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20 October 2016

Dear Value Customers

The 27<sup>th</sup> of December 2016 has been declared as a public holiday by the State President Mr Jacob Zuma.

For this reason, the closing date of all gazettes during that week will be a day before scheduled dates as published in the gazette or on the website.

Sincerely,

Maureen Toka  
Acting Assistant Director: Publications  
(Tel): 012 748-6066

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*The closing time is 15:00 sharp on the following days:*

- **29 December**, Thursday, for the issue of Friday **06 January 2017**
- **06 January**, Friday, for the issue of Friday **13 January 2017**
- **13 January**, Friday, for the issue of Friday **20 January 2017**
- **20 January**, Friday, for the issue of Friday **27 January 2017**
- **27 January**, Friday, for the issue of Friday **03 February 2017**
- **03 February**, Friday, for the issue of Friday **10 February 2017**
- **10 February**, Friday, for the issue of Friday **17 February 2017**
- **17 February**, Friday, for the issue of Friday **24 February 2017**
- **24 February**, Friday, for the issue of Friday **03 March 2017**
- **03 March**, Friday, for the issue of Friday **10 March 2017**
- **10 March**, Friday, for the issue of Friday **17 March 2017**
- **16 March**, Thursday, for the issue of Friday **24 March 2017**
- **24 March**, Friday, for the issue of Friday **31 March 2017**
- **31 March**, Friday, for the issue of Friday **07 April 2017**
- **06 April**, Thursday, for the issue of Thursday **13 April 2017**
- **12 April**, Wednesday, for the issue of Friday **21 April 2017**
- **20 April**, Thursday, for the issue of Friday **28 April 2017**
- **26 April**, Wednesday, for the issue of Friday **05 May 2017**
- **05 May**, Friday, for the issue of Friday **12 May 2017**
- **12 May**, Friday, for the issue of Friday **19 May 2017**
- **19 May**, Friday, for the issue of Friday **26 May 2017**
- **26 May**, Friday, for the issue of Friday **02 June 2017**
- **02 June**, Friday, for the issue of Friday **09 June 2017**
- **08 June**, Thursday, for the issue of Thursday **15 June 2017**
- **15 June**, Thursday, for the issue of Friday **23 June 2017**
- **23 June**, Friday, for the issue of Friday **30 June 2017**
- **30 June**, Friday, for the issue of Friday **07 July 2017**
- **07 July**, Friday, for the issue of Friday **14 July 2017**
- **14 July**, Friday, for the issue of Friday **21 July 2017**
- **21 July**, Friday, for the issue of Friday **28 July 2017**
- **28 July**, Friday, for the issue of Friday **04 August 2017**
- **03 August**, Thursday, for the issue of Friday **11 August 2017**
- **11 August**, Friday, for the issue of Friday **18 August 2017**
- **18 August**, Friday, for the issue of Friday **25 August 2017**
- **25 August**, Friday, for the issue of Friday **01 September 2017**
- **01 September**, Friday, for the issue of Friday **08 September 2017**
- **08 September**, Friday, for the issue of Friday **15 September 2017**
- **15 September**, Friday, for the issue of Friday **22 September 2017**
- **21 September**, Thursday, for the issue of Friday **29 September 2017**
- **29 September**, Friday, for the issue of Friday **06 October 2017**
- **06 October**, Friday, for the issue of Friday **13 October 2017**
- **13 October**, Friday, for the issue of Friday **20 October 2017**
- **20 October**, Friday, for the issue of Friday **27 October 2017**
- **27 October**, Friday, for the issue of Friday **03 November 2017**
- **03 November**, Friday, for the issue of Friday **10 November 2017**
- **10 November**, Friday, for the issue of Friday **17 November 2017**
- **17 November**, Friday, for the issue of Friday **24 November 2017**
- **24 November**, Friday, for the issue of Friday **01 December 2017**
- **01 December**, Friday, for the issue of Friday **08 December 2017**
- **08 December**, Friday, for the issue of Friday **15 December 2017**
- **15 December**, Friday, for the issue of Friday **22 December 2017**
- **20 December**, Wednesday, for the issue of Friday **29 December 2017**

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwnonline.co.za](http://www.gpwnonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****NOTICE SUBMISSION PROCESS**

3. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
4. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
5. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
6. Each notice submission should be sent as a single email. The email should contain **all documentation relating to a particular notice submission**, each as a separate attachment:
  - 6.1. Electronically completed *Adobe* form, specific to the type of notice that is to be placed.
    - 6.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
    - 6.1.2. The notice content (body copy) **MUST** be a separate attachment.
  - 6.2. Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
  - 6.3. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should also be attached as a separate attachment. (See specifications below, point 11).
  - 6.4. Any additional notice information if applicable.
7. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
8. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
9. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
10. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

11. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
  - 11.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
  - 11.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

12. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
13. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

14. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

15. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
  - 15.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
  - 15.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
  - 15.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
  - 15.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

16. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
17. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

18. The Government Printer will assume no liability in respect of—
  - 18.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 18.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 18.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

19. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

20. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
21. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

22. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
23. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
24. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
25. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
26. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
27. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

28. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
29. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

**Physical Address:**

**Government Printing Works**  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NO. 1512****09 DECEMBER 2016****AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)****PROPOSED PUBLICATION OF REGULATIONS REGARDING THE GRADING, PACKING AND MARKING OF EDIBLE VEGETABLE OILS INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA: INVITATION FOR COMMENTS**

The Executive Officer: Agricultural Product Standards intends to request the Minister of Agriculture, Forestry and Fisheries to publish new regulations regarding the grading, packing and marking of edible vegetable oils intended for sale in the Republic of South Africa.

The proposed new regulations are available for inspection at the office of the Executive Officer, Harvest House, 30 Hamilton Street, Arcadia, Pretoria; or copies can be obtained from the Executive Officer: Agricultural Product Standards, Department of Agriculture, Forestry and Fisheries, Private Bag X343, Pretoria, 0001, tel. no. (012) 319-6020, fax (012) 319-6265, or e-mail: [TheoVR@daff.gov.za](mailto:TheoVR@daff.gov.za) or is available on the Department's website at <http://www.daff.gov.za>.

All interested parties who wish to comment or make representations regarding the proposed new regulations are invited to furnish such comments or representations in writing to the Executive Officer at the above contact information by not later than **28 February 2017**.

**B.M. MAKHAFOLA**  
**Executive Officer: Agricultural Product Standards**

## DEPARTMENT OF BASIC EDUCATION

NO. 1513

09 DECEMBER 2016

**National Education Policy Act, 1996 (Act No. 27 of 1996)****CALL FOR COMMENTS ON THE AMENDED POLICY ON THE ORGANISATION  
ROLES AND RESPONSIBILITIES OF EDUCATION DISTRICTS**

I, Angelina Matsie Motshekga, Minister of Basic Education, acting under section 3(4) of the National Education Policy Act, 1996, and after consultation with the Council of Education Ministers, intend amending the Policy on the Organisation, Roles and Responsibilities of Education Districts.

All interested persons and organisations are invited to comment on the policy, in writing, and to direct their comments to –

The Director-General, Private Bag X895, Pretoria, 0001, for attention: Mr PM. Tshabalala, e-mail: [Tshabalala.M@dbe.gov.za](mailto:Tshabalala.M@dbe.gov.za), tel. 012 357 3828, fax 012 323 5902.

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comment.

The comments must reach the Department by 31 January 2017.



**ANGELINA MATSIE MOTSHEKGA, MP**

**MINISTER OF BASIC EDUCATION**

**DATE:** 07.11.2016



## basic education

Department  
Basic Education  
REPUBLIC OF SOUTH AFRICA

### GENERAL EXPLANATORY NOTE

[            ]        Words in bold type in square brackets indicate omissions from existing Policy on the Organisation Roles and Responsibilities of Education Districts published in General Notice No. 300 (*Government Gazette* No. 36324) of 3 April 2013.

\_\_\_\_\_        Words underlined with a solid line indicate insertions in existing Policy on the Organisation Roles and Responsibilities of Education Districts published in General Notice No. 300 (*Government Gazette* No. 36324) of 3 April 2013.

## **POLICY ON THE ORGANISATION, ROLES AND RESPONSIBILITIES OF EDUCATION DISTRICTS**

“Effective districts, better quality”

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**ACRONYMS**

ANA	Annual National Assessments
CEM	Council of Education Ministers
CASS	Continuous Assessment
DBE	Department of Basic Education
EEA	Employment of Educators Act, 1998 (Act 76 of 1998)
ELRC	Education Labour Relations Council
EMIS	Education Management Information System
HEDCOM	Heads of Education Departments Committee
HoD	Head of Department
ICT	Information and Communication Technology
IDP	Integrated Development Plan
LTSM	Learner and Teacher Support Material
MEC	Member of the Executive Council
MTEF	Medium Term Expenditure Framework
NEPA	National Education Policy Act, 1996 (Act 27 of 1996)
NSC	National Senior Certificate
NSNP	National School Nutrition Programme
OSD	Occupation Specific Dispensation
PAM	Personnel Administrative Measures
PED	Provincial Education Department
PERSAL	The state personnel and salary information system
PFMA	Public Finance Management Act, 1999 (Act 29 of 1999)
PSA	Public Service Act, 1994 (Proclamation 103 of 1994)
SACE	South African Council for Educators
SGB	School Governing Body
SMT	School Management Team

## 1. MANDATE AND SCOPE OF THE POLICY

### Introduction

1. Education district offices have a pivotal role in ensuring that all learners have access to education of progressively high quality, since district offices are the link between Provincial Education Departments (PEDs), their respective education institutions and the public.
2. This policy provides a national framework for the organisation and staffing of education district offices and the delegated authority, roles and responsibilities of district officials for the institutions within their care.

### Legislative authority

3. This policy is determined in terms of the National Education Policy Act, 1996 (Act 27 of 1996) (NEPA) which empowers the Minister to:

“determine national policy for the planning, provision, financing, staffing, co-ordination, management, governance, programmes, monitoring, evaluation and well-being of the education system ...” (s. 3(4)).

4. The Minister is required to direct such policy towards:

“achieving close co-operation between the national and provincial governments on matters relating to education, including the development of capacity in the departments of education, and the effective management of the national education system” (s. 4(o)).

5. The Minister is required to determine policy after consulting the Council of Education Ministers (CEM) (s. 5(1)(a)), which in turn is required by NEPA to:

“promote a national education policy which takes full account of the policies of the government, the principles contained in section 4 [of NEPA], the education interests and needs of the provinces, and the respective competence of Parliament and the provincial legislatures ...” (s. 9(4)(a)).

6. This policy is determined with the advice and consent of the CEM.
7. Education districts are part of the provincial sphere of government. They have no original powers or functions prescribed by law but operate in terms of national and provincial legislation and provincial delegations. They are not empowered to raise their own revenues.
8. This policy does not propose changing the legal position of education districts. Rather it provides a common approach, approved by the CEM, to the demarcation, organisation, staffing, delegation of authority and resourcing of education districts across all PEDs.
9. In each province the power to demarcate, name and organise education districts vests with the MEC for Education, who is the executive authority responsible for the organisation of the PED (Public Service Act, 1994 (Proclamation 103 of 1994) (PSA), s. 1, 3(7)(a)). The MEC also determines districts’ public service staff establishment in terms of the PSA (s. 3(7)(a)) and determines the educator staff establishment in terms of the Employment of Educators Act, 1998 (EEA) (Act 76 of 1998) (s. 5(1)). An MEC must determine the educator establishment of a province subject to national post provisioning norms. Staffing matters such as post provisioning and remuneration are subject to continuous adjustment through collective agreements in the appropriate bargaining chamber, in terms of the relevant labour legislation.

### Rationale for the policy

10. This policy is part of a broader government initiative to improve the capacity of the public service to respond to the challenges of economic development, poverty eradication and service delivery. The *National Development Plan 2030: Our Future—Make it Work* (2012) (NDP) (p. 399) pays particular attention to the country's need for a public service that is "more capable, more professional and more responsive" to citizens' needs. In its discussion of the priorities in basic education the NDP (pp. 295-315) makes clear that education district offices must exhibit such qualities when performing their essential function, namely to support schools to deliver the curriculum.
11. This policy also contributes to a suite of initiatives undertaken after 1994 by Ministers of Education and since 2009 by the Minister of Basic Education, advised by the Council of Education Ministers, to equip PEDs with policy tools, plans and other resources to help raise the quality of teaching and learning in schools.
12. The Constitution protects the citizens' right to education and equal access to government services. The reality is that educational opportunity and educational success are unequally distributed and the intensity and quality of service delivery varies considerably from one education district to another across the provinces. The disparities between high and low achieving districts are gross and unacceptable in democratic South Africa. The disparities are particularly severe in rural districts, especially those that for generations were part of rural homelands that lacked a secure economic resource basis. Such districts probably constitute the majority of education districts in South Africa.
13. The condition of district offices is not uniform throughout all provinces or within provinces. Some district offices understand their roles well

and perform them to a high level of efficiency, but others do not. The main limiting factors on districts' effectiveness are that:

- 13.1 Some education districts are responsible for too many education institutions and as a result cannot provide effective services to them;
- 13.2 The respective delegated authority, roles, relationships and lines of accountability of provincial head offices, district offices and education institutions are not clearly formulated, understood and exercised;
- 13.3 Some district offices do not have delegated authority to plan and develop their programmes, manage their own budgets and recruit or deploy staff members in their own offices or in education institutions. District Directors need adequate delegated decision-making authority from their respective provincial departments to effect necessary changes that are designed to improve learning performance. The absence of clearly delegated authority causes intolerable bureaucratic delays in service delivery since many decisions cannot be taken promptly but must be referred to higher authority. This creates uncertainty, impedes delivery and hampers quality management;
- 13.4 Post-provisioning is uneven and does not reflect the responsibilities entrusted to district offices. Even when posts have been established many are unfilled. Few staff members have job related training or have been required to meet skills criteria suited to the work they do. Some district offices do not have the necessary capacity to handle their current administrative, management and professional responsibilities. This situation reflects poor human resource practices relating to recruitment and appointment of key staff members. Service

delivery by many district offices, especially with respect to the vital function of curriculum support, therefore falls far short of what education institutions and the public expect.

14. In recent years PEDs have given increased priority to their district administrative and professional responsibilities. District boundaries have been changed and district offices have been restructured to make them more effective. Successive drafts of this policy have been workshopped with PEDs and district managers and have had a useful effect. Until now, however, no official national policy has guided PEDs as to what an education office should be or do.
  
15. PEDs agree that a national policy including indicative national norms for district offices is essential, but it must be designed with full appreciation for the individual needs and characteristics of provincial systems. While some national norms (such as nomenclature) must be applied in the same way in all provinces, others (such as district size) need to be formulated and applied in an educationally defensible manner depending on the varied conditions among and within provinces. Impoverished rural districts, especially those with small and dispersed populations, where roads and other communications are poorly developed, deserve special consideration. The key purpose of this national policy is therefore to provide the framework to enable PEDs to demarcate, structure and staff their district offices effectively, so that all education institutions receive the services they need to improve education provision and quality.

### **Scope of the policy**

16. This policy provides:
  - 16.1 a uniform nomenclature that establishes a common basis for district norms and standards across all nine provinces;

- 16.2 norms for district and circuit size which must be applied in a manner that takes into account local circumstances and which makes educational sense; and
- 16.3 a framework within which PEDs can provide district offices with the necessary roles, delegated authority, functions, resources and skills to enable them to perform their core functions, with additional support for districts where the educational needs are greatest.
17. In conjunction with other initiatives, such measures will promote more equal possibilities of educational access, retention and success in education institutions across all districts.

#### **Limitations of the policy**

18. The district development policy will not eliminate deep-seated socio-economic inequality among the communities that district offices serve. No education measures on their own can achieve that, though well functioning schools have the historic mission of providing opportunities for learners to rise above their circumstances. On its own the policy cannot provide the conditions to ensure that all schools function well. It is not a substitute for ensuring that all schools meet national standards of infrastructure, services, equipment, learning materials, IT connectivity and teaching quality. The Minister of Basic Education is committed to helping PEDs to achieve such standards as rapidly as possible and the other initiatives referred to above deal with such matters.

## 2. THE CONCEPT OF AN EDUCATION DISTRICT

### Nomenclature

19. A standard nomenclature will apply in all provinces in order to provide a uniform and consistent basis for policy:

**19.1 Education district.** A "district" is an area of a province which is demarcated by an MEC for administrative purposes. The district is thus the first-level administrative sub-division of a PED. Depending on the context, the term "district" is used to describe either the geographic area or the administrative unit.

**19.2 District office.** A district office is the management sub-unit of a PED. It is the headquarters of its district which is responsible for the Basic Education institutions in its district.

**19.3 District Director.** A District Director is the head of a district office and executes prescribed functions using authority delegated by the Head of the PED.

**19.4 Education circuit.** A circuit is an area of an education district which is demarcated by an MEC for administrative purposes. It is the second-level administrative sub-division of a PED. Depending on the context, the term "circuit" is used to describe either the geographic area or the administrative unit.

**19.5 Circuit office.** A circuit office is the management sub-unit of a district which is responsible for the Basic Education institutions in its circuit.

**19.6 Circuit Manager.** A Circuit Manager is the head of a circuit office and executes prescribed functions which have been allocated by the District Director or the Head of the PED.

**19.7 Subject Adviser.** A Subject Adviser is a specialist office-based educator in a district office or circuit office whose function is to facilitate curriculum implementation and improve the environment and process of learning and teaching by visiting schools, consulting with and advising school principals and teachers on curriculum matters.

### **Role of education district offices**

20. District offices are local hubs of PEDs and provide the vital lines of communication between the provincial head office and the education institutions in their care. Subject to provincial plans, their task is to work collaboratively with principals and educators in schools, with the vital assistance of circuit offices, to improve educational access and retention, give management and professional support, and help schools achieve excellence in learning and teaching. District offices, supported by their circuit offices, have four main roles which they must execute with due priority being given to the schools most in need of their services:

#### **20.1 Planning**

1. Collecting and analysing school, circuit and district data to inform planning;
2. Assisting schools with compiling school improvement or development plans; and
3. Integrating school improvement or development plans into district plans.

## 20.2 Support

1. Providing an enabling environment and targeted support for education institutions within the district to do their work in line with education law and policy;
2. Assisting school principals and educators to improve the quality of teaching and learning in their institutions through school visits, classroom observation, consultation, cluster meetings, suitable feedback reports and other means;
3. Serving as an information node for education institutions on education law, policy and administration;
4. Facilitating ICT connectivity in all institutions within the district; and
5. Providing an enabling environment and organising provision and support for the professional development of managers, educators and administrative staff members.

## 20.3 Oversight and accountability

1. Holding principals of education institutions in the district accountable for the performance of their schools;
2. Accounting to the PED for the performance of education institutions in the district; and
3. Accounting to the PED in terms of performance agreements that stipulate the roles, functions and responsibilities of district officials in line with relevant policies.

## 20.4 Public engagement

1. Informing and consulting with the public in an open and transparent manner; and
2. Upholding *Batho Pele* principles in all dealings with the public (see para. 63 below).

### 3. EDUCATION DISTRICT BOUNDARIES AND NORMS

#### District and circuit boundaries

##### *Sensible alignment*

21. Cabinet resolved in 2007 that all service departments should endeavour to align their functional boundaries to the constitutionally proclaimed municipal boundaries as determined by the Municipal Demarcation Board, and the Board is charged to assist the process.
22. Although municipalities have no responsibility for education provision, such alignment of district education boundaries is in keeping with the government's wish to streamline and co-ordinate service delivery across the three spheres of government, national, provincial and local.
23. It is essential that the educational needs and interests of the community are taken into account when local government Integrated Development Plans (IDPs) are designed or amended. Education district offices have an obligation to contribute as stakeholders in the local government planning process, and to take the local IDP into account when making their own plans for the district. Inter-governmental and inter-departmental co-operation are mandated by our Constitution, and cooperation between district offices and municipal governments is particularly important in such areas as school infrastructure planning; provision of municipal services to schools; early childhood development; health promotion; combating gangs, crime, alcohol and drug abuse in schools; and disaster management.
24. The alignment of education district boundaries with municipal boundaries is not a simple mechanical process. Alignment for alignment's sake may be counter-productive. Alignment must make educational sense. This implies that education district boundaries must

meet the test of efficient education service delivery. In particular, education districts must not exceed the maximum permitted size provided for in this policy, which is expressed in terms of the number of schools within the district.

25. The appropriate alignment with municipal boundaries in each province will also depend significantly on local conditions such as settlement patterns, social history (including the impact of apartheid Group Areas legislation), terrain, distances, rurality, and road and rail links.

#### ***Education districts within metropolitan municipalities***

26. Metropolitan municipalities are fully responsible for all municipal functions within their respective areas. They cover major, densely populated conurbations which are served by a large number of schools that fall under the respective PED.
27. It follows that within a metro there must be several education districts, none of which must exceed the upper limit of the norm for district size. In terms of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998) metros are sub-divided for purposes of public consultation and efficient administration into wards or sub-council areas as the case may be. Education district boundaries should be aligned with ward or sub-council boundaries, as the case may be, to the extent that it makes educational sense.

#### ***Education districts within district municipalities***

28. A district municipal area encloses several local municipal areas, and a district municipal council is primarily responsible for district-wide planning and capacity building for the local municipalities within its area. District municipal areas typically cover large, predominantly rural geographic areas including small towns and sometimes cities, with

large but often dispersed populations which are served by large numbers of schools that fall under the respective PED.

