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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****NOTICE 280 OF 2021****ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)****APPLICATIONS FOR THE TRANSFER OF CONTROL OF INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE ("I-ECS") AND INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE ("I-ECNS") LICENCES BY HYMAX TALKING SOLUTIONS (PTY) LTD TO GRAPEVINE TELECOMMUNICATIONS SOLUTIONS (PTY) LTD (PROPOSED NEW SHAREHOLDER)**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received applications from Hymax Talking Solutions (Pty) Ltd for the transfer of control its Individual Electronic Communications Service ("I-ECS") and Individual Electronic Communications Network Service ("I-ECNS") licences. The applications were 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 applications seek approval from the Authority to transfer control of I-ECS and I-ECNS licences from the current shareholders in Hymax Talking Solutions (Pty) Ltd ("the Applicant") to Grapevine Telecommunications Solutions (Pty) Ltd the proposed new shareholder in Hymax Talking Solutions (Pty) Ltd ("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 30% of the Transferee's equity shareholding is held by HDPs.
- 4. The applications, 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 Services Licensing Unit, Licensing Division, at Block B, 350 Witch – Hazel Avenue, Eco Point Office Park, Eco Park, Centurion **OR** Private Bag X10, Highveld Park, 0169 **OR** by facsimile no. (012) 568 3658 **OR** by e-mail: [PMailula@icasa.org.za](mailto: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 Ms Kim Sacree at Hymax Talking Solutions (Pty) Ltd located at 2<sup>nd</sup> Floor, Block D, Hertford Office Park, 90 Bekker Road, Midrand 1685, **OR** sent by e-mail to [kim.sacree@eoh-ns.co.za](mailto:kim.sacree@eoh-ns.co.za)
- 9. Hymax Talking Solutions (Pty) Ltd 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. Hymax Talking Solutions (Pty) Ltd 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.



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**DR. KEABETSWE MODIMOENG**

**CHAIRPERSON**

**DATE: 23/04/2021**





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