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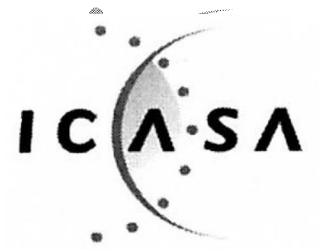
GENERAL NOTICES

NOTICE 1108 OF 2014

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

PURSUANT TO SECTION 4 (1) OF THE ELECTRONIC COMMUNICATIONS ACT 2005, (THE ACT")

HEREBY ISSUES A NOTICE ON THE DRAFT REVISION OF THE RADIO FREQUENCY SPECTRUM REGULATIONS 2011 PUBLISHES ON 31 MARCH 2011 IN GOVERNMENT GAZZETTE NUMBER 34174.

1. The Independent Communications Authority of South Africa ("the Authority') hereby gives notice on the draft revision to the radio frequency spectrum regulations 2011, published on the 31st of March 2011 in Government Gazette number 34174 (Notices 184 and 185 of 2011) .
2. The draft revision incorporates a number of issues identified that enhances the Radio Frequency Spectrum Regulations and to adapt with future technological advancements.

3. Interested persons are hereby invited to submit written representations, including an electronic version of the representation in Microsoft Word, of their views on the **Draft Radio Frequency Spectrum Regulations 2015** by no later than 16h00 on 13th February 2015.

4. Written representations or enquiries may be directed to:

The Independent Communications Authority of South Africa (ICASA)

Pinmill Farm Block A

164 *Katherine Street*

South Africa

or

Private Bag XI0002

Sandton

2146

Attention:

Mr Manyaapelo Richard Makgotlho

e-mail: rmakgotlho@icasa.org.za

5. All written representations submitted to the Authority pursuant to this notice shall be made available for inspection by interested persons from 17th of February 2014 at the ICASA Library or website and copies of such representations and documents will be obtainable on payment of a fee.

Where persons making representations require that their representation, or part thereof, be treated confidentially, then an applications in terms of section 4D of the ICASA Act, 2000 (Act No. 13 of 2000) must be lodged with the Authority. Such an application must be submitted simultaneously with the representation on the draft regulations and plan. Respondents are requested to separate any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the representation or document in question.

Dr SS MNCUBE
CHAIRPERSON

PART I - Preliminary

1. Definitions

In these Regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has the meaning so assigned:-

"**Act**" means the Electronic Communications Act, 2005 (Act No. 36 of 2005);

"**Amateur**" means a person who is interested in the radio technique solely for a private reason and not for financial gain and to whom the Authority has granted an amateur radio station licence and shall mean a natural person and shall not include a juristic person or an association: provided that an amateur radio station licence may be issued to a licensed radio amateur acting on behalf of a duly founded amateur radio association;

"**Amateur radio licence**" means a legal document or permit giving official permission to the licence holder to operate an amateur radio station;

"**Amateur station**" means a radio station for a service of self-tuition, intercommunication and technical investigation that is operated by an amateur;

"**Assignment**" means the authorization given by the authority to use a radio frequency or radio frequency channel under specified conditions;

"**Base station**" means a land radio station in the land mobile service for a service with land mobile stations;

"**BBBEE Act**" means the Broad-Based Black Empowerment Act, 2003 (Act No. 53 of 2003);

"**BS**" means Broadcasting Service;

"**Burglar alarm service**" means a land mobile service installed, maintained and operated to monitor burglar alarm signals of clients by means of a signal forwarded from a radio transmitter to a central position;

"**Burglar alarm transmitter**" means a transmission radio station in the land mobile service that is intended to transmit automatic alarm signals to a central position;

"**Carrier wave power**" means the average power that is supplied by the transmitter to the antenna transmission line and is measured during one radio-frequency cycle in conditions of no modulation;

"**CEPT**" means Conference of European Posts and Telecommunications Authorities;

"CEPT/ERC/REC 70-03" means ERC Recommendation 70-03 relating to the use of short range devices (SRD);

"Citizen-band radio service" means a private, two-way, limited coverage speech communication service in the land mobile service to personal and business operations, which may also be used as a paging system;

"Communal radio repeater station service" means a land mobile service installed, maintained and operated via repeater stations that are available for communal use;

"Continuous tone coded squelch system (CTCSS)" means a circuit that is used to reduce cross talk interference on a shared two-way radio communication channel;

"Cooling-off period" means a period of six (6) months whereby a person that has contravened regulation 11(5) of these Regulations shall not be eligible to apply for a radio frequency spectrum licence".

"Cordless Phone" means a portable telephone with a wireless handset that communicates via radio waves with a base station connected to a fixed telephone line, within a limited range of its base station;

"CT0" means low power cordless telephone 46 - 49MHz;

"CT2" - means second generation cordless telephone 864.1 - 868.1 MHz;

"DECT" - means digitally enhanced cordless telephone 1880 - 1900MHz;

"Direct Sequence Spread Spectrum" ("DSSS") means a modulation scheme whereby radio signals are passed through and distributed over the entire band at once.;

"Disaster relief (DR) radio communication" means radio communications used by authorised agencies and organisations dealing with serious disruptions of the functioning of society, posing a significant, widespread threat to human life, health, property or the environment, whether caused by accident, nature or human activity, and whether developing suddenly or as a result of complex, long-term processes."

"Due date" means 31 March of the then current licence year;

"Duty Cycle" means the ratio, expressed as a percentage, of the maximum transmitter "on" time on one carrier frequency, relative to a one-hour period unless otherwise mentioned in the relevant specifications under Annexure B.

"Dynamic Frequency Selection" ("DFS") means the mechanism that allows the coexistence of wireless networks with weather radar systems in the 5GHz band;

"ECNS" means Electronic Communications Network Services;

"**ECS**" means Electronic Communications Services;

"**e.i.r.p.**" means effective isotropically radiated power;

"**EMC**" means Electromagnetic compatibility;

"**ERP**" means effective radiated power, the product of the power supplied to an antenna and its gain relative to a half wave dipole in a given direction."

"**Experimental station**" means a station that uses radio waves in experiments for the purpose of developing the science or technique of communication but which is not an amateur radio station;

"**Extended applications**" means a procedure used where frequency is scarce and applicants are required to submit commercial and technical information;

"**Field Disturbance and Doppler Apparatus**" ("**FDDA**") means radio apparatus which operates by producing a radiated field and responding to any disturbance of that field caused by an intrusion or movement within the field by other devices, objects or persons;

"**Frequency Hopping Spread Spectrum**" ("**FHSS**") means a modulation scheme that rapidly switches a carrier among many given frequency channels, using a pseudorandom sequence known to both the transmitter and receiver;

"**GHz**" means a radio frequency value designated in gigahertz;

"**HAREC**" means Harmonized Amateur Radio Examination Certificate issued in terms of CEPT recommendation TR61-02E;

"**HDP**" means historically disadvantaged persons;

"**HF**" means High Frequency;

"**Inductive Loop Systems**" means radio apparatus which operates by producing a controlled magnetic field within which a predetermined recognisable signal is formed;

"**ICASA Act**" means the Independent Communications Authority Act of South Africa, 2000 (Act No. 13 of 2000) as amended."

"**ISM**" means Industrial, Scientific and Medical;

"**ITA**" means Invitation to Apply;

"**kHz**" means a radio frequency value designated in kilohertz;

"Land mobile service" means a mobile radio-communication service between fixed stations and mobile land stations, or between land mobile stations;

"LBT" means Listen before Talk which is a mechanism, used for continuously searching for a free open channel to initiate communication, used extensively for coexistence without causing harmful interference between SRD and RFID systems;

"Licence" means a radio frequency spectrum licence"

"Licence year" in relation to a licence or certificate, means the period of 12 months of each year from 1 April to 31 March, both dates inclusive;

"Licensee" means a person to whom a radio frequency spectrum licence has been issued in terms of the Act;

"Lock-on faulty signals" means a continuous signal transmitted by a transmitter station due to faulty equipment;

"Low Power Radio" means radio apparatus, normally hand-held radios used for short range two-way voice communications;

"MHz" means a radio frequency value designated in megahertz;

"Mobile station" means a radio station that is intended to be operated while it is in motion or while it is stationary at an unspecified place;

"Model control apparatus" means radio apparatus used to control the movement of the model in the air, on land or over or under the water surface;

"National radio frequency plan" means a plan that sets out specific frequency bands designated for use by particular types of services and takes into account bands that are allocated to the security sector;

"National security cluster departments" means the South African Police Service, Department of Defence and Department of State Security.

"Non-specific short range devices" means radio apparatus used for general telemetry, telecommand, alarms and data applications with a preset duty cycle (0.1% 5 duty cycle (100%);

"Paging station" means a receiving radio station in the land mobile service that is intended to receive selective signals from a central position;

"Parrot repeater station" means a fixed station in the land mobile service used by a burglar alarm service licensee to store and forward burglar alarm signals over mountainous terrain;

"**PAJA**" means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) as amended."

"**Public Mobile Radio" (PMR)** means radio apparatus used for two-way voice communications;

"**PFMA**" means Public Finance Management Act, 1999 (Act No. 1 of 1999) as amended;

"**Q-Code**" means a standardised collection of three-letter message encodings, all commencing with the letter "Q";

"**Radio-beacon station**" means a radio station of which the radiation is intended to enable a mobile station to fix its position or obtain its bearing with regard to the radio beacon;

"**Radiocommunication**" means all electronic communication by means of radio waves;

"**Radio Local Access Network" ("RLAN")** means the high data rate two way (duplex) wireless data communications network;

"**Radio telecommand**" means the use of radio apparatus for the transmission of signals to initiate, modify or terminate functions of equipment at a distance;

"**Radio trunking**" means a technique by means of which free channels out of a group of radio frequency channels allocated to a base station are automatically made available for the establishment of a connection between the stations of a user;

"**Regulations**" means the regulations as prescribed in this document.

"**Relay or repeater station**" means a land station in the land mobile service;

"**RFID System" ("Radio Frequency Identification System")** means a wireless system that uses radio-frequency communication to automatically identify, track and manage objects, people or animals. It consist of two main components *viz.* a tag and a reader which are tuned to the same frequency;

"**Road Transport and Traffic Telematics" ("RTTT")** means radio apparatus used for road traffic management. Applications include automatic road toll collection, route guidance systems, vehicle or container identification, instant traffic information, parking management, advance incident warning and on-vehicle anti-collision radar;

"**Same area**" means a radius of 20 km around the coordinates of the centre control station in relation to a burglar alarms service or a radius of 20 km around the coordinates of the repeater station in relation to a communal repeater station service"

"**Service licence**" means a BS, ECS or ECNS licence;

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"Ship station" means a mobile station in the maritime mobile service that has been erected

"Short Range Device" ("SRD") means a piece of apparatus which includes a transmitter, and/or a receiver and or parts thereof, used in alarm, telecommand telemetry applications, etc, operating with analogue speech/music or data (analogue and/or digital) or with combined analogue speech/music and data, using any modulation type intended to operate over short distances;

"Simplex radio rental system" means a land mobile service provided by a person and is available for communal use;

"Special radio service" means a radio-communication service that is not otherwise defined in these regulations and is operated solely for specified purposes of general benefit;

"Spectrum leasing" means to give access to spectrum to a third party;

"Spread spectrum" means a form of wireless communications in which the frequency of the transmitted signal is deliberately varied, resulting in a much greater bandwidth than the signal would have if its frequency were not varied;

"Standard application" means a procedure where applicants are allowed to submit simple application forms;

"Telemetry" means the transmission of remotely measured data;

"The Authority TE Specifications" means specifications that the Authority published, with a certain number prefixed by "TE" and which is obligatory for the device or application in question;

"Transmitter Power Control" ("TPC") means a technical mechanism used within some networking devices in order to prevent unwanted interference between wireless networks;

"Transfer" means to assign, cede or transfer a licence from one person to another;

"UHF" means Ultra High Frequency;

"VHF" means Very High Frequency;

"Video Surveillance Equipment" means radio apparatus used for security camera purposes to replace the cable between a camera and a monitor;

"Wideband Wireless Systems" means radio apparatus that uses spread spectrum techniques and has high bit rate;

"Wireless Access Systems" ("WAS") means end-user radio connections to public or private core networks;

"Wireless Audio Systems" means radio apparatus used to replace the wired headphones or speakers in hi-fi systems.

2. Purpose, Prescribed Forms, Liability for Costs and Amendment of Applications

Purpose:

(1) The purpose of these regulations is to:

(a) establish the framework through which the Authority may allocate and assign radio frequency spectrum under the South African National Radio Frequency Plan;
(b) establish standard terms and conditions which will be applicable to all frequency bands and applications as well as radio frequency spectrum licences;
(c) establish transparent, fair and efficient procedures and processes for radio frequency spectrum licence applications;
(d) allow for greater flexibility such that special conditions and procedures for specific frequency bands can be applied;
(e) provide for circumstances in which the use or possession of radio apparatus, does not require a radio frequency spectrum licence;
(f) provide for procedure and criteria for awarding radio frequency spectrum licences for competing applications or instances where there is insufficient spectrum available to accommodate demand;
(g) set out the procedures for application for permissions to assign, cede or transfer ownership of a radio frequency spectrum licence;
(h) set out the principles and procedures for frequency coordination where spectrum is assigned on a shared basis;
(i) provide dispute resolution mechanisms with regard to shared spectrum;
(j) provide a framework for the Radio Frequency Application Fees, Radio Frequency Examination and Certificate Fees; and
(k) prescribe relevant application forms.

Prescribed Forms:

(2) The prescribed Forms in these Regulations are as follows:

(a) **FORM A**: Application to Amend a radio frequency spectrum licence (Regulation 7);
(b) **FORM B**: Application to Transfer a radio frequency spectrum licence (Regulation 10);
(c) **FORM C**: Notice of Surrender of a Radio Frequency Spectrum license (Regulation 11); and

(d) **FORM D**: Application for permission to assign, cede or transfer ownership of a radio frequency spectrum licence (Regulation 13).
(e) **FORM E**: Request for intervention by the Authority for purposes of coordinating radio frequency spectrum use or resolving disputes (Regulation 14).

(3) Forms referred to in sub-regulation (2) must be used for the applicable application or notice and may be:

(a) downloaded from the Authority's website; or
(b) obtained from the Authority at its offices.

Liability for Costs:

(4) The Authority is not liable for any costs incurred by an applicant or person submitting a notice (where applicable) in compliance with these Regulations. Any cost must be borne by the applicant or person submitting a notice (where applicable).

Amendment of Applications Pursuant to an ITA:

(5) Where information included in an application, pursuant to an ITA, changes at any time after submission thereof but before the Authority makes a decision thereon, the applicant must notify the Authority and submit a written request to amend the application within three (3) days of such change.
(6) Where a request referred to in sub-regulation (5) is made, the Authority may grant the request to amend the application where this will not:

(a) unfairly prejudice other interested parties;
(b) impede the expeditious and proper consideration of the application; and
(c) materially change the application.

(7) The Authority may, in the event that it grants the request for amendment in terms of sub-regulation (6), publish a notice in the Gazette regarding the amendment and invite interested parties to submit written representations in relation to the amended application within the period mentioned in the notice."