29. It follows that a typical district municipal area must be sub-divided into several education districts, none of which must exceed the upper limit of the norm for district size. Since district municipal areas are already sub-divided into local municipal areas, the appropriate principle would be for a PED to demarcate education district boundaries according to local municipal boundaries, to the extent that it makes educational sense.
30. Education district boundaries and alignment may be reviewed from time to time by PEDs to take account of changing circumstances.

#### ***Circuit boundaries***

31. The demarcation of education circuit boundaries in relation to municipal ward or sub-council boundaries may have certain functional advantages such as those suggested above. Like district boundaries, however, alignment for alignment's sake may be counter-productive. Alignment must make educational sense. This implies that education circuit boundaries must meet the test of efficient education service delivery and in particular must observe the national norm for circuit size.

#### **Circuit and district size norms**

32. In order to ensure effective service delivery and an appropriate span of control for circuit and district offices it is necessary to establish national norms that regulate the respective size of an education circuit and an education district.
33. The appropriate size of an education circuit is best expressed in terms of the number of schools for which a circuit office has responsibility. In

turn, the appropriate size of an education district is best expressed in terms of the number of education circuit offices for which a district office is responsible.

34. Taking all relevant factors, including geographical, staff and financial implications into account, the national norms are as follows:

34.1 An education circuit office must be responsible for no less than ~~[15]~~ 25 and no more than 30 schools; and

34.2 An education district must comprise no less than ~~[5]~~ 10 and no more than ~~[10]~~ 15 education circuits.

35. ~~[It follows that no]~~ No district should have fewer than ~~[75]~~ 250 schools or more than ~~[300]~~ 400 schools.

- [36. However, to guard against the maximum limit becoming a *de facto* norm, two other norms will apply:**

**36.1 In any district the average number of schools per circuit must not exceed 25; and**

**36.2 In any province the average number of schools per district must not exceed 250.]**

#### **Implementing district alignment and district size norms**

- [37. When these norms are applied across all districts the result will be that district sizes, expressed by the number of schools for which a district office is responsible, will vary far less than at present. Mega districts with many hundreds of schools will be cut down to size. In any province the average number of schools in a district will not be more than 250; but some districts in the same province may have as many as 300 schools while others may**

have as few as 75, depending on geographic circumstances and population density. Similarly, in any district the average number of schools in a circuit will not be more than 25; but some circuits may have as many as 30 schools and others may have as few as 15, depending on the conditions. Other things being equal, it is better for districts to manage fewer rather than more schools, especially where populations are sparsely settled over wide rural areas or where populations are dense as in metropolitan areas and each school has large numbers of learners and teachers.

38. If a PED currently has on average fewer than 250 schools per district (or fewer than 25 schools per circuit and 10 circuits per district) and no circuit or district exceeds the respective maximum, no advantage may be gained from altering the size of districts or changing district boundaries, provided that district and circuit offices are sufficiently staffed and resourced and effectively managed. However, if a PED has many districts with relatively few schools it may be difficult to recruit sufficient capable staff members to manage all its district offices. In order to use scarce staff resources efficiently it would be sensible to reduce the number of districts or enlarge certain districts to take in more schools.]
39. **[In brief, the]** The application of the alignment policy and the national norms for circuit and district size must be done by each PED with educational considerations uppermost taking into account contextual, staffing and equity factors.
40. Circuit and district size norms may be reviewed from time to time by the Department of Basic Education (DBE) with the advice of PEDs.

#### **4. EDUCATION DISTRICT ORGANISATION, FUNCTIONS AND DELEGATIONS**

##### **Support, co-ordination and monitoring of districts**

41. The roles and functions of a district office have one overriding purpose, which is to help all education institutions to deliver education of high quality. Provincial Heads of Department (HoDs) are accountable for the performance of their district education offices. HoDs must therefore ensure that district and circuit offices are progressively organised, staffed and resourced to undertake the functions envisaged in this policy.
42. District Directors occupy positions of significant responsibility and importance to the mission of PEDs. They manage a large multi-disciplinary staff complement; have oversight over many circuits and large numbers of educational institutions; engage directly with the principals of schools and chairs of School Governing Bodies (SGBs); advocate and implement national and provincial policies and programmes; advance the educational interests of thousands of learners; and are accountable for the performance of the learners and institutions under their care.
43. PEDs must therefore ensure that District Directors are highly competent managers who are equipped by training and experience to lead their districts well, and that they are given suitable opportunities for professional and managerial development.
44. As heads of their district offices, District Directors operate in terms of delegations and administrative instructions from provincial HoDs. Such delegations and instructions must be clear and appropriate to the District Director's level of responsibility. In particular District Directors

must be given sufficient discretion to make decisions quickly and execute their mandates efficiently.

45. In addition, provincial HoDs must ensure that district offices receive timely and effective administrative and professional support from the relevant line and staff functions in the provincial head office. PEDs have a particular responsibility to support poorly-functioning district offices, if necessary with multi-disciplinary support teams, in order to improve their capacity for robust and responsible management.
46. Given the front-line importance and professional responsibilities of the district office, a simple hierarchical relationship between head office and district office is not appropriate. Since the relationship between them is inherently complex, clear and efficient organisational links and channels of communication between provincial head offices and district offices are essential. The precise nature of such links must respond to provincial circumstances and cannot be uniformly prescribed in a national policy, but some principles must be observed.
47. Firstly, a strong planning culture must be exhibited by provincial head offices and district offices alike. This has several dimensions.
  - 47.1. Electronic connectivity between provincial education department head offices and district offices and between district and circuit offices and schools, and the use of electronic administrative tools and professional resources must become the rule not the exception.
  - 47.2. PEDs and district offices must put a high value on the collection and verification, analysis and application of educational data from annual school statistical surveys, Annual National Assessments (ANAs), National School Certificate (NSC) results and other sources.

- 47.3. District plans need to reflect national and provincial policy priorities while being responsive to school priorities and plans based on an analysis of up-to-date school and learner data. While school plans are the essential drivers of district plans, the latter must function within a provincial system of coordination and support.
- 47.4. PEDs and district offices must operate according to predictable work programmes. Regular meetings must be scheduled at provincial, district and circuit levels for consultation with managers, specialists and staff in functions, school principals, SGB chairpersons, and representatives of stakeholder bodies. Such meetings need to be open and inter-active in order to encourage meaningful feedback, exchange of views and, where appropriate, collective decision-making.
48. Secondly, the organisational culture of PEDs and district offices (including their circuit offices) needs to encourage, expect and reward collaboration across functional areas. Colleagues in different line and staff functions must work co-operatively in order to respond effectively to the needs of SGBs, school principals, parents, teachers and learners. A culture of inclusion is required rather than a culture of differentiation. Horizontal, task-oriented working groups are therefore more appropriate than static, hierarchical silos in carrying out district functions. Skilful, flexible project management is particularly necessary.
49. Strong planning and collaborative cultures will enable both provincial and district offices to optimise their performance. Monitoring of school and district performance and timely reports will become a routine aspect of district operations, feeding back relevant and reliable information to decision-makers at all levels from school to circuit to district, and from district to PED and DBE. Increasingly, electronic reporting and communication will speed such processes.

## District organisation and functions

50. Each district office should be organised in teams to deliver and report on a core basket of services. The precise composition of each team and its functions may vary from district to district but they will tend to resemble the following:

### 50.1. District Curriculum Support Team

Core functions:

- (a) Informing schools about national and provincial policies, and assisting schools to implement them appropriately;
- (b) Managing curriculum support including consultation with and advice to teachers, facilitating inclusive education and reporting on school visits;
- (c) Promoting and organising provision of professional development of educators in co-operation with the South African Council for Educators (SACE); and
- (d) Providing correct and timely Learner and Teacher Support Material (LTSM).

### 50.2. District Management and Governance Support Team

Core functions:

- (a) Supporting and advising school principals and School Governing Bodies;
- (b) Monitoring and reporting on school performance; and
- (c) Advancing installation and application of Information and Communications Technology (ICT) for communication, e-education and administrative support.

### 50.3. District Learner Support Team

Core functions:

- (a) Facilitating and coordinating Education Specialised Programmes including psychological, social work, career

guidance, remedial and therapeutic services for all learners;

- (b) Advancing learner health and well-being;
- (c) Managing the National School Nutrition Programme (NSNP);
- (d) Advancing school safety and security; and
- (e) Managing learner transport.

#### **50.4. District Examination and Assessment Team**

Core functions:

- (a) Administering Annual National Assessment (ANA);
- (b) Administering National Senior Certificate (NSC); and
- (c) Administering Continuous Assessment (CASS).

#### **50.5. District Operations Team**

Core functions:

- (a) Administering the Education Management Information System (EMIS);
- (b) Managing human resources; and
- (c) Managing financial and supply chain services.

*Note:* Operational matters are essential back office functions of a district. It is desirable that they are all managed by the district office directly in terms of delegations. If the requisite specialist capacity is not yet available in a district office the PED may retain the relevant function at head office until the district is capacitated to handle it.

51. Each PED head office is responsible for planning the deployment and operation of these core services in consultation with District Directors so as to optimise the district's main roles of planning, support, accountability and public information. District teams need to work collaboratively, especially in planning, executing and reporting on school visits in co-operation with circuit offices. District offices have a

special responsibility to advise and support educational institutions that are performing poorly and are therefore most in need of its services.

### Delegations

52. Delegation is the appropriate legal instrument, subject to s. 42A of the PSA and s. 44 of the PFMA, with which a Provincial HoD entrusts a District Director to execute the functions ascribed to a district office. A District Director is accountable to the provincial HoD in terms of such delegations (as well as the District Director's performance agreement) and must report to the HoD on the performance of the delegated functions. A delegation does not divest the HoD of responsibility for the delegated function, and an HoD may confirm, vary or revoke any decision taken by a District Director as a result of such delegation, subject to any rights that may have become vested as a result of such delegation.
53. Five principles are paramount:
- a) Each delegation must be made and executed subject to the Constitution, the applicable laws and collective agreements.
  - b) No function must be ascribed to a District Director without an accompanying delegation of authority.
  - c) The competence of a District Director to undertake a delegated function must be ascertained ahead of time and where necessary linked to specific training or professional development (see also the note at para. 50.5 above).
  - d) A function which is ascribed or a delegation which is assigned to a District Director must be accompanied by appropriate funding and other relevant resources such as personnel, ICT connectivity or access to PERSAL, which will enable the District Director to execute the function.
  - e) A District Director must undertake the delegated function diligently and must monitor and report regularly to the provincial HoD on the performance of the function.

54. The following delegations are essential for district effectiveness. They must be assigned by the provincial HoD to a District Director subject to applicable legislation, fair labour practice and collective agreements as the case may be, in accordance with the principles enunciated in the previous paragraph:

**54.1. Human resource management**

- a) Authority to appoint any person or to promote or transfer any educator (including substitutes) or public servant under the District Director's area of jurisdiction;
- b) In the case of a new school, until the relevant SGB is established, authority to appoint, promote or transfer a staff member in a temporary capacity to any suitable post on the school's establishment; and
- c) Authority to institute disciplinary proceedings and impose a sanction on an educator or public servant within the District Director's area of jurisdiction in accordance with the relevant disciplinary code and procedures.

**54.2. School governance**

- a) Authority to **[dissolve]** recommend the dissolution of an ineffective SGB to the HOD; and
- b) Authority to **[allocate or withdraw]** recommend the allocation or withdrawal, on reasonable grounds, a function from a SGB to the HOD.

**54.3. Financial management**

- a) Authority to manage the assets and liabilities of the PED in the district, including the safeguarding and maintenance of assets;
- b) Authority to procure goods and services, including equipment, up to a value of R500 000;
- c) **[Authority to take appropriate disciplinary steps against any official under the District Director's authority who**

**commits an act of financial misconduct in terms of the PFMA.]**

55. Delegations must be:
- (a) Communicated by letter to the delegate;
  - (b) Circulated within the PED, published on the PED's website and made available, on request, to a principal, SGB chairperson or member of the public;
  - (c) Clear and precise;
  - (d) Appropriate to the function concerned;
  - (e) Consistent with the appropriate legislation;
  - (f) Accompanied by sufficient resources;
  - (g) Subject to appropriate limitations; and
  - (h) Accompanied by a reporting schedule.

**Circuit office organisation and functions**

56. The circuit office is a field office of the district office headed by the Circuit Manager. It is the closest point of contact between education institutions and the PED. Principals depend on the circuit office for information, administrative services and professional support.
57. Circuit Managers, like District Directors, are expected to exercise significant authority in their dealings with their own staff, principals of schools, chairpersons of SGBs and the public at large. PEDs and District Directors must therefore ensure that Circuit Managers are capable managers who are equipped by training and experience to lead their circuits well, and that they are given suitable opportunities for professional and managerial development.
58. As heads of their circuit offices, Circuit Managers operate in terms of allocated functions and administrative instructions from District Directors. Such functional allocations and instructions must be clear

and appropriate to Circuit Managers' level of responsibility and must allow Circuit Managers an appropriate level of discretion.

59. A circuit office is generally a small unit comprising a Circuit Manager, professional and support staff. Each PED, in consultation with District Directors, must organise its circuit offices according to their needs and circumstances in the light of the national district staffing norms, in order to achieve the optimum number of site visits by circuit and district staff to education institutions within the circuit. Circuit offices have a special responsibility to advise and support educational institutions that are performing poorly and are therefore most in need of its services.
60. In view of the vital importance of the early years of schooling, circuit offices need their own specialist Subject Advisers to support teachers in the primary school phases. Generally, a circuit office will not have its own secondary phase Subject Advisers but will facilitate visits by specialist district teams to secondary schools within the circuit. In some cases PEDs may establish specialist secondary teams at circuit level, depending on local needs and the availability of the appropriate secondary Subject Advisers and financial resources.
61. A District Director must ensure that a Circuit Manager receives adequate support and resources to fulfil the functions entrusted to the circuit office. The Circuit Manager is accountable for the performance of such functions to the District Director and must report to the District Director at specified intervals.
62. The core functions of the circuit office are to:
  - a) Provide a channel of communication between the district office and education institutions;
  - b) Provide management support to education institutions;
  - c) Provide administrative services to education institutions;
  - d) Facilitate training for principals, SMTs and SGBs;
  - e) Monitor the functionality of education institutions;

- f) Provide curriculum support to grade R practitioners and primary grade teachers;
- g) Facilitate visits of specialist district teams to secondary schools; and
- h) Report to the district office.

### **Batho Pele**

63. In their dealings with the public the staff members of district and circuit offices are required to exhibit the *Batho Pele* principles. These involve consultation with clients, setting and observing service standards, increasing access to services, ensuring courteous behaviour, providing the required information to the public, acting openly and transparently, redressing sub-standard performance and ensuring value for money.<sup>1</sup>
64. In undertaking their responsibilities, district staff members are subject to the Code of Conduct for Public Servants or SACE's Code of Professional Ethics for educators, depending on their employment category. In common with all other public servants and educators, district office staff members are expected to fulfill the requirements of their code with dedication and commitment, making their services available to the schools and the public even-handedly, without bias or preference, upholding the values of the Constitution and serving the public interest in all they do.

<sup>1</sup> Department of Public Service and Administration, *Batho Pele – People First: White Paper on Transforming Public Service Delivery* (Pretoria: 18 September 1997). The eight principles of *Batho Pele* are: 1. Consultation. Citizens should be consulted about the level and quality of the public services they receive and, wherever possible, should be given a choice about the services they are offered. 2. Service standards. Citizens should be told what level and quality of public services they will receive so that they will know what to expect. 3. Access. All citizens should have equal access to the services to which they are entitled. 4. Courtesy. Citizens should be treated with courtesy and consideration. 5. Information. Citizens should be given full, accurate information about the public services they are entitled to receive. 6. Openness and transparency. Citizens should be told how national and provincial departments are run, how much they cost, and who is in charge. 7. Redress. If the promised standard of service is not delivered, citizens should be offered an apology, a full explanation and a speedy and effective remedy; and when complaints are made, citizens should receive a sympathetic, positive response. 8. Value for money. Public services should be provided economically and efficiently in order to give citizens the best possible value for money.

## 5. STAFFING DISTRICT OFFICES

### Principles

65. The Minister's legislative authority to determine policy in relation to education districts, including staffing matters, has been explained above in paras. 3-9. The MEC in a province determines staff establishments for district offices subject to the PSA and the EEA, as the case may be, and implements staffing policy subject to the relevant labour law and collective agreements.
66. The main consideration in establishing district post provisioning norms is to ensure that each district has the capacity to bring effective professional, management and administrative services to educational institutions in order to help them improve the quality of teaching and learning. Districts vary in their educational needs as well as in their physical and social characteristics. Equity in the distribution of staff support to institutions is therefore a principle that must guide the norms in order to achieve quality education for all learners.
67. This will be achieved in two ways: firstly, by ensuring that all education districts in all provinces have at least the minimum staffing level required to effectively deliver essential support to educational institutions, thus setting minimum standards; and secondly, by taking into account contextual factors that impact differently on different districts.
68. The essential level of support is described by the basket of educational services that a district must provide to the institutions under its care.
69. The model of post provisioning must incorporate the norms governing the sizes of districts and circuits. It must benefit from good practice in

successful education districts. The proposed norms must be tested against provincial realities with the advice of knowledgeable provincial and district managers and must be intelligible, credible and affordable. Part of the methodology must involve calculating the staff complement required to enable the optimum number of visits to be made by teams from the district or circuit offices to an institution per term, taking into account that poorly performing institutions need the most support.

70. Where functions delegated to a District Director are not covered by the model, PEDs could allocate additional staff members based on the same principles.
71. The district post provisioning norms for educator staff must be established using tools provided in the Personnel Administrative Measures (PAM) determined by the Minister in terms of the EEA and the Occupation Specific Dispensation (OSD) agreed in the ELRC (Collective Agreement No. 1 of 2008).

#### **The model**

72. The model has two components: the *parameter* by which the staffing level of a particular function is expressed, and the *factor* that takes into account the context or circumstances of a particular district.

#### **Parameters**

73. The nature of a function will determine the parameter that will be used to express staffing needs of that function. Since districts exist to serve schools, staffing needs will be expressed in terms of the number of learners, educators or schools to be served, depending on the function. For instance staffing needs for curriculum services are best expressed by the number of learners or educators to be served. Functions relating to school governance and management are better expressed in terms of the number of schools to be served.

## Factors

74. Factors are expressed as weights to ensure that the distribution of staff among districts is equitable. A number of potential factors have been considered and two salient factors have been selected in order to keep the model simple and functional without compromising the equity principle:

**74.1 Distance.** The distances that district officials need to travel to schools. This factor takes into account the geographical features and population density of different provinces. This factor will contribute a maximum of 10% additional posts.

### Distance factor

Average distance from the district office to schools*	
Range (kms)	Weighting
121 and above	1.10
91-120	1.08
61-90	1.05
31-60	1.02
0-30	1

\*The "average distance" is the sum of the distance of each school in a district from the district office divided by the number of schools.

**74.2 Poverty.** Schools serving extremely poor communities require additional support from their district offices to promote quality education. The poverty factor, related to the proportion of non-fee schools, will contribute a maximum of 5% additional posts in a district office.

**Poverty factor**

<b>Range</b>	<b>Weighting</b>
70% or more no-fee schools	1.05
Fewer than 70% non-fee schools	1

75. The tables show the different weights allocated to each factor in relation to the magnitude of their potential impact on the staffing needs of districts.
76. The model may be reviewed from time to time by the DBE in consultation with PEDs taking into account contextual and equity factors.

## 6. CONCLUSION

77. Education district offices are the indispensable local hub of service provision to education institutions in a province. Their role is well recognised in education policy documents and departmental programmes, including *Schooling 2025*, and in the *National Development Plan*. Much is expected of them. Unfortunately many district offices have disappointing service records. This policy is designed to enable all district offices to perform according to expectations. This will happen only if the policy is implemented purposefully and progressively according to each province's needs and circumstances.
78. District offices cannot do what is expected of them if they remain responsible for excessive numbers of education institutions, if they are poorly staffed, if their district and circuit personnel are required to travel unreasonable distances to their schools, if transport is insufficient, if they are inadequately accommodated and if they have rudimentary means of communication, especially electronic communication, with schools and head offices. Nor can district offices do what is expected of them in the absence of appropriate delegations, a planning culture and a culture of collaboration between a PED and its district offices, or between a district office, its circuit offices and the education institutions they serve.
79. This policy is designed to enable PEDs to correct such deficiencies and provide district offices with the means to do their work well. A planned programme of implementation is required. Some actions must be undertaken before others can become effective. This suggests that the policy needs to be implemented in accordance with short, medium and long term plans.
80. The national department will work with PEDs (individually and through HEDCOM) on the implementation of the policy and will monitor their progress. The most effective way to do so is for each PED to report annually to DBE on how they are implementing district development in line with this

policy. PEDs need to incorporate district development improvements in their strategic and operational plans and MTEF bids. This will enable the appropriate managers in DBE to advise on provincial plans and support provincial bids for the budgetary allocations PEDs need in order progressively to house, staff and supply their district offices according to the national norms in this document. In some provinces the deficits in physical, personnel and financial resources will take longer to overcome than in others, but in all provinces there is need for purposeful planning towards the achievement of the national norms including the qualitative changes in PED/district/circuit operations envisaged in the policy.

