
GENERAL NOTICE

NOTICE 1004 OF 2013



Independent Communications Authority of South Africa
Pinmill Farm, 164 Katherine Street, Sandton
Private Bag X10002, Sandton, 2146

THE LEASING OF ECS/ECNS LICENCES IN THE PROVISION OF ELECTRONIC COMMUNICATIONS SERVICES

1. In terms of section 4 (3) (b) of the Independent Communications Authority of South Africa Act 13 of 2000 ("ICASA Act"), as amended, the Authority is empowered to "*monitor the electronic communications sector to ensure compliance with the ICASA Act and the underlying statutes.*" It has come to the attention of the Authority that there is a widespread practice amongst holders of ECS/ECNS licences in which they lease their ECS/ECNS licences
2. The Authority considers the leasing of licences as a contravention of section 5 (12) of the Electronic Communications Act 35 of 2005 ("the EC Act") which stipulates that "***a licence confers on the holder the privileges and subjects him or her to the obligations provided for in this Act and as specified in the licence.***"
3. The Authority hereby notifies all holders ECS/ECNS licences that the practice of **leasing ECS/ECNS licences is prohibited in terms of the Act.** Any licensee found to be in contravention of its licence terms and conditions will be referred to the Complaints and Compliance Committee (the "CCC"). For any queries please contact the following:

Godfree Maulana: Manager: ECS/ECNS Compliance

Tel: 011 566 3215.

Email: gmaulana@icasa.org.za

Block D, Pinmill Farm, 164 Katherine Street

Sandton

A handwritten signature in black ink, appearing to be 'S Mncube', written over a horizontal line.

DR STEPHEN MNCUBE
CHAIRPERSON