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GENERAL NOTICE

NOTICE 432 OF 2008



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

REGULATIONS IN RESPECT OF LICENCE EXEMPTIONS IN TERMS OF SECTION 6 OF THE ELECTRONIC COMMUNICATIONS ACT READ WITH SECTION 31(6) IN RESPECT OF RADIO FREQUENCY SPECTRUM, ELECTRONIC COMMUNICATIONS SERVICES AND/OR ELECTRONIC COMMUNICATIONS NETWORK SERVICES

The Independent Communications Authority of South Africa ("ICASA") in terms of section 5 (7) of the Electronic Communications Act, No 36 of 2005 ("the Act"), hereby publishes Draft Regulations in respect of Licence Exemptions in respect of Radio Frequency Spectrum Licence

A copy of the Draft Regulations will be made available on the Authority's website at: www.icasa.org.za and at the Authority's offices between 10h00 and 16h00 Monday to Friday.

REGULATIONS IN RESPECT OF LICENCE EXEMPTIONS IN TERMS OF SECTION 6 OF THE ELECTRONIC COMMUNICATIONS ACT READ WITH SECTION 31(6) IN RESPECT OF RADIO FREQUENCY SPECTRUM, ECS AND/OR ECNS

1. Definitions

Unless otherwise defined herein, all words and phrases shall have the meaning ascribed to them in the Electronic Communications Act, 2005 (Act No. 36 of 2005) and related legislation as may be amended from time to time.

“Baby Monitors” means radio apparatus used to transmit sound to a remote receiver to monitor the sound or movement of infants;

“CDMA Handsets” means radio apparatus used to communicate that operate on allocated CDMA spectrum by the Authority.

“Cordless Phone” or portable telephone with a wireless handset that communicates via radio waves with a base station connected to a fixed telephone line, usually within a limited range of its base station.

“Dynamic Frequency Selection” (DFS) means the mechanism that allows the coexistence of wireless networks with weather radar systems in the 5GHz band.

“Direct Sequence Spread Spectrum” (“DSSS”) is a modulation scheme whereby radio signals are passed through and distributed over the entire band at once.

“Emergency Alert System” (“EAS”) is a warning system that responds to any disturbance of that field caused by an intrusion or movement within the field by other devices, objects or persons.

“Field Disturbance and Doppler Apparatus” (“FDDA”) means radio apparatus which operates by producing a radiated field and responding to any disturbance of that field caused by an intrusion or movement within the field by other devices, objects or persons.

“Frequency Hopping Spread Spectrum” (“FHSS”) is a modulation scheme that rapidly switches a carrier among many given frequency channels, using a pseudorandom sequence known to both the transmitter and receiver.

“**GSM 900MHz & 1800MHz handset**” - Global System for Mobile enabled handset;

“**Inductive Loop Systems**” means radio apparatus which operate by producing a controlled magnetic field within which a predetermined recognisable signal is formed;

“**Low Power Radio**” means radio apparatus used for short range two-way voice communications;

“**Model Control apparatus**” means radio apparatus used to control the movement of the model in the air, on land or over or under the water surface;

“**Non specific Short Range Devices**” means radio apparatus used for general telemetry, telecommand, alarms and data with a low duty cycle (<1.0%);

“**Public Mobile Radio**” (**PMR**) means radio apparatus used for short range two-way voice communications;

“**Road Transport and Traffic Telematics**” (“**RTTT**”) means radio apparatus used for traffic management;

“**Radio Local Access Network**” (“**RLAN**”) high data rate two way (duplex) wireless data communications network.

“**Telecommand**” means the use of Radio Apparatus for the transmission of signals to initiate, modify or terminate functions of equipment at a distance;

“**Telemetry**” means the transmission of remotely measured data;

“**Transmitter Power Control**” (**TPC**) is a technical mechanism used within some networking devices in order to prevent too much unwanted interference between wireless networks.

“**Video Surveillance Equipment**” means radio apparatus used for security camera purposes to replace the cable between a camera and a monitor;

“**Wideband Wireless Systems**” means radio apparatus that are general-purpose high bit rate spread spectrum radio systems;

“**Wireless Access Systems**” (“**WAS**”) means end-user radio connections to public or private core networks;

“**Wireless Audio Systems**” means radio apparatus used to replace the wired headphones or speakers in hi-fi systems; and

“Wireless Microphones” means radio apparatus used to transmit speech or music over short distances to a remote receiver in places like studios and theatres.

