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# IMPORTANT

## Information

### from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



#### GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
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5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
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10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).

**DISCLAIMER:**

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****NOTICE 983 OF 2015****ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)****APPLICATIONS FOR TRANSFER OF LICENCES FROM RIGEL SERVICES CC T/A  
COMPU-DOC TO GLOBAL PLATINUM SOLUTIONS (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice in terms of section 9(5) of the Electronic Communications Act, Act No.36 of 2005, as amended, that after considering an application for transfer of individual electronic communications service licence from Rigel Services cc t/a Compu-Doc to Global Platinum Solutions (Pty) Ltd, it has decided to grant and issue the licence to Global Platinum Solutions (Pty) Ltd.
2. The reasons for the Authority's decision on the application are attached to this notice. The copy of the licence for Connect Voice Connect Data (Pty) Ltd is available at the Authority's library in Sandton, Block D, Pinmill Farm, 164 Katherine Street during office hours.

A handwritten signature in black ink, appearing to read 'Rubben Mohlaloga', written over a horizontal line.

**RUBBEN MOHLALOGA**  
**ACTING CHAIRPERSON**  
**ICASA**



Independent Communications Authority of South Africa  
Pinmill Farm, 164 Katherine Street, Sandton  
Private Bag X10002, Sandton, 2146

**APPLICATIONS FOR TRANSFER OF LICENCES FROM RIGEL SERVICES CC T/A  
COMPU-DOC TO GLOBAL PLATINUM SOLUTIONS (PTY) LTD**

**REASONS FOR DECISION**

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APRIL 2015

## A. BACKGROUND

1. On 10 October 2014, the Authority received applications from Rigel Services cc t/a Compu-Doc (“the applicant”) for the transfer of its I-ECNS and I-ECS licences to Global Platinum Solutions (Pty) Ltd (“the transferee”). The applications were submitted using Form G of the Processes and Procedures Regulations for Individual Licences published on 14 June 2010 in Government Gazette No.33293.
2. The Authority published General Notice 594 in Government Gazette 38277 of 02 December 2014, inviting all interested persons to make written representations to the Authority in relation to the applications within twenty one (21) working days of the date of the publication of the notice in the Government Gazette.
3. On the closing date, which was on 06 January 2015, the Authority did not receive any written representations in relation to the applications.

## B. APPLICABLE LEGISLATIVE FRAMEWORK

4. The applicable legislative and regulatory provisions on these transfer applications are the following:
  - a. Section 13 and 9(2) of the Electronic Communications Act, Act No. 36 of 2005 (“EC Act”);and
  - b. Regulation 11 (Form G) of the Processes and Procedures Regulations for Individual Licences published on 14 June 2010 in Government Gazette No.33293.

### **Section 13 of the EC Act**

5. Section 13(1) of the EC Act states that:

*“An individual licence may not be assigned, ceded or transferred to any other person without the prior written permission of the Authority.”*

6. The applicant has not yet transferred the individual licences. The applicant awaits the approval of the Authority to transfer such licence.
7. Section 13(2) of the EC Act further states that:  
*“An application for permission to assign, cede or transfer an individual licence may be made to the Authority in the prescribed manner.”*
8. The application for transfer of the individual licence is prescribed in terms of Form G of the Processes and Procedures Regulations.
9. Section 13(6) provides that *“The provisions of section 9(2) to (6) apply with the necessary changes, to this section.”*

#### **Regulation 11 (Form G) of Processes and Procedures Regulations**

10. Regulation 11 of the Processes and Procedures Regulations for Individual Licences, provides that an application to transfer a licence must be:-
  - a. In the format as set out in Form G;
  - b. accompanied by the applicable fee; and
  - c. submitted by the prospective transferor.
11. The transfer applications have been submitted in terms of Form G and the applicant has made the required payment of R104 000, 00 for the transfer of the I-ECS and I-ECNS licences and provided proof of payment.

### **C. DISCUSSION AND ANALYSIS**

#### **Proposed transfer of the licence**

12. The transfer applications seek the approval from the Authority to transfer the Individual Electronic Communications Service (“I-ECS”) and Individual Electronic Communications Network Service (“I-ECNS”) licences from Rigel Services cc (Pty) Ltd to Global Platinum Solutions (Pty) Ltd.

13. The applicant is a private company incorporated in terms of the Companies Act of 2008 with the registration number: 1995/053745/23.
14. The applicant has indicated that the ownership interests in the transferee is 100% owned by a person from a historically disadvantaged group<sup>1</sup> ("HDG"). The ownership interests in the transferee is as follows:
  - Ravind Ramasary: 50%; and
  - Sharone Stumbles: 50%.
15. The transferee intends to provide IT services, cabling, PABX and telephony services to medium and corporate sized enterprises across Africa.

#### **HDI requirements**

16. Section 9 (2) (b) states that *the Authority must give notice of the application in the gazette and include the percentage of equity ownership to be held by persons from historically disadvantaged groups, which must not be less than 30% or such other conditions or higher percentage as may be prescribed under section 4(3) (k) of the ICASA Act.*

#### **Grounds to refuse the transfer application**

17. In terms of regulation 12 of Processes and Procedures Regulations, the Authority may refuse to transfer a licence if the Licensee has not complied with one or more of the following:
  - a. Where the Licensee has been found guilty of a contravention by the Complaints and Compliance Committee ("the CCC") of the Authority and has not complied with the order by the Authority in terms of section 17 of ICASA Act; or
  - b. Where the Licensee has not paid the licence fees due and payable at the date of the application; or

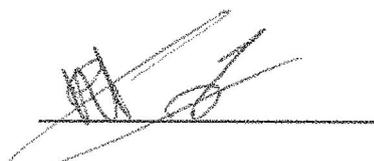
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<sup>1</sup> Form G (Regulation 11): Clause 7.1 the Application. Ownership and Management of the Transferee

- c. Where the Transferee's ownership and control by historically disadvantaged persons is less than 30%.
18. The applicant has not been found guilty of any contravention by the CCC. Further, the applicant has paid the licence fees due and payable at the date of the application.
19. As indicated above, the Authority published the applications in the Government Gazette for public comments. However, no representations were received. The Authority considered that there were no material issues on the applications which warranted a public hearing.
20. The Authority was satisfied that the applicant has submitted all required information and satisfied the requirements prescribed in terms of regulation 11 (Form G) of Processes and Procedures Regulations for Individual Licences read with the EC Act.

#### D. AUTHORITY'S DECISION

21. In light of the above, at the Council meeting held on 17 March 2015, the Authority decided to approve Rigel Services cc t/a Compu-Doc transfer applications for its Individual Electronic Communications Service and Individual Electronic Communications Network Service licences to Global Platinum Solutions (Pty) Ltd.



RUBBEN MOHLALOGA

ACTING CHAIRPERSON

DATE: 28 August 2015





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