van die geval.

#### ***Indiening van nominasie***

Die skriftelike nominasie, vergesel van die CV, beëdigde verklaring en aanvaarding van die nominasie deur die genomineerde, moet enige van die volgende adresse nie later nie as 12:00 op 26 November 1996 bereik. Ontvangs van elke nominasie wat aan die bogenoemde vereistes voldoen, sal skriftelik erken word:

- (a) Per pos:

*Aandag: Mnr. E. du Toit*

Posbus 15

Parlement

KAAPSTAD.

8000.

- (b) Per hand:

10de Verdieping

Parliament Towers

Pleinstraat

KAAPSTAD

- (c) Per faksimilee:

(021) 461-7969 of (021) 462-2141.

#### ***Navrae***

Telefoniese navrae kan gedoen word by mnr. E. du Toit by telefoonnommer (021) 403-3840.

#### **VOORSITTERS**

**Parlementêre Komitees oor Kommunikasie**

## INOTHISI KAWONKE-WONKE

### INOTHISI 1608 KA 1996

#### UKUPHAKANYISWA KWAMAGAMA OKHETHO LWAMAKHANSELA OMKHANDLU WOKUQONDISA EZOKUXHUMANA ENINGIZIMU AFRIKA (THE AUTHORITY) NGOKOMETHETHO WEZOKUXHUMANA KA 1996

NgokoMthetho Wezokuxhumana ka 1996 (Telecommunications Act No. 103 of 1996), uMongameli kufanele akhethe amakhansela oMkhandlu okufanele azimisele ngokulandelayo—

- ▶ ukuqhuba ngeqiniso, ukuba sesimweni sokuba umphakathi ukuthole kulula ukuxhumana nawo nokuchaza ngako konke akwenzayo kulabo abethenjwe ngokunikwa umsebenzi wokuphatha ezakwahulumeni; kanye
- ▶ nezinhlalo nemigomo yoMthetho.

#### *Isimemo*

Ngokwamandla abekwe ezandleni zeKomidi lasePhalamende leziKhundla kweZokuxhumana kwisiGaba 9 soMthetho wezokuXhumana ka 1996, abantu abazimisele bayamenywa ukuba bafake iziphakamiso ezibhaliwe zokhethe lwamakhansela oMkhandlu ngaphambi kuka 12:00 ngomhlaka 26 kuNovemba 1996.

#### *Ukuphakanyiswa kwamagama*

Ukuphakanyiswa kwamagama kufanele kuhambe ne-CV kanye neminingwane yokuqeqeshwa ekhombisa ikuthi ulufanele yini ukhethe lowo okuphakanyiswe igama lakhe. Ophakanyiselwe igama uyoletsa nencwadi efungelwe ekhombisa ukuzibopha kwakhe ngako konke loku okungenzansi:

#### Ukuthi—

- ▶ ophakanyiselwe igama uyisakhamuzi saseRiphabliki;
- ▶ ophakanyiselwe igama uhlala eRiphabliki ngokugcwele;
- ▶ uma kudingeka, ophakanyiselwe igama uyowushiya phansi umsebenzi wakhe wakwahulumeni noma ngabe yisiphi esinye isikhundla anaso ngaphansi koMbuso ngaphambi kokuba akhethwe abe yikhansela;
- ▶ uma kunesidingo, ophakanyiselwe igama uyosishiya isikhundla sakhe sokuba yilungu lePhalamende, noma isishayamthetho sesifunda, uhulumeni wasekhaya noma yisiphi isigungu ngaphambi kokuba akhethwe abe yikhansela;
- ▶ uma kunesidingo, ophakanyiselwe igama uyosishiya isikhundla anaso noma ukuba ngumsebenzi wanoma yiliphi iqembu, inhlangothi noma umbutho ophathelene nezopolitiki ngaphambi kokuba akhethwe abe yikhansela;
- ▶ uma ekhethwa, ophakanyiselwe igama uyosebenza ngokuphelele njengekhansela angemu-keli lutho olunye olusamsebenzi noma isikhundla esingamngenisela imali;
- ▶ ophakanyiselwe igama noma ilungu lomndeni wakhe akumele abe sesimweni sokuphatha;
- ▶ ophakanyiselwe igama noma abambisene naye kwezamabhizinisi angabi nesikhundla futhi angabi ngumsebenzi womuntu, inkampani, inhlangothi noma yisiphi isigungu sezinkampani zangasese noma ezingezona ezangasese kepha ezithintene ngokwebhizinisi nabezokuxhumana ngezingcingo nemisakazo yomoya;
- ▶ ophakanyiselwe igama akayena umuntu osavalwa ebhizinisini ngokomthetho ngenxa yokwehluleka ukukhokha;
- ▶ ophakanyiselwe igama akayena umuntu ongaphilile kahle ekhanda futhi akukho sinqumo esakhishwa yinkantolo ngaye sichaza ukugula kwakhe ngekhandla noma ukukhubazeka kwengqondo;
- ▶ ophakanyiselwe igama akakaze akhishwe esikhundleni ngenxa yokuziphatha kabi;
- ▶ ophakanyiselwe igama akakaze atholwe enecala, eRiphabliki noma kuphi ngokulandelayo—
  - (i) ukweba, umgunyathi, ukufoja noma ukusebenzisa incwajana efojiwe, ukukhuluma okuphambene neqiniso umuntu ebe ethathe isifungo sokuthi konke akushoyo kuyiqiniso, icala maqondana noMthetho weNkohlakalo ka 1992 (Act No. 94 of 1992), noma yiliphi elinye icala elifaka ukungabi neqiniso;

- (ii) icala ngaphansi koMthetho WezokuXhumana ka 1996—Telecommunications Act, 1996; noma
- (iii) yiliphi icala elihambelana namacala okukhulunywa ngawo kwisigamu (i) noma (ii).

