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## GENERAL NOTICE

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### NOTICE 359 OF 2002



#### **INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**

#### **NOTICE OF INTENTION TO MAKE REGULATIONS ON ANNUAL CONTRIBUTIONS TO THE UNIVERSAL SERVICE FUND BY TELECOMMUNICATION SERVICE LICENSEES IN TERMS OF SECTION 67 OF THE TELECOMMUNICATIONS ACT 103 OF 1996 AS AMENDED.**

The Independent Communications Authority of South Africa (the Authority) hereby gives notice of its intention to make regulations on the annual contributions to the Universal Service Fund for Telecommunication Service licensees as set out under the attached schedule in terms of section 96 (1) and 96 (4) read together with section 67 of the Telecommunications Act (Act No 103 of 1996) as amended.

Interested persons are hereby invited to submit written representations on the proposed regulations to the Authority by no later than 13h00 on the 19<sup>th</sup> of April 2002. Written representations must be addressed to Mr. Andries Matthysen, Independent Communications Authority of South Africa (ICASA), Private Bag X1, Marlboro, 2063 or Pin Mill Farm, Block A, 164 Katherine Street, Sandton, Telephone Number (011) 321 8377, Facsimile (011) 321 8550 and e-mail [matta@icasa.org.za](mailto:matta@icasa.org.za)

Persons making such written submissions are kindly requested to also submit a softcopy of their representation to the person designated above in the interest of efficient administration.

Persons making written representations must clearly indicate in their representations if they wish to make oral representations including the duration thereof which shall not exceed one (1) hour. Should a request for such oral hearings be received then public hearings shall be held on a date to be determined by the Authority at Block C, Pin Mill, 164 Katherine Street, Sandton, Gauteng.

**MANDLA LANGA**  
**CHAIRPERSON**  
**ICASA**

## **SCHEDULE**

### **REGULATIONS ON ANNUAL CONTRIBUTIONS TO THE UNIVERSAL SERVICE FUND BY TELECOMMUNICATION SERVICE LICENSEES.**

#### **1. Definitions-**

In these regulations words shall have meaning assigned to them in the Telecommunications Act as amended unless the context requires otherwise.

#### **2. Level of contribution to the Universal Service Fund.**

There will be different levels of contribution to the Universal Service Fund, based upon the class of license.

##### **2.1 0.5% of annual turnover contribution:**

Telecommunication licensees who do not have Community Service Obligations stipulated in their licenses.

- Public switched telecommunication services;
- Mobile data;
- Trunk mobile (Class 1: Analogue; and Class 2: Digital);
- Commercial paging;
- Commercial communal repeaters;
- Satellite contribution & distribution (Class 1: Distribution of terrestrial broadcasting; Class 2: Uplinking for DTH broadcasting; Class 3: Fixed and mobile contribution linking);
- Global mobile personal communication services;
- Global mobile personal communication earth gateway service;

- Value-added network service.

## **2.2 0.4% of annual turnover contribution:**

Telecommunication licensees who do have Community Service Obligations stipulated in their license.

- Mobile cellular telecommunication service;
- Multimedia service.

## **2.3 Annual fixed fee contribution:**

For the following categories of licence, the following fixed annual fees are to be contributed to the Universal Service Fund.

- Satellite contribution & distribution, class 4 (international mobile linking): Will contribute R30,000;
- Asset tracking: Will contribute R10,000;
- Under-served areas: Will contribute R1,000;
- Special event: Will contribute R1,000.

## **2.4 Zero contribution:**

The following will make zero contribution to the Universal Service Fund.

- Private telecommunication networks;
- Service test.

## **2.5 Telecommunication services provided without a licence**

Those telecommunications services that are exempt from licences are also exempt from contributing to the Universal Service Fund.

## **3. Method of payment**

All licence holders making contributions will pay the specified amount to a bank account nominated by the Department of Communications by 1 May. Depending on the class of contributions as stated above, contributions are to be either a flat fee or based on the relevant percentage of annual turnover, as shown by the last audited annual statement of the company. Notification of contributions, including an audited statement of annual turnover and the details of deposit to the Universal Service Fund contributions, are to be sent to the Department of Communications by 1 May.

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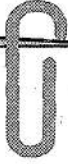
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