1. RADIO FREQUENCY SPECTRUM LICENCE EXEMPTIONS

(a) The use or possession of the radio apparatus listed in Column B below, in accordance all specifications listed in Columns, A, C, D and E of the Table below shall not require a radio frequency spectrum licence:

TABLE

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
9 – 59.75K	Inductive Loop System	72 dB μ A/m @ 10m No duty cycle restriction; No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
59.75-60.25K	Inductive Loop System including RFID	42 dB μ A/m @ 10 m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950 ISO 18000-2	CEPT/ERC/REC 70-03 ASK, FSK & PSK
60.25-70K	Inductive Loop System	72 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
70-119K	Inductive Loop System including RFID	42 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950 ISO 18000-2	CEPT/ERC/REC 70-03 ASK, FSK & PSK
119-135K	Inductive Loop System including RFID	72 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950 ISO – 18000-2	CEPT/ERC/REC 70-03 ASK, FSK & PSK
7400 – 8800K	Inductive Loop System	9 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
6.765 – 6.795M	Inductive Loop System	42 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
13.553 – 13.567 M	Inductive Loop System including RFID	42 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 ASK,FSK AND PSK
26.957 – 27.283M	Inductive Loop System	42 dB μ A/m @ 10m No restrictions on duty cycle. No channel spacing	EN 300 330 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
26.957 – 27.283M	Non-specific SRD	10 mW erp No restrictions on duty cycle. No channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
26.995; 27.045; 27.095; 27.145; 27.195M	Surface Model Control	100 mW erp No restrictions on duty cycle 10 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
36.65 – 36.75M	Wireless Microphones.	100 mW erp 100 % duty cycle No channel spacing	EN 300 422 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
40.65 – 40.7M	Wireless Microphones.	100 mW erp 100 % duty cycle No channel spacing	EN 300 422 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
40.665, 40.675, 40.685, 40.695M	Surface Model Control	100mW erp No restriction on duty cycle 10kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
40.66 – 40.7M	Non-specific SRD	10 mW erp No duty cycle restriction No channel spacing	EN 300 220-1 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
46.61 – 46.97M 49.67 – 49.97M	CT0 Cordless Phones.	10 mW eirp	The authority TE- 013	Government Gazette 22443 of 4 th July 2001
53 – 54M	Wireless Microphones	50 mW erp for class 1 equipment 100 mW erp 100% duty cycle No channel spacing	EN 300 422 EN 301 489-1,9 EN 60950	
54.4500; 54.4625; 54.4750; 54.4875; 54.500; 54.5125; 54.5250; 54.5375; 54.5500M;	Model Control.	5W erp 12.5kHz channel spacing	EN 300 220 EN 301 489- 1,3 EN 60950	
141 – 142M	Remote control Industrial Apparatus.	100mW erp	EN 300 220 EN 301 489-1,3 EN 60950	
148 – 152M	Wildlife telemetry Tracking	25mW erp	EN 300 220 EN 301 489-1,3 EN 60950	The use of this band is restricted to National game Parks.
173.2125 – 173.2375M	Non-specific SRD - telecommand only	10 mW erp : 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
173.2375 – 173.2875M	Non-specific SRD	10 mW erp : 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
173.965 – 174.015M	Wireless Microphones	2 mW eirp 100% duty cycle No channel spacing	EN 300 422 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
402 – 405M	Medical Implants	25 μ W erp No duty cycle 25 kHz channel spacing	EN 301 839 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01)17

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
402 – 406M	Doppler shift movement detectors, wireless microphones ,garage door openers, motor car alarm systems	10 mW erp No channel spacing 100% duty cycle	EN 300 422 EN 300 220-1 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
433.05 – 434.79M	Non specific SRD	1mW erp 100% duty cycle	EN 300 220-1 EN 301 489-1,3 EN 60950 ISO – 18000-7	CEPT/ERC/REC 70-03 ASK, FSK, PSK & FHSS
433.05 – 434.79M	Non specific SRD	10mW erp duty cycle < 10% No channel spacing	EN 300 220-1 EN 301 489-1,3 EN 60950 ISO 18000-7	CEPT/ERC/REC 70-03 ASK, FSK, PSK & FHSS
433.05 – 434.79M	Non-specific SRD	100 mW erp No duty cycle restriction No channel spacing	EN 300 220-1 EN 301 489-3 EN 60950	CEPT/ERC/REC 70-03
446 – 446.1M includes the following eight channels. 446.00625; 446.01875; 446.03125; 446.04375; 446.05625; 446.08125; 446.08125; 446.09375.	Public Mobile Radio (PMR)	500mW 12, 5 kHz channel spacing	SANS 300 296-2 EN 300 296-2 EN 301 489-5 EN 60950	CEPT/ERC/REC 70-03
463.975 M, 464.125 M, 464.175M, 464.325M 464.375M	Low Power Radio.	500mW, 12, 5 kHz channel spacing	EN 300 296 EN 301 489-3 EN 60950	
863 – 865M	Wireless Audio Systems	10 mW erp 100 % duty cycle No channel spacing	EN 301 357 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01) 18