81. The policy's impact will be evaluated over time and where necessary adjusted. The true test of success will be the steady realisation across the nation of district offices that are fit for purpose and that deliver excellent service to their education institutions.

# **ADDENDUM**

## **DRAFT MINIMUM DISTRICT STAFFING NORMS**



## basic education

Department:  
Basic Education  
REPUBLIC OF SOUTH AFRICA

### DRAFT MINIMUM DISTRICT STAFFING NORMS TO BE AN ADDENDUM TO THE POLICY

#### 1 District Management Posts

Office of the District Director	Norm Criteria
District Director	1 per District
Personal Assistant	1 per District
Administrative Assistant	1 per District
DCES	1 per District

#### Curriculum Support & Delivery

Component: Professional Support Services	
CES	1 per district
Admin Assistant	1 per CES
DCES GET	Three: 1 for ECD & Foundation, 1 for Intermediate Phase and 1 for FET
Admin Assistant	1 for all DCESs
Subject Advisor (SES): Foundation Phase (Gr R - 3) (for each of the 4 subjects)	4 per 80 schools with Foundation Phase learners
Subject Advisor (SES): Intermediate Phase (Gr 4 - 6) (for each of 9 subjects)	9 per 80 schools with Intermediate Phase learners
Subject Advisor (SES): Senior Phase (Gr 7 - 9) (for each of 12 high-enrolment subjects)	12 per 80 schools with Senior Phase learners
Subject Advisor (SES): FET Phase (for each of 14 high-enrolment subjects)	14 per 30 schools with FET Phase learners
Subject Advisor (SES): Low-enrolment subjects	16 per 960 schools

#### Examination and Assessment

CES	1 per district
Admin Clerk	1 per district
<b>Assessment and examination information management system</b>	
Assistant Director	1 per district
Senior Admin Officer	2 per district
Admin Clerks	4 per district

**Assessment material, distribution & collection of scripts**

Assistant Director 1 per district

Admin Clerks 2 per district

**Policy development, monitoring and moderation of SBA**

DCES 2 per district

SES 2 per district

SAO 1 per district

Admin Clerks 2 per district

**Institutional Management Governance & Support****INSTITUTIONAL MANAGEMENT GOVERNANCE & SUPPORT (EMGD)****Norm Criteria**

CES (District EMGD &amp; Circuit Managers coordination) 1 per District

Admin Assistant 1 per CES

DCES (Governance) 1 per District

SES 2 per District

DCES (Management) 1 per District

SES 2 per District

**School Safety**

SES 2 per District

Admin Assistant 1 for the 2 DCESs

**District Learner Support****DISTRICT LEARNER SUPPORT****Norm Criteria****Component: Inclusive Education Services**

CES 1 per District

Admin Assistant 1 per CES

DCES (Inclusive Education; therapeutic and Learning support facilitators) 2: per District

Admin Assistant 1 for both DCESs

**Therapeutic Services**

SES No of learners = 1: 50000

**Social Services**

SES No of learners = 1: 50000

**Psychological Services**

SES No of learners = 1: 50000

**Special Institutional Support Services (LSEN)**

SES No of Learners = 1 : 50000

**Component: Co-Curricular Services**

DCES (Sports &amp; Music and Values in Education &amp; HIV/AIDS) 2 per district

Admin Assistant	1 for 2 DCESS
Institutional School Sports & Recreation SES	1:100 schools
Institutional School Music, Eisteddford & Arts SES	1:100 schools
Institutional School Multi-Media SES (library qualification)	1:100 schools
Assistant Director (NSNP, Transport) Component: School Nutrition Feeding Scheme	1: per District
Senior Admin Officer	1 per district
NSNP Fieldworkers (Monitoring) Component: Learner Transport	1 : 50 schools
Senior Admin Officer	1 per district

#### Human Resource Management

HUMAN RESOURCE MANAGEMENT	Norm Criteria
Deputy Director	1 per District
Admin Assistant	1 per district
<b>Administration of Recruitment, Selection and Placement Services &amp; Personnel Admin</b>	
Assistant Director	1 per district
Principal HR Officer	1:1400 employees
HR Officer	1:700 employees
<b>Administration of Service Benefits (Conditions of service)</b>	
Assistant Director	1 per district
Principal HR Officer	1:1400 employees
HR Officer	1:700 employees
<b>HR Management &amp; Development Services</b>	
Assistant Director	1 per district
Principal HR Officer	1:1400 employees
HR Officer	1:700 employees
<b>Labour Relations Services</b>	
Assistant Director	1 per district
LR Practitioner	1:1500 employees

#### Finance and Auxiliary Services

FINANCE AND AUXILIARY SERVICES	Norm Criteria
Deputy Director	1 per district
Admin Assistant	1 per district
<b>Component: Budget Planning, Management &amp; Support Services</b>	
Assistant Director	1 per district
Budget Planning, Management & Support	

<b>Services (Learning Institutions)</b>	
Chief Accounting Clerks	1 per 300 schools
Accounting Clerks	1:100 schools (Section 21 schools)
<b>Debt Collection Services</b>	
State Accountant	2 per district
<b>Accounts &amp; Payment Services</b>	
State Accountant	2 per district
Chief Accounting Clerk	2 per district
Accounting Clerk	2 per district
<b>Component: Procurement Systems Management</b>	
Assistant Director	1 per district
<b>Sub-division: Procurement Management Services</b>	
Admin Officer	1 per district
Procurement Assistant	2 per district
<b>Asset/Inventory Management Services</b>	
Asset Manager	1 per district
Asset inspectors	2 per district
Procurement Admin Assistants	1:50 non-section 21
<b>EMIS &amp; Technology Services</b>	
Data-base Administrator	1 per district
Data Technologist	2 per district

#### **Circuit Posts**

<b>Circuit Posts</b>	<b>Norm Criteria</b>
Circuit Manager (DCES)	1:30 Schools
Admin Assistant	1 per Circuit
<b>Diverse Support Services</b>	
Admin Assistant (EMIS) (Data-Typist/Capturer)	1 per Circuit
Driver	1:3 Circuits
<b>Examinations</b>	
Admin Clerks	2 per circuit

ECONOMIC DEVELOPMENT DEPARTMENT

NO. 1514

09 DECEMBER 2016



***competition*commission**  
***south africa***

**AMENDED TERMS OF REFERENCE FOR MARKET  
INQUIRY: Private Healthcare Sector  
December 2016**



AMENDED TERMS OF REFERENCE FOR  
MARKET INQUIRY: Private Healthcare  
Sector December 2016

## 1. BACKGROUND

The Competition Commission (“the Commission”) initiated an inquiry into the private healthcare sector (“the Inquiry”) in terms of Chapter 4A of the Competition Act, 89 of 1998 (as amended) (“the Act”) because it has reason to believe that there are features of the sector that prevent, distort or restrict competition.<sup>a</sup> The Commission further believes that conducting this Inquiry will assist in understanding how it may promote competition in the healthcare sector, in furtherance of the purpose of the Act.<sup>b</sup>

The Commission gave notice in the Government Gazette (“the Gazette”) on 29 November 2013 announcing the establishment of the Inquiry.<sup>c</sup> The scope and timeframes for the Inquiry were set out in the Terms of Reference (“TOR”) as required by section 43B(4) of the Act.

The Inquiry has been in operation since 6 January 2014 and was initially set to be completed on 30 November 2015. In October 2015, the Commission gave a further notice in the Gazette to amend the Inquiry completion date to 15 December 2016.

The scope of the Inquiry, complexity of the issues, as well as the delays in collecting and analysing information and data have had a significant impact on the Inquiry and necessitated a revised deadline for completion of the work of Inquiry.

## 2. AMENDMENT OF THE TERMS OF REFERENCE

In terms of section 43B(5) of the Act, the Commission may, by way of an amendment to the TOR, amend the scope of the Inquiry, or the time within which the Inquiry is expected to be completed, by further notice in the Gazette.

Having regard to the information and data currently before the Inquiry, the content and scope of the Inquiry remains unchanged. However, in light of the size and complexity of the Inquiry, as well as the

<sup>a</sup> Section 43B(1)(i).

<sup>b</sup> Section 43B(1)(ii).

<sup>c</sup> Section 43B (2). See Terms of Reference, *Gazette No. 37062 of 29 November 2013*.



*AMENDED TERMS OF REFERENCE FOR  
MARKET INQUIRY: Private Healthcare  
Sector December 2016*

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delays experienced in the provision of critical data by stakeholders which affected the finalisation of data collection, data processing as well as the Inquiry analyses, the Commission has decided to amend the completion date.

In terms of the amendment, the final Inquiry report, which may include recommendations, will be completed by **15 December 2017**.

Further details regarding the revised administrative phases along with the revised administrative timelines will be made available on the Inquiry website.

## DEPARTMENT OF HEALTH

NO. 1515

09 DECEMBER 2016

**MEDICINES AND RELATED SUBSTANCES ACT, 1965 (ACT NO. 101 OF 1965)****REGULATIONS RELATING TO MEDICAL DEVICES AND *IN VITRO* DIAGNOSTIC MEDICAL DEVICES (IVDs)**

I, Dr A Motsoaledi, the Minister of Health has, in consultation with the Medicines Control Council, in terms of section 35(1)(xxvii) of the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965), made the regulations in the Schedule.

**SCHEDULE****LIST OF CONTENTS**

1. Definitions
2. Manner and conditions for allowing international tendering
3. Importation of medical devices and IVDs into the Republic
4. Transmission of medical devices or IVDs through the Republic
5. Licence to manufacture, import, export, or act as a distributor or wholesaler of medical devices or IVDs
6. Period of validity of licence issued in terms of regulation 5 and renewal of licences
7. Appeal against the decision of the Council
8. Application for registration of a medical device or IVD
9. Information that must appear in the register for medical devices or IVDs
10. Amendment to the medical devices and IVDs register
11. Classifications of medical devices and IVDs
12. Registration certificate
13. Parts and components
14. Destruction of medical device and IVD

15. Method of taking samples during investigation, certificate to be issued and reporting of analysis results
16. Conduct of clinical trials and clinical investigations
17. Adverse event reporting & vigilance
18. Investigation
19. Offences and penalties
20. Compliance with requirements
21. Advertising of medical device or IVD
22. Labelling of medical device or IVD
23. Instructions for Use of medical device
24. Instructions for Use of IVD
25. Custom made medical devices
26. Record of implantable medical devices and custom made medical devices
27. Transitional arrangements - unlicensed manufacturer, distributor and wholesaler
28. Transitional arrangements - unregistered medical devices and IVDs
29. Short title

#### 1. DEFINITIONS

In these Regulations a word or expression defined in the Act bears the meaning so assigned and unless the context otherwise indicates-

**"adverse event"** in relation to a medical device or IVD means possible faults or failures of a medical device or IVD or difficulties in the use of or an undesirable outcome associated with the use of a medical device or IVD that can or does result in permanent impairment, injury or death to the professional user or patient user;

**"as determined by the Council"** means as determined by the Medicines Control Council in the guidelines published in the *Gazette* from time to time;

**"authorised representative"** means a natural person, resident in the Republic of South Africa, who-

- (a) has the written mandate to represent a manufacturer, importer, distributor, wholesaler, retailer or service provider in the Republic;

- (b) acts on behalf of a manufacturer, importer, distributor, wholesaler, retailer or service provider for specified tasks with regard to the latter's obligations and in whose name the manufacturer licence, distributor licence, wholesaler licence or certificate of registration is issued; and
- (c) is responsible for all aspects of the medical device or IVD, including performance, quality, safety and compliance with conditions of registration, clinical trials or clinical investigations;

**"batch number", "lot number" or "serial number" or "control number" or "version number"** means a unique number or combination of numbers or cyphers allocated to a lot or a batch or a unique medical device or unique accessory to a medical device in the case of "control number", or unique software in the case of "version number" by the manufacturer;

**"biological substance"** means a substance derived from a human, animal or a micro-organism; **"bonded warehouse"** means a customs and excise warehouse licensed in terms of section 19 of the Customs and Excise Act, 1964 (Act No. 91 of 1964);

**"clinical investigation or clinical trial"** means a study in respect of a medical device or IVD for use in humans and animals that involves human or animal subjects and that is intended, through assessment and analysis of the clinical data pertaining to a medical device, to discover or verify the safety or clinical performance of the medical device or IVD when used as intended by the manufacturer;

**"clinical performance study of an IVD"** means a study undertaken to establish or confirm the clinical performance of an IVD;

**"combination device"** means a medical device, incorporating, as an integral part, a substance which, if used separately, can be considered to be a medicine and which is liable to act on the human body with action ancillary to that of the medical device;

**"conformity assessment"** means the systematic examination of evidence generated and procedures undertaken by the manufacturer, to determine that a medical device or IVD is safe and performs as intended and that the medical device or IVD fulfils the Essential Principles of Safety and Performance for Medical Devices or IVDs, as determined by the Council;

**"conformity assessment body"** means a body corporate or other legal entity, locally or internationally, accredited by SANAS or an international body recognised by the Council as competent to carry out the assessment, verification, inspection testing or certification, as applicable, of medical devices or IVDs, before they are placed on the market by manufacturers, according to criteria determined by the Council;

**"conformity assessment certificate"** means a certificate issued, by a Conformity Assessment Body, to demonstrate compliance with the Essential Principles of Safety and Performance for Medical Device and IVD requirements;

**"custom made medical device"** means a medical device-

- (a) specifically made in accordance with a written prescription or order given by a person authorised for the same by virtue of professional qualifications;
- (b) specifically made in accordance with specific design characteristics;
- (c) which is intended for the sole use of a particular user; and
- (d) which excludes mass produced medical devices that only need adaptation to meet the specific requirements of the health professional user;

**"declaration of conformity"** means the procedures whereby the manufacturer ensures and declares that the application of the quality system approved for the design, manufacture and final inspection of the products concerned, as required by the Council, which are subject to audit and surveillance, are fulfilled;

**"distributor"** means a natural or legal person who-

- (a) imports or exports a medical device or IVD, which is on the register for medical devices or on the register for IVDs in its final form, wrapping and packaging, with a view to the medical device or IVD being placed on the market under the natural or legal person's own name; and
- (b) sells the medical device or IVD to a healthcare professional, healthcare institution, wholesaler or the user;

**"essential principles"** means the requirements relating to the safety and performance characteristics of medical devices and IVDs determined by the Council;

**"expiry date"** means the date up to which a medical device or IVD retains the properties which are mentioned on the label, which properties can change after the lapse of time, and after which date the medical device or IVD may not be sold to the public or used;

**"family"** means a medical device or IVD comprising of the same type of medical device available in different models and sizes;

**"group"** means a medical device or IVD comprising a collection of medical devices or IVDs such as a procedure pack, procedure tray, system or procedure kit, that are packaged together for a specific intended purpose and sold under a single name;

**"holder of a certificate of registration"** means a person in whose name a registration certificate has been granted and who is responsible for all aspects of the medical device or IVD, including performance, quality, safety and compliance with conditions of registration;

**"implantable device"** means a medical device, including a medical device that is partially or wholly absorbed, which -

- (a) is intended to be totally introduced into the human body or, to replace an epithelial surface or the surface of the eye by surgical intervention; and

(b) is intended to remain in place for at least 30 days after the procedure;

**"intended purpose"** means the objective, intended use or purpose, as the case may be, for which a medical device or IVD is intended according to the data supplied by the manufacturer or authorised representative on the labelling, in the instructions for use and in the promotional materials;

**"IVD"** (*"in-vitro* diagnostic") means a medical device, whether used alone or in combination, intended by the manufacturer for the *in vitro* examination of specimens derived from the human body solely or principally to provide information for diagnostic, monitoring or compatibility purposes;

**"lay person"** means a person who does not have formal training in a relevant field or discipline;

**"manufacture"** means operations that include the design, purchasing of material, specification development, production, fabrication, assembly, processing, reprocessing, releasing, packaging, repackaging, labelling, and refurbishing of a medical device or IVD, as the case may be, and includes putting a collection of medical devices or IVDs, and possibly other products, together for a medical purpose in accordance with quality assurance and related controls;

**"manufacturer"** means -

- (a) a natural or legal person with the responsibility for the design, manufacture, packaging and labelling of a medical device or IVD before it is placed on the market under the natural or legal person's own name, or in the name of a firm or company, regardless of whether these operations are carried out by that person by himself or on his or her behalf by a third party; or
- (b) any other person who assembles, packages, reprocesses, refurbishes or labels one or more ready-made products or assigns to them their intended purpose as a medical device or IVD, with a view to their being placed on the market under the natural or legal person's own name, except a person who assembles or adapts medical devices or IVDs already on the market to their intended purpose for patients;

**"misbranded"** means a medical device labelling is false, misleading, inaccurate or fails to provide information as required;

**"modification"** in relation to a medical device or IVD means-

- (a) any significant change in a medical device or IVD;
- (b) any change in the purpose of a medical device or IVD, where significant change may include-
  - (i) the manufacturing process;
  - (ii) facility or equipment;
  - (iii) the quality control measures used to control the quality and sterility of a medical device or IVD; or

(iv) a change of the materials used in manufacture, the design of a medical device or IVD, including its performance characteristics, principles of operation and specifications of materials, energy source, software or accessories and the intended use of a medical device or IVD;

(c) any new or extended use, any addition or deletion of a contra-indication of a medical device or IVD; and

(d) any change to the period used to establish its expiry date;

**"near patient testing"** or **"point of care testing"** means testing performed outside a laboratory environment by a healthcare professional not necessarily a laboratory professional, generally near to, or at the side of, a patient;

**"nomenclature"** means the common generic description as per the Global Medical Device Nomenclature for medical devices having similar features, characteristics and intended use;

**"person"** means both a natural and a legal person;

**"radiation"** means energy in the form of electromagnetic waves or acoustical waves;

**"refurbish"** in relation to a medical device or IVD means the whole or part of a medical device or IVD is substantially rebuilt, re-equipped, reworked or restored, whether or not using parts from one or more used medical devices of that same kind, so as to create a medical device or IVD that is used for the purpose originally intended by the original manufacturer of the original medical device or IVD, and without prejudice to the generality of the foregoing, refurbishment of a medical device may involve any or all of the following actions including, but not limited to, repair, rework, update of software or hardware and replacement of worn parts with parts approved for use by the original manufacturer, performed in a manner consistent with product specifications and service procedures defined by the original manufacturer for that type of equipment without significantly changing the finished equipment's performance, safety specifications or intended use as defined in its original registration;

**"research use only IVD"** ("RUO IVD") means an IVD labelled for "research use only" and "for investigational use only" and may not be used for clinical diagnostic purposes;

**"reprocess"** means the activity carried out on a used medical device in order to allow its safe re-use including cleaning, disinfection, sterilisation and related procedures, as well as testing and restoration of the technical and functional safety of the used medical device;

**"self-testing"** means testing performed by a lay person;

**"single use"** in terms of a medical device means one use of a medical device on an individual or IVD on a sample during a single procedure and then the medical device or IVD is disposed of and is not reprocessed and not used again;

**"the Act"** means the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965);

**"user"** means a person or organisation that uses a medical device or IVD; and

**"wholesaler"** means a dealer who purchases medical devices or IVDs from a manufacturer or distributor and sells them to a retailer.

## **2. Manner and conditions for allowing international tendering**

- (1) The State may tender for a medical device or IVD internationally if the medical device or IVD—
  - (a) can be obtained at a lower price outside of the Republic; or
  - (b) is, in the opinion of the Minister, essential for national health.
- (2) A medical device or IVD may not be procured by international tender unless the medical device or IVD is registered.

## **3. Importation of medical devices and IVDs into the Republic**

- (1) A person may not import a medical device or IVD into the Republic except through one of the following ports of entry:
  - (a) Cape Town International Airport or harbour;
  - (b) Port Elizabeth Airport or harbour;
  - (c) King Shaka International Airport or Durban harbour; or
  - (d) OR Tambo International Airport.
- (2) Despite sub-regulation 3(1), used medical devices or IVDs may be imported by a manufacturer for purposes of service, repair, refurbishing or maintenance.
- (3) A person may only import a medical device or IVD if that person—
  - (a) is licensed in terms of section 22C(1)(b) of the Act to import medical devices or IVDs; and
  - (b) in the case of unregistered medical devices or IVDs, is authorised by the Council to import the unregistered medical devices or IVDs.

**4. Transmission of medical devices or IVDs through the Republic**

- (1) Medical devices and IVDs that are transmitted through the Republic must-
  - (a) while in the Republic, be stored in a bonded warehouse which is registered with the Council; and
  - (b) not be manipulated while in the bonded warehouse unless authorised by the Council.
- (2) A bonded warehouse referred to in sub-regulation (1) must comply with the specified storage conditions determined by the Council.