Uma kuphakanyiswa amagama kufanele kuchazwe ngemfundo, amakhono nolwazi analo lomsebenzi wemigomo yezokuxhumana nobuchwepheshe, i-frequency band planning, ezemithetho, ezomnotho, ukuphathwa kwamabhizinisi nezezimali.

Ukuphakanyiswa kwamagama kufanele kuhambe nencwadi yokuvuma ukumela ukhetho esayinwe ngophakanyiswayo kanye nofakazi ababili.

#### *Umkhandlu oyophonsa imibuzo*

Abaphakanyiselwe amagama abo ngokwesigaba 9 (2) (b) Womthetho Wezokuxhumanisa ka 1996 kuyodinyeka bavele ngaphambi komkhandlu oyobaphonsa imibuzo (public hearing) okungase kube ngomhlaka 5 no 6 kuDisemba 1996, endaweni nosuku oluyokwaziswa kusomqulu kahulumeni (*Government Gazette*) namanye amaphephandaba.

#### *Ubude besikhathi sokuqashwa*

Njengoba kubekwe kwisigaba 10 se-Telecommunications Act, 1996, kuyoba yisikhathi esimile esiyiminyaka emihlanu, emine, noma emibili kuye ngesidingo.

#### *Inkokhelo*

Inkokhelo iyonqunywa nguNgqongoshe wazamaPosi nokuXhumana nokuSakaza ebambisene noNgqongoshe wezeZimali.

#### *Ukufakwa kwamagama aphakanyiswayo*

Kufuneka amagama alabo abaphakanyiswayo afakwe ebhaliwe ehambisana ne-CV kanye nencwadi efungelwe yalowo ophakanyiswayo esho ukuthi uyavuma ukumela ukhetho afike kunoma yiliphi ikheli lalawa alandelayo engakashayi u 12:00 womhlaka 26 Novemba 1996. Abanikazi bamagama angene eneminingwane ephelele njengoba kubekwe ngenhla bayothola izincwadi ezishoyo ukuthi atholakele:

- (a) Ngeposi:

*Iqondiswe ku: Mnuz E. du Toit*

Box 15  
CAPE TOWN  
8000.

- (b) Ngesandla:

10th Floor  
Parliament Towers  
Plein Street  
CAPE TOWN.

- (c) Noma nge-fax:

(021) 461-7969 noma (021) 462-2141.

#### *Imibuzo*

Imibuzo engena ngocingo ingaqondiswa kuMnuz E. du Toit kulenombolo yocingo (021) 403-3840.

#### **IKHISWE**

#### **Ngozihlalo Bamakomidi Okuxhumana Ephalamende**

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## **TSEBISO-KAKARETSO**

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### **TSEBISO 1608 YA 1996**

#### **DIKGETHO TSA HO BEWA DIKHANSELARA TSA LEFAPHA LA TAOLO YA DIKGOKAHANYO (TAOLO) HO LATELA MOLAO WA DIKGOKAHANYO, 1996**

Ho latela Molao wa Dikgokahanyo, 1996 (Molao 103 wa 1996), mo-Presidente o lokela ho kgetha Dikhanaselara tsa Molao tse tla ikitlaetsa ho boloka—

- ▶ toka, ho ba pepenene le boikarabelo ho bohle ba shebaneng le tsamaiso ya Ditirelo tsa Setjhaba; le
- ▶ sepheo le melaoana ya Molao.

*Memelo*

Ho ya ka matla a fuweng Dikomiti tsa Palamente mabapi le dikgokahanyo tsa dikhokahanyo, ho karolo 9 ya Molao wa Dikgokahanyo, 1996, bohle ba nang le tjheseho ba memelwa ho ngola le ho fana ka mabitso a bao ba ka kgethelang ho ba Dikhanselara tsa Molao.

