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GOVERNMENT NOTICE

Communications, Department of

Government Notice

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GOVERNMENT NOTICE

DEPARTMENT OF COMMUNICATIONS

No. 980

13 October 2009

MINISTER OF COMMUNICATIONS

ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

AMENDMENT OF POLICY DIRECTION ON THE LICENSING FRAMEWORK OF BROADBAND INFRACO (PROPRIETARY) LIMITED ISSUED UNDER GOVERNMENT GAZETTE NO. 31869 ON 06 FEBRUARY 2009

I, Gen (Ret) Sipiwe Nyanda, Minister of Communications, intend to amend the Schedule to the Policy Direction on the licensing framework of Broadband Infraco (Proprietary) Limited issued by the Minister in Government Gazette No. 31869 on 06 February 2009, in terms of section 3(7) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), to the extent indicated below:

Substitution of paragraph 2 of the Schedule to the Policy Direction

The following paragraph is hereby substituted for paragraph 2 of the Schedule to the Policy Direction:

“2. Acknowledging that Broadband Infraco (Proprietary) Limited has been established in terms of the Broadband Infraco Act, 2007 (Act No. 33 of 2007), to expand the availability and affordability of access to electronic communications network services including but not limited to under-developed and under-serviced areas.”.

Amendment of paragraph 3 of the Schedule to the Policy Direction

Paragraph 3 of the Schedule to the Policy Direction is hereby amended by the insertion of the words “electronic communications network” after “to provide the”.

Substitution of paragraph 4 of the Schedule to the Policy Direction

The following paragraph is hereby substituted for paragraph 4 of the Schedule to the Policy Direction:

“4. I, therefore in terms of sections 3(2) and 3(1A) direct the Independent Communications Authority of South Africa (ICASA) to conduct the necessary processes to consider an application for an electronic communications network service licence from Broadband Infraco (Proprietary) Limited.”.

Amendment of paragraph 5 of the Schedule to the Policy Direction

Paragraph 5 of the Schedule to the Policy Direction is hereby amended by the deletion of the letter "s" in the word "applications".

Amendment of paragraph 6 of the Schedule to the Policy Direction

Paragraph 6 of the Schedule to the Policy Direction is hereby amended by the deletion of the letter "s" in the word "applications" in subparagraph (b).

Interested persons are invited to provide written comments on the proposed amendment, within 30 working days of the date of publication of this notice at any of the following addresses:

For attention: The Director: Legal Services
ICT Policy Development
Department of Communications;
post to: Private Bag X860
Pretoria
0001;
or deliver to: First Floor, Block A3
iParioli Office Park
399 Duncan Street
Hatfield, Pretoria;
or fax to: (012) 4278241;
or e-mail to: infracopd@doc.gov.za

Please note that comments received after the closing date may be disregarded.

Please contact Lerato Monareng at tel. (012) 4278217/8070 for any enquiries.



**GEN (RET) SIPHIWE NYANDA
MINISTER OF COMMUNICATIONS**

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