**5. Licence to manufacture, import, export or act as a distributor or wholesaler of medical devices or IVDs**

- (1) A manufacturer, wholesaler or distributor referred to in section 22C(1)(b) of the Act must-
  - (a) prior to commencing business-
    - (i) apply to the Council for-
      - (aa) a manufacturer licence to manufacture, import or export medical devices or IVDs; or
      - (bb) a distributor licence to import, export and distribute medical devices or IVDs; or
      - (cc) a wholesale licence to act as wholesaler of medical devices or IVDs;
    - (ii) appoint and designate an authorised representative who must reside in South Africa-
      - (aa) be responsible to the Council for compliance with the Act; and
      - (bb) control the manufacturing, distribution, wholesaling and the sale of medical devices or IVDs.
  - (b) submit to the Registrar an application for a licence, on a form approved and provided by the Council;
  - (c) as part of the application, provide acceptable documentary proof of-
    - (i) the particulars of the owner of the business;
    - (ii) the particulars of the authorised representative; and
    - (iii) certification to a Quality Management System for medical devices and IVDs as determined by the Council;

- (d) specify, as determined by the Council, the medical devices or IVDs or group or family of medical devices or IVDs to be manufactured, imported, exported or distributed and sold; and
  - (e) pay the application fee.
- (2) The Registrar may give the person referred to in sub-regulation (1) written notice to, within a reasonable time as specified in the notice, furnish the Council with such additional documentation or information as the Council may require.
- (3) The Council may, where applicable, inspect the business premises specified in the application.
- (4) If the Council is satisfied that-
- (a) the person referred to in sub-regulation (1) complies with the prescribed requirements;
  - (b) the application for a licence-
    - (i) to manufacture, import or export medical devices or IVDs; or
    - (ii) to act as a distributor; or
    - (iii) to act as a wholesaler of medical devices or IVDscomplies with the prescribed requirements; and
- the authorised representative is able to provide certified evidence of certification to a Quality Management System as determined by Council, the Council must approve, with or without conditions, the application and issue the person with a licence.
- (5) The Registrar must-
- (a) keep a separate register for each of the categories of licensees referred to in sub-regulation (1)(a)(i); and
  - (b) enter the licence number, the name of the licensee and his or her physical and postal addresses, in the register.
- (6) Despite the period of validity of the licence, the licensee must pay the annual fee for continued registration as determined by the Council.
- (7) A licensee must notify the Registrar in writing of a change to any of the particulars furnished in the application or entered in the register, which occurs after the issue of the licence.

- (8) An entry into the register which is proved to the satisfaction of the Council, to have been made in error or through misrepresentation or in circumstances not authorised by the Act, may be removed from the register.
- (9) A person in respect of whom an entry has been removed as contemplated in sub-regulation (8), must be notified of the removal and a certificate issued in respect of the registration in question must be considered to be cancelled as from the date on which notice has been given.
- (10) The Council may, subject to sub-regulation (11), direct the Registrar to remove the name of a licensee from the register if -
- (a) the licensee does not comply with the Act or the conditions of a licence;
  - (b) the authorised representative fails to control the manufacturing or distribution, wholesaling or sale of the medical devices or IVDs; or
  - (c) the licensee fails to furnish written reasons within the period stated in the notice referred to in sub-regulation (11).
- (11) Before directing the Registrar to remove the name of a licensee from the register, the Council must-
- (a) give notice to the licensee of its intention to remove the name of the licensee from the register and to close the licensee's business; and
  - (b) invite the licensee to furnish written reasons, within 21 days of the notice, why the licensee's licence must not be removed from the register and the business closed.

#### **6. Period of validity of licence and renewal of licence**

- (1) A licence issued in terms of regulation 5 is valid for a period of five (5) years from the date of issue.
- (2) A licence referred to in sub-regulation (1) may be renewed by application to the Council.
- (3) An application for the renewal of a licence must -
- (a) contain at least the information or documentation referred to in regulation 5(1)(c), as the case may be;
  - (b) be accompanied by the prescribed fee; and
  - (c) be made at least 90 days before the expiry of the existing licence.

**7. Appeal against decision of Council**

- (1) A person aggrieved by a decision of the Council may, as contemplated in section 24 of the Act, lodge an appeal against the decision, in writing, within 30 days of being notified of the decision of the Council.
- (2) Notice of the appeal must be submitted to the Chairperson of the Council, for attention the Registrar, Medicines Control Council, Private Bag X828, Pretoria, 0001
- (3) The notice referred to in sub-regulation (2) must set out clearly and succinctly the basis for the appeal.
- (4) The Registrar must, within 30 days of receipt of a notice of appeal, in the absence of legal representatives, meet with the appellant to try and resolve the matter.
- (5) If the matter is not resolved as contemplated in sub-regulation (4), the appellant may, within 30 days of being notified by the Registrar of the failure to resolve the matter, and upon payment of the prescribed fee, request the Minister to convene an appeal committee.
- (6) The appeal committee -
  - (a) must determine the procedure for its hearings;
  - (b) may, if it considers it necessary, call for oral evidence or argument or summon any person who-
    - (i) in its opinion may be able to give information concerning the subject of the appeal; or
    - (ii) it believes has in his or her possession or under his or her control a document which has a bearing on the subject of the appeal, to appear before it at a time and place specified in the summons, to be asked questions or to produce a document;
  - (c) must, if it calls for oral evidence or argument-
    - (i) determine the date, time and place for the appeal and must communicate these in writing to the appellant and the Council; and
    - (ii) administer an oath to, or accept an affirmation from, any person called as a witness at the appeal.

- (7) A person appearing before the appeal committee may be represented by a legal practitioner.
- (8) The appeal committee must consider the appeal and make a decision within a period of 30 days from the date on which it first meets to hear the appeal.

#### **8. Application for registration of a medical device or IVD**

- (1) A person residing and doing business in the Republic may apply for the registration of a medical device or IVD.
- (2) An application for the registration of a medical device or IVD must include the particulars of the authorised representative in South Africa who is responsible for communication with the Council.
- (3) An application for the registration of a medical device or IVD must be made on the appropriate form obtainable from the Registrar and must be accompanied by -
  - (a) the completed application form;
  - (b) a proposed label for use on the medical device or IVD, if applicable;
  - (c) the instructions for use of the medical device or IVD;
  - (d) where applicable,
    - (i) a copy of the manufacturer licence or distributor licence together with a conformity assessment certificate of a Quality Management System for the local medical device establishment, as determined by the Council; and
    - (ii) a certified copy of the conformity assessment certificate to a quality standard, as determined by the Council, for the medical device or IVD to be registered, and which is issued by a Conformity Assessment Body;
  - (e) any other information as the Council may determine; and
  - (f) the application fee.
- (4) The information referred to in sub-regulation (3) must, at least, be in English.
- (5) The application form referred to in sub-regulation (3)(a) must contain at least the following information:
  - (a) Particulars of the prospective holder of the certificate of registration:
    - (i) Name;

- (ii) Business Address;
  - (iii) Postal Address;
  - (iv) Telephone Number;
  - (v) Fax Number, where available;
  - (vi) e-mail address; and
  - (vii) contact details of the authorised representative referred to in sub-regulation (2).
- (b) Particulars of the medical device or IVD:
- (i) The name and group or family name, make and model, where applicable;
  - (ii) intended purpose or use;
  - (iii) classification and registration status in recognised authorities outside the Republic, as determined by the Council, and proposed classification in the Republic;
  - (iv) nomenclature system code;
  - (v) in the case of a combination device, the name and quantity of the scheduled substances or biological substances;
  - (vi) the name and physical address of the original manufacturer; and
  - (vii) the name and physical address of the clinical investigation sites, where applicable.
- (6) A medical device or IVD, in respect of which an application for registration is made, must comply with the Essential Principles for Safety and Performance of Medical Devices which include requirements for quality, safety and performance, as determined by the Council.
- (7) An application for registration of a medical device or IVD must be accompanied by a declaration of conformity by the authorised representative as determined by the Council.
- (8) An application must be made in respect of each individual medical device or IVD, or medical device or IVD group or family or modification thereof, as determined by the Council.
- (9) In an instance where a medical device or IVD in respect of which an application is made, is registered with a regulatory body outside the Republic, the following information in respect of the medical device or IVD must accompany the application:

- (a) A certified copy of the certificate of registration or premarket approval, where applicable;
- (b) instructions for use, where applicable;
- (c) conditions of registration; and
- (d) any other information determined by the Council.

#### **9. Information that must appear in register for medical devices or IVDs**

The medical device or IVD register must, in respect of a registered medical device or IVD, contain the following information:

- (a) The name and group or family and the make and model, where applicable, of the medical device or IVD;
- (b) the registration number allocated to the medical device or IVD;
- (c) in the case of a combination device, the name and quantity of the scheduled substances or biological substances in the medical device;
- (d) the intended purpose or use of the medical device or IVD;
- (e) the name of the holder of the certificate of registration;
- (f) the name and address of the original manufacturer;
- (g) the date of registration of the medical device or IVD;
- (h) the conditions of registration of the medical device or IVD;
- (i) the class of medical device or IVD; and
- (j) the nomenclature system code allocated to the medical device or IVD.

#### **10. Amendment to medical device and IVD Register**

- (1) A holder of a certificate of registration may submit to the Registrar an application on a form, as determined by the Council, to amend an entry made in the medical devices or IVDs register with regard to a particular medical device or IVD.
- (2) The application referred to in sub-regulation (1) must be accompanied by the prescribed fee, and must contain the following information:

- (a) The registration number of the medical device or IVD;
- (b) the name and business address of the holder of a certificate of registration and the authorised representative;
- (c) a declaration by the authorised representative that the information furnished is complete and accurate;
- (d) the details of the amendment applied for;
- (e) the manufacturer licence number of the manufacturer or the distributor licence number of the distributor; and
- (f) any other information determined by the Council.

#### **11. Classification of medical devices and IVDs**

(1) The following are the classes of medical devices and IVDs:

- (a) Class A - Low Risk;
- (b) Class B - Low-moderate Risk;
- (c) Class C - Moderate-high Risk;
- (d) Class D - High Risk,

where risk relates to the patient, user or to public health.

- (2) Medical devices, except custom made medical devices, and IVDs must be registered with the Council in terms of call up notices before they may be sold or used in the Republic.
- (3) The Council must determine the classification of medical devices and IVDs in accordance with the classification rules.
- (4) Where the classification of a medical device or IVD is inconclusive and places it in more than one class, or between classes, the Council must, after following the classification rules, place the medical device or IVD in the higher of the risk classes.
- (5) The Council must consider the classification of a medical device or IVD individually, taking into account its design and intended use.

**12. Registration Certificate**

The Registrar must, after a medical device or IVD has been registered, issue a registration certificate substantially in the form shown below:

**MEDICINES AND RELATED SUBSTANCES ACT 1965, (ACT NO. 101 OF 1965)****MEDICAL DEVICE OR IVD REGISTRATION CERTIFICATE**

It is hereby certified that registration of the medical device or IVD described below has been approved by the Council subject to the conditions indicated.

1. Name .....
2. Registration number .....
3. Class of medical device or IVD .....
4. In the case of combination medical devices the name and quantity of the scheduled substance(s), or biological substance(s) .....
5. Nomenclature system or code .....
6. Conditions under which the medical device or IVD is registered .....
7. Registered in the name of (holder of certificate of registration) .....
8. Name and physical address of the original manufacturer .....
9. Date of registration .....

Registrar

Issued at ..... on 20 .....

**13. Parts and components**

- (1) A person who sells an article intended specifically to replace an identical or similar integral part or component of a medical device or IVD, that is defective or worn, in order to maintain or re-establish the function of the medical device or IVD without significantly changing its performance or safety characteristics, must-
  - (a) ensure that the article does not adversely affect the safety and performance of the medical device or IVD; and
  - (b) keep substantiating evidence and on request, make the evidence available to the Council.

- (2) An article that is intended specifically to replace a part or component of a medical device or IVD and that significantly changes the performance or safety characteristics of the medical device or IVD is considered to be a medical device or IVD.

#### **14. Destruction of medical devices or IVDs**

- (1) A medical device or IVD may not be disposed of into a municipal sewerage system.
- (2) The destruction or disposal of a medical device or IVD, must be conducted in a manner determined by the Council.

#### **15. Method of taking samples during investigation, certificate to be issued and reporting of analysis results**

- (1) An inspector may, take a sample, or any quantity of samples, of a medical device or IVD for purposes of testing, examination or analysis by a person suitably qualified within his or her professional scope of practice, such as a clinical engineer, technician, or pathologist.
- (2) The sample or samples contemplated in sub-regulation (1) must -
  - (a) be taken in the presence of the person who is in charge of the medical device or IVD, or in the absence of that person, in the presence of any witness present;
  - (b) be taken and stored in such a manner as to ensure its integrity during the entire examination process of the sample;
  - (c) be packed and sealed and suitably labelled or marked in such a manner as its nature may permit; and
  - (d) be transmitted by any suitable means to a person suitably qualified within his or her professional scope of practice such as an analyst, clinical engineer, technician or pathologist, together with the certificate signed by the inspector, a copy of which must be issued to the person contemplated in paragraph (a) by the inspector at the earliest possible time.
- (3) The suitably qualified person referred to in sub-regulation (1) must, as soon as possible after receipt of the sample, test, examine or analyse the sample and report the results of the test, examination or analysis.
- (4) An inspector referred to in sub-regulation (1) may, in terms of these Regulations, take a sample during a routine inspection, from a manufacturer, a distributor, a wholesaler or retailer, for testing, examination or analysis.

- (5) Despite sub-regulation (1), the Council may require a holder of a certification of registration to supply the Council with a sample of a particular medical device or IVD in order to test, examine or analyse the sample.
- (6) A certificate issued in terms of this regulation or a report contemplated in sub-regulation (3), must be submitted to the Registrar within 7 days from the date of issue.

#### **16. Conduct of clinical trial and clinical investigation**

- (1) A person desiring to initiate or conduct—
  - (a) a clinical trial or clinical investigation in respect of an unregistered medical device;
  - (b) a clinical performance assessment for an IVD; or
  - (c) a new intended purpose of a registered medical device or IVD,must apply to the Council on a form, determined by the Council, for authorisation to conduct the clinical trial, clinical investigation or clinical performance assessment.
- (2) The application referred to in sub-regulation (1) must be accompanied by the prescribed fee and must contain at least the following information:
  - (a) A clinical investigation plan or clinical trial or clinical performance assessment for an IVD protocol;
  - (b) an investigator's brochure containing, where applicable, relevant pre-clinical, mechanical, electrical and radiation data and where applicable, human or animal clinical data with the medical device or IVD concerned;
  - (c) the Curriculum Vitae of the investigator;
  - (d) a signed declaration by the applicant and the investigator that they are familiar with, and understand the protocol, and will, in the conduct of the clinical investigation or clinical trial, comply with Good Clinical Practice as determined by the Council;
  - (e) informed consent documents and endorsements by an ethics committee recognised by the Council; and
  - (f) the name and address of the institution where the clinical trial or clinical investigation will be conducted.
- (3) The clinical investigation plan, clinical trial or clinical performance assessment for an IVD protocol referred to in sub-regulation (2)(a) must contain at least the following information:

- (a) The number of human or animal subjects, as applicable, to be involved in the clinical investigation, clinical trial or clinical performance assessment for an IVD;
  - (b) the name of the investigator who must be-
    - (i) an appropriately qualified and competent person approved by the Council;
    - (ii) resident in the Republic; and
    - (iii) in charge of the sites where clinical trials or clinical performance assessment for an IVD are conducted;
  - (c) the quantity of the investigational medical device or IVD units to be used in the clinical trial, clinical investigation or clinical performance assessment for an IVD;
  - (d) information in respect of the design, manufacture and expected performance of the medical device or IVD; and
  - (e) any other information determined by the Council.
- (4) A clinical investigation and a clinical trial or a clinical performance assessment for an IVD must be conducted in accordance with the guidelines for good clinical practice determined by the Council.
- (5) A person may not conduct a clinical investigation, a clinical trial or a clinical performance assessment for an IVD referred to in sub-regulation (1), without the authorisation of the Council.
- (6) The person conducting the clinical investigation, clinical trial or clinical performance assessment for an IVD must submit to the Council-
- (a) progress reports after every six months from the date when the clinical investigation, clinical trial or clinical performance assessment for an IVD was started, and 30 days after the completion or termination of the clinical investigation, clinical trial or clinical performance assessment for an IVD; and
  - (b) adverse event reports immediately or as soon as practically possible.
- (7) The Council may-
- (a) request additional information;
  - (b) inspect a clinical investigation, clinical trial or clinical performance assessment for an IVD; or
  - (c) withdraw the authorisation to conduct a clinical investigation, clinical trial or clinical performance assessment for an IVD, if the Council is of the opinion-

- (i) that the safety of the subjects of the clinical investigation, clinical trial or clinical performance assessment for an IVD is compromised; or
  - (ii) that the scientific reasons for conducting the clinical investigation, clinical trial or clinical performance assessment for an IVD, have changed.
- (8) (a) The following information for a medical device or IVD referred to in sub-regulation (1) must be provided, where applicable:
- (i) The intended purpose or use of the investigational medical device in the proposed clinical investigation or clinical trial;
  - (ii) the populations and indications for which the investigational medical device is intended;
  - (iii) the name or number of the model or type, including software version and accessories, if any, to permit full identification;
  - (iv) a description as to how traceability is to be achieved during and after the clinical investigation, (e.g. by assignment of lot numbers, batch numbers or serial numbers);
- (b) The medical device or IVD must-
- (i) where practical, be labelled with the name and address of the premises where the clinical investigation, clinical trial or clinical performance assessment for an IVD is to be carried out; and
  - (ii) be labelled "for investigational use only".
- (9) The Council may, subject to such conditions as may be determined by the Council, authorise the conduct of a clinical investigation, clinical trial or clinical performance assessment for an IVD.

#### **17. Adverse event reporting and vigilance for medical devices or IVDs**

- (1) An authorised representative or a holder of a certificate of registration in respect of a medical device or IVD must inform the Council, in the manner and within the time frame determined by the Council, of a suspected adverse event, reported to him or her, occurring as a result of the use of the medical device or IVD.
- (2) An authorised representative or a holder of a certificate of registration referred to in sub-regulation (1) must -

- (a) within the time frame determined by the Council, after receipt of the report referred to in sub-regulation (1), inform the Council of the steps to be taken to address the adverse event;
  - (b) whenever requested by the Council, conduct a concise critical analysis of the safety and performance of the medical device or IVD and submit the results thereof to the Council within a specified time frame; and
  - (c) in the case where, after receipt of the results referred to in paragraph (b), the Council determines that the medical device or IVD may not be safe to use, submit to the Council, if required to do so -
    - (i) case reports of suspected medical device adverse events in respect of the medical device or IVD;
    - (ii) where applicable, medical device or IVD usage figures, periodic safety update reports and performance studies; and
    - (iii) any other data requested by the Council.
  - (d) keep and maintain or have access to records of the adverse event data in respect of his or her or its medical devices or IVDs.
- (3) Nothing in this regulation may be interpreted as prohibiting a person from reporting an adverse event to the Council.
- (4) Despite sub-regulation (1) or (3), a user who becomes aware of an adverse event caused or suspected of being caused by a medical device or IVD during the process of using or conducting post-marketing surveillance, must report the event either to the licensee, holder of the certificate of registration, the manufacturer, the authorised representative or the Council.

#### **18. Investigation**

- (1) The Council may conduct an investigation with regard to a medical device or IVD, its manufacturer, distributor or wholesaler if-
- (a) the medical device or IVD is recalled in South Africa or any other country;
  - (b) a medical device or IVD adverse event is reported in South Africa or any other country;
  - (c) the medical device or IVD is suspected or found not to comply with the requirements of the Act;

- (d) there is an international alert with regard to the medical device, IVD or the manufacturer of the medical device or IVD; or
- (e) for any other reason, the Council considers it necessary to conduct an investigation on the medical device or IVD.

#### 19. Offences and penalties

- (1) A person who fails to comply with, contravenes the provisions of, or wilfully furnishes incorrect information in respect of -
  - (a) regulations 3 or 4 with regard to the importation or transmission of medical devices or IVDs;
  - (b) regulation 5 with regard to the licence to manufacture, act as a distributor or act as a wholesaler of medical devices or IVDs;
  - (c) regulation 14 with regard to the destruction of medical devices or IVDs;
  - (d) regulation 16 with regard to the conduct of clinical trials;
  - (e) regulation 21 with regard to the advertising of medical devices or IVDs;
  - (f) regulation 22 with regard to the labelling of medical devices or IVDs;
  - (g) regulation 23 with regard to the instructions for the use of a medical device;
  - (h) regulation 24 with regard to the instructions for use of an IVD;
  - (i) regulation 20 with regard to the compliance to the Essential Principles confirmed in the declaration of conformity; or
  - (j) regulation 17 with regard to reporting of adverse events and vigilance,is guilty of an offence and upon conviction is liable to a fine, or to imprisonment for a period not exceeding 10 years.
- (2) A person who sells a medical device or IVD that has expired is guilty of an offence and upon conviction is liable to a fine, or to imprisonment for a period not exceeding 10 years.

#### 20. Compliance with requirements

- (1) A medical device or IVD must conform to the standards and specifications which were furnished to the Council on the form referred to in regulation 8 and which form has been accepted by Council in respect of the medical device or IVD.

- (2) A medical device or IVD must conform to the Essential Principles furnished to the Council with a declaration of conformity referred to in regulation 8(7).
- (3) A proposed deviation from accepted standards and specifications referred to in sub-regulations (1) and (2), must be submitted to the Council for prior approval.