PART II - Radio Frequency Spectrum Licence Exemptions

3. Radio Frequency Spectrum Licence Exemption

(1) Possession of radio apparatus and/or use of radio frequency spectrum for which a radio frequency spectrum licence is not required in terms of section 31(6) of the Act is as stated in **Annexure B** to these Regulations.

(2) Licence exempt radio frequency spectrum users must comply with the specifications as stated in **Annexure B** to these Regulations.

PART III - Procedures for Radio Frequency Spectrum Licensing and Assignment

4. Standard Application Procedure

(1) A standard application procedure is applicable to the categories listed in **Annexure C** of these Regulations.
(2) A standard application must be submitted to the Authority in the format stipulated in **Annexure D** of these Regulations. All required details must be provided and the prescribed application fee (see **Annexure F**) must accompany the application.
(3) A standard application will not be considered if there are any outstanding licence fees owed to the Authority by the applicant.
(4) Taking into account the provisions of sections 3 and 4 of PAJA, the Authority may subject a standard application to a public consultation process.

5. Extended Application Procedure

(1) Extended Application Procedures are applicable to the following:

(a) for services or frequency bands that are not covered under these regulations and for which a radio frequency spectrum licence is required; or
(b) for frequency bands where an Invitation to Apply (ITA) has been issued.

(2) The extended application procedures must be submitted to the Authority in the format stipulated in **Annexure E** of these Regulations. All required details must be provided and the prescribed application fee must accompany the application.

6. Procedure Where There is Insufficient Spectrum to Meet Demand or Where an ITA is Published

(1) The Authority shall at all times publish an ITA where a radio frequency spectrum licence will be awarded/granted on a competitive basis and where it determines that there is insufficient spectrum available to accommodate demand in terms of section 31(3)(a) of the Act.

(2) An ITA in terms of sub-regulation (1) will, amongst other things, set out the following:

(a) the subject of the ITA;
(b) the place for the submission of the application;
(c) the application fee,
(d) any qualification criteria that are applicable;

(e) the terms and conditions relating to the application;
(f) the proposed licence terms and conditions;
(g) the procedures for submission of the application;0
(h) the deadline for the submission of the application;
(i) conditions and procedures for the amendment of an application;
(j) conditions and procedures for the submission of supplementary information;
(k) conditions for the disqualification of an applicant from the application process;
(l) the selection process;
(m) the evaluation criteria;
(n) the allocation method the Authority will use, including any of the following:

(i) auction rules;
(ii) beauty Contest Rules; or
(iii) any other allocation mechanism deemed appropriate by the Authority.

(o) any other information or requirements as the Authority may deem necessary.

(3) An applicant shall be disqualified from the application process where such applicant:

(a) has submitted an application and is an affiliate of another applicant, or possesses an ownership or financial interest in another applicant within the same application process;
(b) has been granted a radio frequency spectrum licence by the Authority within the designated range unless the licensee has less than the maximum bandwidth made available in line with these regulations in which case they will only be allowed to apply for additional spectrum which results in total assignment not exceeding the maximum bandwidth made available;
(c) has submitted more than 1 (one) application to the Authority for the grant of a radio spectrum licence within the designated range;
(d) has less than 30% (thirty percent) direct ownership by Historically Disadvantaged Persons (HDP) or is a level 2 and or above contributor (BBBEE status) in terms of the Codes of Good Practice published in terms of section 9(1) of the BBBEE Act;
(e) has submitted an application which contains false or misleading information;
(f) is colluding or has attempted to collude, with another applicant with the intention to distort or manipulate information;
(g) has obtained or acquired confidential information relating to another applicant;

(h) has failed to notify the authority of the changes referred to in the application forms;
(i) has failed to comply with the terms and conditions of the application as set out in the ITA; or
(j) has failed to comply with a request in terms of these regulations."

7. Procedure in Respect of Amendments

(1) An application for an amendment of a radio frequency spectrum licence must be in terms of **Form A of Annexure A** and must include the following:

(a) a copy of the radio frequency spectrum licence and information on conditions imposed on the licence;
(b) the proposed dates after which the proposed amendment shall become valid;
(c) details of all proposed amendments and the reasons for the proposed amendments;
(d) proof of payment of the prescribed application fee; and
(e) any other information the Authority may require.

(2) If an amendment in terms of sub-regulation (1) has an effect on the licence fees payable to the Authority, the Authority shall re-invoice the licensee:

(a) advising him or her to settle the outstanding balance or
(b) to advise him or her of the prorated licence fees payable to the Authority during licence renewal of his or her radio frequency spectrum licence in the upcoming licence year.

(3) The Authority shall engage in a public consultation process where an application for an amendment pertains to a radio frequency spectrum licence that was subject to an extended application procedure and/or where a radio frequency spectrum licence was granted in terms of section 31(3)(a) of the Act.

8. Renewal of a Radio Frequency Spectrum Licence

(1) Renewal of an annual radio frequency spectrum licence is to be performed on an annual basis by payment of the prescribed licence fee on or before the due date.
(2) Renewal of a multi-year radio frequency spectrum licence is to be performed prior to the expiry of such a licence in the last licence year of the licence term by payment of the prescribed licence fee on or before the due date.
(3) After receipt of a renewal invoice from the Authority, the licensee must indicate its intention to renew its radio frequency spectrum licence by payment of the prescribed licence fee on or before the due date of the then current licence year.
(4) The obligation to renew a radio frequency spectrum licence vests with the licensee and is not dependent on receipt of a renewal invoice in terms of sub-regulation (3).

(5) If the prescribed licence fee is not paid by the due date, then the radio frequency spectrum licence will expire immediately on 01 April of the then current licence year.
(6) No renewal payments will be accepted by the Authority after 31 March of the then current licence year.
(7) A licensee not wishing to renew his or her radio frequency spectrum licence must submit an application for Notice of Surrender (**Form C of Annexure A**) to the Authority for surrender of their licence in terms of regulation 11 of these Regulations on or before 30 November of the then current licence year.

9. Failure to Renew a Licence

If a licensee has not renewed his or her radio frequency spectrum licence and continues to utilise the radio frequency spectrum after 30 April of the then current licence year, the Authority shall, prior to seizing or sealing of the radio apparatus or equipment initiate the following process:

(a) Issue a notice to the person in question advising him or her:

(i) of his unlawful activity;
(ii) that he or she should cease with the unlawful activity within fifteen (15) days after receipt of the notice;
(iii) to inform his or her end-users and/or subscribers, if any, within seven (7) days of receipt of the Authority's notice of the date that he or she will cease to provide services in question.
(iv) that they have five (5) days to respond to the notice of the Authority should they wish to do so.

(b) Should the Authority receive a response in terms of paragraph (a)(iv), the Authority will inform the licensee of its decision and reasons for the decision.
(c) If the decision of the Authority, after considering any response in terms of paragraph (a)(iv), is that the person in question is unlawfully making use of the radio frequency spectrum, then such a person must:

(i) within ten (10) days of receipt of the decision, cease making use of the radio frequency spectrum; and
(ii) within three (3) days of receipt of the decision, inform its end-users and/or subscribers, if any, of the date it will cease to provide the services in question..

(d) Failure by the affected party to comply with paragraphs (a) and (c) above will result in the Authority seizing or sealing the radio apparatus or equipment and instituting criminal proceedings against the affected party.

10. Procedures in Respect of Transfers

(1) No licensee must transfer a radio frequency spectrum licence without the prior written approval of the Authority.

(2) An application to transfer a licence must be:

(a) in the format as set out in **Form B of Annexure A**;
(b) accompanied by the prescribed fee; and
(c) submitted by the prospective transferor.

(3) The transferee for the transfer of a radio frequency spectrum licence that was or would have been subject to an extended application procedure in terms of Annexure E, must provide information as set out **Annexure E**.

(4) The Authority shall take the following steps with regard to an application for transfer of a radio frequency spectrum licence that was or would have been subject to an extended application procedure:

(a) publish a notice in the *Gazette* of the application to transfer the licence;
(b) invite interested persons to submit written representations in relation to the application within the period specified in the notice;
(c) allow the applicant an opportunity to submit written responses to representations received in relation to the application within the period specified by the Authority; and
(d) may conduct a public hearing in relation to the application.

(5) Where a radio frequency spectrum licence has been granted for a frequency as envisaged in section 31(3)(a) of the Act, any amount paid by the transferee to the transferor must not exceed the value of the bid or auction price paid by the original licence holder adjusted on a pro-rata basis to the remaining duration of the licence.

(6) A radio frequency spectrum licence transfer application will be evaluated on the basis of the following criteria:

(a) technical efficiency;
(b) functional efficiency; and
(c) Economic efficiency.

(7) The applicant will receive a total score based upon the sum of the technical, functional and economic efficiencies as outlined in item 20 of the extended application procedure (**Annexure E**).

(8) When applying for a radio frequency spectrum licence transfer, both the transferor and transferee must ensure that the following conditions are met:

(a) except where the radio frequency spectrum licence was issued according to the Standard Procedure found in **Annexure E**, the radio frequency

spectrum licence must have been held for at least one year before an application for a transfer can be made;

(b) the transferee is capable of complying with the terms and conditions contained in the radio frequency spectrum licence;

(c) a duly completed application form is submitted by the transferor, with proof of payment of the prescribed application fee at any office of the Authority;

(d) in the case of liquidation or insolvency of the transferor, the liquidator/curator must give written consent in respect of the transfer;

(e) in the case of a deceased estate, the executor of the deceased estate must give written consent in respect of the transfer; and

(f) the transferee for the transfer of the radio frequency spectrum licence that was subject to an extended application procedure, must have a score not less than that of the transferor.

(9) The Authority shall not approve the transfer of a radio frequency spectrum licence:

(a) where a licensee has been found, by the Complaints and Compliance Committee ("the CCC"), to have contravened the provisions of the Act, the ICASA Act, the Regulations, the Terms and Conditions of a radio frequency spectrum licence or a licence granted in terms of Chapter 3 of the Act, and has failed to comply with an order by the Authority in terms of section 17E(4) of the ICASA Act;

(b) if such transfer will reduce or limit competition; or

(c) if such transfer will result in the reduction of equity ownership held by black people to be less than 30% or the reduction of the BBBEE status of a licensee to below Level 2 contributor.

11. Procedures in Respect of Spectrum Licence Surrender

(1) A licensee seeking to surrender his licence must, in writing, submit the following to the Authority:

(a) a completed application form in the format outlined in **Form C of Annexure A**;

(b) an original of the radio frequency spectrum licence and information on any other conditions imposed on the licence; and

(c) the proposed date from which the radio frequency spectrum licence shall become void, which will in any case not be any earlier than thirty (30) days from the receipt of the application for surrender.

(2) After receipt of the application for Notice of Surrender, the Authority may:

(a) request further information from the applicant;

(b) conduct a public consultation process; or

(c) impose conditions on the licensee with respect to provisions for end users before the Notice of Surrender can be approved by the Authority.

(3) If a licensee has a service licence, the surrender of the radio frequency spectrum licence does not absolve the licensee from any obligations he or she may have under the service licence.

(4) Subject to regulation 8(8) of these Regulations, a licensee seeking to surrender his radio frequency spectrum licence must inform its end-users, if any, within its geographic coverage, no later than two (2) months before the expiry of its radio frequency spectrum licence of its decision.

12. Procedure in Respect of Radio Frequency Spectrum Licence Withdrawal

(1) The procedure for withdrawal of a radio frequency spectrum licence is as outlined in section 31 (8) to (10) of the Act.

(2) The withdrawal of a radio frequency spectrum licence must not prejudice or affect the rights of the Authority to recover any money or obtain any remedy arising from or in relation to any breach of a licence condition or failure to comply with the Act.

(3) The Authority may suspend a radio frequency spectrum licence for no more than twenty four (24) months, whereafter the Authority may withdraw the licence, in any of the following circumstances:

(a) where the licensee is placed in liquidation,
(b) where the licensee's service licence has been revoked by the Authority or cancelled by the licensee;
(c) where the licensee has repeatedly breached the terms and conditions of a radio frequency spectrum licence or the provisions of the Regulations;
(d) upon failure to use the assigned radio frequencies within two (2) years of granting of the radio frequency spectrum licence; or
(e) upon need for use of the frequency spectrum during an emergency including both man-made and natural disasters.

13. Permission to Assign, Cede or Transfer a Radio Frequency Spectrum Licence

Application for permission to assign, cede or transfer a radio frequency spectrum licence must be in the format as set out in **Annexure D**.

14. Procedures for Coordination with Shared Frequencies

Self-coordination

(1) Licensees must make all attempts in good faith to mutually agree upon frequency coordination among themselves.

(2) Licensees must provide the Authority with the agreed frequency coordination plan, including adjustments to parameters such as site location and antenna height.

(3) In case of no mutual agreement, despite best effort and supported documented evidence from one or both parties, a licensee may refer the matter to the Authority for intervention.

(4) The Authority may at its own discretion refuse to entertain any request for intervention where there is no sufficient documented proof of an attempt for mutual coordination between the licensees.

Coordination Intervention by the Authority

(5) A party seeking intervention from the Authority for the resolution of the coordination request must submit a coordination intervention request.
(6) The coordination request shall be in the format set out in **Form D of Annexure A.**
(7) The Authority shall, within thirty (30) days from the date of receipt of the coordination request, conduct an enquiry on the matter. It may, at its own discretion:

(a) request additional information from the concerned parties; or
(b) request joint hearings between all parties.

(8) Upon the conclusion of the Preliminary Inquiry, the Authority shall then inform the parties in writing of its plans for coordination of the radio frequency spectrum between the concerned parties.
(9) The notification from the Authority shall include the following particulars:

(a) the names and addresses of the parties;
(b) a statement of the facts supporting the claim;
(c) issues in dispute;
(d) the decision on the best solution to resolve the coordination issue; and
(e) the supporting written statements by the relevant person, if any.

International Coordination

(10) Based upon the details provided, a licensee may request the Authority to initiate the international coordination process.
(11) A request to the Authority for international coordination must be accompanied by the following information:

(a) propagation models used;
(b) method of calculating interference;
(c) level of acceptable interference – whether shared or exclusive usage; and
(d) the manner in which the band is used or intended to be used, including the manner in which the band is segmented or channelised.

(12) The Authority shall communicate with the relevant foreign regulatory counterpart not later than seven (7) days after receipt of the information from the licensee in terms of sub-regulation (10).

(13) During the interim period, if requested, the Authority may issue a temporary licence:

(a) the duration thereof to be determined on a case by case basis by the Authority;
(b) allowing a licensee to operate without interfering with other users situated along the international boundary; and
(c) which will provide no guarantee on the part of the Authority that the process of spectrum coordination will provide a positive outcome.

(14) The Authority shall work with the relevant foreign regulatory counterpart to determine the best plan for coordination. This may involve:

(a) technical discussions on matters of coordination; and/or
(b) operational considerations on matters of coordination.

