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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NOTICE 3013 OF 2025

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

APPLICATIONS FOR THE TRANSFER OF CONTROL OF AN INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE ("I-ECNS") AND INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE ("I-ECS") LICENCES FROM CMC NETWORK PROPRIETARY LIMITED TO DIGITAL CENTERS FOR DATA AND TELECOMMUNICATIONS COMPANY ("CENTER3")

1. The Independent Communications Authority of South Africa ("Authority") hereby gives notice that it has received applications for the transfer of control of its Individual Electronic Communications Service ("I-ECS") and Individual Electronic Communications Network Service ("I-ECNS") licences.

2. The applications were submitted in terms of Regulations 11 (Form G) of the Processes and Procedures Regulations for Individual Licences, 2010 published in Government Gazette No. 33293 of 14 June 2010 as amended by the Amendment Individual Processes and Procedures Regulations 2015 published in Government Gazette No.39871 of 30 March 2016 and Individual Processes and Procedures Regulations 2023 published in Government Gazette No.48331 of 30 March 2023 ("Processes and Procedures Regulations"), read with sections 13 (1), (2) and (6) of the Electronic Communications Act No. 36 of 2005 ("ECA"), as amended.

3. In terms of section 13(6) read with section 9(2), of the ECA, the Authority is required to publish a notice in the Government Gazette inviting interested parties to submit written representations on the transfer applications.

4. The transfer applications seek approval from the Authority to transfer control of the I-ECS and I-ECNS licences from the Applicant to 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 Historically Disadvantaged Persons ("HDPs").

5. The Applicant submits that 30% of the equity shareholding is held by HDPs.

6. The applications, relevant schedule and any representations received pursuant to this notice will be made available and open for inspection by any interested party in the Authority's library, during the Authority's office hours.

7. 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. The Authority will make the applications received available for public review on its website: www.icasa.org.za.

8. 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.

9. All written representations, responses, and other correspondence in terms of this notice must be directed to Licensing Department, at Block B, 350 Witch – Hazel Avenue, Eco Point Office Park, Eco Park, Centurion **OR** Private Bag X10, Highveld Park, 0169 **OR** by e-mail: Licensing@icasa.org.za.

10. Any person/s who may submit representations in terms of this notice, they must also furnish proof that a copy of the representation has been delivered by hand to Andrew Wilson, at 20 Woodlands Drive, Building H, Woodmead, Sandton, Gauteng, 2191 **OR** delivered by e-mail to: Andrew.wilson@cmcnetworks.net and Janet.MacKenzie@bakermckenzie.com.

11. The Applicant has the right to respond in writing to the written representations made by any interested person/s on the transfer application. The written responses must be lodged with the Authority within twenty-eight (28) working days from the date of publication of this notice in the Government Gazette.

12. 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** by e-mail to the relevant person/s having made the written representations.



MOTHIBI G. RAMUSI
CHAIRPERSON
DATE: 13/02/2025

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