#### **21. Advertising of medical devices or IVDs**

(1) The following requirements apply to an advertisement of a medical device or IVD:

- (a) Only Class A and Class B medical devices and IVDs may be advertised to the public or a lay person.
- (b) despite sub-regulation (a), male or female condoms may be advertised to the public.
- (c) an advertisement for a medical device or IVD may not contain a statement which deviates from, is in conflict with or goes beyond, the evidence submitted in the application for registration of the medical device or IVD with regard to its safety, quality, or performance where the evidence has been-
  - (i) accepted by the Council in respect of the medical device or IVD; and
  - (ii) incorporated into the approved instructions for use of the medical device or IVD.
- (d) a written advertisement for a medical device or IVD must contain-
  - (i) the name of the medical device or IVD; and
  - (ii) in the case of a registered medical device or IVD, the registration number allocated to the medical device or IVD;
- (e)
  - (i) when a Class C or Class D medical device or IVD is advertised for the first time to a prospective user, written information, which must include at least the information referred to in regulation 23 or regulation 24 as the case may be, must simultaneously be given to the person to whom the oral, electronic or printed advertisement is directed; and
  - (ii) when the medical device or IVD is advertised on subsequent occasions, the information must be available on request.

#### **22. Labelling of medical device or IVD**

(1) The label of each medical device or IVD must contain the following particulars:

- (a) The name or trade name of the medical device or IVD;
- (b) product description and intended use;
- (c) a product catalogue code, where applicable;
- (d) the name and business address of the manufacturer;
- (e) the name and business address of the holder of the certificate of registration;
- (f) where appropriate, an indication that the medical device contains or incorporates a scheduled or biological substance;
- (g) the lot number, where applicable;
- (h) the serial number, where applicable;
- (i) for accessories, the serial number may be substituted with a control number and for software it may be substituted with a version number;
- (j) the expiry date, where applicable;
- (k) where there is no indication of the expiry date, the manufacturing date;
- (l) an indication of the special storage or handling conditions applicable;
- (m) if the medical device is supplied sterile, an indication of its sterile state and, where appropriate, the sterilisation method;
- (n) where relevant, an indication of the net quantity of contents, expressed in terms of weight or volume, numerical count, or any combination of these or other terms which accurately reflect the contents of the package;
- (o) warnings or precautions, where applicable; and
- (p) where appropriate an indication that the medical device is intended for-
  - (i) single use;
  - (ii) clinical investigation or premarket clinical performance study;
  - (iii) non-clinical research, teaching or testing purposes;
  - (iv) presentation or demonstration purposes;
  - (v) *in vitro* diagnostic use or Laboratory Developed Tests; and
  - (vi) where relevant, "for professional use only" or "near patient testing" or "point of care" or "self-testing".

- (2) The label of each medical device or IVD must be in at least English and must appear–
- (a) on the medical device or IVD itself; or
  - (b) on the packaging of each unit; and
  - (c) on the packaging of multiple medical devices or IVDs.
- (3) If the medical device is a reprocessed medical device, the label must state the name of the re-processor and identify the medical device as a reprocessed medical device.
- (4) If an IVD kit includes individual reagents and articles that may be made available as separate IVD medical devices, they must comply with the requirements set out in sub-regulation (1).

### **23. Instructions for use of medical device**

- (1) The instructions for use must contain the following information in at least English:
- (a) The name or trade name of the medical device;
  - (b) the name and business address of the manufacturer;
  - (c) where practical, the approved intended purpose or use of the medical device and where appropriate, the intended user;
  - (d) residual risks, contraindications and any expected and foreseeable side effects, including information to be conveyed to the patient in this regard;
  - (e) specifications that the user requires in order to use the medical device appropriately (e.g. if the device has a measuring function, the degree of accuracy claimed for it);
  - (f) if the medical device contains, or incorporates, a scheduled substance or a biological substance, identification of that substance, as appropriate;
  - (g) details of any preparatory treatment or handling of the medical device before it is ready for use (e.g. sterilisation, final assembly, calibration, etc.);
  - (h) any requirements for special facilities, or special training, or particular qualifications of the medical device user or third parties;
  - (i) the information needed to verify whether the medical device is properly installed and is ready to perform safely and as intended by the manufacturer, together with, where relevant-
    - (i) details of the nature, and frequency, of preventative and regular maintenance, and of any preparatory cleaning or disinfection;

- (ii) identification of any consumable components and how to replace them;
  - (iii) information on any necessary calibration to ensure that the medical device operates properly and safely during its intended life span; and
  - (iv) methods of eliminating the risks encountered by persons involved in installing, calibrating or servicing medical devices;
- (j) an indication of any special transport, storage or handling condition that applies;
- (k) if the medical device is supplied sterile, instructions in the event of the sterile packaging being damaged before use;
- (l) if the medical device is supplied non-sterile with the intention that it is sterilised before use, the appropriate instructions for sterilisation;
- (m) if the medical device is reusable, information on the appropriate processes to allow reuse, including cleaning, disinfection, packaging and, where appropriate, the method of re-sterilisation including information to identify when the medical device should no longer be reused (e.g. signs of material degradation or the maximum number of allowable reuses);
- (n) for medical devices intended for use together with other medical devices or general purpose equipment-
- (i) information to identify such medical devices or equipment, in order to obtain a safe combination; and
  - (ii) information on any known restrictions to combinations of medical devices and equipment;
- (o) if the medical device emits hazardous, or potentially hazardous levels of radiation for medical purposes-
- (i) detailed information as to the nature, type and where appropriate, the intensity and distribution of the emitted radiation; and
  - (ii) the means of protecting the patient, user, or third party from unintended radiation during use of the medical device;
- (p) information that allows the user and patient to be informed of warnings, precautions, measures to be taken and limitations of use regarding the medical device which information must cover, where appropriate-
- (i) warnings, precautions and measures to be taken in the event of malfunction of the medical device or changes in its performance that may affect safety;

- (ii) warnings, precautions and measures to be taken in regard to the exposure to reasonably foreseeable external influences or environmental conditions, such as magnetic fields, external electrical and electromagnetic effects, electrostatic discharge, radiation associated with diagnostic or therapeutic procedures, pressure, humidity, or temperature;
  - (iii) warnings, precautions and measures to be taken in regard to the risks of interference posed by the reasonably foreseeable presence of the medical device during specific diagnostic investigations, evaluations, therapeutic treatment or use (e.g. electromagnetic interference emitted by the medical device affecting other equipment) ;
  - (iv) if the medical device administers a scheduled substance or a biological substance, any limitations or incompatibility in the choice of substance to be delivered;
  - (v) warnings, precautions and limitations related to the scheduled substance or biological substance that is incorporated into the medical device as an integral part of the medical device; and
  - (vi) precautions related to materials incorporated into the medical device that are carcinogenic, mutagenic or toxic, or could result in sensitisation or allergic reaction of the patient or user;
- (q) warnings and precautions to be taken related to the disposal of the medical device, its accessories and the consumables used with it, if any. This information must cover, where appropriate-
- (i) infection or microbial hazards (e.g. explants, needles or surgical equipment contaminated with potentially infectious substances of human origin);
  - (ii) environmental hazards (e.g. batteries or materials that emit potentially hazardous levels of radiation); and
  - (iii) physical hazards (e.g. from sharps);
- (r) for medical devices intended for use by a lay-person, the circumstances when the user must consult with a healthcare professional;
- (s) the date of issue or latest revision of the instructions for use and, where appropriate, an identification number; and
- (t) appropriate service and maintenance instructions for technical equipment and medical devices, where applicable.

- (2) Instructions for the use of a medical device must be included with the sale of each medical device, however, instructions for the use of Class A medical devices must be included, where applicable.

#### 24. Instruction for use of IVD

- (1) The instructions for use must contain the following in at least English:
- (a) The name or trade name;
  - (b) the name and address of the manufacturer;
  - (c) the intended purpose and use, including but not limited to-
    - (i) what is detected;
    - (ii) its function;
    - (iii) the specific disorder, condition or risk factor of interest that it is intended to detect, define or differentiate;
    - (iv) whether it is automated or not;
    - (v) whether it is qualitative or quantitative;
    - (vi) the type of specimens required (e.g. serum, plasma, whole blood, tissue biopsy, urine); and
    - (vii) testing population;
  - (d) an indication that it is for in vitro diagnostic use and, where relevant, for "professional use only", for "near patient testing", for "point of care", for "self-testing" or for "research use only";
  - (e) the intended user, as appropriate;
  - (f) the test principle;
  - (g) a description of the reagent, calibrators and controls and any limitation upon their use (e.g. suitable for a dedicated instrument only);

Note: IVD kits include individual reagents and articles that may be made available as separate IVDs. In this situation, where appropriate, these IVDs should comply with the instructions for use content in this section;

- (h) the composition of the reagent product by nature and concentration of the active ingredients of the reagents or kit as well as a statement, where appropriate, that the medical device contains other ingredients which might influence the measurement;
- (i) a list of materials provided and a list of special materials required but not provided;
- j) for IVDs intended for use together with other IVDs or medical devices, or general purpose equipment—
  - (i) information to identify such medical devices or equipment, in order to obtain a safe combination; and
  - (ii) information on known restrictions to combinations of medical devices and equipment;
- (k) an indication of any special storage and handling conditions that apply;
- (l) in use stability which may include, the storage conditions, and shelf life following the first opening of the primary container, together with the storage conditions and stability of working solutions, where this is relevant;
- (m) if the IVD is supplied as sterile, instructions in the event of the sterile packaging being damaged before use;
- (n) information that allows the user to be informed of warnings, precautions, measures to be taken and limitations of use regarding the IVD, which information must cover, where appropriate—
  - (i) warnings, precautions and measures to be taken in the event of malfunction of the IVD or its degradation as suggested by changes in its appearance that may affect performance;
  - (ii) warnings, precautions and measures to be taken with regard to the exposure to reasonably foreseeable external influences or environmental conditions, such as magnetic fields, external electrical and electromagnetic effects, electrostatic discharge, radiation associated with diagnostic or therapeutic procedures, pressure, humidity, or temperature;
  - (iii) warnings, precautions and measures to be taken with regard to the risks of interference posed by the reasonably foreseeable presence of the medical device during specific diagnostic investigations, evaluations, therapeutic treatment including electromagnetic interference emitted by the medical device affecting other equipment, where applicable; and

- (iv) precautions related to materials incorporated into the IVD that are carcinogenic, mutagenic or toxic, or could result in sensitisation or allergic reaction;
- (o) warnings and precautions related to potentially infectious material that is included in the IVD;
- (p) where relevant, requirements for special facilities including clean room environment, radiation safety or particular qualifications of the medical device user;
- (q) conditions for collection, handling, and preparation of the specimen;
- (r) details of any preparatory treatment or handling of the IVD before it is ready for use including reconstitution and calibration where applicable;
- (s) the information needed to verify whether the IVD is properly installed and is ready to perform safely and as intended by the manufacturer, together with, where relevant-
  - (i) details of the nature, and frequency, of preventative and regular maintenance including cleaning and disinfection;
  - (ii) identification of any consumable components and how to replace them;
  - (iii) information on any necessary calibration to ensure that the IVD operates properly and safely during its intended life span; and
  - (iv) methods of mitigating the risks encountered by persons involved in installing, calibrating or servicing an IVD;
- (t) where relevant, recommendations for quality control procedures;
- (u) the metrological traceability of values assigned to calibrators and trueness-control materials, including identification of applicable reference materials and reference measurement procedures of higher order;
- (v) assay procedure including calculations and interpretation of results and where relevant if any confirmatory testing must be considered;
- (w) analytical performance characteristics, such as sensitivity, specificity, and accuracy;
- (x) where relevant, clinical performance characteristics, such as diagnostic sensitivity and diagnostic specificity;
- (y) where relevant, reference intervals;

- (z) information on interfering substances or limitations such as visual evidence of hyperlipidaemia or haemolysis, age of specimen that may affect the performance of the assay;
  - (aa) warnings or precautions to be taken related to the disposal of the medical device, its accessories, and the consumables used with it, if any, which information must cover, where appropriate--
    - (i) infection or microbial hazards;
    - (ii) environmental hazards; and
    - (iii) physical hazards;
  - (bb) for an IVD intended for use by a lay person, the circumstances when the user must consult with a healthcare professional;
  - (cc) where relevant, a bibliography;
  - (dd) the date of issue or latest revision of the instructions for use and, where appropriate, an identification number; and
  - (ee) appropriate maintenance instructions for technical IVD machines, where applicable.
- (2) Instructions for the use of an IVD must be included with the sale of each IVD, however, instructions for use for Class A IVDs must be included, where applicable.

#### **25. Custom made medical device**

A custom made medical device must be manufactured and sold in compliance with the guidelines applicable to medical devices.

#### **26. Record of implantable medical device and custom made medical device**

- (1) A permanent record in respect of a Class D implantable medical device and a high-risk custom made medical device must be kept on the premises by the healthcare institution or healthcare professional where the medical devices are sold to the patient, and must contain the following information:
- (a) The name and the product code of the medical device;
  - (b) the date on which the order for the implantable or custom made medical device was raised;

- (c) the model number, batch number, and serial number, if applicable;
  - (d) the name, address and identity number of the patient;
  - (e) where applicable, the name of the user and, in the case of an implantable medical device, the person responsible for the implantation of the medical device;
  - (f) the name and address of the health establishment;
  - (g) the name of the manufacturer of the implantable or custom made medical device; and
  - (h) information relating to the design, manufacturing and performance of the medical device including expected performance.
- (2) The order record must be retained at the business address of the seller for a period of at least five years beyond the expected life of the medical device.
- (3) The manufacturer, distributor or wholesaler of Class D or implantable custom made medical devices must keep a record of Class D or implantable custom made medical devices in the form of invoices that must reflect-
- (a) the date of transaction of every sale;
  - (b) the proprietary name of the medical device;
  - (c) the name and address of every purchaser;
  - (d) the quantities sold; and
  - (e) the batch number or serial number.
- (4) A record referred to in sub-regulation (3) must be kept for a period of fifty years from the date of sale.

**27. Transitional arrangements regarding unlicensed manufacturer, distributor and wholesaler**

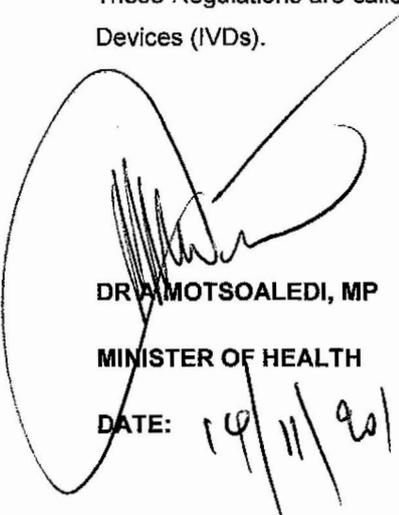
- (1) A manufacturer, distributor or wholesaler who, at the time of the commencement of these Regulations, sells medical devices or IVDs in the Republic is, subject to regulation 5, considered to be trading legally.
- (2) The Council must issue a notice in the *Gazette* calling for the licensing of unlicensed manufacturers, distributors and wholesalers, which notice must stipulate the conditions and time periods for licensing and that, during the process of licensing, the unlicensed manufacturers, distributors and wholesalers are considered to be trading legally.

**28. Transitional arrangements regarding unregistered medical devices and IVDs**

- (1) An unregistered medical device or IVD sold in the Republic at the time of the commencement of these Regulations is, subject to regulation 8, considered to be sold legally until such time as the call-up notice period referred to in sub-regulation (2), for the medical device or IVD, has expired.
- (2) The Council must, from time to time, issue a notice in the *Gazette* calling for the registration of medical devices and IVDs which notice must-
  - (a) stipulate which classes of medical devices and IVDs must be registered; and
  - (b) provide for the conditions and time periods for the application for registration.
- (3) Despite sub-regulation (1), the Council may require a medical device or IVD to comply with the requirements that the Council may determine in order to ensure that the medical device or IVD meets the Essential Principles of safety and performance, determined by the Council.

**29. Short title**

These Regulations are called Regulations relating to Medical Devices and *In Vitro* Diagnostic Medical Devices (IVDs).



DR. A. MOTSOALEDI, MP

MINISTER OF HEALTH

DATE: 14/11/2016

**MEDICINES AND RELATED SUBSTANCES ACT, 1965 (MOLAO 101 WA 1965)****MELAWANA YE MALEBANA LE DIDIRIŠWA TŠA BONGAKA LE DIDIRIŠWA TŠA PHEKOLO KA IN VITRO (di-IVD) TŠA BONGAKA**

Nna, Dr A Motsoaledi, Tona ya Maphelo, ka therišano le Khansele ya Taolo ya Dihlare, go ya ka karolo 35(1)(xxvii) ya *Medicines and Related Substances Act, 1965* (Molao 101 wa 1965), ke dirile melawana Šetuleng.

**ŠETULE****LENANEO LA DIKAGARE**

1. Dihlalošo
2. Mokgwa le dipeelano bakeng sa tumello ya dithentara tša boditšhabatšhaba
3. Didirišwa tša bongaka le di-IVD tša ditšwantle mo Rephabliki
4. Thomelo ya didirišwa tša bongaka goba di- IVD mo Rephabliki
5. Laesense ya tšweletšo, ditšwantle, diromelwantle, goba go dira bjalo ka mophatlalatši goba rakgwebokgolo ya didirišwa tša bongaka goba di- IVD
6. Nako ya go šoma ga laesense yeo e neilwego go ya ka molawana 5 le mpshafatšo ya dilaesense
7. Boipelaetšo kgahlanong le sepheto sa Khansele
8. Kgopelo ya ngwadišo ya sedirišwa sa bongaka goba IVD
9. Tshedimošo yeo e swanetšego go tšweletšwaretšisetareng ya didirišwa tša bongaka goba di-IVD
10. Phetošo ya retšisetara ya didirišwa tša bongaka le di-IVD
11. Magoro a didirišwa tša bongaka le di-IVD
12. Setifikeiti sa ngwadišo
13. Dikarolwana le diripana

14. Tshenyo ya sedirišwa sa bongaka le IVD
15. Mokgwa wa go tšea dišupo ge go dirwa nyakišišo, setifikeiti seo se tligelo go newa le pegu ya dipelo phetleko
16. Maitshwaro a teko ya bongaka le dinyakišišo tša bongaka
17. Pegu ya tiragalo ye kgahlanong le hlokomelo
18. Nyakišišo
19. Melato le dikotlo
20. Kobamelo ya dinyakwa
21. Papatšo ya sedirišwa sa bongaka goba IVD
22. Phethagaletšo ya setlankana sa sedirišwa sa bongaka goba IVD
23. Ditaetšo tša tirišo ya sedirišwa sa bongaka
24. Ditaetšo tša Tirišo ya IVD
25. Didirišwa tša bongaka tše di dirilwego ka kgethego
26. Rekhoto ya didirišwa tša bongaka tše di tsenyegago le didirišwa tša bongaka tše di dirilwego ka kgethego
27. Dipeakanyetšo tša nakwana- motšweletši wa go hloka laesense, mophatlalatši le rakgwebokgolo
28. Dipeakanyetšo tša nakwana- didirišwa tša bongaka tše di sa ngwadišwago le di-IVD
29. Thaetlele ye kopana

## 1. DIHLALOŠO

Mo melawaneng ye lentšu goba mmolelwana wo o hlalošitšwego Molaong o na le hlalošo ye e neilwego ntle le ge tshwaragano e laetša ka tsela ye nngwe-

**"tiragalo ye kgahlanong"** malebana le sedirišwa sa bongaka goba IVD e ra kgonagalo ya diphošo goba dipolelo tša sedirišwa sa bongaka goba IVD goba mathata a tirišo ya goba pelo yeo e sa letelwago ye e sepelelanago le tirišo ya sedirišwa sa bongaka goba IVD ao a ka diragalago goba ao a hlalago tshenyo ya go ya go ile, kgobalo goba lehu go modiriši wa profeshene goba modiriši yo e lego molwetši;

**"ka ge go laetšwe ke Khansele"** e ra ka ge go laetšwe ke Khansele ya Taolo ya Dihlare go methalohlahli yeo e gatišitšwego *Kuranteng ya Mmušo* ka nako le nako;

**"moemedi yo dumeletšwego"** o ra motho, yo a dulago mo Rephabliki ya Afrika Borwa, yo a -

- (a) nago le mošomo wa go emela motšweletši, moromela ditšwantle, mophatlalatši, rakgwebokgolo, morekiši goba mophethagaletša tirelo mo Rephabliki;
- (b) dirago bakeng sa motšweletši, moamogela ditšwantle, mophatlalatši, rakgwebokgolo, morekiši goba mophethagaletša tirelo ya mošomo wo itšego malebana le ditlamego tša gagwe mme yo laesense ya tšweletšo, laesense ya phatlalatšo, laesense ya kgwebokgolo goba setifikeiti sa ngwadišo se dirwago ka leina la gagwe; le
- (c) yo a nago le maikarabelo a dintlha ka moka tša sedirišwa sa bongaka goba IVD, go akaretšwa tiragatšo, boleng, polokego le kobamelo ya dipeelano tša ngwadišo, teko ya bongaka goba dinyakišišo tša bongaka;

**"nomoro ya sehlopha," "nomoro ya karolo" goba "palotatlano" goba "palotaolo" "nomoro ya mohuta"** e ra nomoro ye kgethegilego goba dinoromo tše kopantšwego goba dikhoutho tše di neilwego karolo goba sehlopha goba selomaganyo sa sedirišwa sa bongaka se se kgethegilego bakeng sa "palotaolo", goba mananeotirišo a khomphuthara bakeng sa "nomoro ya mohuta" ka motšweletši;

