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GENERAL NOTICES

NOTICE 1894 OF 2004

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NOTICE OF THE AUTHORITY'S INTENTION TO INCORPORATE THE PROVISION ON ROAMING IN THE DRAFT UNDER-SERVICED AREA LICENCE.

The Independent Communications Authority of South Africa ("the Authority"), hereby give notice that:

- (1) In Government Gazette No. 25343 published on 8 August 2003, the Authority invited written comments or representations on the draft licence for under-serviced areas.
- (2) After receiving written representations on the proposed terms and conditions from interested parties, the Authority revised the proposed terms and conditions for under-serviced area licences.
- (3) In addition to the above paragraph the Authority has formulated a preliminary view that the provision on "Roaming" should be included in the draft licence attached herein.
- (4) The Authority hereby invites written representations from interested parties within 7 days from publication of this notice with regard only to the proposed addition of the provision 4.3 of the licence dealing with "Roaming".
- (5) The Authority shall consider only written representations and will not be holding any oral hearings.
- (6) Interested persons are hereby invited to submit written comments or written representations with regard to the proposed provision of "Roaming", to be received **by no later than 16h00 on the 8 September 2004** by post, hand delivery or fax and also in electronic format (Microsoft Word 6.0, Adobe PDF) for the attention of:

- (7) Mr. Phineas Moleele
Manager: Telecommunications Licensing
ICASA Private Bag X10002, Sandton, 2146,
Block C,
ICASA
Pin Mill Farm,
164 Katherine Street, Sandton;

Telephone (011) 321-8228;
Facsimile (011) 321 8583,
E-mail: pmoleele@icasa.org.za.

**MANDLA LANGA
CHAIRPERSON**

NOTICE 1895 OF 2004

TELECOMMUNICATION SERVICES TO BE PROVIDED BY UNDER-SERVED AREA LICENSEES

- 4.1 Subject to the Act and other provisions of this Licence, the Licensee is authorised to provide any telecommunication services including voice over Internet protocol services (VOIP), fixed-mobile services and Public Telephone Services, in respect of the Licence Area.
- 4.2 Subject to 4.1 above, the Licensee:
- 4.2.1 may supply telecommunications equipment, install, bring into service, maintain and repair that part of the USATN that is provided, maintained and operated by the Licensee for the purpose of providing USATS or;
 - 4.2.2 may provide any other service authorised by the Authority or reasonably complementary to USATS such as the provision, repair and maintenance of equipment located on a Customer's premises and any other telecommunications apparatus of any kind.
 - 4.2.3 may, from the date to be fixed by the Minister by notice in the Gazette in terms of section 40(2) of the Act, provide all or any telecommunication facilities to be used by any person for the provision of Value Added Network Services;
 - 4.2.4 may, from the date to be fixed by the Minister by notice in the Gazette in terms of section 37(2) of the Act, provide all or any telecommunication facilities comprising fixed lines to be used by any Mobile Cellular Operator for the provision of Mobile Cellular Telecommunication Service
- 4.3 ***Without derogating from the provisions of clause 8, the Roll-out obligations set out in Schedule A or the penalties set out in schedule B, the Licensee may provide roaming services to the extent, and on such commercial terms and conditions, as may be agreed with one or more other licensees authorised to provide telecommunications services in the Licence Area. Such a roaming agreement may allow:***
- 4.3.1 ***Customers of the Licensee to use the network of another licensee; or***
 - 4.3.2 ***customers of the another licensee to use the USATN; or***
 - 4.3.3 ***customers of either licensee to use the network of the other licensee,***
provided that, such an agreement shall not permit Customers of the Licensee to roam on any other operator's network outside the Licence Area.
- 4.4 ***The roaming agreements referred to in 4.3 above shall be lodged with the Authority and subject to the approval of the Authority.***