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
863 – 865M	Wireless Microphones	10 mW erp 100 % duty cycle No channel spacing	EN 300 422 EN 301 489-9 EN 60950	CEPT/ERC/REC 70-03
864.1 – 868.1M	CT2 cordless phones	10 mW eirp	EN 301 797 EN 301 489-1,10 the authority TE – 012	CEPT/ERC/REC 70-03
868 – 868.6M	Non-specific SRD	25 mW erp < 1% duty cycle or LBT	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01) 04
868.6 – 868.7M	Alarms	10 mW erp : < 1 % duty cycle 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01) 09
868.7 – 869.2M	Non-specific SRD	25 mW erp < 0.1 % duty cycle or LBT No channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT/ERC/DEC (01) 04
869.25 – 869.3M	Alarms	10 mW erp < 0.1 % duty cycle 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
869.4 – 869.65M	Non-specific SRD	500mW erp ≤ 10% duty cycle or LBT 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
869.65 – 869.7M	Alarms	25 mW erp 10 % duty cycle 25 kHz channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
869.7 – 870.0M	Non-specific SRD	5 mW erp 100 % duty cycle No channel spacing	EN 300 220 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
GSM 900 HANDSETS	880 – 915 M (MTX) 925 – 960 M (BTX)	2 Watts	EN 301 511 EN 301 489-1,7 EN 60950	GMSK 200 kHz channel spacing

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
GSM 850/900/1800/1900	GSM BROADBAND DATA APPLICATION - CPE	1 Watt	EN 301 908-2 EN 301 489-1,07 & 24 EN 60950	GMSK WCDMA 200 kHz channel spacing
1880 – 1900M	DECT cordless phones	250 mW eirp (peak) 1.728 MHz channel spacing	EN 301 406 EN 301 489-1,6 EN 60950 ICASA TE 001	
2400 – 2483.5M	Non-specific SRD	10 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	Wideband Wireless Systems. WLAN.	100 mW eirp No duty cycle No channel spacing	EN 300 328 EN 301 489-1,17 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	Wideband Data Transmission Applications (WBDTS) Model Control	100mW eirp duty cycle ≤ 100%	EN 300 328 EN 301 489-1,17 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	FDDA	25 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
2400 – 2483.5M	Low Power Video Surveillance.	100 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 Government Gazette 20087 of 15 th May 1999 and 19472 of 25 th February 1999
5150 – 5350M	Wireless Access Systems/ Radio Local Access Network (WAS & RLAN) indoor use	200 mW eirp Dynamic Frequency Selection (DFS) & Transmitter Power Control (TPC) Modulation schemes obligatory	EN 301 893 EN 301 489-1,17 EN 60950	ITU-R M.1625 (WRC 03)

Column A Frequency Bands K=KHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel spacing	Column D Relevant Standard	Column E Additional Requirements
5470 – 5725M	Wireless Access Systems/ Radio Local Access Network (WAS & RLAN) : indoor and outdoor use	1 W eirp Dynamic Frequency Selection (DFS) & Transmitter Power Control (TPC) Modulation Schemes obligatory	EN 301 893 EN 301 489-1,17 EN 60950	ITU-R M.1625 (WRC 03)
5725 – 5875M	Non-specific SRD	25 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
5795 – 5805M	RTTT data	2 W eirp No duty cycle restriction No channel spacing	EN 300 674 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT /ERC/DEC (92)02
5805 – 5815M	RTTT data	2 W eirp No duty cycle restriction No channel spacing	EN 300 674 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03 CEPT /ERC/DEC (92)02
9200 – 9500M	FDDA	25 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
9500 – 9975M	FDDA	25 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
10.5 – 10.6G	FDDA	500 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
13.4 – 14G	FDDA	25 mW eirp No duty cycle restriction No channel spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

Column A Frequency Bands K=kHz M=MHz G=GHz	Column B Type of Device	Column C Maximum Radiated Power or Field Strength Limits & Channel Spacing	Column D Relevant Standard	Column E Additional Requirements
17.1 – 17.3G	Wireless Access Systems/ Radio Local Access Network (WAS & RLAN)	100 mW eirp	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
24.00 – 24.25G	Non-specific SRD	100 mW eirp No duty cycle restriction No channel Spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
24.05 – 24.25G	FDDA	100 mW eirp No duty cycle restriction No channel Spacing	EN 300 440 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03
76 – 77G	RTTT radar	55dBm peak No duty cycle restriction No channel Spacing	EN 301 091 EN 301 489-1,3 EN 60950	CEPT/ERC/REC 70-03

(b) use and possession of all radio apparatus exempt in terms of sub-clause (a) must comply with the following:

- (i) All radio apparatus must be type-approved by the Authority in accordance with section 35 of the Act.
- (ii) The frequencies, transmitting power and external high-gain antenna of the radio apparatus must not be altered without a new type approval certificate being issued by the Authority.
- (iii) The radio apparatus must not cause interference to any person issued a radio frequency spectrum licence by the Authority.
- (iv) The user of the radio apparatus in licence-exempt frequency spectrum cannot claim protection in respect of interference.