**"selo sa paolotši"** se ra selo se se hwetšwego mothong, phoofolong goba sepheding;

**"ngwakopolokelo"** e ra ngwako wa dithoto le tiragatšo wa laesense ya go ya ka karolo 19 ya *Customs and Excise Act, 1964* (Molao 91 wa 1964);

**"nyakišišo ya bongaka goba teko ya bongaka"** e ra nyakišišo mabapi le sedirišwa sa bongaka goba IVD bakeng sa tirišo go batho le diphoofolo yeo e akaretšago batho goba diphoofolo mme yeo e ikemišeditšego, ka phetleko le tekolo ya tshedimošo ya bongaka ye malebana le sedirišwa sa bongaka, go hwetša le go netefatša polokego goba tiragatšo ya bongaka ya sedirišwa sa bongaka goba IVD ge e dirišwa go ya ka maikemišetšo ke motšweletši;

**"nyakišišo ya tiragatšo ya bongaka ya IVD"** e ra nyakišišo yeo e dirwago go bona goba go netefatša tiragatšo ya bongaka ya IVD;

**"sedirišwa sa kopanyo"** se ra sedirišwa sa bongaka, se se kopanyago, bjalo ka karolo ye bohlokwa, selo seo se ka tšewago bjalo ka sehlare, ge se dirišwa ka bosona, mme seo se dirago bjalo ka sethuši sa sedirišwa sa bongaka mmeleng wa motho;

**"phetleko ya kobamelo"** e ra hlahlobo ya lenaneo ya bohlatse yeo e dirilwego le ditshepetšo tšeo di diragadišwego ke motšweletši, go laetša gore sedirišwa sa bongaka goba IVD e bolokegile le gore e dira gabotse mme le gore sedirišwa sa bongaka goba IVD e fihlelela Molao ye Bohlokwa ya Polokego le Tiragatšo ya Didirišwa tša Bongaka goba di-IVD bjalo ka ge go laeditšwe ke Khansele;

**"mokatlo wa phetleko ya kobamelo"** o ra mokgatlo goba sehlongwa sa molao goba motheo wo mongwe wa molao, wa segae goba boditšhabatšhaba, wo o netefadišwego ke SANAS goba mokgatlo wa boditšhabatšhaba wo o amogetšwego ke Khansele bjalo ka wo o kgonago go diragatša

phetleko, netefatšo, hlahlobo goba go nea setifikeiti, ka mo go swanetšego, sa didirišwa tša bongaka goba di-IVD, pele di rekišwa ke batšweletši, go ya ka tekanyetšo yeo e laolwago ke Khansele;

**"setifikeiti sa phetleko ya kobamelo"** se ra setifikeiti seo se neilwego, ke Mokgatlo wa Phetleko ya Kobamelo, go laetša kobamelo le Melao ye Bohlokwa ya Polokego le Tiragatšo bakeng sa Sedirišwa sa Bongaka le dinyakwa tša IVD;

**"sedirišwa sa bongaka se se dirilwego ka kgethego"** se ra sedirišwa sa bongaka-

- (a) se se dirilwego go ya ka taetšo goba taelo ye e neilwego ke motho yo a dumeletšwego go dira seo ka lebaka la boithutelo;
- (b) se se dirilwego go ya ka sebopego se se itšego;
- (c) se se nago le maikemišetšo a tirišo ya motho yo itšego fela; gape
- (d) se se kgethollago didirišwa tšeo di tšweleditšwego ka bontšhi tše di hlokago phetošo fela go fihlelela dinyakwa tše itšego tša modiriši wa profeseinale;

**"pego ya kobamelo"** e ra ditshepetšo tšeo ka tšona motšweletši a netefatšago ebile a begago gore kgopelo ya tsela ya boleng yeo e dumeletšwego bakeng sa sebopego, tšweletšo le hlahlobo phethagatšo ya ditšweletšwa tše malebana, go ya ka dinyakwa tša Khansele, tšeo di tilego go fetlekwa le go nyakišišwa, di fihleletšwe.

**"mophatlalatši"** o ra motho goba mokgatlo wo o -

- (a) amogelago ditšwantle goba o romelagontle sedirišwa sa bongaka goba IVD, yeo e lego ngwadišong ya didirišwa tša bongaka goba ngwadišong bakeng sa di-IVD phethagatšong ya tšona, phuthelo ka pono ya gore sedirišwa sa bongaka se rekišwe ka leina la motho goba mokgatlo; le
- (b) rekišago sedirišwa sa bongaka goba IVD go profeseinale ya tša maphelo, sehlengwa sa maphelo, rakgwebokgolo goba modiriši;

**"melao ye bohlokwa"** e ra dinyakwa tše malebana le polokego le dibopego tša tiragatšo tša didirišwa tša bongaka le di-IVD tšeo di laolwago ke Khansele;

**"letšatšikgwedi la mafelelo"** le ra letšatšikgwedi la mafelelo leo sedirišwa sa bongaka goba IVD e swarago dilo tšeo di hlalošitšwego setlankaneng, dikagare tšeo di ka fetogago morago ga phelelo ke nako, mme le letšatšikgwedi leo morago ga lona sedirišwa sa bongaka goba IVD e ka se rekišetšwe setšhaba goba e ka se dirišwe;

**"mohuta"** le ra sedirišwa sa bongaka goba IVD yeo e nago le mohuta wo swanago wa sedirišwa sa bongaka seo se hwetšagalago ka mehutahuta le bokima bjo bo fapafapanego;

**"sehlopha"** se ra sedirišwa sa bongaka goba IVD yeo e nago le kgoboketšo ya didirišwa tša bongaka goba di-IVD tša go swana le sephuthelwa sa tshepetšo, boroto ya tshepetšo, tsela goba khiti

ya tshepetšo, tšeo di phuthetšwego mmogo bakeng sa mohola wa maikemišetšo wo itšego mme e rekišwa ka tlase ga leina le tee;

**"moswari wa setifikeiti sa ngwadišo"** e ra motho yoo setifikeiti se neilwego ka leina la gagwe mme yo a nago le maikarabelo a dintlha ka moka tša sedirišwa sa bongaka goba IVD, go akaretšwa tiragatšo, boleng, polokego le kobamelo ya dipeelano tša ngwadišo;

**"sdirišwa seo se tsenywago"** se ra sedirišwa sa bongaka, go akaretšwa sedirišwa sa bongaka seo se hupiwago ka boripana goba ka botlalo, seo -

- (a) go nago le maikemišetšo a go se tsenya mmeleng wa motho goba, go bea bakeng bokagodimo bja epitheliale goba bokagodimo bja leihlo ka puo ; le
- (b) seo se ikemišeditšego go dula lefelong le tee bakeng sa matšatši a 30 morago ga tshepetšo;

**"maikemišetšo a mohola"** a ra maikemišetšo a tirišo goba mohola wo sedirišwa sa bongaka goba IVD a lego, ka moo go lego ka gona, go ya ka tshedimošo yeo e neilwego ke motšweletši goba moemedi yo a dumeletšwego setlankaneng, ditaetšong tša tirišo le matherialeng wa dipapatšo;

**"IVD"** ("phekolo ka *in-vitro* ") e ra sedirišwa sa bongaka, le ge se dirišwa ka bo sona goba le se sengwe, seo motšweletši wa dihlahlobo tša *in vitro* a nago le maikemišetšo a go se diriša ka dišupo tšeo di tšerwego mmeleng wa motho bakeng sa go phethagaletša tshedimošo ya mehola ya phekolo, tekolo goba tshepelantšho;

**"motho yo a sa rutegago"** e ra motho yo a hlokago katišo ya semmušo boithutelong bjo itšego;

**"tšweletšo"** e ra ditiragatšo tše di akaretšago dibopego, theko ya matheriale, ditaetšo tša tlhabollo, tšweletšo, hlamo, kago, tshepetšo, tshepetšo gape, tokollo, phuthelo, phuthelo gape, ditlankana le kaonafatšo ya sedirišwa sa bongaka goba IVD, ka moo go lego ka gona, mme e akaretša go dira kgoboketšo ya didirišwa tša bongaka goba di-IVD, le ditšweletšwa tše dingwe ge go kgonagala, gammogo le, bakeng sa mohola wa bongaka go ya ka netefatšo ya boleng, ditaolo tše malebana;

**"motšweletši"** o ra -

- (a) motho goba mokgatlo wo o nago le maikarabelo a sebopego, tšweletšo, phuthelo le ditlankana tša sedirišwa sa bongaka goba IVD pele e tsenywa marakeng bakeng sa thekišo ka tlase ga leina la motho goba mokgatlo, goba leineng la feme goba khamphani, go sa kgathalatšege gore ditiragatšo tše di dirwa ke motho yoo ka boyena goba ke motho yo mongwe bakeng sa gagwe. goba
- (b) motho yo mongwe le yo mongwe yo a agago, phuthelago, sepetšago gape, kaonafatšago goba a dirago ditlankana tša setšweletšwa goba ditšweletšwa tšeo di setšego di dirilwe goba a phethagaletšago mohola wa tšona bjalo ka sedirišwa sa bongaka goba IVD, ka maikemišetšo a go di rekiša ka tlase ga leina la motho goba mokgatlo, ntle le motho yo a

agago goba a fetošago didirišwa tša bongaka goba di-IVD tšeo di šetsego di rekišetšwa mohola wa tšona go baiwetši;

**"leina le le sa nepagalago"** le ra setlankana sa sedirišwa sa bongaka sa bofora, sa fošagalo, phošo goba seo se palelwago ke go phethagaletša tshedimošo ka moo go hlokegago;

**"phetošo"** malebana le sedirišwa sa bongaka goba IVD e ra-

(a) phetošo efe goba efe ye e bonalago sedirišweng sa bongaka goba IVD;

(b) phetošo efe goba efe bakeng sa sedirišwa sa bongaka goba IVD, moo phetošokgolo e ka akaretšago-

(i) tshepetšo ya tšweletšo;

(ii) tsenyotirišo goba didirišwa;

(iii) magato a netefatšo ya boleng ao a dirišetšwego go laola boleng le hlweko ya sedirišwa sa bongaka goba IVD; goba

(iv) phetošo ya matheriale o o dirišetšwego tšweletšong, sebopego sa sedirišwa sa bongaka goba IVD, go akaretšwa tiragatšo ya sona le dibopego, melao ya tiragatšo le ditaetšo tša matheriale, setlogo sa enetši, mananeotirišo a khomphuthara goba dilomaganyo le maikemišetšo a tirišo a sedirišwa sa bongaka goba IVD;

(c) tirišo efe goba efe ya mathomo goba ya koketšego, tlaletšo goba phumolo ya taetšo ye kgahlanong ya sedirišwa sa bongaka goba IVD; le

(d) phetošo efe goba efe nakong yeo e dirišwago go hwetša letšatšikgwedi la mafelelo;

**"teko ya molwetši ye kgauswi"** goba **"lefelo la teko"** le ra teko yeo e dirwago ka ntle ga laboratoro ke mošomi wa tša maphelo efela le ge e se mošomi wa laboratoro, ka kakaretšo kgauswi le, goba thoko ga, molwetši;

**"maina"** e ra hlalošo yeo e tiwaelegilego go ya ka Maina Dirišwa tša Bongaka a Lefase ka bophara yeo e nago le dibopego tša go swana le maikemišetšo a tirišo;

**"motho"** e ra motho le mokgatlo;

**"radiešene"** e ra enetši ya mohuta wa elektromeknethiki goba tša akhustiki;

**"kaonafatšo"** malebana le sedirišwa sa bongaka goba IVD e ra karolwana goba botlalo bja sedirišwa sa bongaka goba IVD e agilwe gape, e tsentšwe didirišwa gape, e fetošitšwe goba e tšošološitšwe go sa kgathalatšege gore naa ke ka tirišo ya dikarolo tša sedirišwa sa bongaka se se tee goba tše ntšhi tše didirišwego tša mohuta wo tee, bakeng sa go hlola sedirišwa sa bongaka goba IVD yeo e dirišetšwego mohola wa mathomo ke motšweletši wa mathomo wa sedirišwa sa bongaka sa mathomo goba IVD, mme ntle le kgethollo go kakaretšo ya tša pele, kaonafatšo ya sedirišwa sa

bongaka e ka akaretša tiro efe goba efe goba ka moka ga ditiro tše di latelago, go akaretšwa, efela di sa felele ka, tokišo, phetošo, kaonafatšo ya mananeotirišo a Khomphuthara goba hatewee ya khomphuthara le peobakeng ya dikarolo tše di senyegilego ka dikarolo tšeo di dumelletšwego tirišo ke motšweletši wa mathomo, di dirigatšwa ka tsela yeo e sepelelanago le ditaetšo tša dišweletšwa le dišhepetšo tša tirelo tšeo di hlalošitšwego ke motšweletši wa mathomo bakeng sa mohuta wa sedirišwa seo ntle le go fetoša tiragatšo ya sedirišwa seo se phethagaleditšwego, ditaetšo polokego goba maikemišetšo a tirišo bjalo ka ge go hlalošitšwe ngwadišong ya sona ya mathomo;

**"IVD yeo e dirišetšwago nyakišišo fela"** ("RUO IVD") e ra IVD ya setlankana sa taetšo ya "tirišo ya nyakišišo fela" le "bakeng sa tirišo ya dinyakišišo fela" mme ga se ya swanela go dirišetšwa mehola ya phekolo ya bongaka;

**"tšhepetšo gape"** e ra tiragatšo yeo e diragatšwago sedirišweng seo se dirišitšwego bakeng sa go kgontšha tirišo gape ya sona go akaretšwa hlwekišo, tlošotwatsi le dišhepetšo tše malebana gammogo le diteko le tšošološo ya polokego ya sethekgeniki le tirišo ya sedirišwa sa bongaka;

**"teko ya bowena"** e ra teko yeo e dirwago ke motho yo a sa rutegago;

**"tirišo ga tee"** go ya ka sedirišwa sa bongaka e ra tirišo ga tee ya sedirišwa sa bongaka mothong goba IVD sešupong mo nakong ya tšhepetšo ye tee mme morago ga fao sedirišwa sa bongaka goba IVD e a lahlwa ebile ga e dirišwe gape;

**"Molao"** o ra *Medicines and Related Substances Act, 1965* (Molao 101 wa 1965);

**"modiriši"** e ra motho goba mokgatlo woo o dirišago sedirišwa sa bongaka goba IVD; le

**"rakgwebokgolo"** o ra morekiši yo a rekago didirišwa tša bongaka goba di-IVD go batšweletši goba baphatlalatši mme a direkišetša mabenkele.

## **2. Mokgwa le dipeelano bakeng sa tumello ya dithentara tša boditšhabatšhaba**

- (1) Mmušo o ka dira thentara ya sedirišwa sa bongaka gova IVD ka boditšhabatšhaba ge sedirišwa sa bongaka goba IVD–
  - (a) e ka hwetšwa ka theko ye flase mo ntle ga Rephabliki; goba
  - (b) e le, go ya ka Tona, ye bohlokwa bakeng sa maphelo a bosetšhaba.
- (2) Sedirišwa sa bongaka goba IVD e ka se hwetšwe ka thentara ya boditšhabatšhaba ntle le ge sedirišwa sa bongaka goba IVD e ngwadišitšwe.

**3. Didirišwa tša bongaka le di-IVD tša ditšwantle mo Rephabliki**

- (1) Motho ga se a swanela go romela setšwantle sa sedirišwa sa bongaka goba IVD mo gare ga Rephabliki ka go se tsenya ka:
  - (a) Boemafofane bja Boditšhabatšhaba ba Toropo ya Kapa;
  - (b) Boemafofane bja Port Elizabeth goba boemakepe;
  - (c) Boemafofane bja Boditšhabatšhaba ba King Shaka goba boemakepe ba Durban; goba
  - (d) Boemafofane bja Boditšhabatšhaba ba OR Tambo
- (2) Ntle le molawana 3(1), didirišwa tša bongaka tše di dirišitšwego goba di-IVD di ka romelwa ke motšweletši bakeng sa mehola ya tirelo, tokišo, kaonafatšo goba hlokomelo.
- (3) Motho a ka romela setšwantle sa sedirišwa sa bongaka goba IVD fela ge motho yoo-
  - (a) a na le laesense go ya ka karolo 22C(1)(b) ya Molao go phethagaletša ditšwantle tša didirišwa tša bongaka goba di-IVD; gape
  - (b) bakeng sa didirišwa tša bongaka tšeo di sa ngwadišwago goba di-IVD, a dumelletšwe ke Khansele go phethagaletša ditšwantle tša didirišwa tša bongaka tšeo di sa ngwadišwago goba di-IVD.

**4. Thomelo ya didirišwa tša bongaka goba di- IVD mo Rephabliki**

- (1) Didirišwa tša bongaka le di-IVD tše di romelwago mo Rephabliki di swanetše go-
  - (a) ge di le mo Rephabliki, bolokwa lefelo polokelong le le tswetšwego leo le ngwadišitšwego le Khansele; le
  - (b) se fetošwe ge di le lefelo polokelong le le tswetšwego ntle le ge Khansele e neile tetla.
- (2) Lefelo polokelo le le tswetšwego leo le hlošitšwego go molawana (1) le swanetše go obamela dipeelano tša lefelo polokelo tšeo di beilwego ke Khansele.

**5. Laesense ya tšweletšo, ditšwantle, diromelwantle, goba go dira bjalo ka mophatlalatši goba rakgwebokgolo ya didirišwa tša bongaka goba di- IVD**

- (1) Motšweletši, rakgwebokgolo goba mophatlalatši yo a hlalošitšwego fo karolo 22C(1)(b) ya Molao o swanetše-
- (a) pele ga thomo ya kgwebo-
- (i) go dira kgopelo go Khansele bakeng sa -
- (aa) laesense ya motšweletši ya go tšweletša, go amogela ditšwantle goba diromelwantle tša didirišwa tša bongaka goba di-IVD; goba
- (bb) laesense ya mophatlalatši ya go amogela ditšwantle, diromelwantle le phatlalatšo ya didirišwa tša bongaka goba di-IVD; goba
- (cc) laesense ya kgwebokgolo go dira bjalo ka rakgwebokgolo wa didirišwa tša bongaka goba di-IVD;
- (ii) go thwala le go kgetha moemedi yo a dumeletšwego yo a swanetšego go dula mo Afrika Borwa-
- (aa) go nna le maikarabelo go Khansele bakeng sa kobamelo ya Molao; le
- (bb) go laola tšweletšo, phatlalatšo, kgwebokgolo le thekišo ya didirišwa tša bongaka goba di-IVD.
- (b) go romela kgopelo ya laesense go Mongwadiši, godimo ga foromo yeo e dumeletšwego ebile e phethagaleditšwego ke Khansele;
- (c) bjalo ka karolo ya kgopelo, ka mokgwa wa tokomane a romele bohlatse bja-
- (i) dintlha tša mong wa kgwebo;
- (ii) dintlha tša moemedi yo a dumeletšwego; le
- (iii) setifikeiti sa Tsela ya Taolo ya Boleng bakeng sa didirišwa tša bongaka le di-IVD bjalo ka ge go laolwa ke Khansele;
- (d) laetša, bjalo ka ge go laolwa ke Khansele, didirišwa tša bongaka goba di-IVD goba sehlopha sa didirišwa tša bongaka goba di-IVD tše di swanago tšeo di swanetšego go tšweletšwa, go amogelwa, go romelwantle goba go phatlalatšwa le go rekišwa; le
- (e) go lefela tefelo ye swanetšego.

- (2) Mongwadiši a ka nea motho yo a hlalošitšwego go molawana (1) tsebišo ya lengwalo go romela ditokomane goba tshedimošo ka moo Khansele e hlokago, mo nakong ye e kwagalago bjalo ka ge go hlalošišwe tsebišong.
- (3) Khansele e ka dira phetleko ya lefelo la kgwebo le le ngwadilwego kgopelong, moo go hlokegago.
- (4) Ge Khansele e kgotsofale gore-
- (a) motho yo hlalošitšwego go molawana (1) o obamela dinyakwa tše di beilwego;
- (b) kgopelo ya laesense-
- (i) ya go tšweletša, go amogela diromelwante goba ditšwantle tša didirišwa tša bongaka goba di-IVD; goba
- (ii) go dira bjalo ka mophatlalatši; goba
- (iii) go dira bjalo ka rakgwebokgolo wa didirišwa tša bongaka goba di-IVD go obamela dinyakwa tše di beilwego; le
- Moemedi yo a dumeletšwego o kgona go phethagaletša bohlatse bjo bo netefaditšwego Tseleng ya Taolo ya Boleng bjalo ka ge go laetšwe ke Khansele, Khansele e swanetše go dumelela, ka dipeelano goba ntle natšo, kgopelo mme e nee motho laense.
- (5) Mongwadiši o swanetše-
- (a) go lota retšisetara ya sepheri bakeng sa legoro le lengwe le le lengwe la laesense yeo e hlalošitšwego go molawana (1)(a)(i); le
- (b) go tsenya noromo ya laense, leina la mong wa laesense le aterese ya gagwe ya bodulo goba poso, ka gare ga retšisetara.
- (6) Go sa setšwe botelele bja nako bja go šoma ga laesense, mong wa laesense o swanetše go lefela tefišo ya ngwaga ya go tšwelapele ga ngwadišo go ya ka moo Khansele e laetšego.
- (7) Mong wa laesense o swanetše go tsebiša Mongwadiši ka tsela ya lengwalo ka ga phetošo ya dintlha dife goba dife tše di rometšwego kgopelong goba tše di loketšwego retšisetareng, tše di diregago morago ga kabelo ya laesense.
- (8) Tsenyo ka gare ga retšisetara yeo go laetšwego ka bohlatse bja phethagaio go Khansele, gore e dirilwe ka phošo goba ka bofora goba ka tiase seemo se se sa dumelelwago ke Molao, e ka phumolwa ke mongwadiši.
- (9) Motho yoo phumolo ya tsenyo yeo e dirilwego ka leina la gagwe bjalo ka ge go hlalošitšwe go molawana (8), o swanetše go tsebišwa ka ga phumolo mme setifikeiti

seo se neilwego malebana le ngwadišo se swanetše go bonwa bjalo ka se se phumotšwego go thoma ka letšatšikgwedi leo tsebišo e neilwego.

