



GOVERNMENT GAZETTE GOEWERNTYKTYD

**REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA**

Vol. 546 Cape Town, 3 December 2010 No. 33839
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THE PRESIDENCY

No. 1157 3 December 2010

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 21 of 2010: Regulation of Interception of Communications and Provision of Communication-Related Information Amendment Act, 2010

DIE PRESIDENSIE

Nr. 1157 3 Desember 2010

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

Nr. 21 van 2010: Wysigingswet op die Reëling van Onderskepping van Kommunikasies en Verstrekking van Kommunikasie-Verwante Inligting, 2010



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Act No. 21 of 2010 REGULATION OF INTERCEPTION OF COMMUNICATIONS AND
PROVISION OF COMMUNICATION-RELATED INFORMATION AMENDMENT
ACT, 2010

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 1 December 2010.)

ACT

To amend the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, so as to extend the period within which the information of customers must be recorded and stored; and to provide for matters connected therewith.

PARLIAMENT of the Republic of South Africa enacts, as follows:—

Amendment of section 62 of Act 70 of 2002, as amended by section 4 of Act 48 of 2008

1. Section 62 of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, is hereby amended— 5

(a) by the substitution in subsection (6) for paragraph (a) of the following paragraph:

“(a) Notwithstanding section 40(1), an electronic communication service provider who, prior to the date of commencement of this section, provides a mobile cellular electronic communications service must, [within 18 months from the said date] by 30 June 2011, record and store the information contemplated in section 40(2) in respect of all customers whose SIM-cards are activated on its system, if the information in question has not already been recorded and stored in terms of section 40.”; and 15

(b) by the substitution in subsection (6) for paragraph (d) of the following paragraph:

“(d) An electronic communication service provider shall not allow service continuation on its electronic communication system in respect of any activated SIM-card if the information referred to in paragraph (b) has not been recorded and stored [at the expiry of the 18-month period contemplated in paragraph (a)] by 30 June 2011.”. 20

Short title

2. This Act is called the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2010. 25