(15) If coordination is successful, the Authority shall communicate same to the licensee in writing with suggested modifications, as mutually agreed upon with their foreign regulatory counterpart, and:

(a) the provisional licence will be terminated; and
(b) a full-fledged licence with all applicable terms and conditions will be put in place.

(16) Spectrum fees payable shall be prorated to cover the remainder of the then current term.

PART IV - Standard Terms and Conditions of Radio Frequency Spectrum Licences

15. Duration of a Radio Frequency Spectrum Licence

(1) The granting of a radio frequency spectrum licence must not be construed as conferring upon the holder a monopoly for the use of or a right of continued tenure of the radio frequency spectrum.
(2) Unless otherwise specified in a radio frequency spectrum licence, a radio frequency spectrum licence shall run parallel to and not exceed the duration of a service licence contemplated in Chapter 3 of the Act, issued to the person in possession of a radio frequency spectrum licence.
(3) The duration of a radio frequency spectrum licence, without a corresponding service licence contemplated in Chapter 3 of the Act, is a year (i.e. from 1 April until 31 March) and such a licence will expire on the due date of the then current licence year.
(4) Where a radio frequency spectrum licence is issued in the Amateur Radio, Aeronautical Band, Marine Band, Citizen Band Radio for Ski Boats, the licence shall remain valid from 1 April of the year in which it was issued and is thereafter

renewable by payment of the prescribed licence fee before or on the due date in the year it is set to expire.

(5) All payments relating to the usage of radio frequency spectrum are payable annually on or before the due date.

16. Spectrum Sharing

(1) Radio frequency spectrum sharing is where two or more licensees have been granted radio frequency spectrum licences for all or part of the same frequency assignment.

(2) The Authority may require a licensee to share an assigned frequency with other licensees.

(3) Two or more persons may apply to the Authority for radio frequency spectrum licences for spectrum assignments on a shared basis.

(4) All radio frequency spectrum sharing agreements are subject to approval by the Authority,

17. Spectrum Coordination

(1) Licensees are required to make every effort to come to an agreement over the use of shared spectrum before declaring a dispute.

(2) The Authority may at its own discretion, for particular frequency bands, require that licensees who have an assignment on a shared basis collectively submit a spectrum sharing coordination agreement for approval.

(3) The Authority may at its own discretion specify the coordination procedures to the licensees of shared spectrum assignments.

(4) Licensees may request the Authority to assist in coordination.

18. Spectrum Dispute Resolution in the Use of Shared Frequencies

(1) A dispute between licensees regarding any matter pertaining to radio frequency spectrum shall first be attempted to be resolved by the parties.

(2) If an undertaking provided by any one of the parties has been registered with the Authority, the parties may then adopt the conditions of the undertaking in resolving the dispute.

(3) The parties may seek a resolution of the dispute by the Authority if :

(a) they cannot or have otherwise failed to reach an agreement to the dispute, and no relevant undertaking has been registered;

(b) one of the parties to the dispute does not wish to adopt the conditions of the undertaking registered with the Authority; or

(c) the Act expressly provides for such resolution.

(4) Both parties should make every attempt in good faith to reach a solution using "Alternative Dispute Resolution" (ADR) before approaching the Authority, including:

(a) Negotiation – bilateral discussions between the involved parties; and
(b) Mediation and arbitration – negotiations supported by a neutral party:

(i) In this case the parties may approach the Authority to assist in the appointment of a mediator who is acceptable to all parties.
(ii) The recommendations from the mediation and arbitration process need to be mutually accepted by the disputing parties.
(iii) The Authority cannot be held responsible or liable for any decision reached through the ADR process.

(5) The Authority, may at its own discretion reject any dispute application where there has not been any clear and documented attempt to adopt ADR before referring the dispute to the Authority; except in instances referred to in sub-regulation (2) above.
(6) Where licensees are unable to come to an agreement following ADR process, either one of the licensees may declare a dispute by informing the Authority in writing, indicating the subject matter of the dispute.
(7) In resolving the dispute, the Authority may decide as follows:

(a) direct the removal of radio apparatus;
(b) impose penalties on one or more of the licensees should it be ascertained that the said licensees are in contravention of their licence conditions, regulations or Act;
(c) suspend or cancel radio frequency spectrum licences in accordance with the provisions of these regulations; or
(d) impose other terms and conditions as required.

19. Application Fees and Examination Certificates Fees

(1) Radio frequency spectrum fees payable are contained in the applicable spectrum fee regulation.
(2) Radio frequency application fees, fadio frequency examination and certificate fees are as contained **in Annexure F** and **G** of these Regulations.
(3) Any application fee payable in respect of these Regulations is non-refundable

PART VI - Specific Services

20. Radio Apparatus

Radio Apparatus Dealer Certificate

(1) The Authority may, on application, issue to any person a radio apparatus dealer certificate and charge a fee as prescribed by it.

(2) A person who deals in radio apparatus, either personally or as agent must be in possession of a radio apparatus certificate issued by the Authority.

(3) All radio apparatus in the possession of a radio apparatus dealer must be disconnected from any power supply and antenna, except in cases where a radio frequency spectrum licence has been issued by the Authority to that dealer.

(4) A radio apparatus dealer can demonstrate the workings of any equipment only when the Authority has issued a radio frequency spectrum licence for that purpose to him or her.

(5) No radio apparatus dealer must sell, hire out, donate or in any manner supply or install any radio apparatus to any person, or effect any repairs to any radio apparatus for any person, unless that person is entitled to have that equipment in their possession.

(6) A radio apparatus dealer must, in respect of all types of electronic communication facilities and radio apparatus other than a sound receiver or television set that he has sold, hired out, donated or supplied in any other manner or has repaired or installed for any person, keep a register in which the following are recorded:

(a) name and address of the person to whom such equipment was sold, hired out, donated, supplied or for whom the repairs or installation was done;

(b) date of the transaction by virtue of which such equipment was sold, hired out, donated, supplied or the date on which the repairs or installation were carried out and the nature of such repairs;

(c) a description of the type and nature of the equipment involved and, in the case of radio apparatus, the serial number as well as the frequency on which it operates, for example, XYZ two-way radio 1358706 on the frequency 83.5000 MHz;

(d) the number or, where applicable, the call sign and the expiry date of the licence issued to the person to whom such radio apparatus was sold, hired out, donated, supplied or for whom the repairs or installation was carried out; or

(e) the call sign or number and expiry date of the licence, radio apparatus dealer registration certificate or particulars of permit by virtue of which the person to whom the equipment was supplied or for whom the repairs or installation was carried out was exempted from an obligation to be a holder of an appropriate licence for the possession of such apparatus.

(7) A register in terms of sub-regulation (6) must be retained by the radio apparatus dealer for a period of at least eighteen (18) months after the date of the transaction by virtue of which the required records were made.

(8) Electronic communication facilities and radio apparatus, other than a sound radio or television set, must not be handed over or returned by the radio apparatus dealer to a person or any other radio apparatus dealer unless the radio apparatus dealer is satisfied that such apparatus is tuned to only that frequency or those frequencies which the licensee may use in terms of the conditions of his licence or which the Authority has otherwise prescribed.

Procedure in Respect of Applying for a Radio Apparatus Dealer Certificate

(9) The relevant application form, obtainable at any office of the Authority, must be completed and submitted with proof of payment of the prescribed application fee.
(10) In the event that the applicant is a natural person, a copy of the applicant's identity document must also be submitted with the application form.
(11) In the event that the applicant is a juristic person or an association, a copy of the applicant's company or closed corporation registration certificate or constitution of the association must also be submitted with the application form.
(12) Radio apparatus dealer certificates are only issued to South African citizens and residents or South African registered companies, closed corporations and associations.

(13) The issuing of a radio apparatus dealer certificate does not grant sole rights with regard to the supply of any particular type of electronic communication equipment.

21. Amateur Radio Communications

Conditions for the Granting of an Amateur Radio Station Licence

(1) The Authority shall, subject to these Regulations, issue a Class-A or Class-B licence for the use of an amateur radio station.
(2) A Class-A licence (ZS – CEPT Class 1) shall be issued to a person who:

(a) has furnished proof of his or her ability to correctly set up, adjust and operate an amateur HF radio apparatus; and
(b) is in possession of a HAREC issued or recognised by the Authority.

(3) A Class-B licence (ZU) shall be issued to a person who:

(a) has furnished proof of his or her ability to correctly set up, adjust and operate an amateur HF transceiver;
(b) is in possession of a radio operator certificate specified for a Class-B licence; and
(c) is not over the age of twenty (20) years.

(4) A Holder of a Class-B novice licence should write and pass the Class-A examination before his/her 25th birthday after which the Class-B novice licence will be cancelled.
(5) The Authority shall issue call signs to licensed amateur radio stations and no person shall acquire call signs on behalf of a group of persons or amateur radio stations.

Foreign Radio Amateur Operator

(6) The Authority shall issue an amateur radio station licence to a foreign radio amateur operator if all the following conditions are met:

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(a) where a foreign operator has a valid foreign amateur radio station licence;
(b) where a foreign operator has an amateur operator certificate, equivalent to the relevant class of South African licence or certificate, issued by a recognised competent foreign authority and
(c) where there is a reciprocal agreement between South Africa and the other country.

Use of Amateur Radio Stations

(7) An amateur radio station shall only be used by the holder of the amateur radio station licence issued by the Authority.
(8) The holder of an amateur radio station licence may use an amateur radio station other than his or her own with the permission of the licensee concerned.
(9) An amateur radio listener's licence authorises the holder thereof to acquire and be in possession of a radio apparatus for the reception of amateur radio signals only.

Communication by Amateur Radio Stations

(10) A licensee is permitted:

(a) to engage in communication with other licensed amateur radio stations, using the permitted amateur bands, and such communication must be restricted to comments on technical investigations, remarks of a personal nature and other items of a common interest which must not include commercial or business communication for which an electronic communication service would have been used had the amateur radio communication not been available;
(b) in the case of an emergency and where the safety of life or limb is at stake, to communicate with amateur stations or any other disaster relief stations to prevent loss of life, to render assistance, to call for assistance or convey health and welfare messages directly connected with the emergency;
(c) to practice emergency and event related communication, by providing communication for cycle, motor, marathon rallies and general community service: provided that the station engaged in the practice, is a holder of the appropriate class licence, for the frequency used;
(d) to carry out communication in plain language or Q Code; and
(e) to send signals un-enciphered that form part of or relate to the transmission of messages.

(11) An amateur radio station must not advertise anything (including goods and services) or transmit any news or messages on behalf of a third person on an amateur radio station.
(12) The Authority may authorise an amateur radio station to transmit:

(a) reports on behalf of or by a third person during events that are in the public interest;

(b) information bulletins that are of direct interest to amateurs; and
(c) Morse code for reception by persons learning Morse code operation or for improving their competence in Morse.

(13) An amateur radio station must not be used to transmit or receive messages for monetary reward.
(14) For the purposes of these Regulations, messages and signals include communication by any of the modes or types of modulation permitted in the national radio frequency plan.
(15) The Authority shall permit stations registered with it as educational stations to demonstrate amateur radio to persons who do not hold an amateur radio station licence by allowing them to speak and operate the station under the supervision of a licensed amateur, whilst participating in a special educational event or at educational institutions.

Log book for Amateur Radio Station Activities

(16) A licensee must keep a log book recording the activities of the amateur radio station used by him or her or any other person under the supervision of the licensee, except when operating a station in the VHF and UHF bands or mobile.
(17) Details recorded in the log book referred to in sub-regulation (15) must include:

(a) the date, time and nature of each transmission: provided that the date with regard to each individual day's operation need to be recorded only once and for the purposes of this paragraph "time of each transmission" shall mean the time that a specific station is called and the time at which the communication with such station is terminated;
(b) the full name and address of the person making the transmission: provided that the name of the licensee who regularly uses the amateur radio station need to be recorded only once in the log book with an explicit statement that all transmissions are made by him, except where stated otherwise;
(c) the call sign of every station: provided that it need not be recorded repeatedly for calls made to the station during the course of the communication;
(d) the transmitter power that is used;
(e) the frequency band that is used: provided that it need to be recorded in the log book only once until a change of frequency to another authorized band takes place; and
(f) the address from where the transmission takes place: provided that such address needs to be recorded only once, should the place of transmission not change.

Terms and Conditions for Amateur Licences

(18) No person must transmit by way of an amateur radio station, using a mode of emission or at a power level, other than that indicated in the national radio frequency plan, unless authorised by the Authority.
(19) The mode of emission referred to is contained in Annexure H in these regulations.
(20) Where the amateur service allocation is on a secondary basis, frequency spectrum bands must be shared with other services subject to the following conditions that:

(a) amateur radio stations must not interfere with these services; and
(b) users of frequency bands must unconditionally accept interference from Industrial, Scientific and Medical (ISM) equipment.

(21) Radio apparatus used at an amateur radio station must not be tuned to a frequency other than a frequency for amateur services referred to in Annexure I in these regulations.
(22) Radio apparatus must only be tuned to the harmonised public protection and disaster relief frequencies for disaster relief radiocommunication purposes.
(23) The frequencies required by the licensee must be selected in such a manner that no power is radiated at frequencies other than those referred to in the amateur radio frequency plan, provided that the bandwidth of emissions on bands that have been allocated to the amateur radio service in terms of these regulations shall be restricted to the minimum.

Limitation in Respect of Transmissions by an amateur Radio Station

(24) No person must operate an amateur radio station using frequency bands, modes of emission or at power levels other than those specified in the amateur national radio frequency plan.
(25) Class-B emission (damped waves) by an amateur radio station is not permissible.
(26) An amateur or experimental radio station must not be used for the simultaneous retransmission, by automatic or other means of programs or signals originating from a commercial radio station: provided that the holder of an amateur radio station licence or experimental station licence may relay legal signals by automatic or other means that originate from a licensed amateur or experimental radio station.
(27) An amateur radio station must not be erected in or on a vehicle which is used for public transport.

Transmissions Relating to Entertainment by an Amateur Radio Station

(28) No form of entertainment must be transmitted from an amateur radio station, provided that music transmissions for experimental purposes shall be permissible on condition that:

(a) such transmissions shall last no longer than three (3) minutes;
(b) at least five (5) minutes shall elapse before any further music is transmitted from the same station;

(c) when commercial recordings are used, the make, name or title of such recordings shall not be mentioned; and
(d) such transmissions must not take place in bands other than those indicated in the amateur national radio frequency plan.

Television Transmissions by an Amateur Radio Station

(29) The holder of an amateur radio station licence must obtain approval from the Authority to transmit television, provided that such approval shall only be granted to the licensee after at least twelve (12) months have elapsed since the date of issue of such licence.

Spread-Spectrum Communication

(30) The Authority shall, subject to the condition that interference is not caused to other users of the same frequency band and such other conditions as it may deem necessary, on application using the standard application form, authorise the holder of an amateur radio station licence to employ spread-spectrum communication.
(31) The frequency edges of the band and the modulation technique / emission designation to be used shall be furnished in the application form.