(10) Khansela e ka, go ya ka molawana (11), laela mongwadiši gore a tloše leina la mong wa laesense mo retšisetareng ge-

- (a) mong wa laesense a sa obamele Molao goba dipeelano tša laesense;
- (b) moemedi yo dumeletšwego a palelwa ke go laola tšweletšo le phatlalatšo, kgwebokgolo goba thekišo ya didirišwa tša bongaka goba di-IVD; goba
- (c) mong wa laesense a palelwa ke go romela mabaka ka tsela ya lengwalo mo nakong yeo e beilwego tsebišong yeo e hlalošitšwego go molawana (11).

(11) Pele e laela Mongwadiši go phumola leina la mong wa laesense retšisetareng, Khansela e swanetše go-

- (a) nea tsebišo ya maikemišetšo a yona a go phumola leina la mong wa laesense mo retšisetareng mme le go tswalela kgwebo ya mong wa laesense; le
- (b) go laletša mong wa laesense go romela mabaka ka tsela ya lengwalo, mo matšatšing a 21 a tsebišo, gore ke ka lebaka la eng laesense e sa swanela go phumolwa retšisetareng mme le mabaka a gore kgwebo e se tswalelwe.

#### **6. Nako ya go šoma ga laesense le mpshafatšo ya laesense**

- (1) Laesense yeo e neilwego go ya ka molawana 5 e a šoma bakeng sa mengwaga ye mehlano(5) go thoma ka letšatšikgwedi ka kabo.
- (2) Laesense yeo e hlalošitšwego go molawana (1) e ka mpshafatšwa ka kgopelo go Khansela.
- (3) Kgopelo ya mpshafatšo ya laesense e swanetše-
  - (a) go ba le tshedimošo goba ditokomane tše di hlalošitšwego go molawana 5(1)(c), ka moo go lego ka gona;
  - (b) go sepela le tefelo ye e beilwego; gape e
  - (c) dirwe mo matšatšing a 90 pele ga letšatšikgwedi la mafelelo la laesense yeo e šomago.

**7. Boipelaetšo kgahlanong le sepheto sa Khansele**

- (1) Motho yo a nago le ngongorego ka sepheto sa Khansele a ka, ka ge go hlalošitšwe go karolo 24 ya Molao, dira boipelaetšo kgahlanong le sepheto, ka tsela ya lengwalo, mo matšatšing a 30 morago ga go tsebišwa ka sepheto sa Khansele.
- (2) Tsebišo ya boipelaetšo e swanetše go romelwa go Modulasetulo wa Khansele, e lebišitšwe go Mongwadiši, Medicines Control Council, Private Bag X828, Pretoria, 0001
- (3) Maphodisa ao a tšweletšego go molawana (2) a swanetše go tšweletša ka tsela yeo ekwešišegago ebile yeo e kwagalago gore mabaka a boipelaetšo ke afe.
- (4) Mongwadiši, mo matšatšing a 30 a khwetšo ya tsebišo boipelaetšo, ntle le go ba gona ga baemedi, o swanetše go kopana le moipelaetši mme a leke go rarolla bothata.
- (5) Ge bothata bo sa rarollwa go ya ka molawana (4), moipelaetši, mo matšatšing a 30 a go tsebišwa ke Mongwadiši ka ga palelo ya go rarolla bothata, mme morago ga tefelo ya tefišo ye e beilwego, a ka kgopela Tona go phethagaletša komiti ya boipelaetšo.
- (6) Komiti ya boipelaetšo -
  - (a) e swanetše go laetša tshepetšo ya dikopano tša yona;
  - (b) ge e bona hlokego, e ka nyaka bohlatse bja molomo goba ngangišano goba ya bitša motho ofe goba ofe yo-
    - (i) go ya ka boikgopolelo bja yona, a ka kgonago go nea tshedimošo mabapi le seemo sa boipelaetšo; goba
    - (ii) e dumelago gore o na le tokomane yeo e nago le khuetšo morerong wa boipelaetšo, go tšwelela pele ga komiti ka nako le lefelong leo le laeditšwego ditagafaleng, bakeng sa go botšišwa dipotšišo goba go tšweletša tokomane;
  - (c) ge e bitša bohlatse bja molomo goba ngangišano, e swanetše go, -
    - (i) laetša letšatšikgwedi, nako le lefelo la boipelaetšo mme e swanetše go hlaloša tše ka tsela ya lengwalo go moipelaetšo le Khansele; gape le
    - (ii) go sepetša keno ya go, goba amogela keno gotšwa go, motho ofe goba ofe yo a bitšwago bjalo ka hlatse boipelaetšong.
- (7) Motho yo a tšwelelago pele ga komiti ya boipelaetšo a ka emelwa ke mmoleledi.

- (8) Komiti ya boipelaetšo e swanetše go eleletša boipelaetšo mme e dire sepheto mo matšatšing a 30 go tloma ka letsatsšikgwedi la kopano ya mathomo ya go theeletša boipelaetšo.

#### 8. Kgopelo ya ngwadišo ya sedirišwa sa bongaka goba IVD

- (1) Motho yo a dulago ebile a dira kgwebo mo Rephabliki a ka dira kgopelo ya ngwadišo ya sedirišwa sa bongaka goba IVD.
- (2) Kgopelo ya ngwadišo ya sedirišwa sa bongaka goba IVD e swanetše go akaretša dintlha tša moemedi yo a dumeletšwego mo Afrika Borwa yo a nago le maikarabelo a poledišano le Khansele.
- (3) Kgopelo ya ngwadišo ya sedirišwa sa bongaka goba IVD e swanetše go dirwa foromong ye e swanetšego yeo e hwetšagalago gotšwa go Mongwadiši mme e swanetše go sepela le-
- (a) foromo ye e tladišwego;
  - (b) setlankana seo se beilwego sa sedirišwa sa bongaka goba IVD, ge e hlokega;
  - (c) ditaelo tša tirišo ya sedirišwa sa bongaka goba IVD;
  - (d) mo go hlokegago,
    - (i) ngwalollo ya laesense ya motšweletši goba laesense ya mophatlalatši gammogo le setifikeiti sa phetleko ya kobamelo sa Tsela ya Taolo ya Boleng bakeng sa hlango ya segae ya sedirišwa sa bongaka, bjalo ka ge go laetšwa ke Khansele; gape
    - (ii) ngwalollo yeo e netefadišwego ya setifikeiti sa hlahlobo ya kobamelo maamong a boleng, bjalo ka ge go laetšwa ke Khansele, bakeng sa sedirišwa sa bongaka goba IVD yeo e swanetšego go ngwadišwa, mme yeo e newago ke Mokgatlo wa Phetleko ya Kobamelo;
  - (e) tshedimošo ye nngwe ka moo Khansele e ka laetšago; le
  - (f) tefišo ya go dira kgopelo.
- (4) Tshedimošo yeo e hlalošitšwego go molawana (3) e swanetše go ba ka polelo ya seisimane.
- (5) Foromo ya kgopelo yeo e hlalošitšwego go molawana (3)(a) e swanetše go ba le tshedimošo ye e latelago:
- (a) Dintlha tša motho yo e tilego go ba mong wa setifikeiti sa ngwadišo:
    - (i) Leina;

- (ii) Aterese ya kgwebo;
  - (iii) Aterese ya poso;
  - (iv) Nomoro ya mogala;
  - (v) Nomoro ya fekese, ge e hlokega;
  - (vi) Aterese ya emeile; le
  - (vii) Dintlha tša boikgokaganyo tša baemedi bao ba dumeletšwego bao ba hlalošitšwego go molawana (2).
- (b) Dintlha tša sedirišwa sa bongaka goba IVD:
- (i) Leina le sehlopha goba leina la tše di swanago, sebopego le mohuta, moo go kgonegago;
  - (ii) maikemišetšo a mohola goba tirišo;
  - (iii) magoro le seemo sa ngwadišo bolaoding bjo bo amogegago ka ntle ga Rephabliki, bjalo ka ge go laeditše Khansele, le tšhišinyo ya magoro mo Rephabliki;
  - (iv) khoutu ya tsela ya maina;
  - (v) bakeng sa sedirišwa sa kopanyo, leina le palo ya dilo tša šetule goba dilo tša paolotši;
  - (vi) leina le aterese ya bodulo ya motšweletši wa mathomo; le
  - (vii) leina le aterese ya bobulo ya mafelo a nyakišišo ya tša bongaka, mo go hlokegago.
- (6) Sedirišwa sa bongaka goba IVD, yeo e direlwago kgopelo ya ngadišo, e swanetše go obamela Melao ye Bohlokwa ya Polokego le Tiragatšo ya Didirišwa tša Bongaka tšeo di akaretšago dinyakwa tša boleng, polokego le tiragatšo, ka ge Khansele e laeditše.
- (7) Kgopelo ya ngwadišo ya sedirišwa sa bongaka e swanetše go sepele le pego ya kobamelo ka moemedi yo a dumeletšwego ka moo Khansele e laeditšego.
- (8) Kgopelo e swanetše go dirwa go ya ka sedirišwa sa bongaka goba IVD ye nngwe le ye nngwe, goba sehlopha, tše swanago goba phetošo ya sedirišwa sa bongaka, ka moo go laeditšwego ke Khansele.

- (9) Ge sedirišwa sa bongaka goba IVD yeo e direlwago ngwadišo e nwadišitšwe le mokgatio mokgatio wa taolo ka ntle ga Rephabliki, tshedimošo ye e latelago mabapi le sedirišwa sa bongaka goba IVD e swanetše go sepela le kgopelo:
- (a) Ngwalollo ye e netefaditšwego ya ngwadišo goba tumello ya pele ga go išwa marakeng, mo go hlokegago;
  - (b) ditaetšo tša dirišo, mo go swanetšego;
  - (c) dipeelano tša ngwadišo; le
  - (d) tshedimošo efe goba efe yeo e laetšwago ke Khansele.

**9. Tshedimošo yeo e swanetšego go tšwelela retšisetareng ya didirišwa tša bongaka goba di-IVD**

Retšisetara ya didirišwa tša bongaka goba di-IVD e swanetše, mabapi le sedirišwa sa bongaka goba IVD, go ba le tshedimošo ye e latelago:

- (a) leina le sehlopha goba tša go swana le mohuta, moo go hlokegago, tša sedirišwa sa bongaka goba IVD;
- (b) nomoro ya ngwadišo yeo e neilwego sedirišwa sa bongaka goba IVD;
- (c) bakeng sa sedirišwa se se kopantšwego, leina le palo ya dilo tša šetule goba dilo tša paolotši tše di lego ka gare ga sedirišwa sa bongaka;
- (d) maikemišetšo a mohola goba tirišo ya sedirišwa sa bongaka goba IVD;
- (e) leina la mong wa setifikeiti sa ngwadišo;
- (f) leina le aterese ya motšweletši wa mathomo;
- (g) letšatšikgwedi la ngwadišo ya sedirišwa sa bongaka goba IVD;
- (h) dipeelano tša ngwadišo ya sedirišwa sa bongaka goba IVD;
- (i) legoro la sedirišwa sa bongaka goba IVD; le
- (j) khoutu ya tsela ya maina yeo e neilwego sedirišwa sa bongaka goba IVD.

**10. Phetošo ya Retšisetara ya sedirišwa sa bongaka le IVD**

- (1) Mong wa setifikeiti sa ngwadišo a ka romela go Mongwadiši, kgopelo foromong, bjalo ka ge Khansele e laeditše, go fetša tsenyo ye e dirilwego didirišweng tša bongaka goba ngwadišo ya di-IVD.
- (2) Kgopelo ye e hlalošitšwego go molawana (1) e swanetše go sepela le tefelo yeo e beilwego, mme e swanetše go sepela le tshedimošo ye e latelago:
  - (a) nomoro ya ngwadišo ya sedirišwa sa bongaka goba IVD;
  - (b) leina le aterese ya kgwebo ya mong wa setifikeiti sa ngwadišo le moemedi yo a dumeletšwego;
  - (c) pego ka moemedi yo a dumeletšwego gore tshedimošo ye e neilwego e phethagetše ebile e nepagetše;
  - (d) dintlha tša phetošo yeo e kgopetšwego;
  - (e) nomoro ya laesense ya tšweletšo ya motšweletši goba nomoro ya laesense ya phatlalatšo ya mophatlalatši; le
  - (f) tshedimošo ye nngwe yeo e laetšwago ke Khansele.

**11. Magoro a didirišwa tša bongaka le di-IVD**

- (1) Tše latelago ke magoro a didirišwa tša bongaka le di-IVD:
  - (a) Legoro A -Kotsi ye tlase;
  - (b) Legoro B -Kotsi ye tlase-bogareng;
  - (c) Legoro C -Kotsi ye bogareng-godimo;
  - (d) Legoro D -Kotsi ye godimo.

moo kotsi e sepelelanago le molwetši, modiriši goba maphelo a setšhaba.

- (2) Didirišwa tša bongaka ntle le didirišwa tša bongaka tše di dirilwego ka kgethego le di-IVD di swanetše go ngwadišwa le Khansele go ya ka ditsebišo pele di ka rekišwa goba tša dirišwa mo Rephabliki.
- (3) Khansele e swanetše go laetša magoro a didirišwa tša bongaka le di-IVD go ya ka melao ya magoro.

- (4) Moo legoro la sedirišwa sa bongaka le sa tsebege mme le se wela magorong a go feta le le tee, goba magareng ga magoro, Khansele e swanetše, morago ga go latela melao ya magoro, go tsenya sedirišwa sa bongaka goba IVD legorong la kotsi ya godimo ya magoro a kotsi.
- (5) Khansele e swanetše go eleletša magoro a sedirišwa sa bongaka goba IVD ye nngwe le ye nngwe ka boyona, e gopola sebopego sa yona le maikemišetšo a tirišo.

## 12. Setifikeiti sa ngwadišo

Mongwadiši, morago ga ngwadišo ya sedirišwa sa bongaka goba IVD, o swanetše go nea setifikeiti sa ngwadišo ka tsela ye e laeditšwego ka tlase:

### **MEDICINES AND RELATED SUBSTANCES ACT 1965, (MOLAO 101 WA 1965)**

#### **SETIFIKEITI SA NGWADIŠO SA SEDIRIŠWA SA BONGAKA GOBA IVD**

Go netefatšwa gore ngwadišo ya sedirišwa sa bongaka goba IVD ye e hlalošitšwego ka tlase e dumeletšwe ke Khansele go ya ka dipeelano tse di laeditšwego.

1. Leina.....
2. Nomoro ya ngwadišo.....
3. Legoro la sedirišwa sa bongaka goba IVD.....
4. Bakeng sa didirišwa tša bongaka tšeo di kopantšwego leina le palo ya selo/dilo tša šetule, goba selo/dilo tša paolotši
5. Khouto ya tsela ya maina.....
6. Dipeelano tša ngwadišo ya sedirišwa sa bongaka goba IVD.....
7. Ngwadišo ka leina la (mong wa setifikeiti sa ngwadišo).....
8. Leina le aterese ya bodulo ya motšweletši wa mathomo.....
9. Letšatšikgwedi la ngwadišo.....

Mongwadiši

Neilwe go la ..... ka la ..... 20 .....

**13. Dikarolwana le diripana**

- (1) Motho yo a rekišago karolwana ya maikemišetšo a go beabakeng ga karolwana ya go swana goba ye bohlokwa ya go swana goba karolo ya sedirišwa sa bongaka goba IVD, yeo e senyegilego goba ye e feletšwego ke nako, bakeng sa go hlokomela goba go thoma gape mošomo wa sedirišwa sa bongaka goba IVD ntle le go fetoša kudu mošomo wa yona goba polokego ya yona, o swanetše go-
- (a) netefatša gore karolwana ga e ame gampe polokego le tiragatšo ya sedirišwa sa bongaka goba IVD; le
- (b) go tšwelapele ka go nea mabaka a go hlohleletša bohlatse mme ka kgopelo, go phethagaletša bohlatse go Khansele.
- (2) Karolwana ya maikemišetšo a go beabakeng karolwana goba seripana sa sedirišwa sa bongaka goba IVD mme e fetoša tiragatšo kudu goba polokego ya sedirišwa sa bongaka goba IVD e bonwa bjalo ka sedirišwa sa bongaka goba IVD.

**14. Tshenyo ya didirišwa tša bongaka goba di-IVD**

- (1) Sedirišwa sa bongaka goba IVD ga se ya swanela go lahlwa tseleng ya tshepetšo ya mantle ya masepala.
- (2) Tshenyo goba tahlo ya sedirišwa sa bongaka goba IVD, e swanetše go diragatšwa ka tsela ye e laetšwego ke Khansele.

**15. Mokgwa wa go tšea dišupo ge go dirwa nyakišišo, setifikeiti seo se tligelo go nawa le pego ya dipoelo phetleko**

- (1) Mofetleki aka tšea sešupo goba palo efe goba efe ya dišupo, ya didirišwa tša bongaka goba IVD bakeng sa mohola wa teko, hlahlobo goba phetleko ka motho yo a nago le maswanedi profesheneng ya gagwe, go swana le moetšenere, molokiši goba ngaka ye e nyakišišwago malwetši.
- (2) Sešupo goba dišupo tše di hlalošitšwego go molawana (1) di swanetše go -
- (a) tšewa ge motho yo a lego taolong ya sedirišwa sa bongaka goba IVD a le gona, goba ge motho yoo a se gona, hlatse e le gona;
- (b) tšewa mme di bolokwe ka tsela ya go netefatša botshepegi ka nako ya tshepetšo ya hlahlobo ka moka ya sešupo;

- (c) phuthelwa le go phethagaletša ditlankana ka mo go swanetšego goba go swaya ka tselela yeo e dumeletšwego; le go
  - (d) romelwa ka mokgwa ofe goba ofe wo o swanetšego go motho yo a nago le boithutelo lefelong la gagwe la mošomo go swana le mofetleki, moetšenera wa bongaka, molokiši goba ngaka ye e nyakišišwago malwetši, gammogo le setifikeiti seo se saenilwego ke mofetleki, ngwalollo yeo e swanetšego go newa motho yo a hlalošitšwego go tema (a) ke mofetleki ka bonako bjo bo kgonagalago.
- (3) Motho yo a nago le boithutelo yo a hlalošitšwego go molawana (1), ka bonako bjo bo kgonegago, o swanetše go leka, hlahloba goba fetleka sešupo mme a bege dipelo tša teko, hlahloba goba phetleko.(1), go ya ka Melawana, a ka tšea sešupo ka nako ya hlahloba, gotšwa go motšweletši, mophatlalatši, rakgwebokgolo goba morekiši, bakeng sa teko, hlahloba goba phetleko.
- (5) Go sa setšwe molawana (1), Khansele e ka kgopela mong wa setifikeiti sa ngwadišo gore a nee Khansele sešupo sa sedirišwa sa bongaka goba IVD bakeng sa go leka, hlahloba goba go fetleka sešupo.
- (6) Setifikeiti seo se newago go ya ka molawana wo goba pego yeo e hlalošitšwego go molawana (3), se swanetše go romelwa go Mongwadiši mo matšatšing a 7 go thoma ka letšatšikgwedi la kabo.

