
GENERAL NOTICES • ALGEMENE KENNISGEWINGS


INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**NOTICE 244 OF 2018**

**ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)
APPLICATIONS FOR TRANSFER OF AN INDIVIDUAL ELECTRONIC
COMMUNICATIONS SERVICE AND INDIVIDUAL ELECTRONIC
COMMUNICATIONS NETWORK SERVICE LICENCES FROM BORDER INTERNET
(PTY) LTD TO NEROSPEC AFRICA (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received applications from Border Internet (Pty) Ltd for the transfer of its Individual Electronic Communications Service ("I-ECS") and Individual Electronic Communications Network Service ("I-ECNS") licences. The applications were lodged in terms of regulation 11 of the Processes and Procedures Regulations for Individual Licences, 2010 as amended by the Amendment Regulations published in Government Gazette No.39871 of 30 March 2016, read with sections 13(1), (2) and (6) of the Electronic Communications Act 2005, as amended.
2. The transfer applications seek approval from the Authority to transfer the I-ECNS and I-ECS licences held by Border Internet (Pty) Ltd ("the Applicant") to Nerospec Africa (Pty) Ltd ("the Transferee") and will be evaluated on the basis of the following criteria:
 - a. promotion of competition in the ICT sector;
 - b. interests of consumers; and
 - c. equity ownership by HDP'S.
3. The Applicant asserts that the Transferee meets the legislative requirement of a minimum of 30% of equity being held by Historically Disadvantaged Persons (HDPs) as required in terms of section 9 (2) (b).

4. The applications, relevant schedule and any representations received pursuant thereto will be made available and open for inspection by any interested party in the Authority's library, during the Authority's office hours.
5. Any interested party is invited to lodge written representations to the applications within fourteen (14) working days from the date of publication of this notice in the Government Gazette.
6. Any person who makes written representations must indicate whether they require an opportunity to make oral representations in the event that the Authority decides to hold public hearings.
7. All written representations, responses and other correspondence in terms hereof must be directed to Mr Peter Mailula at ECNS, ECS and Postal Licensing Unit, Licensing Division, at Block A, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg **OR** Private Bag X10002 Sandton, 2146 **OR** by fax no. (011) 566 3658 **OR** by e-mail: PMailula@icasa.org.za
8. Any person who may lodge representations in terms hereof, must also furnish proof to the satisfaction of the Authority that a copy of the representation has been delivered by hand to Dean Anthony Wolmarans at Border Internet (Pty) Ltd located at 25 Schultz Road, Nahoon, East London, 5241, **OR** sent by facsimile no: (086) 683 0445, **OR** sent by e-mail to wshop@border.co.za
9. The Applicant has the right to respond in writing to written representations made by any interested person on the transfer applications. The written responses must be lodged with the Authority within twenty-one (21) working days from the date of publication of this notice in the Government Gazette.

10. The Applicant must, at the time of lodging the written response, furnish proof to the Authority's satisfaction that it has delivered a copy of the response by hand, **OR** has sent a copy thereof by facsimile **OR** by e-mail to the relevant person having made the written representations.



01
05/2018

RUBBEN MOHLALOGA

CHAIRPERSON