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GENERAL NOTICE

Independent Communications Authority of South Africa

General Notice

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GENERAL NOTICE

NOTICE 1655 OF 2007



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

HEREBY ISSUES A NOTICE IN TERMS OF SECTION 31(6), 32(1) AND 35(2) (b) OF THE ELECTRONIC COMMUNICATIONS ACT TO EXEMPT LOW POWER DEVICES OPERATING ON FM BAND II FROM LICENSING AND/OR TYPE APPROVAL.

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1. Definitions

Compact Disc (CD) – is an optical disc of either 80mm or 120mm in diameter that can be used to store digital data, audio and DVD recordings. It can be adapted for use as data storage device, CD-ROM. CD's can be found in either record-once or re-writable media (CD-R or CD-RW). The recorded capacities are 700MB or 4.7GB.

ECA - Electronic Communications Act, Act 36 of 2005.

FM Band II – VHF Broadcast band from 87.5 to 108 MHz.

Pocket-Jukeboxes – small portable machines that play selected musical recordings.

Short Range Devices – low power transmitters used for many types of application such as alarms, door openers, medical implants, radio frequency identification applications etc. They conform to different specifications in relation to power output, channel spacing & duty cycle. They are usually simple mass – market products.

USB port – Universal serial bus enabled port that allows data communications between two electronic communications devices and it is self powered.

2. Background

The Independent Communications Authority of South Africa (“herein after referred to as The Authority”) has been conducting a research into the best possible practice of regulating low power devices, with emphasis on the type approval and/or Licensing of Pocket-Jukeboxes that have specific FM Band II frequencies preset on them.

3. Discussion

This low power devices are popular as they enable the user to legally store up to 10 000 songs on miniature hard drive storage systems; they are easy to use and have become fashionable items.

These short range devices (SRD's) are typically used for the purpose of listening from a home or car FM Band II radio receiver. There is an apparent increase in consumer's demand for such devices. This can be viewed as a logical evolution of technology from single CD player, to (multi CD holders) shuttles (6 – 12 CDs) and finally to the current low power devices (> 12 CDs).

To date the Authority has not received any official interference complaints about the use of SRD FM Band II equipment, from the available evidence it appears that the interference radius will be limited to 3m from the source. Thus no basis of permanent interference can be adduced.

The Authority has noted a high number of latest models of vehicles that has USB ports for such devices as original equipment.

The Authority has noted that these devices emit low effective radiated power (erp) levels (50nW) and the temporary nature of interference (within < 1m from the source).

"The ECA" entrust the Authority with the powers to exempt some radio apparatus from either licensing or type approval or both.

Section 31 (6) of "the ECA" states that:

"The Authority may prescribe-

- (a) types of radio apparatus the use or possession of which; or*
- (b) the circumstances in which the use or possession of radio apparatus, does not require a radio frequency spectrum licence, including but not limited to radio frequency spectrum allocated for use in respect of radio*

astronomy and other scientific use of radio frequency spectrum that have been coordinated and agreed to by the Authority.”

Section 32 (1) further states that:

“No person may possess any radio apparatus unless he or she is-

- (a) in possession of a radio frequency spectrum licence granted in terms of this Chapter; or*
- (b) exempted as prescribed in terms of section 31(6).”*

Section 35 (2)(b) also states that:

“Circumstances under which the use of equipment, electronic communications facilities, radio apparatus, and subscriber equipment does not require approval including uses for research and development, demonstration of prototypes and testing.”

It is the Authority’s view that these provisions of “The ECA” empower the Authority to decide on the type of apparatus it will exempt from both licensing and type approval.

4. Conclusion

The Authority has therefore decided to exempt the low power devices operating on FM Band II from both licensing and type approval, provided the power emitted from these devices is less or equal to 50nW. Consequently the Authority will not entertain any interference related queries from prospective owners of such devices.