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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 56

22 February 2021

**ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)****APPLICATION FOR THE TRANSFER OF CONTROL OF INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE LICENCE FROM CMC NETWORKS PROPRIETARY LIMITED ("CMC NETWORKS") TO ASCENSION FUND NO 7 LLP ("ASCENSION FUND")**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received an application from CMC Networks for the transfer of control of its Individual Electronic Communications Network Service ("I-ECNS") licence. The application was submitted in terms of Regulation 11 of the Processes and Procedures Regulations for Individual Licences, 2010 published in Government Gazette No. 33293 of 14 June 2010, as amended by the Amendment Individual Processes and Procedures Regulations 2015 published in Government Gazette No. 39871 of 30 March 2016 ("Processes and Procedures Regulations") read with section 13 of the Electronic Communications Act No. 36 of 2005, as amended ("the ECA").
2. The transfer application seeks approval from the Authority to transfer control of I-ECNS licence from the current shareholder in CMC Networks ("the Applicant") to new shareholder in Ascension Fund ("the Transferee") and will be evaluated on the basis of the following criteria:
 - a. promotion of competition in the ICT sector;
 - b. interests of consumers; and
 - c. equity ownership by Historically Disadvantaged Persons ("HDPs").
3. The Applicant submits that 51% of the Transferee's equity shareholding is held by HDPs.

4. The application, relevant schedule and any representations received pursuant to this notice will be made available and open for inspection by any interested party in the Authority's library, during the Authority's office hours.
5. Any interested party is invited to lodge written representations to the applications within fourteen (14) working days from the date of publication of this notice in the Government Gazette.
6. Any person who makes written representations must indicate whether they require an opportunity to make oral representations in the event that the Authority decides to hold public hearings.
7. All written representations, responses and other correspondence in terms of this notice must be directed to Mr Peter Mailula at ECNS, ECS and Postal Licensing Unit, Licensing Division by e-mail: PMailula@icasa.org.za
8. Any person/s who may lodge representations in terms of this notice, must also furnish proof that a copy of the representation has been delivered by hand to Mr Andrew Wilson at CMC Networks located at 4B Naivasha Road, Sunninghill Park, Sandton, 2146, Gauteng, South Africa **OR** sent by e-mail to andrew.wilson@cmcnetworks.net.
9. CMC Networks has the right to respond in writing to written representations made by any interested person/s on the transfer application. The written responses must be lodged with the Authority within twenty-one (21) working days from the date of publication of this notice in the Government Gazette.
10. CMC Networks must, at the time of lodging the written response, furnish proof to the Authority's satisfaction that it has delivered a copy of the response by hand, **OR** has sent a copy thereof by facsimile **OR** by e-mail to the relevant person/s having made the written representations.



DR. KEABETSWE MODIMOENG
CHAIRPERSON

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