Transmitter Power Output of Amateur Radio Stations

(32) The maximum power output of the transmitter, as measured at the antenna port, must not exceed the levels specified in the national radio frequency plan for the relevant licence classes and linearity must be maintained.
(33) An adequately filtered direct-current power supply must be used for all the transmitting equipment.
(34) The coupling between the antenna and the transmitter shall be such that no direct potential danger to life exists at a power supply on or at the antenna.
(35) The antenna system must furthermore comply with the requirements of the relevant local municipality.

Frequency Measuring Equipment

(36) Every amateur or experimental radio station must have frequency measuring equipment with accuracy of at least zero point one percent (0.1%), unless the frequencies of all transmitters of the station are crystal controlled and are accurate to at least zero point one percent (0.1%).

Mobile Amateur Radio Station

(37) An amateur holding a Class-A or class-B licence may use a mobile amateur radio station within the boundaries of the Republic of South Africa.
(38) When a mobile amateur radio station is used in an amateur radio zone other than that in which the amateur resides, the call sign allocated to the main station must:

(a) in the case of continuous-wave radiotelegraphy, be followed by the signal, the letter M and the number of the zone from where the station is operated; and
(b) in the case of radiotelephony be followed by the word "mobile" and the number of the zone from where the station is operated.

(39) For the application of the provisions in respect of zone the different zones of the Republic of South Africa are indicated in Annexure J of the Regulations.

Amateur Radio Operator Certificate

(40) No person must obtain a HAREC or a certificate specified for a Class-B licence unless he or she has passed an examination in the Republic of South Africa for Class-A or Class-B licences.
(41) Any person who is not prohibited by these Regulations from qualifying may sit for the examination.
(42) The examination must be conducted at least once a year.
(43) HAREC and a certificate specified for Class-B licences shall be issued to a candidate who passes the examination and such certificate is not recognised for any purpose other than an amateur radio station licence.
(44) The possession of a HAREC or certificate specified for a Class B licence shall not entitle the user thereof to an amateur radio station licence.
(45) The following conditions are applicable to the radio amateur examination:

(a) The syllabi for the examination must be provided to anybody on request.
(b) Three (3) hours must be allowed for the examination paper consisting of various parts.
(c) To pass the examination, a candidate must obtain at least 50% (fifty percent) in each of the relevant parts with a total average of 65% (sixty-five percent).
(d) A candidate who passes either of the parts referred to in sub-regulation 6(c) and passes the remaining part within three (3) successive attempts, which shall commence with the examination immediately after the one in which the candidate was unsuccessful, is exempt from writing the whole examination again.

22. Communal Repeater Station Services.

(1) A communal radio repeater station service may not be provided to one (1) client only.
(2) No person shall interconnect a communal radio repeater station service without the approval of the Authority: provided that such approval shall only be considered in cases where multi-channel allocations are already in use on a communal radio repeater station service.
(3) The Authority may issue an additional assignment for a communal radio station service to a licensee if each of the licensee's existing communal radio repeater stations in the same area services no less than ten (10) clients and one-hundred (100) two-way radios.
(4) An assignment may be refused on the grounds that the licensee's existing communal radio repeater station service or services does not or do not comply with the requirements specified in these regulations.
(5) An assignment may be issued by the Authority if proof of channel occupancy to justify the application is furnished.
(6) A licensee of a communal radio repeater station service who is experiencing coverage obstacles should submit proof that he or she has tested alternative technical solutions without success before he or she applies for an additional communal radio repeater station service assignment in the same working area.

(7) No person shall operate or use a communal radio repeater station service unless:

(a) tone signalling is built into all stations in the system and provided that if the Continuous Tone Coded Squelch System (CTCSS) signalling method is not used, some other method of automatic control shall be used to ensure that contact with the repeater station is maintained at the end of each message in order to enable the recipient of the message to reply;

(b) each station shall be equipped with a 2-minute forced repeater-release facility, provided that the forced release shall not be exclusively dependant on the discontinuance of the carrier;

(c) the communal radio repeater station has a facility to prevent any user group from re-engaging it within one minute of completing a call;

(d) all transceivers have a built-in facility to prevent the transmission of a carrier while the communal radio repeater station is being used by other clients and by means of which it can be ascertained whether the system is engaged; and

(e) the transmitter power is set at the levels as approved by the Authority.

(8) A licensee of a communal radio repeater station service must keep a register of:

(a) each user connected to the service, reflecting the user's name and address as well as the address of the base station when applicable;
(b) any additional users connected to the service during the previous calendar year;
(c) particulars of persons, who had cancelled the use of the service during the course of the said calendar year.

(9) A copy of the register must be made available to the Authority on request and shall, if an application is made for a licence for an additional communal radio repeater station in a specific area, accompany such application in confirmation of the clients and stations served by an existing system in that area.

(10) At the end of each year, a licensee must send a copy of the register by certified post to the Authority to reach it not later than 31 January of the following year.

23. Burglar Alarm Services

(1) Radio frequency spectrum for the purposes of providing burglar alarm services will be assigned on a shared basis and the various manufacturers or suppliers of the burglar alarm equipment have a responsibility to coordinate the use thereof between the different licensees.

(2) All signals between burglar alarm transmitters and control stations must be unidirectional from the transmitters only.

(3) All alarm equipment must be capable of being programmed with codes in order to allow for efficient use by multiple controls and parrot repeater stations.
(4) All lock-on faulty signals and transmitters must be investigated and rectified by a licensee or licensees affected.
(5) An assignment for additional frequency spectrum in the licensed area may be issued by the Authority if each of the licensee's existing burglar alarm systems in the same-area services not less than twenty (20) control stations and twenty thousand (20 000) burglar alarm transmitter stations.
(6) If the licensee's existing burglar alarm service does not comply with the requirements as specified in these regulations, then the licensee must at least demonstrate that it is using the entire radio frequency spectrum assigned to him or her efficiently.
(7) A licence shall be issued by the Authority if proof of channel occupancy is furnished to justify the application.
(8) Approval must be obtained from the Authority before any parrot repeater station or control station is supplied and installed on a burglar alarm service.
(9) A licensee providing a burglar alarm service using radio frequency spectrum assigned for that purpose must keep a register of each client connected to its service and provide a copy of the register to the Authority upon request.
(10) A register in terms of sub-regulation (9) must clearly indicate any additional burglar alarm transmitters connected to a licensee's system during the preceding year and clearly indicate burglar alarm transmitters that were cancelled during the same period.

24. Simplex Radio Rental Services.

(1) A radio frequency spectrum licence for a simplex radio rental system will be for a minimum of fifty (50) two-way radio stations.
(2) A licensee assigned radio frequency spectrum to provide a simplex radio rental system may rent simplex radio apparatus subject to regulations developed by the Authority on leasing.
(3) All equipment of a simplex radio rental system must operate with Continuous Tone Coded Squelch System (CTCSS) and or a Digital Coded Squelch System equivalent.
(4) Permission must be obtained from the Authority before any equipment may be rented for use outside the licensed operational area.

25. Citizen Band Services

Licences for the Operation of a Citizen-band Radio Station

(1) A radio frequency spectrum licence issued for citizen band radio services confers on the licensee the right to use a citizen-band radio station from a mobile or fixed point.
(2) The following persons may be permitted by a licensee to use his or her citizen-band radio station on the authority of the licence issued:

(a) a member of the licensee's household who resides with him or her;

(b) an employee of a licensee, provided the communication concerns the business of the licensee only;
(c) every partner or employee of a partnership which is a licensee: provided the communication concerns the business of the partnership only;
(d) every member of an association and employee of an association which is a licensee: provided the communication concerns the business of the association only;
(e) every member or employee of a closed corporation which is a licensee: provided the communication concerns the business of the corporation;
(f) every official, director or employee of a company which is a licensee; provided that the communication concerns the business of the company only;
(g) any other person authorised by the Authority.

(3) Communication between fixed points for business purposes is prohibited.

Frequencies for Transmitting over the Citizen-band Radio Service

(4) No person may transmit in the citizen-band on any frequency other than those indicated in the national radio frequency plan.
(5) Although any channel may be used for emergency communication or for assistance to travellers, the emergency channel may not be used for purposes other than emergency communication or travellers` assistance.
(6) All channels are for the common use of all licensees and no channel may be reserved for the private or exclusive use of any particular station or group of stations.
(7) Users of the citizen-band radio service who work within the limits of the frequency band 26.96 MHz to 27.28 MHz shall accept harmful interference from Industrial, Scientific and Medical (ISM) equipment users.

Communication between Citizen-band Radio Stations

(8) Citizen-band radio stations may only be used to communicate with other licensed citizen-band radio stations.
(9) Reception of, as well as transmission to, foreign radio stations and radio stations not licensed in the citizen-band radio service is prohibited.
(10) Communication in the citizen-band radio service must be by means of two-way conversations in plain language or the 10 code.
(11) No person shall use the citizen-band radio service to:

(a) transmit material intended for direct or indirect transmission over a broadcasting station;
(b) communicate for business purposes between fixed points; or/and
(c) operate the system in such a way as to cause interference to any other radio station.

(12) No licensee or any other person may accept remuneration for the transmission or reception of messages over the citizen-band radio service.
(13) Users of the citizen-band radio service are obliged to give priority to emergency communication at all times.
(14) Communication between citizen-band stations must be as brief as practicable and must not exceed five (5) continuous minutes except in the case of an emergency.

Use of a Handle, Station Indicator or other Special Identification

(15) A handle, station indicator or other special identification may be used in addition to, but not instead of, the call sign allocated to the station by the Authority. Similarly, the phonetic alphabet may be used as an aid to identification.

Modification/ Adjustment of Citizen-band Radio Apparatus

(16) No person shall effect any modification or adjustment to an approved citizen band radio apparatus without the approval of the Authority.
(17) All repairs or approved adjustments must be made by or under the direct supervision of a registered radio apparatus dealer.

Technical Requirements that Citizen-band Radio Apparatus must satisfy

(18) Citizen-band radio apparatus must satisfy all technical requirements as specified in the national radio frequency plan and on the radio frequency licence.
(19) No person may connect or use a linear or additional radio-frequency amplifier to a citizen-band radio station.
(20) The Authority must seize all unsealed linear or additional radio frequency amplifiers found in the possession or in the premises of the user, for examination and safe custody.

26. Radio Frequency Spectrum Licensing for Registered Association or Clubs

(1) The Authority may issue a radio frequency licence to a registered association or club for use by their members.
(2) A radio frequency spectrum licence will be issued for the sole purpose of communication amongst members of the association or club.
(3) The club or association, when applying for a radio frequency spectrum licence, must attach a list with the names and identity numbers of each member.
(4) Updates on membership must be forwarded to the Authority on a monthly basis.

PART VII - General Provisions

27. Allocation and Display of Call Sign

Where the Authority allocates a call sign to a radio station, the said call sign must be conspicuously displayed on the said radio set by the licensee and the call sign must be transmitted at least once during each separate transmission.

28. Modifications to a Station

A licensee is obliged to effect at his or her own cost any modifications to his or her radio-communication system that the Authority has directed, and the Authority shall by no means be liable to the licensee or any other person for any costs or damages arising from such modifications.

29. Interference, Condition of Station and Compliance with Requirements of the Authority and Local Municipality

(1) A licensee is obliged to maintain all radio apparatus in a good technical condition and to ensure at all times that it satisfies the requirements of the Authority and does not cause harmful interference.

(2) The antenna system must comply with any requirements of the relevant local municipality or other relevant authority.

30. Indecent Language and Fraudulent Transmissions over Stations

(1) No person shall transmit language which, judged within context:

(a) Violates the dignity or privacy of a person;
(b) amounts to profanity;
(c) amounts to obscenity;
(d) amounts to propaganda for war;
(e) amounts to incitement of imminent violence;
(f) amounts to the advocacy of hatred based on race, ethnicity, religion or gender and that constitutes incitement to cause harm;

(2) Sub-regulation 35(1) shall not apply to *bona fide* literature, drama, documentary or scientific material or to *bona fide* religious debate.

31. Distress Signal

No person must transmit a distress signal without justifiable reason.

32. Change of Address

A licensee must inform the Authority of the change of address within fourteen (14) days of the change occurring.

33. Radio Receiving Apparatus with Continuous Tuning

No person must use or have in his or her possession any radio receiving apparatus which is capable of continuous tuning and be tuned to bands above thirty(30) MHz except in the following instances:

(a) for international broadcasting and radio amateur bands;
(b) the licensee is part of a recognised responsible disaster relief organisation and/or authorised agency; and
(c) where the Authority's prior approval was obtained.

34. Operation of Radio Apparatus on Board Ship while it is in Harbour

(1) The master of a ship must ensure that the radio installation on board is not used for radiocommunication while the ship is berthed or anchored in a harbour in the Republic, except for the purposes of type F3 transmissions in the VHF maritime mobile band to communicate with:

(a) the nearest coast station in the Republic that is open for public correspondence;
(b) the port operations service; and
(c) a vessel on its way to the harbour or berth provided the communication is limited to navigational safety.

(2) The restriction shall not apply to the apparatus used on board a ship for establishing communication via any satellite of the INMARSAT organisation.

35. Recognition of Licences Issued by other Countries

Notwithstanding provisions to the contrary in these regulations, the Authority may issue a radio frequency spectrum licence as required by the Act or these Regulations to a person who, in the opinion of the Authority, possesses a similar licence issued by an authority in another country despite the fact that such person does not satisfy specific requirements stipulated by these regulations for the acquisition of the licence or certificate.

36. Possession of Radio Apparatus without Licence

(1) Subject to section 32(1) of the Act, no person may possess any radio apparatus except under and in accordance with a radio frequency spectrum licence granted by the Authority or exempted from a licence by the Authority.

(2) No person must break a seal or alter radio apparatus sealed or altered by the Authority in terms section 32(3)(a) of the Act.

(3) Subject to the provisions of section 31(6) of the Act, the Authority shall issue, upon application, a permit (maximum period of one month) with regard to the following activities:

(a) trial, experimental and demonstration system;
(b) national or news events of public or global interest;
(c) presidential/inter-governmental visits; or
(d) any other special event or occasion that would require the use of radio frequency spectrum.

(4) An application for a permit must be accompanied by the prescribed application fee and must contain the following:

(a) full name, address and contact details of the applicant.
(b) if the applicant is a juristic person or an association, a copy of the registration certificate for the company or the constitution for the association must be supplied.
(c) the storage location of the radio apparatus for which the permit is applied.
(d) the make and model number of the radio apparatus.
(e) the number of units in question.
(f) technical parameters of such radio apparatus, including, but not limited to, frequency, power and applicable standard.

(5) Where the radio apparatus is not type-approved for use in South Africa and is intended for export purposes only, the applicant must provide an affidavit stating the following:

(a) the country from where the equipment originates.
(b) the country where the radio apparatus will be exported.
(c) that the radio apparatus and containers thereof are sealed.
(d) that the radio apparatus is not intended for use, sale or distribution in South Africa.

37. Radio Reception Blocking Devices

(1) No person may be in possession of a radio reception blocking device, also known as a radio jamming device.

(2) The provisions of sub-regulation (4) do not apply to any member of the security services as defined in section 1 of the Act who is required to possess a radio reception blocking device for a lawful purpose and in the execution of his or her functions only where the Authority's prior approval was obtained.