*Dikgetho*

Kgetho e nngwe e lokela ho felehetswa ke CV hammoho le bopaki ba dithuto tse phethilweng tse bontshang hore motho eo ya kgethilweng o hlile o tshwanela mosebetsi oo:

Ya kgethilweng le yena o lokela ho fana ka lengolo la kano le netefatsang dintlha tse latelang—

- ▶ ya kgethilweng ke moahi wa Republic;
- ▶ ya kgethilweng o ahile Republiking;
- ▶ ha ho hloka hloka, ya kgethilweng o tla kgaotsa ho ba mosebeletsi wa sechaba, kapa mosebetsi kantorong efe kapa efe e etsang maluti mmusong, pele a ka kgethelwa ho ba Khanselara;
- ▶ ha ho hloka hloka, o tla dihela mosebetsi wa ho ba setho sa Palamente, mmuso ofe kapa ofe wa Profense kapa mmusong wa Tikoloho, kapa Khanselara efe kapa efe, pele a ka kgethelwa ho ba Khanselara;
- ▶ ha ho hloka hloka, ya kgethilweng o tla lokela ho kgaotsa ho kokomala setulo sa kantoro, kapa ho ba mosebetsi wa lekgotla lefe kapa lefe, ho akaretswa le le itshuntseng dipolotiking pele a kgethelwa ho ba Khanselara;
- ▶ ha a ka atleha, ya kgethilweng o tla lokela ho sebetsa ka nako tsohle e le Khanselara, mme a se amohele mosebetsi o mong hape kante o tla mo lefa tjhelete;
- ▶ ya kgethilweng, hammoho le setho sa ba lelapa la hae, ha ba na seabo ka mokgwa wa taolo kapa wa tjhelete, lefapheng la kgokahanyo kapa indasteri ya kgaso;
- ▶ ya kgethilweng kapa mosebetsi-mmoho le yena ha a thapiwa ke motho kapa khamphani kapa mokgatlo ofe kapa ofe o ka tshwanang o na le kgatleho lefapheng la dikgokahanyo kapa indasteri ya kgaso;
- ▶ ya kgethilweng ha se "molahlehelwa ke matlotlo" ya seng a itsositse;
- ▶ ya kgethilweng ha se motho ya lahlehelwang ke kelello, kapa ho be le lengolo la kgotla le pakang hore a ka ba le bofokodi bo itseng ba kelello;
- ▶ ya kgethilweng ha a soka a lelekwa mosebetsing wa botshepehi ka baka la bomenemene;
- ▶ ya kgethilweng ha a soka a kwallwa tjhankaneng, ka hara Republiki kapa kante, ka baka la—
  - (i) boshodu, bolotsana, hlekaheko kapa ho fana ka tokomane e hlekahelelweng, kapa ho fetola dintho ka bolotsana, tlolo ya molao ho latela Molao wa Tshenyeho, 1992 (Molao 94 wa 1992), kapa tlolo efe kapa efe ya molao e bontshang ho hloka botshepehi;
  - (ii) tlolo efe kapa efe ya molao ka tlasa Molao wa Dikgokahanyo, 1996; kapa
  - (iii) tlolo efe kapa efe ya molao e lekanang ka tlhaloso le tlolo ya molao efe kapa efe e hlalositsweng seratswaneng sa (i) kapa (ii).

Kgetho e lokelo ho bontsha ka botlalo botebo ba thuto e fihleletsweng ke ya kgethilweng, bonono le ho butswa hlohang mafapheng a kang a, ho a mang, leano la dikgokahanyo le technology, peakanyo ya makhubu, molao, ekonomiki, ditiro tsa kgwebo le ditsehele.

Kgetho hape e lokela ho felehetswa ke lengolo le pakang hore ya kgethilweng o dumela ho kgethwa, le saennwe ke yena le dipaki tse pedi.

*Tlhagiso Phatlalatseng*

Fa motlhophiwa a ka fitlhela leina la gage le tlhagelela jaaka go totobetse mo karolong 9 (2) (b) ya Molao wa Ditlhaeletsano, 1996, o tla tshwanetse ke go ba teng go tlo tseya karolo mo tlhagisong e e phatlalatseng e e tla bang ka 5 le 6 Sedimonthole, 1996, ka letsatsi le lefelo tse di tla tlhagiswang mo Lekwalong Iwa Puso le diphatlatsong dingwe.

*Nako ya khiri*

Jwalo ka ha ho ngotswe ho karolo 10 ya Molao wa Dikgokahanyo, 1996, ke sebaka se tsitsitseng sa dilemo tse 5, dilemo tse 4 kapa dilemo tse 2, ho ya ka tumellano.

*Mogolo*

Mogolo o hlophiswa ke Ministara wa Diposo, Dikgokahanyo le Kgaso, a sebedisana mmoho le Ministara wa Matlole.

**Phinyeletso ya kgetho**

Kgetho e ngotsweng, e feleheditsweng ke CV, mmoho le lengolo la kano, le lengolo la tumelo ya ho nka mosebetsi ke ya kgethilweng, tsena tsohle di lokela ho finyella atereseng efe kapa efe ho tse latelang, ka 12:00 ka la 26 November 1996. Kamohelo ya tsena tsohle e tla tsebiswa ka lengolo:

(a) Ka poso:

*Ho: Morena E. du Toit*

Box 15  
Parliament  
CAPE TOWN  
8000.

(b) Ka letsoho:

10th Floor  
Parliament Towers  
Plein Street  
CAPE TOWN.

(c) Ka fax:

(021) 461-7969 kapa (021) 462-2141.

**Dipatlisiso**

Dipatlisiso tsa mohala di ka etsetswa ho Morena E. du Toit: (021) 403-3840.

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