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GENERAL NOTICE

NOTICE 1173 OF 2013



Independent Communications Authority of South Africa

Pinmill Farm, 164 Katherine Street, Sandton
Private Bag X10002, Sandton, 2146

DRAFT AMENDMENT: UNIVERSAL SERVICE AND ACCESS LICENCE OBLIGATIONS

1. The Authority is established in terms of section 192 of the Constitution, 1996 read with section 3 of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("ICASA Act").
2. In terms of section 4 (3) (b) of the ICASA Act, as amended, the Authority is empowered to "*monitor the electronic communications sector to ensure compliance with the ICASA Act and the underlying statutes.*"
3. Section 10 of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("EC Act") provides:

"(1) The Authority may amend an individual licence after consultation with the licensee-

(a)...

(b)...

(c)...

(d)...

(e)...

(f) where the Authority is satisfied that the amendment is necessary to ensure the achievement of the objectives of this Act;

(g) if the amendment relates to universal access or universal service and is necessary, in the opinion of the Authority, as a result of -

(i) Changed circumstances in the market; or

(ii) Lack of electronic communications network services, broadcasting services, or electronic communications services in specifically identified areas of the Republic.

(h)..."

4. The Authority imposed the universal access and service obligations on the following licensees in lieu of spectrum and or ECS/ECNS Licence granted to them:

Cell C; Neotel;
 Vodacom; Sentech; and
 MTN; Wireless Business Solutions (WBS).

A. CURRENT UNIVERSAL SERVICE LICENCE OBLIGATIONS IMPOSED¹

| Licensee Name | Obligation | Results |
|---------------|--|---|
| Cell C | Provision of 2 500 000 sim cards in under-serviced areas for allocation of 1800MHz spectrum | Not implemented |
| | Provision of 125 000 handsets for allocation of 1800MHz spectrum | 26666 handsets were issued to SAPS and Department of Health ² during the FIFA World Cup period. This was done through the Department of Communications |
| | Provision of internet access to 5000 public schools, 140 IPWDs and provision of 1400 terminal equipment (e.g. PCs) to IPWDs ³ for allocation of 3G spectrum | Only 81 schools have been connected |
| | Roll out of 52000 CST's | Rolled out 52000 CST's |
| MTN | Provision of 2 500 000 sim cards in under-serviced areas for allocation of 1800MHz spectrum | Not implemented |
| | Provision of 125 000 handsets for allocation of 1800MHz spectrum | 25068 handsets were issued to SAPS and Department of Health during the FIFA World Cup. This was done |

¹ The figures are based on Compliance submissions by the Licensees for 2012-2013 financial year.

| | | |
|--|---|---|
| | | through the Department of Communications |
| | Provision of internet access to 5000 public schools, 140 IPWDs and provision of 1400 terminal equipment (e.g. PCs) to IPWDs for allocation of 3G spectrum | 593 schools have been connected |
| | Roll out of 52000 CSTs | Rolled out 75000 CSTS |
| Neotel | Provision of internet access to 2500 public schools and or FETs | Connected 50 FETs and 2 public schools |
| | Provision of internet to 2500 rural public clinics and hospitals | Not implemented |
| Sentech | Internet access to 5000 rural public schools over a period of 9 years | Connected 103 schools |
| Vodacom | Provision of 2 500 000 sim cards in under-serviced areas for allocation of 1800MHz spectrum within 5 years | Not implemented |
| | Provision of 125 000 handsets for allocation of 1800MHz spectrum within 5 years | 26 667 handsets were issued to SAPS and Department of Health during the FIFA World Cup period. This was done through the Department of Communications |
| | Provision of internet access to 5000 public schools, 140 IPWDs and provision of 1400 terminal equipment (e.g. PCs) to IPWDs for allocation of 3G spectrum | 703 schools have been connected |
| | Roll out of 22000 CSTs | Rolled out 118000 CSTs |
| Wireless Business Solutions (WBS) | Internet provision to rural public schools 1000 | Connected 1800 schools |

**B. DRAFT AMENDMENT UNIVERSAL SERVICE LICENCE OBLIGATION
(PROPOSED)**

1. Reduce the number of public schools to be connected as follows:
 - a. 5000 to 1500 within 5 years
 - b. 2500 to 750 within 5 years
 - c. 1000 to 300 within 3 years
2. Each licensee to connect no less than three hundred (300) schools in the financial year 2013/2014.
3. Remove the obligation on the provision of 2 500 000 simcards
4. Remove the obligation on the provision of 125 000 handsets

C. PUBLIC COMMENT

Interested parties are invited to submit written comments with regards to the proposed Draft Amendment Universal Service Licence Obligations within 21 days of Publication of this notice by post, hand delivery, facsimile transmission or electronically (in Microsoft word) for attention:

Godfree Maulana: Manager: ECS/ECNS Compliance

Tel: 011 566 3215.

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Email: gmaulana@icasa.org.za

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