(3) A member of the security services who intends to use a radio reception blocking device, must notify the Authority in writing, at least two (2) hours prior to the blocking, of his or her intention to make use of the radio blocking device.

(4) The notice in terms of sub-regulation (6) must indicate:

(a) the affected area; and
(b) the duration for the use of the blocking device.

38. Licences for Trials, Experimentation and Demonstration of Systems

(1) Any person can apply for a trial, experimental or demonstration system licence, which licence is temporary and provided for a limited time period under certain criteria.
(2) All applications shall be accompanied by a cover letter and relevant supporting documents including:

(a) trial objective;
(b) location;
(c) equipment technical specification;
(d) network configuration;
(e) coverage map (not applicable for demo and experimental);
(f) trial schedule and time line;
(g) sampling size and category (for commercial trial); and
(h) data collection method (for commercial trial).

Criteria for a Licence for a Trial for an Experimental or Demonstration System

(3) A licence for a trial for the testing of an experimental system or the demonstration of a system could be considered for each of the following purposes:

(a) for the benefit of "public interest" as stated in the Act (Section 2).
(b) for the benefit of users or the public
(c) for strategic business decisions and implementation.
(d) for consumer education, orientation and feedback.
(e) for research and development into the use of new technologies or new ways that existing technology might be used.
(f) for research and development into new or different ways of using the radio frequency spectrum

(4) A similar task or activity shall not be implemented within the same geographic area that has an existing system of the same nature, unless there are critical and strategic reasons to support the subsequent application[s]. Each application of a trial will need to specify the criteria as listed above and its justifications

Nature of trials

(5) A trial can typically be of the following nature, although not exclusively so:

(a) A field or technical trial that includes aspects such as compatibility, interoperability, safety, compliance to standards and engineering and network operational practices, as well as other related activities and should concentrate largely on the areas of technical operation and performance of a system or product as well as the technical assessment of the technology.

(b) A pilot study that may encompass evaluating all-round aspects of a system or product and is normally conducted with an offering for trial to a select group of users who will evaluate services offered by the trial within the specified time period.

(c) A commercial trial will involve commercial issues and may incur all or any of the commercial levies or charges, as mutually agreed for the trial, usage or recurring charges and billing, installation and commissioning costs and rental of equipment over the period where the trial is being conducted.

(d) Trials and experimental systems may be conducted for the purpose of research and development (R&D) either by individuals or organizations, like government, universities, research establishments, companies, trade associations or learned societies on condition that sufficient justification is provided.

(e) Trials may be conducted for showcasing new applications and contents on an existing system or product.

Duration of the Trial

(6) The short term trial shall be limited to three (3) months and may be extended on good cause shown for a period which does not exceed three (3) months.
(7) The long term trial shall be eight (8) months and may be extended on good cause shown for a period which does not exceed six (6) months.
(8) Applications with duration of less than three (3) months may be extended on good cause shown for a period which does not exceed one (1) month.
(9) For experimental purpose the duration shall be based on an applicant's requirement.
(10) For demonstration purposes, the assignments period shall be based on the exhibition or conference period.

Other conditions of a trial licence

(11) For the purposes of effective evaluation of a trial in conduct, the trial shall be subjected to regular reporting on the status or progress to the Authority throughout the trial period. This must be in the form of a periodic report, submitted every three (months).

(12) The final report must be submitted at the end of the trial period. This report must detail, inter alia, the findings, the issues and problems and their resolutions, the benefits obtained and the proposals for the next steps.
(13) The report must consist of additional trial results and trial outcome or findings.
(14) All trials shall allow for the participation of the Authority's personnel according to mutually agreed principles.

PART VIII - Other

39. Rights

Assignment of Radio Frequency Spectrum and the issuance of licences to use Radio Frequency Spectrum are at the discretion of the Authority and applicants for Radio Frequency Spectrum must furnish all information to support their application as required by the Authority.

40. Offences and Penalties

(1) Any person that contravenes these Regulations, except for regulations 3, 9(c), 11(4), 15(5) and 36(1), (2) and (5), is liable to a fine not exceeding R200 000, 00 (Two hundred thousand Rands).
(2) Any person that contravenes regulation 3 of these Regulations, is guilty of an offence and subject, on conviction, to imprisonment of thirty (30) days and/or liable to a fine not less than R50 000, 00 (Fifty thousand Rands) but not exceeding R100 000, 00 (One hundred thousand Rand).
(3) Any person that contravenes regulation 9(c) of these Regulations is guilty of an offence and subject, on conviction, to imprisonment of thirty (30) days and/or a fine not less than R50 000, 00 (Fifty thousand Rand) but not exceeding R100 000, 00 (One hundred thousand Rand).
(4) Any person that contravenes regulation 9(c) of these Regulations is guilty of an offence and subject, on conviction, to imprisonment of thirty (30) days and/or a fine not less than R50 000, 00 (Fifty thousand Rand) but not exceeding R200 000, 00 (Two hundred thousand Rand).
(5) Any person that has contravenes regulation 11(4) of these Regulations shall be subject to a cooling-off period.
(6) Any person that contravenes regulation 15(5) is liable to payment of interest on the outstanding amount at the interest rate provided for in terms of section 80 of the PFMA.
(7) Any person that contravenes regulation 36 (1), (2) and (5) of these Regulations is guilty of an offence and subject, on conviction, to imprisonment of not less than six (6) months but not more than twenty four (24) months and/or is liable to a fine not less than R250 000, 00 (Two hundred and fifty thousand Rand) but not exceeding R5 000 000, 00 (Five million Rand) or 10% of the person or licensee's annual turnover for every day or part thereof during which the offence continued.

41. Short title and commencement

This gazette is also available free online at www.gpwonline.co.za

These Regulations are called the **Radio Frequency Spectrum Regulations, 2015** and shall commence on **01 April 2016**.

42. Repealed Regulations

Gazette No.	Short Title	Extent of Repeal
34172 of 2011	Radio Frequency Spectrum Regulations, 2011	The whole

Part IX - Annexures

ANNEXURE A

FORM A

APPLICATION TO AMEND A RADIO FREQUENCY SPECTRUM LICENCE

(See Regulation 7)

Note: (a) *Applicants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act") and any regulations published under that Act with regard to the requirements to be fulfilled by applicants.*

(b) *Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the part of the Form.*

(c) *Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information is not applicable.*

PARTICULARS OF LICENCE	
Licence number:	
Nature of services authorised to be provided in terms of	

the Licence:	
Attach a copy of the Licence that is the subject of this application. The copy of the Licence must be marked clearly as **Annexure A** of **FORM A 1**.	

PARTICULARS OF APPLICANT (LICENSEE)	
Full name of applicant:	
Designated Contact person:	
Applicant's street address:	
Applicant's principal place of business (if different from street address):	
Applicant's postal address:	
Applicant's Tel. number/s:	
Applicant's Telefax number/s:	
E-mail address of designated contact person:	

PROPOSED AMENDMENT TO THE LICENCE
Set out the proposed amendment/s and attach a copy of the radio frequency spectrum Licence marked clearly as **Annexure A** of **FORM A 2**:
Set out the reasons for the proposed amendment/s to the Licence.

Proposed date on which the proposed amendment shall become valid:

UNDERTAKINGS
Provide details of undertakings (if any) and other matters which, in the applicant's view, the Authority may need to take into consideration:
Attach a resolution authorising the person signing this application. The resolution must be marked clearly as **Appendix A** of **FORM A 3**.

The person signing the application on behalf of the applicant must acknowledge as follows:

I acknowledge that the Authority reserves the right to have any Licence amended pursuant to this application set aside, should any material statement made herein, at any time, be found to be false..

Signed .....

(APPLICANT)

I certify that this declaration was signed and sworn to before me at .....on the ..... day of ..... 20..., by the deponent who acknowledged that he/she:

- knows and understands the contents hereof;
- has no objection to taking the prescribed oath or affirmation; and
- Considers this oath or affirmation to be truthful and binding on his/her conscience.

.....

COMMISSIONER OF OATHS

Name:

Capacity:

Address:

ANNEXURE A

FORM B

APPLICATION TO TRANSFER A RADIO FREQUENCY SPECTRUM LICENCE

(See Regulation 10)

Note: (a) *Applicants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act") and any regulations published under that Act with regard to the requirements to be fulfilled by applicants.*

(b) *Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the part of the Form.*

(c) *Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information is not applicable.*

1.	**PARTICULARS OF LICENCE**	
1.1	Licence number:	
1.2	Nature of services authorised to be provided in terms of the Licence:	
1.3	Attach a copy of the Licence that is the subject of this application. The copy of the Licence	

must be marked clearly as **ANNEXURE A** of **FORM B 1**.

2.	**PARTICULARS OF THE APPLICANT (LICENSEE)**	
2.1	Full name of the applicant:	
2.2	Designated contact person:	
2.3	Applicant's street address:	
2.4	Applicant's principal place of business (if different from street address):	
2.5	Applicant's postal address:	
2.6	Designated contact person's tel. number/s:	
2.7	Designated contact person's telefax number/s:	
2.8	E-mail address of designated contact person:	

3.	**PARTICULARS OF TRANSFEREE**	
3.1	Full name of transferee:	
3.2	Designated contact person:	
3.3	Transferee's street address:	
3.4	Transferee's principal place of business (if different from street address):	
3.5	Transferee's postal address:	
3.6	Telephone number/s:	
3.7	Telefax number/s:	
3.8	E-mail address of the designated contact person:	

4.	**LEGAL FORM OF TRANSFEREE**
4.1	Indicate if the transferee is:
	(i) a natural person

	(ii) a partnership
	(iii) a juristic person
	(iv) other (specify)
4.2	If the transferee is a natural person or a partnership:
4.2.1	Provide the identity number of the transferee or each partner in the transferee:
4.2.2	Attach a copy of the identity document of the transferee or certified copies of the identity document of each partner in the transferee marked clearly as **Annexure A** of **FORM B 2.**
4.3	If the transferee is a juristic person:
4.3.1	Indicate the legal form of the transferee (e.g. private company incorporated in terms of the Companies Act, 1973):
4.3.2	Registration number of transferee:
4.4	Attach certified copies of the transferee's certificate of incorporation and memorandum and articles of association or other constitutive and/or other governing documents of the transferee (e.g. memorandum and articles of association, association agreement, constitution) marked clearly as **ANNEXURE A** of **FORM B 3.**
4.5	If the transferee is not a juristic person but intends to operate as one if this application is granted:
4.5.1	Provide a written undertaking that the transferee will comply with section 5(8) (b) of the Act marked clearly as **ANNEXURE A** of **FORM B 4.**
4.5.2	Indicate when and how the transferee will comply with section 5(8) (b) of the Act:

5.	**OWNERSHIP AND MANAGEMENT OF APPLICANT**
5.1	Provide details of all ownership interests in the applicant and the identity and address of each holder of an ownership interest in the applicant. Where an applicant is a juristic person, only shareholdings (or equivalent) of 5% or more of the total issued shares (or equivalent) in the applicant are relevant.

5.2	Indicate whether the applicant is listed on any stock exchange, and provide details of any such listing:
5.3	In respect of each holder of any ownership interest in any person holding an ownership interest in the applicant, provide the details required in respect of each such holder:
5.4	Indicate the extent to which any ownership interest referred to above is held by an historically disadvantaged person:
5.5	Indicate whether the holder of any ownership interest in the applicant is a foreign citizen or an entity registered or incorporated in any country other than South Africa:

5.6. Indicate whether any person holding an ownership interest in the applicant holds a Licence issued in terms of the Act or holds an ownership interest in any other licensee licensed to provide a service similar to that to which this application relates:
5.7. Provide particulars of any interest held by the applicant in another licensee licensed in terms of the Act:
5.8. Provide details (including name, nationality, identification or passport number, position and address) of each member of the applicant's: (i) board of directors or similar body; and (ii) senior management.
6. OWNERSHIP AND BUSINESS PLAN
6.1 Indicate details of ownership and control by historically disadvantaged persons:

6.2	Provide details of the transferee's business plan in respect of the licensed service outlining details as per format in Annexure D (ii-v) marked clearly as **ANNEXURE A** of **FORM C 5**:
6.3	Provide details of how the following will be achieved by the licensee as **ANNEXURE A** of **FORM B 6:** (i) Technical efficiency; (ii) Functional efficiency; and (iii) Economic efficiency.
6.4	Provide separately and mark clearly as **ANNEXURE A** of **FORM B 7**, copies of the transferee's audited annual financial statements for the previous three years:
7.	**APPLICANT'S LICENCE OBLIGATIONS**
7.1	Indicate those obligations of the applicant in terms of the Licence which have been discharged and those which will assumed by the transferee, should this application be granted:

7.2	Provide separately and mark clearly as **ANNEXURE A** of **FORM B 8**, a written undertaking given by the transferee, through its duly authorised representative, that it will comply with the applicant's Licence obligations in the event of the transfer application being approved by the Authority.
8.	**REASONS FOR THE TRANSFER**
	Provide reasons for the transfer of the Radio Frequency Spectrum Licence:
9.	**LICENCE SUBJECT TO TRANSFER**
9.1	Indicate if Transferor obtained Licence through: First Come First Serve ☐ Auction ☐ Beauty Contest ☐ Amount paid: R.....
9.2	Indicate which Radio Frequency Spectrum is currently licensed to the transferor as **ANNEXURE A** of **FORM B 9.**
10.	**UNDERTAKINGS**
	Specify any undertakings which the transferee is prepared to make in order to promote the objects of the Act, if the Licence is transferred.

11. SWORN STATEMENT

The persons signing the application on behalf of the applicant and the transferee must acknowledge as follows:

I, the applicant, acknowledge that the Authority reserves the right to have any Licence amended pursuant to this application set aside, should any material statement made herein, at any time, be found to be false.

……..

Applicant

I certify that this declaration was signed and sworn to before me at …… on the …… day of …… 20…, by the deponent who acknowledged that he/she:

1. knows and understands the contents hereof;
2. has no objection to taking the prescribed oath or affirmation; and
3. considers this oath or affirmation to be truthful and binding on his/her conscience.

……..

COMMISSIONER OF OATHS

Name:

Capacity:

Address:

ANNEXURE A

FORM C

NOTICE OF SURRENDER OF RADIO FREQUENCY SPECTRUM LICENCE

(Regulation 11)

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

Note: (a) *Applicants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act") and any regulations published under that Act with regard to the requirements to be fulfilled by applicants.*

(b) *Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the part of the Form.*

(c) *Where any information in this Form does not apply to the licensee, the licensee must indicate that the relevant information is not applicable.*

1. PARTICULARS OF LICENCE	
1.1 Licence number	

1.2 Nature of services authorised to be provided in terms of the Licence:	
1.3 Expiry date of Licence:	
1.4 Date on which surrender of Licence is to take effect:	
1.5 Attach a copy of the Licence that is the subject of this notice marked clearly as **Annexure A** of **FORM C 1**.	

