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GENERAL NOTICE

NOTICE 2266 OF 2003

DEPARTMENT OF COMMUNICATIONS

TELECOMMUNICATIONS ACT, (ACT NO. 103 OF 1996)

LIMITATION OF OWNERSHIP AND CONTROL OF SECTION 40A LICENSES

In terms of section 96(6) of the Telecommunications Act, 1996 (Act No. 103 of 1996), I, Ivy Matsepe-Casaburri, Minister of Communications hereby approve and publish the regulations in the Schedule made by the Independent Communications Authority of South Africa under section 96 read with section 52 and 40A of the said Act.

Dr Ivy Matsepe-Casaburri
Minister of Communications

SCHEDULE

1. Definitions

In these regulations a word or expression to which a meaning has been assigned by the Act, the General Notice in Respect of the Limitation of Ownership and Control of Telecommunications Services as contained in Government Gazette No. 24288 of 2003, shall have the meaning so assigned unless the context indicated otherwise.

2. Limitation of ownership and control of telecommunication services

- 2.1 Any person or an affiliate of such person with an existing controlling interest or ownership interest in any of the existing telecommunications service licences issues in terms of sections 32B, 32C, 36 and 37 of the Act are excluded from applying or acquiring any financial or voting interest in any Under-Serviced Area Licensee.
- 2.2 No person or an affiliate of such person shall hold a **controlling interest** in more than one (1) Under-Serviced Area Licensee.
- 2.3 No person or an affiliate of such person, **shall** hold an **ownership interest** in more than **nine (9)** Under-Serviced Area Licensees.
- 2.4 No foreign person or an affiliate of such person shall, whether directly or indirectly, have a **controlling interest** in an Under-Serviced Area Licensee.

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