

GENERAL NOTICES • ALGEMENE KENNISGEWINGS**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****NOTICE 618 OF 2016**

AMENDMENT OF THE INVITATION TO APPLY FOR A RADIO FREQUENCY SPECTRUM LICENCE TO PROVIDE MOBILE BROADBAND WIRELESS ACCESS SERVICES FOR URBAN AND RURAL AREAS USING THE COMPLIMENTARY BANDS, 700MHz, 800MHz AND 2.6GHz.

1. On 15 July 2015, the Independent Communications Authority of South Africa (“the Authority”), in Government Gazette number 40145 (Notice Number 438 of 2016), published a notice (Invitation to Apply) in terms of Section 31(3) (a) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended, read with regulations 6 and 7 of the Radio Frequency Spectrum Regulations 2015 (“the Regulations”), published in Government Gazette number 38641 (Notice number 279 of 2015), inviting applications for the radio frequency spectrum licenses within the designated range, 2500 – 2690MHz (“the 2.6GHz band”) and 790 – 862 MHz (“the 800 MHz band”) and 694 – 790 MHz (“the 700MHz band”) for the purposes of providing national broadband wireless access services.
2. Interested persons were invited to submit their applications, including an electronic version of the application in Microsoft Word, on the Invitation to Apply for a Radio Frequency Spectrum Licence to provide Mobile Broadband Wireless Access Services for Urban and Rural areas using the complimentary bands, 700 MHz, 800 MHz and 2.6 GHz.
3. The Authority has resolved to amend the Invitation to Apply (ITA) to the extent reflected in the schedule.

Paris Mashile
Councillor

SCHEDULE

Definition

1. In this amendment "the ITA" means the ITA published by Government Gazette No. 40145 of 15 July of 2016, as amended by Government Gazette No. 40264 of 9 September 2016"

Amendment of paragraph 1 of the ITA

2. Paragraph 1 of the ITA is hereby amended by the substitution for the definition "application date" after the definition "application" with the following definition:

"Application Date 03/02/2017: Due date for the receipt of Applications"

Substitution of paragraph 10 of the ITA

3. The following paragraph is hereby substituted for paragraph 10 of the ITA:

"10. TIMEFRAME FOR THE AWARD PROCESS

Task Name	Start	Finish	Comments
Application Date	Friday 03/02/2017	Friday 03/02/2017	Start Time: 09h00 Closing Time: 15h00.
Publication of list of Applicants	Thursday 16/02/2017	Thursday 16/02/2017	
Submission of queries/clarifications to Applicants regarding their Applications	Thursday 16/02/2017	Monday 20/03/2017	
Announcement of Applicants qualified as Bidders	Monday 03/04/2017	Monday 03/04/2017	
Bidder seminar and mock auction	Monday 10/04/2017	Thursday 13/04/2017	
Auction	Wednesday 03/05/2017	Friday 12/05/2017	Duration has been estimated since the

			process may be shorter or longer and the Authority reserves the right to adjust as appropriate.
Announcement of auction result	Friday 19/05/2017	Friday 26/05/2017	Duration has been estimated since the process may be shorter or longer and the Authority reserves the right to adjust as appropriate.
Payment of auction fee	Monday 29/05/2017	Friday 30/06/2017	Duration has been estimated since the process may be shorter or longer and the Authority reserves the right to adjust as appropriate.
Issuing of the Licenses	Monday 03/07/2017	Friday 28/07/2017	Duration has been estimated since the process may be shorter or longer and the Authority reserves the right to adjust as appropriate.

End of substitution...”

Insertion of item 47A (Paragraph 8) in the ITA

4. The following item is hereby inserted in the ITA, after item 47:

“47A. In an instance where 100% of the spectrum is not available on a nationwide basis in a Lot due to analogue broadcasting services that have not fully migrated, then the obligation in terms of item 47 will be deferred until such time that the licensee has access to 100% of the spectrum in the assigned Lot.”

Amendment of item 67 (Paragraph 12) of the ITA

5. Item 67 of the ITA is hereby amended by the substitution for sub-item 67.2 of the following sub-item:

“67.2 Have a minimum 30% (thirty percent) equity ownership held by persons from Historically Disadvantaged Groups; alternatively, in instances where an Applicant does not have such 30% equity ownership, must be a level 4 and above contributor (BBBEE status) in terms of the Codes of Good Practice published in terms of section 9(1) of the BBBEE Act.”

Amendment of item 70 (Paragraph 12) of the ITA

6. Item 70 of the ITA is hereby amended by the deletion of the words “(i.e. Mon 03/10/2016)” after the words “application date”.

Substitution of item 74 (Paragraph 12) of the ITA

7. The following item is hereby substituted for item 74 of the ITA:

“74. The closing date for receipt of applications is Friday 03/02/2017 at 15:00.

Substitution of item 75 (Paragraph 12) of the ITA

8. The following item is hereby substituted for item 75 of the ITA:

“75. Each Applicant must pay an application fee of Three Million Rand (ZAR 3 000 000.00), which is refundable on condition that the ITA is set aside by a Court of law. The payment must be in the form of an electronic transfer or via a direct deposit into the following ICASA bank account:”

Substitution of item 76 (Paragraph 12) of the ITA

9. The following item is hereby substituted for item 75 of the ITA:

“ICASA Banking Details:

BANK: Nedbank

BRANCH: Nedbank Corporate Investment Banking

BRANCH CODE: 198765

ACCOUNT NAME: Spectrum Auction

ACCOUNT NO: 1137206357

REFERENCE: Applicant Name”

END