2. PARTICULARS OF LICENSEE	
2.1 Full name of licensee:	
2.2 Designated contact person:	
2.3 Licensee's street address:	
2.4 Licensee's principal place of business (if different from street address):	
2.5 Licensee's postal address:	
2.6. Licensee's telephone number/s:	
2.7. Licensee's telefax number/s:	
2.8. E-mail address of designated contact person:	

3. PARTICULARS OF OTHER LICENCES
Indicate if the licensee holds any other Licences issued in terms of the Act and whether the licensee intends also to surrender any such Licences. If so, separate notices of surrender in respect of such Licences must be submitted in this regard:

4. STEPS TO INFORM SUBSCRIBERS AND END-USERS

Provide details of the steps the licensee proposes to take to inform end-users of the proposed cessation of the services in respect of which the Licence was granted:

5.	**FEES PAYABLE**
5.1	Indicate those fees and contributions which will be due and payable by the date on which the surrender of the Licence is to take effect and, the amount of such fees and contributions:
5.2	Specify the number of months which will have elapsed from the date on which the Licence was issued or from the last anniversary of the date on which the Licence was issued, as the case may be:
5.3	Indicate those annual fees and contributions payable at a date subsequent to the date on which the surrender of the Licence will take effect, and the proportionate amount which must be paid to the Authority, where this can be calculated as at the date of this notice.

6.	GENERAL
6.1	Provide details of any other matter of which, in the licensee's view, the Authority should be aware and attach a copy of the Radio Frequency Spectrum Licence issued to the licensee as **Annexure A** of **FORM C 2:**
6.2	Attach a resolution authorising the person signing this notice to sign this notice, marked clearly as **Annexure A** of **FORM C 3:**

Signed .....
(LICENSEE)

I certify that this declaration was signed and sworn to before me at .....on the ..... day of ..... 20..., by the deponent who acknowledged that he/she:

1. Knows and understands the contents hereof;
2. has no objection to taking the prescribed oath or affirmation; and
3. considers this oath or affirmation to be truthful and binding on his/her conscience.

.....

COMMISSIONER OF OATHS

Name:

Capacity:

Address:

ANNEXURE A

FORM D

APPLICATION TO ASSIGN, CEDE OR TRANSFER OWNERSHIP OF A RADIO FREQUENCY SPECTRUM LICENCE.

(Regulation 13)

Note:

(a) *Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the part of the Form.*

2(b) *Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information is not applicable.*

14.	**PARTICULARS OF LICENCE**	
14.1	Licence number:	
14.2	Nature of services authorised to be provided in terms of the Licence:	
14.3	Attach a copy of the Licence that is the subject of this application. The copy of the Licence must be marked clearly as **ANNEXURE A** of **FORM D 1**.	

15. PARTICULARS OF THE APPLICANT (LICENSEE)	
2.1 Full name of the applicant:	
2.2 Designated contact person:	
2.3 Applicant's street address:	
2.3 Applicant's principal place of business (if different from street address):	
2.4 Applicant's postal address:	
2.5 Designated contact person's tel. number/s:	
2.6 Designated contact person's telefax number/s:	
2.7 E-mail address of designated contact person:	

16. PARTICULARS OF TRANSFEREE	
3.1 Full name of transferee:	
3.2 Designated contact person:	
3.3Transferee's street address:	
3.4 Transferee's principal place of business (if different from street address):	
3.5 Transferee's postal address:	
3.6 Telephone number/s:	
3.7 Telefax number/s:	
3.8 E-mail address of the designated contact person:	

17. LEGAL FORM OF TRANSFEREE
4.1 Indicate if the transferee is:
(i) a natural person
(ii) a partnership
(iii) a juristic person
(iv) other (specify)

4.2 If the transferee is a natural person or a partnership:
4.3 Provide the identity number of the transferee or each partner in the transferee:
4.5 Attach a copy of the identity document of the transferee or certified copies of the identity document of each partner in the transferee marked clearly as **Annexure A** of **FORM D 2.**
4.6 If the transferee is a juristic person:
4.7 Indicate the legal form of the transferee (e.g. private company incorporated in terms of the Companies Act, 1973):
4.8 Registration number of transferee:
4.9Attach certified copies of the transferee's certificate of incorporation and memorandum and articles of association or other constitutive and/or other governing documents of the transferee (e.g. memorandum and articles of association, association agreement, and constitution) marked clearly as **ANNEXURE A** of **FORM D 3.**

18. OWNERSHIP AND MANAGEMENT OF APPLICANT
5.1 Provide details of all ownership interests in the applicant and the identity and address of each holder of an ownership interest in the applicant.
5.2 Indicate whether the applicant is listed on any stock exchange, and provide details of any such listing:

5.3 Indicate the extent to which any ownership interest referred to above is held by an historically disadvantaged person:
5.4 Indicate whether the holder of any ownership interest in the applicant is a foreign citizen or an entity registered or incorporated in any country other than South Africa:
5.5 Indicate whether any person holding an ownership interest in the applicant holds a Licence issued in terms of the Act or holds an ownership interest in any other licensee licensed to provide a service similar to that to which this application relates:

5.6 Provide particulars of any interest held by the applicant in another licensee licensed in terms of the Act:
5.7 Provide details (including name, nationality, identification or passport number, position and address) of each member of the applicant's: (iii) board of directors or similar body; and (iv) Senior management.
6. OWNERSHIP AND BUSINESS PLAN

6.1	Indicate details of ownership and control by historically disadvantaged persons:
6.2	Provide details of the transferee's business plan in respect of the licensed service outlining details as per format in Annexure D (ii-v) marked clearly as **ANNEXURE A** of **FORMD 5**:
6.3	Provide details of how the following will be achieved by the licensee as **ANNEXURE A** of **FORM D 6:** (iv) Technical efficiency; (v) Functional efficiency; and (vi) Economic efficiency.
6.4	Provide separately and mark clearly as **ANNEXURE A** of **FORM D 7**, copies of the transferee's audited annual financial statements for the previous three years:
7. APPLICANT'S LICENCE OBLIGATIONS	
7.1	Indicate those obligations of the applicant in terms of the Licence which have been discharged and those which will assumed by the transferee, should this application be granted:

7.2 Provide separately and mark clearly as **ANNEXURE A** of **FORM D 8**, a written undertaking given by the transferee, through its duly authorised representative, that it will comply with the applicant's Licence obligations in the event of the transfer application being approved by the Authority.
8. REASONS FOR THE TRANSFER
8.1 Provide reasons for the transfer of the Radio Frequency Spectrum Licence:
9. LICENCE SUBJECT TO TRANSFER
9.1 Indicate if Transferor obtained License through:
a. First Come First Serve ☐ b. Auction ☐ c. Beauty Contest ☐ Amount paid: R.....
9.2 Indicate which Radio Frequency Spectrum is currently licensed to the transferor as **ANNEXURE A** of **FORM D 9.**
10. UNDERTAKINGS
Specify any undertakings which the transferee is prepared to make in order to promote the objects of the Act, if the Licence is transferred.

11. SWORN STATEMENT

11.1 The persons signing the application on behalf of the applicant and the transferee must acknowledge as follows:

11.1.1 I, the applicant, acknowledge that the Authority reserves the right to have this application set aside OR the license withdrawn (if transfer application was approved), should any material statement made herein, at any time, be found to be false.

……..

Applicant

that this declaration was signed and sworn to before me at …… on the …… day of …… 20…, by the deponent who acknowledged that he/she:

4. knows and understands the contents hereof;
5. has no objection to taking the prescribed oath or affirmation; and
6. Considers this oath or affirmation to be truthful and binding on his/her conscience.

……..

12. COMMISSIONER OF OATHS

12.1 Name:

12.2 Capacity:

12.3 Address:

ANNEXURE A

FORM E

REQUEST FOR INTERVENTION BY THE AUTHORITY FOR PURPOSES OF COORDINATING RADIO FREQUENCY SPECTRUM USE OR RESOLVING DISPUTES

(Regulation 13)

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

Note: (a) *Applicants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005)*

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("the Act") and any regulations published under that Act with regard to the requirements to be fulfilled by applicants.

(b) *Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the part of the Form.*

1. PARTICULARS OF LICENCEES	
1.1 Number of Licensees	
1.2 Licence number of each Licensee	
1.3 Nature of services authorised to be provided in terms of the Licence:	
1.4 Expiry date of Licence of each Licensee:	
1.5 Date on which coordination agreement , if any, was concluded:	
1.6 Date/s on which ADR was attempted:	
1.7 Attach a copy of the coordination agreement, if any, marked clearly as **Annexure A** of **FORM D1.**	

2. PARTICULARS OF LICENSEE/ APPLICANT 1	
2.1 Full name of licensee:	
2.2 Designated contact person:	
2.3 Licensee's street address:	
2.4 Licensee's principal place of business (if different from street address):	
2.5 Licensee's postal address:	

2.6. Licensee's telephone number/s:	
2.7. Licensee's telefax number/s:	
2.8. E-mail address of designated contact person:	

3. PARTICULARS OF LICENSEE OR APPLICANT 2	
3.1 Full name of licensee:	
3.2 Designated contact person:	
3.3 Licensee's street address:	
3.4 Licensee's principal place of business (if different from street address):	
3.5 Licensee's postal address:	
6.6. Licensee's telephone number/s:	
6.7. Licensee's telefax number/s:	
6.8. E-mail address of designated contact person:	

7. PARTICULARS OF LICENSEE/APPLICANT 3	
4.1 Full name of licensee:	
4.2 Designated contact person:	
4.3 Licensee's street address:	
4.4 Licensee's principal place of business (if different from street address):	

4.5 Licensee's postal address:	
4.6. Licensee's telephone number/s:	
4.7. Licensee's telefax number/s:	
4.8. E-mail address of designated contact person:	

8. PROPOSED AMENDMENT TO THE LICENCE
5.1 Each applicant must set out the following as **Annexure A** of **FORM D 2**: (a) Operator site (coordinates) (b) Frequencies in use (c) Technology in use (d) Power (EIRP) (e) Antenna gain (f) Height of antennas
5.2 Each applicant must set out the reasons for the dispute and attach the statements of fact supporting the claims, and documented proof of previous attempts to resolve the dispute by negotiation between the parties marked clearly as **Annexure A of FORM D3.**
5.3 Each applicant must explain the implications (if any) if the dispute is not resolved and propose options for resolution of the coordination issue:

9.	RADIO FREQUENCY SPECTRUM
6.1	Indicate whether the applicants all hold a radio frequency spectrum Licence. If so, attach a copies of the radio frequency spectrum Licences marked clearly as **Annexure A** of **FORM D4:**
6.2	In the event that an amendment to the applicant's radio frequency spectrum Licence is necessary, a separate application to amend the applicant's radio frequency spectrum Licence must be submitted to the Authority in this regard at the same time as this application.

10.	UNDERTAKINGS
7.1	Provide details of undertakings (if any) and other matters which, in the applicants view, the Authority may need to take into consideration:
7.2	Attach a resolution authorising the person signing this application. The resolution must be marked clearly as **Annexure A** of **FORM D5**.

The person signing the application on behalf of the applicant must acknowledge as follows:

I acknowledge that the Authority reserves the right to cease intervention should any material statement made herein, at any time, be found to be false.

Signed: 1. …….

(2) …….

(3) …….

(APPLICANTS)

I certify that this declaration was signed and sworn to before me at .....on the ..... day of ..... 20..., by the deponent(s) who acknowledged that he/she:

- knows and understands the contents hereof;
- has no objection to taking the prescribed oath or affirmation; and
- considers this oath or affirmation to be truthful and binding on his/her conscience.

.....

COMMISSIONER OF OATHS

Name:

Capacity:

Address:

Annexure B

Apparatus exempt from radio frequency spectrum licenses

The use or possession of the Radio Apparatus listed in Column B below, in accordance with all specifications listed in Columns, A, C, D and E of the Table below shall not require a radio frequency spectrum licence:

Table of radio frequency spectrum licence Exemptions

Column A Frequency Bands K=kHz M=MHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength	Column D Relevant Standard	Column E Additional Requirements

G=GHz		Limits & Channel spacing		
9-59.75K	Inductive Loop System.	72 dBμA/m @ 10m. No duty cycle restriction. No channel spacing.	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
59.75-60.25K	Inductive Loop System, Including RFID	42 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	N 300 330 EN 301 489-1,3 EN 60950 ISO/ IEC 18047-2	CEPT/ERC/REC 70-03 ASK, FSK, & PSK
60.25-70K	inductive Loop System.	72 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
70-119K	Inductive Loop System ,Including RFID	42 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	N 300 330 EN 301 489-1,3 EN 60950 ISO/ IEC 18047-2	CEPT/ERC/REC 70-03 ASK, FSK, & PSK
119-135K	Inductive Loop System ,Including RFID	72 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	EN 300 330 EN 301 489-1,3 EN 60950 ISO/ IEC 18047-2	CEPT/ERC/REC 70-03 ASK, FSK, & PSK
740-8800K	Inductive Loop System	9 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
6.765-6.795M	Inductive Loop System	42 dBμA/m @ 10m.	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03

		No restrictions on duty cycle No channel spacing.	EN 60950	
13.553-13.567M	Inductive Loop System Including RFID	42 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 ASK, FSK, & PSK
13.553-13.567M	RFID and EAS systems only	60 dBμA/m @ 10m.	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
26.957-27.283M	Inductive Loop System	42 dBμA/m @ 10m. No restrictions on duty cycle No channel spacing.	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
26.957-27.283M	Non-specific SRD.	10 mW ERP No restrictions on duty cycle. No channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
26.995; 27.045; 27.095; 27,145; 27.195M	Surface Model Control.	100 mW erp. No restrictions on duty cycle. 10 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
35.00 – 35.25M	Aircraft Model Control.	100 mW ERP No restrictions on duty cycle. 10 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
36.65 – 36.75M	Wireless Microphones.	100 mW erp.	EN 300 422	CEPT/ERC/REC 70-03

		100% duty cycle. No channel spacing.	EN 301 489-9 EN 60950	
40.65 – 40.70M	Wireless Microphones.	100 mW ERP 100% duty cycle No channel spacing.	EN 300 422 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
40.665, 40.675, 40.685, 40.695	Surface Model Control.	100mW erp. No restriction on duty cycle. 10 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
40.66 – 40.7M	Non-specific SRD.	10 mW ERP No duty cycle restriction. No channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
46.61 – 46.97M 49.67 – 49.97M	CT0 Cordless phones.	10 mW e.i.r.p.	The Authority TE-013	Government Gazette 22443 of 4th July 2001
53 – 54M	Wireless Microphones.	50 mW ERP for class 1 equipment 100 mW ERP 100% duty cycle No channel spacing	EN 300 422 EN 301 489-1,9 EN 60950	CEPT/ERC/REC 70-03
54.4500; 54.4625; 54.4750; 54.4875; 54.500; 54.5125; 54.5250; 54.5375; 54.5500M	Model Control.	5W ERP 12.5kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
141 – 142M	Remote Control	100mW ERP	EN 300 220	

