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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**NOTICE 1034 OF 2022****ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)****APPLICATIONS FOR THE TRANSFER OF OWNERSHIP OF INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE ("I-ECS") AND INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE ("I-ECNS") LICENCES FROM MINDSPRING COMPUTING (PTY) LTD TO MOLOTEL (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received applications from Mindspring Computing (Pty) Ltd for the transfer of ownership of 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 on 14 June 2010, as amended by the Amendment Individual Processes and Procedures Regulations, 2015 published in Government Gazette No. 39871 on 30 March 2016 ("Processes and Procedures Regulations"), read with section 13 of the Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended ("the ECA").
2. The transfer applications seek approval from the Authority to transfer the I-ECS and I-ECNS licences from Mindspring Computing (Pty) Ltd ("the Applicant") to Molotel (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 100% 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
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 Pramod Daya at Mindspring Computing (Pty) Ltd located at Unit 5, Doncaster Office Park, Punters Way, Kenilworth, 7702 **OR** sent by facsimile no. (021) 671 7599 **OR** sent by e-mail to pramod@mindspring.co.za
9. Mindspring Computing (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. Mindspring Computing (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.



DR. KEABETSWE MODIMOENG

CHAIRPERSON

DATE: 17/05/2022

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