	Industrial Apparatus.		EN 301 489-1,3 EN 60950	
148 – 152M	Wildlife telemetry Tracking.	25rnW ERP	EN 300 220 EN 301 489-1,3 EN 60950	The use of this band is restricted to National game Parks.
169.4 – 169.475M	Meter Reading	500rnW ERP 50kHz channel spacing < 10% duty cycle	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 ECC/DEC (05)02
173.2125 – 173.2375M	Non-specific SRD – telecornrnand only.	10 mW ERP 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	
173.2375 – 173.2875M	Non-specific SRD.	I0 mW ERP 25 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	
173.965 – 174.015M	Wireless Microphones and assistive listening devices.	2 mW e.i.r.p. 100% duty cycle. No channel spacing.	EN 300 220 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
402 – 405M	Medical Implants.	25 μW ERP No duty cycle restriction for devices with LBT, otherwise ≤ 1%.	EN 300 839 EN 301 489-1,3 EN 60950	ITU-R RS.1346 CEPT/ERC/DEC (01)17

		25 kHz channel spacing.		
402 – 406M	Doppler shift movement detectors, wireless microphones, garage door openers and motor car alarm systems.	10 mW ERP No channel spacing. 100% duty cycle.	EN 300 422 EN 300 220 EN 301 489-1,3 EN 60950	
433.05 – 434.79M	Non-specific SRD Including RFID	1 mW ERP No channel spacing. 100% duty cycle	EN 300 220 EN 301 489-1,3 EN 60950 ISO/IEC 18047-7	CEPT/ERC/REC 70-03 ASK, FSK, PSK, & FHSS
433.05 – 434.79M	Non-specific SRD Including RFID	10mW ERP duty cycle < 10% No channel spacing	EN 300 220 EN 301 489-1,3 EN 60950 ISO/IEC 18047-7	CEPT/ERC/REC 70-03 ASK, FSK, PSK, & FHSS
433.05 – 434.79M	Non-specific SRD	10 mW ERP 100% duty cycle Up to 25kHz channel spacing.	EN 300 220 EN 301 489-3 EN 60950 ISO/IEC 18047-7	CEPT/ERC/REC 70-03
433.05 – 434.79M	Non-specific SRD	100 mW ERP No duty cycle restriction No Channel spacing	EN 300 220 EN 301 489-3 EN 60950	CEPT/ERC/REC 70-03
446 - 446.1 M	Public Mobile	500mW.	EN 300 296	

Includes the following eight channels. 446.00625M; 446.01875M; 446.03125M; 446.04375M; 446.05625M; 446.06875M; 446.08125M; 446.09375M;	Radio (PMR).	12,5 kHz channel spacing	EN 301 489-5 EN 60950	
464.5375M	Security systems	1W 25 kHz channel spacing.	EN 300 296 EN 301 489-5 EN 60950	
464.500 – 464.5875	Non-specific SRD	100mW No channel spacing	EN 300 220 EN 301 489-3 EN 60950 ISO/IEC 18047-7	
463.975M; 464.125M; 464.175M; 464.325M; 464.375M;	Low Power Radio.	500mW. 12,5 kHz channel spacing	EN 300 296 EN 301 489-5 EN 60950	CEPT/ERC/REC 70-03
863 – 865M	Wireless Audio Systems.	10 mW ERP 100 % duty cycle. No channel spacing.	EN 300 357 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01) 18

863 – 865M	Wireless Microphones	10 mW ERP 100 % duty cycle. No channel spacing.	EN 300 422 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
865 -868 M	RFID	Channels 1, 2 and 3 100 mW ERP 200 kHz Channel spacing	EN 302 208-2 EN 301 489-1,3 EN60950 ISO/IEC 18047-6	CEPT/ERC/REC 70-03 Listen Before Talk (LBT) is mandatory FHSS or Other Spread Spectrum Techniques shall not be used
865 – 868 M	RFID	Channels 4,7,10 and 13 2 W ERP 200 kHz Channel spacing	EN 302 208-2 EN 301 489-1,3 EN60950 ISO/IEC 18047-6	CEPT/ERC/REC 70-03 Listen Before Talk (LBT) is mandatory FHSS or Other Spread Spectrum Techniques shall not be used
865 – 868 M	RFID	Channels 5,6,8,9,11,12,14 and 15 500 mW ERP 200 kHz Channel spacing	EN 302 208-2 EN 301 489-1,3 EN60950 ISO/IEC 18047-6	CEPT/ERC/REC 70-03 Listen Before Talk (LBT) is mandatory FHSS or Other Spread Spectrum Techniques shall not be used
864.1 – 868.1M	CT2 cordless phones	10 mW e.i.r.p.	EN 301 797 EN 301 489-1,10 The Authority TE - 012	CEPT/ERC/REC 70-03
868 – 868.6M	Non-specific SRD	25 mW ERP < 1% duty cycle or LBT.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01) 04

868.6 – 868.7M	Alarms.	10 mW ERP < 1 % duty cycle. 25 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/REC (01) 09
868.7 – 869.2M	Non-specific SRD	25 mW ERP < 0.1 % duty cycle or LBT. No channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/REC (01) 04
869.25 – 869.3M	Alarms.	10 mW ERP < 0.1 % duty cycle. 25 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
869.4 – 869.65M	Non-specific SRD Including RFID	500mW ERP < 10% duty cycle or LBT. 25 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
869.65 – 869.7M	Alarms	25 mW ERP 10 % duty cycle. 25 kHz channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
869.7 – 870 M	Non-specific SRD.	5 mW ERP 100 % duty cycle. No channel spacing.	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
915.1 -915.2 M	Real Time Location	25 mW ERP	EN 300 086	

	Systems (RTLS)		EN 301 489-1,3 EN 60950	
915.2 – 915.4 M	Passive Tags	100 mW ERP 10 x 20 kHz wide channels		
915.4-919.2 M	Modulating RFID Systems (FHSS)	4 W e.i.r.p.	FCC CFR 47 Part 15.247 CISPR 16 EN 60950	200 kHz channel spacing
919 -919.2 M	Tag Backscatter Guard Band			
919.2 – 921 M	Non Modulating Backscatter RFID Systems	4 W e.i.r.p.; CW only @ 920 MHz (± 1.5 kHz frequency stability)	Spectral Masks as in EN 302 208 – 2 EN 301 489 -1,3 EN 60950	
1880 – 1900M	DECT cordless phones.	250 mW e.i.r.p (peak). 1.728 MHz channel spacing.	EN 300 406 EN 301 489-1,6 EN 60950 The Authority TE 001	
2400 – 2483.5M	Non-specific SRD	10 mW e.i.r.p No duty cycle. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

2400 - 2483.5M	Wideband Wireless Systems WLAN Wideband Data Transmission Applications (WBDTS) Model Control.	100 mW e.i.r.p. No duty Cycle. No channel spacing.	EN 300 328 EN 301 489 -1,3 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	FDDA	25 mW e.i.r.p. No duty cycle. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	Low power Video Surveillance	100 mW e.i.r.p. No duty cycle. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	RFID	500 mW e.i.r.p. No duty cycle 4 W e.i.r.p. < 15% duty cycle	EN 300 440 EN 301 489 – 1,3 EN 60950 ISO/IEC 18047 - 4	CEPT/ERC/REC 70-03
5150 – 5350M	Wireless Access Systems / Radio Local Access Network (WAS & RLAN) indoor use only.	200 mW e.i.r.p. Dynamic Frequency Selection (DFS) & Transmitter Power Control Obligatory.	EN 300 893 EN 301 489-1,17 EN 60950	ITU-R M.1625
5470 – 5725M	Wireless Access Systems / Radio Local	1 W e.i.r.p. Dynamic Frequency Selection (DFS) &	EN 300 893 EN 301 489-1,17	ITU-R M.1625

	Access Network (WAS & RLAN): indoor use only.	Transmitter Power Control Obligatory.	EN 60950	
5725 - 5875 M		• A maximum of 4 watts e.i.r.p. • A maximum of 1 watt transmitter output • A maximum transmitter output spectral density of 8 dBmW in any 3 kHz band.	• Digital modulation only. • Nominal bandwidth of transmissions must not be less than 1 MHz	• Fixed point-to-multipoint systems and point-to-point links. In any 100 kHz outside the band, the e.i.r.p. shall be at least 30 dB below the 100 kHz within the band that contains the highest level of desired power. • Dynamic Frequency Selection (DFS) and Transmitter Power Control (TPC) are mandatory. *Note 1* Transmission towards the common node of a point –to multipoint is regarded as point-to-point node
5725 – 5875 M	BFWA	• A maximum of 200 watts e.i.r.p. • A maximum of 1 watt transmitter power output • A maximum Transmitter Output Spectral density of	• Digital modulation only • Nominal bandwidth of transmissions must not be less than 1 MHz	• Fixed point-to-point links only • Point-to-multipoint systems, omnidirectional application, and multiple co-located transmitter transmitting the same information are

		8dBm in any 3 kHz band		not permitted. (see note 1) • In any 100 kHz outside the band, the e.i.r.p. shall be at least 30 dB below the 100 kHz within the band that contains the highest level of desired power. • Dynamic Frequency Selection (DFS) and Transmitter Power Control (TPC) are mandatory. *Note 1: Transmission towards the common node of a point-to-multipoint system is regarded as point-to-point mode.*
5795 – 5805M	RTTT data	2 W e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 674 EN 301 489-1,3 EN 60950	ITU-R M.1453 CEPT/ERC/DEC (92)02
5805 – 5815M	RTTT data.	2 W e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 674 EN 301 489-1,3 EN 60950	ITU-R M.1453 CEPT/ERC/DEC (92)02
9200 – 9500M	FDDA.	25 mW e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

9500 – 9975M	FDDA.	25 mW e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
10.025 – 10.145 G	Low power Video Surveillance	1W e.i.r.p. 8 MHz channel spacing, with first channel on 10.029 GHz.	ETS 300 440	
10.5 – 10.6G	FDDA.	500 mW e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
13.4 – 14G	FDDA.	25 mW e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
17.1 – 17.3G	HiperLAN	100 mW e.i.r.p.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
24.00 – 24.25G	Non-specific SRD.	100 mW e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
24.05 – 24.25G	FDDA.	100 mW e.i.r.p. No duty cycle restriction. No channel spacing.	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

57 – 64G	Point –to-point links	55dBm e.i.r.p.	EN 302 217-3	The maximum transmitter power is 10dBm. The minimum antenna gain is 30dBi
57 -66G	Multi-Gigabit Wireless systems (MGWS)	40dBm e.i.r.p.	EN 302 567	The use of these systems is as described in ITU-R Report ITU-R M.2227 and Recommendation ITU-R M.2003
76-77G	RTTT radar	55dBm peak No duty cycle restriction No channel spacing	EN 300 091 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

Use and possession of all radio apparatus exempt in terms of the above table must comply with the following:

(a) All radio apparatus must be type-approved by the Authority in accordance with section 35 of the Act;

(b) The frequencies, transmitting power and external high-gain antenna of the radio apparatus must not be altered without a new type approval certificate being issued by the Authority;

(c) The Radio Apparatus must be operated within, and not exceed, the technical parameters set out in each of the applicable columns C and D of the Table with respect to the frequency band; maximum radiated power or field strength limits and channel spacing; relevant standard; and duty cycles and antennas to be used as contained in Column E.

(d) The antenna of the Radio Apparatus must not be higher or above average ground level than the lowest point of the place where the Radio Apparatus operates effectively.

(e) The Radio Apparatus must not cause interference with any licensed radio frequency spectrum.

(f) The user of the Radio Apparatus in the licence-exempt frequency spectrum operates on non-interference and zero protection basis from interference.

Annexure C

Categories subject to the Standard Application Procedure.

(1) Unless otherwise stated in regulations or an Invitation to Apply, standard application procedure applies to the following:

(a) amateur radio;
(b) marine band;

(c) aeronautical band;

(d) citizen band radio;

(e) ski boats;

(f) two way radio without repeaters; (including short range business portable radio);

(g) shared simplex HF;

(h) communal repeaters;

(i) radio frequency spectrum assignment in the broadcast bands to the holder of a broadcast service licence, where such frequency is provided for in the Terrestrial Broadcasting Frequency Plan;

(j) frequencies above 40 GHz;

(k) microwave Point to Point;

(l) point to multipoint point fixed links bands;

(m) satellite bands direct links; and

(n) any other services or frequency bands that the Authority may specify.

(2) In addition, where a Licensee already has assignments for point to point links under his licence, he may apply for new links to be assigned as an amendment to his licence using the standard application procedure.

(3) The Authority may at any time require an applicant to submit his application using the extended procedures.

Annexure D

Standard Application Procedures

(1) The relevant application form is obtainable at any office and website (www.icasa.org.za) of the Authority. The form must be completed in full and submitted at any office of the Authority.

(2) The authority shall issue an invoice with a reference number for the prescribed application fee.

(3) The applicant must submit proof of payment for the application to be considered

(4) For applications subject to the standard application procedures, the following information shall be provided unless otherwise specified in these or other regulations.

(5) If the information to be supplied is not applicable, then the term 'not applicable' shall be written with a short explanation.

I. APPLICANT's DETAILS

No.	Information Required
1	Name, address, identification number telephone number and Email address of applicant • If the applicant is a South African citizen a copy of the identity document shall be submitted to the Authority. • If the applicant is a foreigner a copy of the passport as well as proof of status shall be submitted to the Authority. In the case of companies • A copy of the Company's registration certificate • Name and address of directors and/ or principal executives
2	When applying for a Radio Frequency Spectrum Licence for Amateur Radio, the following shall be supplied by the applicant in addition to that specified in item 1: • A copy of the applicant's Amateur Radio Operator's Certificate.
3	When applying for a Radio Frequency Spectrum Licence for a high frequency (HF Band) cross border communication system in the Southern African Development Community, the following must be supplied by the applicant addition to that specified in 1: • The registration numbers of any vehicles in which the radio apparatus may be installed.
4	When applying for a Radio Frequency Spectrum Licence for a high frequency (HF Band) cross-border communication system in a territory other than in the Southern African Development Community, the following shall be supplied by the applicant in addition to that specified in 1: • A copy of the Radio Frequency Spectrum Licence issued in the foreign country. • Proof of validity of the foreign Radio Frequency Spectrum Licence. • A completed form of notice (AP1/A15) in respect of a transmitting terrestrial station.

(ii) TECHNICAL INFORMATION (SYSTEM DESIGN)

No.	Information Required	
1	Site names	Name of place where equipment is located
2	Site code	Code assigned to place

3	Site coordinates	Geographic coordinates to locate places on maps in degrees, minutes and seconds (ddmmss)
4	Frequency (Hz)	Airwaves through which the radio waves are transmitted
5	Bandwidth (MHz)	Amount of frequency occupied by the transmitted signal (RF bandwidth)
6	Modulation scheme	Method of transmitting radio signals
7	Bit rate (bits/s)	Speed of transmitting digital radio signals
8	Antenna site	Where antenna is situated
9	Antenna type	Type of antenna
10	Antenna diameter (m)	Diameter of antenna
11	Antenna gain (dB)	Gain of antenna in terms of decibels (dB)
12	Antenna polarization (H/V)	Horizontally or vertically polarized
13	Transmit power (dBmW/W)	Transmitted power at the output of antenna
14	Receiver sensitivity threshold (dBmW)	Lowest value of signal detected by receiver
15	Fixed loss (dB): transmit and receive	Percentage of lost power
16	Type of service	Data service, voice, paging, telemetry etc.
17	Area and direction of operation	Geographical area of service
18	Applicants must provide diagrams or sketches of proposed operations	
19	Adherence to EMC specifications	
20	Equipment specifications, type approval certificates	

Annexure E

Extended Application Procedures

(1) The application form is obtainable at any office and website (www.icasa.org.za) of the Authority. The form must be completed in full and submitted at any office of the Authority.

(2) The Authority shall issue an invoice with a reference number for the prescribed application fee.

(3) The applicant must submit proof of payment to accompany the application.

(4) If the information to be supplied is not applicable, then the term 'not applicable' shall be written with a short explanation.

(I) APPLICANT DETAILS

No.	Information Required
1	Name, address, identification number telephone number and Email address of applicant: • If the applicant is a South African citizen a copy of the identity document shall be submitted to the Authority. • If the applicant is a foreigner a copy of the passport as well as proof of status shall be submitted to the Authority. In the case of companies: (a) A copy of the Company's registration certificate; and (b) Name and address of directors and/ or principal executives
2	Annual report of the applicant and its main shareholders from the previous three years (where available)
3	Full particulars of the experience and expertise of the applicant, its partners, shareholders, suppliers and contractors in the business contemplated
4	Extent of beneficial ownership of the applicant by the historically disadvantaged persons: Extent of beneficial ownership by women Extent of beneficial ownership by the youth Extent of beneficial ownership by the disabled

(II) DESCRIPTION OF SERVICE

No.	Information Required
1	Description of service to be provided.
2	Proposed annual coverage, rollout indicating the exact areas and location covered.

(III) CONSTRUCTION OF THE NETWORK (RADIO COMPONENT)

No.	Information Required
1	Availability and experience of planning and project management capabilities required for construction of the network
2	Mechanisms used for the planning of any radio component of the network

3	Plans to acquire resources such as access to sites, other property, technology, personnel and capital

(IV) BUSINESS PLAN

Should a Radio Frequency Spectrum Licensee issued, the information contained in the business plan may be incorporated as licence conditions.

No.	Information Required
1	Fundamental assumptions for the business plan with financial forecasts for a minimum period of three years.
2	A market analysis of the services contemplated to be offered through the radio frequency spectrum licence applied for, including forecast demand.
3	Description of products and services to be offered through the radio frequency spectrum licence applied for.
4	Description of pricing strategy for products and services to be offered through the radio frequency spectrum licence applied for.

(IV) TECHNICAL INFORMATION (RADIO SYSTEM DESIGN)

No.	Information Required	
1	Full information of the technology to be implemented	
2	Approach to network development and expansion	
3	Description of all the relevant or important interfaces in the network	
4	Requirements for interconnection to other telecommunication networks or services and transmission medium and links required	
5	Upgrade of the network to accommodate new standards and technology developments	
6	Compliance with recognized international standards and specifications	
7	Details of radio planning including methods to reserve frequency	
7.1	Site names	Name of place where equipment is located
7.2	Site code	Code assigned to place
7.3	Site coordinates	Geographic coordinates to locate places on maps in degrees, minutes and seconds (ddmmss)

7.4	Frequency (Hz)	Airwaves through which the radio waves are transmitted
7.5	Bandwidth (MHz)	Amount of frequency occupied by the transmitted signal (RF bandwidth)
7.6	Modulation scheme	Method of transmitting radio signals
7.7	Bit rate (bits/s)	Speed of transmitting radio signals
7.8	Antenna site	Where antenna is situated
7.9	Antenna type	Type of antenna
7.10	Antenna diameter (m)	Diameter of antenna
7.11	Antenna gain (dB)	Gain of antenna in terms of decibels (dB)
7.12	Antenna polarization (H/ V)	Horizontally or vertically polarized
7.13	Transmit power (dbmW/W)	Transmitted power at the output of antenna
7.14	Receiver sensitivity threshold (dBmW)	Lowest value of signal detected by receiver
7.15	Fixed loss (dB): transmit and receive	Percentage of lost power
7.16	Type of service	Data service, voice, paging, telemetry etc.
7.17	Area and direction of operation	Geographical area of service
8	Applicants must provide diagrams or sketches of proposed operations	
9	Adherence to EMC specifications	
10	Theoretical traffic volume forecasts and alternative routing and redundancy requirements	
11	Numbering plan for the service:	
12	Quality systems deployed and quality targets used:	
13	Details of fixed network planning	
14	Presentation of network planning data in the form of schedules, diagrams, tables and maps for the initial phase and two subsequent phases	
15	Network management, fault detection, service and maintenance mechanisms	
16	Equipment specifications, type approval certificates	
17	Regulatory requirements (ITU and Act)	

18	Technical expertise
19	Service monitoring capabilities
20	Critical Efficiency Factors: a. Technical (spectral efficiency) - defined in terms of maximum volume of traffic (voice/ data) within a given spectrum resource (erlangs/MHz/km^2 or Mbits/MHz/km^2) for voice and data respectively. Technical efficiency indicators include the following: (i) Bandwidth efficiency (expressed in bits/ Hz) defined as the amount of information contained in a finite spectrum. (ii) Reuse which dictates to what extent the spectrum can be simultaneously used at multiple locations (reuse factor of 1 is the highest). (iii) Time; since applications do not typically use information on a continuous basis and can share resouces by time multiplexing. (40 points). b. For broadcast services technical efficiency is defined in terms of ability to address maximum potential audience (coverage) with the minimum amount of spectrum. c. Functional efficiency defined in terms of extent to which the use of spectrum meets the users needs (*evaluated by defined key performance indicators (KPI): the KPI for the particular band will be defined by the Authority and provided as part of the Invitation to Apply (ITA)* as deemed necessary). (30 points) d. Economic efficiency defines the monetary gain in terms of revenue, profit and value which the licensee derives from that portion of spectrum. (30 point) **Total socre for efficiencies =.....**

Annexure F

Radio frequency spectrum application and permit fees.

1. Application Fees by Type of Radio-Communications Services

1. Amateur Radio Service

Type of Service	**Fees (Rand)**
All classes of licences	140
Beacon	100
Repeater station including radio link	100
Digipeater / Bulletin Board	100
Listeners	100
Experimental station for weather satellite reception and retransmission	210
Guest or special event licence	100
Change of call sign on request	100

2. ***Aeronautical Service***	
Type of Service	**Fees (Rand)**
Aircraft frequency band	480
Beacon frequency	480
Ground station frequency	480
Relay station frequency	170

3. ***Maritime Service***	
Type of Service	**Fees (Rand)**
Ship frequency spectrum	480
Coast station frequency - Non commercial	480
Coast Station Frequency – Commercial	600
Beacon frequency	480

4. ***Land Mobile Service***	
Type of Service	**Fees (Rand)**
Citizen band frequencies	210
Civil Defence / Marnet (VHF band)	
- without a private frequency	210

- with a private frequency	620
27/29 MHz frequency band	210
Simplex frequency in the VHF and UHF bands	620
High frequency band	
- Cross Border	830
- Cross Border – SADC	1040
- Local HF	620

5. *Fixed Service*	
Type of Service	**Fees (Rand)**
Experimental or test licence	830
Special Radio Service	830
Microwave Link frequencies (per application)	830
All other fixed services	830

6. *Radio-Communication Systems*	
Type of Service	**Fees (Rand)**
Alarm System	980
Load Management System	1000
Telemetry System	730
Message Handling System	1230
Paging System	1430
Radio Trunking System (per frequency channel)	275
Repeater System	1100
Wide Area Network	1660
Wireless Local Loop System	650

7. *Satellite Service*

Type of Service	**Fees (Rand)**
Fixed Satellite Earth Station – Uplink	1600
Transportable Satellite News Gathering Station – SNG	1600
VSAT	1600

8. *Miscellaneous*	
Type of Service	**Fees (Rand)**
Radio apparatus Dealer Certificate Application	100
Maritime Certificate Application	100
Computer printout per licence/certificate	100
Duplicate per licence/certificate	100
Change of name and/or title of the licensee	100
Modification to license– Administrative (excluding address changes)	100
Modification to License– Technical	410

2. Permit Fees

Permits for possession of Radio Apparatus and Radio Frequency usage subject to Radio Frequency Spectrum Licences without a licence being issued	**Fees (Rand)**
(i) Application Fee for Permit	100
(ii) Fee for Permit	100
(iii) Special Radio Service for duration of less than thirty days.	830

Annexure G

Radio Frequency Spectrum Examination and Certificate Fees

1. **The fees below are payable when sitting for the examination indicated or to acquire the certificate shown.**

Certificate, purpose for which it is required and examination fee unless otherwise stated:

		Fees (Rand)
1	General Operator's Certificate (Maritime): Performing duties on a ship subject to the requirements of the Global Maritime Distress and Safety System: Issue of certificate	30
2	Restricted Radiotelephone Operator's Certificate (Maritime): Operation of a radiotelephone installation on a ship, provided that- (i) the carrier-wave power of the transmitter does not exceed BOW; or (ii) the operation of the transmitter requires only the use of simple external switching devices, any manual tuning of the elements determining the frequency is excluded, and the stability of the frequencies is maintained within the prescribed tolerance limits by the transmitter itself, the peak envelope power of which does not exceed 1,5Kw • Issue of certificate • Per repeated subject	 30 18
3	Restricted Operator's Certificate (Maritime): Performing duties on a ship subject to the requirements of the Global Maritime Distress and Safety System: Issue of certificate	30

Annexure H

Table of amateur modes of emission.

No	Mode	Explanation
1	A1A	Telegraphy without the use of a modulating audio frequency (by on/off keying) for aural reception
2	A3C	Facsimile (with modulation) of the main carrier either directly or by frequency modulated sub-carrier
3	A3E	Double sided telephony.
4	C3F	Television by analogue modulation and vestigial-sideband operation.
5	F1A	Telegraphy for aural reception is including DATA by means of frequency shift keying without the use of a modulating audio frequency one or two frequencies being emitted at any instant.
6	F1B	Telegraphy is including DATA by means of frequency shift keying without the use of a modulating audio frequency one or two frequencies being emitted at any instant.
7	F1D	Data transmissions by means of frequency shift keying without the use of a modulating audio frequency, with one frequency been emitted at any instant.
8	F2A	Telegraphy for aural reception including RTTY and DATA by the on/off keying of a frequency or by means of the on/off keying off keying of a frequency modulated emission.
9	F2B	Telegraphy including RTTY and DATA by the on/off keying of frequency modulating audio frequency or by means of the on/off keying of a frequency modulated emission.
10	F3C	Facsimile by direct frequency modulation of the carrier.
11	F3E	Frequency modulated telephony.
12	G3E	Phase modulated telephony.
13	J3E	Single sideband suppressed carrier telephony.
14	J3F	Single sideband suppressed carrier, modulated by slow scan television audio frequencies.
15	Non	Emission of an unmodulated carrier.
16	R3E	Single sideband, reduced or variable level carrier telephony.
17	W9E	Digital speech multiplexed up to twelve channels.
18	J2D	Data transmission with the use of a modulating auto frequency.
19	J2E	Digital telephony with the use of a modulating audio frequency.

Annexure I

Amateur radio frequency bands

Frequency bands in MHz	The Amateur Service	Maximum Power in dB relative to 1 watt PEP	Satellite	Permitted types of transmission	Remarks
0.1357 – 0.1378	Secondary	CLASS A 1 W e.i.r.p.		All except pulse or fast scan TV	
0.472 – 0.479	Secondary	5 W e.i.r.p.		All except pulse or fast scan TV	WRC12, Gov Gazette 354 of 2013
1.810-1.850	Primary	A = 30 dBW		All except pulse or fast scan TV	No Class B operation
3.500 - 3.800	Co-primary	A = 26 dBW B = 20 dBW		All except pulse or fast scan TV	Music Transmission permitted
7.000 - 7.200	Primary.	A = 30 dBW B = 20 dBW	Allocated	All except pulse or fast scan TV	
10.100 - 10.150	Secondary	A = 26 dBW		All except pulse or fast scan TV	No Class B operation International Band

14.000 - 14.350	Primary	A = 30 dBW	Allocated	All except pulse or fast scan TV	No Class B operation International Band
18.068 - 18.168	Primary	A = 30 dBW		All except pulse or fast scan TV	No Class B operation International Band
21.000 - 21.450	Primary	A = 30 dBW	Allocated	All except pulse or fast scan TV	No Class B operation International Band
24.890 - 24.990	Primary	A = 30 dBW		All except pulse or fast scan TV	No Class B operation International Band
28.000 - 29.700	Primary	A= 30 dBW	Allocated	All except pulse or fast scan TV	No Class B operation International Band

28.050 - 28.150		B = 20 dBW			
28.300 - 28.500		B = 20 dBW			
29.700 - 30.000	Secondary	26 dBW		All	Secondary basis during disaster exercises and emergency
40.675 - 40.685	Primary	26 dBW	Allocated	All except pulse or fast scan TV	Propagation studies only
50.000 - 54.000	Co-Primary	26 dBW		All except pulse or fast scan TV	Music Transmission permitted
70.000 – 70.300	Secondary	Class A 26 dBW		All except pulse or fast scan	
144 – 146	Primary	A = 26 dBW B = 20 dBW	Allocated	All except pulse or fast scan TV	
430 - 440	Co -Primary	A = 30dBW B = 20 dBW	Allocated	All except pulse or fast scan TV	Music Transmission permitted
435 -438	Co -Primary	A = 30 dBW B -= 20 dBW	Allocated	All except pulse or fast scan TV	Music Transmission permitted.

1240 – 1300	Secondary	A = 26 dBW	Allocated	All except pulse	Music transmissions permitted
1260 - 1270	Secondary	A = 26 dBW	Allocated	All except pulse	Music transmissions permitted
2300 - 2450	Secondary. Users must accept interference from ISM users	A = 26 dBW		All except pulse	
5650 – 5850	Secondary. Users must accept interference from ISM users	A = 26 dBW	Allocated	All except pulse	
10000- 10450	Secondary	A = 26 dBW	Allocated	All - including pulse	
10450 -10500	Secondary	A = 26 dBW	Allocated	All - including pulse	
24000- 24050	Primary	A = 26 dBW	Allocated	All - including pulse	
24050 -24250	Secondary. Users must accept interference from ISM users	A = 26 dBW		All - including pulse	
47000 - 47200	Primary	A = 26 dBW	Allocated	All - including pulse	
75500 – 76000	Primary.	A = 26 dBW	Allocated	All - including pulse	

76000 – 81000	Secondary. Users must accept interference from ISM users	A = 26 dBW	Allocated	All - including pulse	
122250 – 123000	Secondary. Users must accept interference from ISM users	A= 26 dBW	Allocated	All - including pulse	
134000 - 136000	Primary	A= 26 dBw	Allocated	All – including pulse	
136000 – 141000	Secondary	A= 26 dBW		All – including pulse`	