#### 16. Maitshwara a teko ya bongaka le dinyakišišo tša bongaka

- (1) Motho yo a nyakago go thoma goba go dira-
- (a) nyakišišo ya bongaka malebana le sedirišwa sa bongaka seo se sa ngwadišwago;
  - (b) phetleko ya bongaka ya tiragatšo ya IVD; goba
  - (c) maikemišetšo a mohola wo mofsa a sedirišwa sa bongaka se se ngwadišitšwego goba goba IVD, o swanetše go dira kgopelo go Khansele foromong yeo e laeditšwego ke Khansele, bakeng sa tetla ya go dira teko ya bongaka, nyakišišo goba hlahloba ya tiragatšo.
- (2) Kgopelo ye e hlalošitšwego go molawana (1) e swanetše go sepela le tefelo yeo e beilwego gape e swanetše go sepela le tshedimošo ye e latelago:
- (a) Leano la nyakišišo ya bongaka goba teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa tshepetšo ya IVD;
  - (b) pukwana ya monyakišišo yeo e nago le, mo go swanetšego, tshedimošo ye malebana ya peleng ya bongaka, bomekgeniki, elektroniki le ya radiešene mme mo go

- swanetšego, tshedimošo ya bongaka ya motho goba phoofolo le sedirišwa sa bongaka goba IVD ye malebana;
- (c) Puku ya boitsebišo ya monyakišiši;
- (d) pego ya mosaeno ka mokgopedi le monyakišiši ya gore ba tseba, ebile ba kwešiša tshpetšo mme ba tla, tiragatšong ya nyakišišo ya bongaka goba teko ya bongaka, obamela Tiragatšo Gabotse ya Bongaka bjalo ka ge go Khansele e laeditše;
- (e) ditokomane tša tumelo ka tsebo le dithekgo tša komiti ya maitshwaro a botse yeo amogetšwego ke Khansele; le
- (f) leina le aterese ya sehlongwa seo teko ya bongaka goba nyakišišo ya bongaka e tlilego go diragatšwa go sona.
- (3) Leano la nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa tshpetšo ya IVD yeo e hialošitšwego go molawana (2)(a) e swanetše go ba le tshedimošo ye e latelago:
- (a) Nomoro ya batho goba diphoofolo tša nyakišišo, ka mo go hlokegago, tšeo di tlilego go amega nyakišišong ya bongaka, tekong ya bongaka goba phetlekong ya tiragatšo ya bongaka bakeng sa IVD;
- (b) leina la monyakišiši yo a swanetšego go ba-
- (i) motho yo a nago le boithutelo bjo malebana yo a dumeletšwego ke Khansele;
- (ii) motho yo a dulago mo Rephabliki; gape
- (iii) yo a lego taolong ya mafelo ao diteko tša bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD e diragatšwago go ona;
- (c) palo ya dikarolwana tša sedirišwa sa bongaka sa dinyakišišo goba IVD yeo e tlilego go dirišwa tekong ya bongaka, nyakišišong ya bongaka goba phetlekong ya tiragatšo ya bongaka ya IVD;
- (d) tshedimošo malebana le sebopego, tšweletšo le tiragatšo ye e letetšwego ya sedirišwa sa bongaka goba IVD; le
- (e) tshedimošo efe goba efe yeo e laetšwago ke Khansele.
- (4) Nyakišišo ya bongaka le teko ya bongaka goba phetleko ya tiragatšo ya bongaka ya IVD e swanetše go diragatšwa go ya ka methalohlali ya tiragatšo ya bongaka ye e swanetšego yeo e laolwago ke Khansele.

- (5) Motho ga se a swanela go diragatša nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD yeo e hlalošitšwego go molawana (1), ntle le tetla ya Khansele.
- (6) Motho yo a dirago nyakišišo ya bongaka goba teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD o swanetše go romela go Khansele-
- (a) dipego tša tshepetšo morago ga dikgwedi tše dingwe le tše dingwe tše tshela go thoma ka letšatšikgwedi la nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa phetleko ya tiragatšo ya IVD ye e thomilwego, mme morago ga matšatšikgwedi a 30 morago ga phethagaletšo goba phedišo nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD; le
- (b) dipego tša tiragalo ye kahlanong semeetseng goba ka bonako bjo bo kgonegago.
- (7) Khansele e ka-
- (a) kgopela tshedimošo ye nngwe;
- (b) fetleka nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD; goba
- (c) emiša tetla ya go dira nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD, ge Khansele e na le boikgopolelo bja gore-
- (i) polokego ya baamegi ba nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD ga se ya netefatšwa; goba
- (ii) gore mabaka a saense a go diragatša nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD, a fetogile.
- (8) (a) Tshedimošo ye e latelago ya sedirišwa sa bongaka goba IVD yeo e hlalošitšwego go molawana (1) e swanetše go phethagaletšwa, mo go hlokegago:
- (i) Maikemišetšo a mohola goba tirišo ya sedirišwa sa bongaka nyakišišong ye e šišintšwego ya bongaka goba tekong ya bongaka;
- (ii) batho le ditaetšo tšeo maikemišetšo a sedirišwa sa bongaka a lebišišwego;
- (iii) leina goba nomoro ya sebopego goba mohuta, go akaretšwa mohuta wa mananeotirišo a khophuthata le dilomaganyo, ge di le gona, bakeng sa go dumelela boitsebišo ka botlalo;
- (iv) hlalošo ya gore khwetšagalo e tla phethagaletšwa ka tsela efe ka nako ya le morago ga nyakišišo ya bongaka, (e.g. ka kabelo ya nomoro ya sehlopha, nomoro ya karolo goba palotatellano);

## (b) Sedirišwa sa bongaka goba IVD e swanetše-

(i) mo go kgonegago, go direlwa setlankana sa leina le aterese ya lefelo leo nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD e tlilego go phethagaletšwa; le

(ii) go direlwa setlankana sa gore "bakeng sa tirišo ya nyakišišo fela".

- (9) Khansele e ka, go ya ka dipeelano tšeo di ka laetšwago ke Khansele, dumelela tiragatšo ya nyakišišo ya bongaka, teko ya bongaka goba phetleko ya tiragatšo ya bongaka bakeng sa IVD.

**17. Pego ya tiragalo ye kgahlanong le hlokomelo bakeng sa didirišwa tša bongaka le di-IVD**

- (1) Moemedi yo a dumeletšwego goba mong wa setifikeiti sa ngwadišo malebana le sedirišwa sa bongaka goba IVD o swanetše go tsebiša Khansele, ka mogwa woo ebile ka nako yeo e laolwago ke Khansele, ka tiragalo ye e lebeletšwego ye khahlanong, yeo e begilwego go yena, e direga ka lebaka la tirišo ya sedirišwa sa bongaka goba IVD.

- (2) Moemedi yo a dumeletšwego goba mong wa setifikeiti sa ngwadišo seo se hlalošitšwego go molawana (1) o swanetše -

(a) mo nakong ye e beilwego ke Khansele, morago ga khwetšo ya pego ye e hlalošitšwego go molawana (1), go tsebiša Khansele ka ga magato ao a swanetšo go phethagaletšwa bakeng sa go šomana le tiragalo ye kahlanong;

(b) ge a kgopelwa ke Khansele, go dira phetleko ye kopana ya polokego le tiragatšo ya sedirišwa sa bongaka goba IVD mme a romele dipoelo tša gona go Khansele mo nakong ye e laeditšwego; gape

(c) morago ga khwetšo ya dipoelo tše diu hlalošitšwego go tema (b), moo Khansele e laetšago gore sedirišwa sa bongaka goba IVD e ka ba ya tirišo ye e sa bolokegago, romela go Khansele, ge go na le hlokego-

(i) dipego tša tiragalo ye kahlanong ya sedirišwa sa bongaka se se emišitšwego malebana le sedirišwa sa bongaka goba IVD;

(ii) mo go swanetšego, sedirišwa sa bongaka goba dipalo tša tirišo tša IVD, dipego tša polokego tša nako le nako le dinyakišišo ya tiragatšo; le

(iii) tshedimošo efe goba efe yeo e hlokwago ke Khansele.

- (d) lota le go hlokomela goba go ba le phihlelelo ya direkhoto tša tshedimošo ya tiragalo ye kahlanong malebana le didirišwa tša bongaka goba di-IVD tša gagwe goba tša yona.
- (3) Ga go selo mo molawaneng wo, seo se ka hlathollwago bjalo ka se se thibelago motho go bega tiragalo ye kahlanong go Khansele.
- (4) Ntle le molawana (1) goba (3), modiriši yo a tsebago ka ga tiragalo ye kahlanong yeo e hlotšwego gona e belaelwago gore e hlotšwe ke sedirišwa sa bongaka goba IVD ka nako ya tirišo ya goba diragatšo ya nyakišišo ya morago ga theko, o swanetše go bega tiragalo go mong wa laesense, mong wa setifikeiti sa ngwadišo, motšweletši, moemedi yo a dumeletšwego goba Khansele.

#### 18. Nyakišišo

- (1) Khansele e ka diragatša nyakišišo malebana le sedirišwa sa bongaka goba IVD, motšweletši wa sona, mophatlalatši goba rakgwebokgolo ge-
  - (a) sedirišwa sa bongaka goba emišitšwe mo Afrika Borwa goba nageng efe goba efe;
  - (b) tiragalo ye kahlanong ya sedirišwa sa bongaka goba IVD e begilwe mo Afrika Borwa goba nageng efe goba efe;
  - (c) sedirišwa sa bongaka goba IVD e belaelwa goba go hweditšwe gore ga e obamele dinyakwa tša Molao;
  - (d) go na le temošo ya boditšhabatšhaba malebana le sedirišwa sa bongaka, IVD goba motšweletši wa sedirišwa sa bongaka goba IVD; goba
  - (e) bakeng sa mabaka afe goba afe, Khansele e bona hlokego ya go dira nyakišišo ka ga sedirišwa sa bongaka goba IVD.

#### 19. Melato le dikotlo

- (1) Motho yo a palelwago go obamela, yo a tshelago ditaelo tša, gona yo a phethagaletšago tshedimošo ya bofora ka maikemišetšo malebana le -
  - (a) melawana 3 goba 4 malebana le ditšwantle goba thomelo ya didirišwa tša bongaka goba di-IVD;
  - (b) melawana 5 malebana le laesense ya tšweletšo, go dira bjalo ka mophatlalatši goba go dira bjalo ka rakgwebokgolo wa didirišwa tša bongaka goba di-IVD;

- (c) melawana 14 malebana le tshenyo ya didirišwa tša bongaka goba di-IVD;
  - (d) melawana 16 malebana le maitshwaro ditekong tša bongaka;
  - (e) melawana 21 malebana le dipapatšo tša didirišwa tša bongaka goba di-IVD;
  - (f) melawana 22 malebana le ditlankana tša didirišwa tša bongaka goba di-IVD;
  - (g) melawana 23 malebana le ditaetšo tša tirišo ya sedirišwa sa bongaka;
  - (h) melawana 24 malebana le ditaetšo tša tirišo ya IVD;
  - (i) melawana 20 malebana le kobamelo ya Melao ye Bohlokwa yeo e netefaditšwego pegong ya kobamelo; goba
  - (j) melawana 17 malebana le pego ya ditiragalo tše kgahlanong le hiokomelo,  
o na le molato mme ka tšhotšhiso a ka hwetša faene, goba a išwa kgolegong botelele bja nako ye e sa fetego mengwaga ye 10.
- (2) Motho yo a rekišago sedirišwa sa bongaka goba IVD yeo e feletšwego ke nako o na le molato mme ge a tšhotšhiswa o tia lefela faene, goba go išwa kgolegong botelele bja nako ye e sa fetego mengwaga ye 10.

#### 20. Kobamelo ya dinyakwa

- (1) Sedirišwa sa bongaka goba IVD e swanetše go sepelelana le maemo le ditaetšo tšeo dirometšwego go Khansese foromong yeo e hlalošitšwego go molawana 8 gape tšeo di dumeletšwego ke Khansese malebana le sedirišwa sa bongaka goba IVD.
- (2) Sedirišwa sa bongaka goba IVD e swanetše go sepelelana le Melao ye Bohlaokwa ye e rometšwego go Khansese ka pego ya kobamelo yeo e hlalošitšwego go molawana 8(7).
- (3) Phapogo ye e šišintšwego go maemo ao a amogetšwego le ditaetšo tše hlalošitšwego go melawana (1) le (2), e swanetše go romelwa go Khansese bakeng sa tetla.

#### 21. Papatšo ya didirišwa tša bongaka goba di-IVD

- (1) Dinyakwa tše dilatelago di šoma papatšong ya sedirišwa sa bongaka goba IVD:
- (a) Didirišwa tša bongaka le di-IVD tša legoro la A le B di ka bapatšwa setšhabeng goba go motho yo a sa rutegago.
  - (b) ntle le molawana (a), dikgotlopo tša banna le basadi di ka bapatšwa setšhabeng.

- (c) papatšo ya sedirišwa sa bongaka goba IVD ga se ya swanela go ba le setatamente seo se fapogilego go, seo se thulanago le, bohlatse bjo bo rometšwego kgopelong bakeng sa ngwadišo ya sedirišwa sa bongaka goba IVD malebana le polokego, boleng, goba phethagaletšo moo bohlatse bo-
- (i) amogetšwego ke Khansele malebana le sedirišwa sa bongaka goba IVD; gape
- (ii) bo tsentšwego ditaetšong tše di dumeletšwego bakeng sa tirišo ya sedirišwa sa bongaka goba IVD.
- (d) papatšo ya tsela ya lengwalo ya sedirišwa sa bongaka goba IVD e swanetše go ba le-
- (i) leina la sedirišwa sa bongaka goba IVD; gape
- (ii) bakeng sa sedirišwa sa bongaka seo se ngwadišitšwego goba IVD, nomoro ya ngwadišo yeo e neilwego sedirišwa sa bongaka goba IVD;
- (e) (i) ge sedirišwa sa bongaka sa Legoro C goba Legoro D goba IVD e bapatšwa la mathomo go motho yo e ka bago modiriši, tshedimošo ye e ngwadilwego, yeo e swanetšego go ba le tshedimošo yeo e hlalošitšwego go molawana 23 goba molawana 24 ka moo go lego ka gona, e swanetše go newa motho yoo papatšo ya molomo, elektroniki goba ya kgatišo e lebišitšwego go yena; gape
- (ii) ge sedirišwa sa bongaka goba IVD e bapatšwa ka dinako tša tatellano, tshedimošo e swanetše go hwetšagala ge e kgopelwa.

## 22. Phethagaletšo ya setlankana sa sedirišwa sa bongaka goba IVD

- (1) Setlankana sa sedirišwa sa bongaka se sengwe le se sengwe goba IVD se swanetše go ba le dintlha tše di latelago:
- (a) leina le leina la kgwebo ya sedirišwa sa bongaka goba;
- (b) hlalošo ya setšweletšwa le maikemišetšo a tirišo;
- (c) khoutu ya lenaneo la setšweletšwa, mo go swanetšego;
- (d) leina le aterese ya kgwebo ya motšweletš;
- (e) leina le aterese ya kgwebo ya mong wa setifikeiti sa ngwadišo;
- (f) mo go swanetšego, taetšo ya gore sedirišwa sa bongaka se na le goba se akaretša selo sa šetule goba sa paolotši;
- (g) nomoro ya karolo, mo go swanetšego;

- (h) palotatellano, mo go swanetšego;
  - (i) bakeng sa dilomaganyo, palotatellano e ka tlošwa go lokelwe nomoro ya taolo mme bakeng sa mananeotirišo a khomphuthara go ka lokelwa nomoro ya mohuta;
  - (j) letšatšikgwedi la phelelo ke nako, mo go swanetšego;
  - (k) ge letšatšikgwedi la mafelelo le se gona, letšatšikgwedi la tšweletšo;
  - (l) taetšo ya dipeelano tša lefelo polokelo le le kgethegilego goba swaro ye e kgethegilego;
  - (m) ge sedirišwa sa bongaka se neilwe se hlwekile, taetšo ya seemo sa hlweko mme, mo go swanetšego, mokgwa wa hlwekišo;
  - (n) mo go swanetšego, taetšo ya palo ya dikagare tšeo di šaletšego, ye e laetšwago go ya ka boima goba modumo, palo ya dinomoro, goba kopanyo efe goba efe ya mabaka a a laetšago dikagare tša sephuthelwana;
  - (o) ditemošo le tšhireletšo, mo go swanetšego; le
  - (p) mo go swanetšego taetšo ya gore sedirišwa sa bongaka ke sa maikemišetšo a-
    - (i) tirišo ka o tee;
    - (ii) nyakišišo ya bongaka goba nyakišišo ya tiragatšo ya bongaka pele se rekišwa;
    - (iii) nyakišišo yeo e sego ya bongaka, mehola ya thuto le teko;
    - (iv) mehola ya dipego goba ditaetšo;
    - (v) tirišo ya phekolo ka *in vitro* goba Diteko tšeo di Diretšwego Laboratoring; le
    - (vi) mo go swanetšego, 'bakeng sa tirišo profeshene fela' goba "teko ye kgauswi ya balwetši".
- (2) Setlankana sa sedirišwa sa bonyaka se sengwe le se sengwe goba IVD e swanetše go ngwalwa ka seisimane mme e tšweletšwe-
- (a) go sedirišwa sa bongaka goba IVD ka boyona; goba
  - (b) sephuthelwaneng sa yuniti ye nngwe le ye nngwe; le
  - (c) sephuthelwanego sa didirišwa tše mmalwa tša bongaka goba di-IVD.

- (3) Ge sedirišwa sa bongaka e le sedirišwa sa bongaka seo se sepeditšwego gape, setlankana se swanetše go laetša leina la modira tshepetšo le boitšhupo ba sedirišwa sa bongaka bjalo ka sedirišwa sa bongaka seo se sepeditšwego gape.
- (4) Ge sephuthelwana sa IVD se akaretša dilo le diathekele tšeo di ka hwetšagalago bjalo ka didirišwa tša bongaka tša IVD tše di sepelago ka botšona, di ka obamela dinyakwa tše di tšweleditšwego go molawana (1).

### 23. Ditaetšo tša tirišo ya sedirišwa sa bongaka

- (1) Ditaetšo tša tirišo di ka swara tshedimošo ye e latelago ka seisimane:
- (a) leina goba leina la kgwebo la sedirišwa sa bongaka;
- (b) leina le aterese ya kgwebo ya motšweletši;
- (c) mo go kgonegago, maikemišetšo a mohola a a dumeletšwego goba tirišo ya sedirišwa sa bongaka mme mo go swanetšego, modiriši yo a tlielego go se diriša;
- (d) dikotsi ye e šaletšego, seemo se kgahlanong le ditlamorago dife goba dife, go akaretšwa tshedimošo yeo e swanetšego go tšweletšwa go molwetši malebana le se;
- (e) ditaetšo tšeo modiriši a dihlokago bakeng sa go diriša didirišwa tša bongaka ka tshwanelo (mohlala, ge sedirišwa se na le mokgwa wa tekanyetšo, bogolo bja nepagalo bjo bo hlokegago bakeng sa sona);
- (f) ge sedirišwa sa bongaka se na le , goba se akaretša selo sa šetule goba selo sa paolotši, tsopolo ya selo, ka mo go swanetšego;
- (g) dintlha tša hiokomelo efe goba efe ya peakanyetšo goba swaro ya sedirišwa sa bongaka pele se dirišwa (mohlala. hlwekišo, kopanyo ya mafelelo, tokišo, bjalobjalo);
- (h) dinyakwa dife goba dife tša didirišwa tše kgethegilego, goba katišo ye kgethegilego, goba boithutelo bjo bo rilego ba modiriši goba moamegi wa sedirišwa sa bongaka;
- (i) tshedimošo ye e hlokegago bakeng sa go netefatša gore naa sedirišwa sa bongaka se tsentšwe ka tshwanelo le gore se ka thoma go diragatša ka polokego mme le ka moo motšweletši a ikemišeditšego, gammogo le, moo go swanetšego-
- (i) dintlha tša seemo, le boipoeletšo, hlokomelo ya thibelo le ya nako le nako gape le hlwekišo goba go tlošotwatsi efe goba efe ya peakanyetšo;
- (ii) tsopolo ya dikarolwana tše di lahlegago mme le mokgwa wa peobakeng ya tšona;

- (iii) tshedimošo ya tokišo efe goba efe ye e hlokegago go netefatša gore sedirišwa sa bongaka se šoma gabotse mme ya polokego ka nako ya sona ya go šoma; mme
- (iv) mekgwa ya go fediša dikotsi tšeo di lebanego batho bao ba amegago tsenyong, tokišong le hlokomelong ya didirišwa tša bongaka;
- (j) taetšo ya senamelwa sefe goba sefe se se kgethegilego, poloko goba dipeelano tša swaro tšeo di šomago;
- (k) ge sedirišwa sa bongaka se rometšwe se hlwekile, ditaetšo bakeng sa ge sephuthelwana sa hlweko se ka senyega pele se dirišwa;
- (l) ge sedirišwa sa bongaka se rometšwe se sa hlweka, ka maikemišetšo a gore se hlwekišwe pele se dirišwa, ditaetšo tše swanetšego tša hlwekišo;
- (m) ge sedirišwa sa bongaka e le seo se ka šomišwago gape, tshedimošo ya tshepetšo ye e swanetšego ya tetla ya tšhomišo gape, go akaretšwa hlwekišo, tlošotwatsi, phuthelo, le, mo go swanetšego, mokgwa wa hlwekišo gape go akaretšwa tshedimošo ya go tsopola ge sedirišwa sa bongaka se sa swanela ke tirišo gape (mohlala, maswao a tshenyego ye e tseneletšego goba palo ya taetšo ya tirišo ye e dumeletšwego);
- (n) didirišwa tša bongaka tšeo e lego tša tirišo gammogo le didirišwa tša bongaka goba tša mohola kakaretšo-
  - (i) tshedimošo ya go tsopola didirišwa tša bongaka goba didirišwa, bakeng sa go hwetša kopanyo ye bolokesegilego; le
  - (ii) tshedimošo ya mathata afe goba afe ao a tsebjago dikopanyong tša didirišwa tša bongaka le didirišwa;
- (o) ge sedirišwa sa bongaka se ntšha radiešene ye kotsi, goba ye e ka bago ye kotsi bakeng sa meholo ya bongaka-
  - (i) tshedimošo ka botlalo ya mokgwa, mohuta, gape mo go swanetšego, bogolo le phatlalatšo ya radiešene yeo ye ntšhitšwego; le
  - (ii) mokgwa wa go šireletša molwetši, modiriši, goba moamegi yo mongwe go radiešene ye e sego ya maikemišetšo ka nako ya tirišo ya sedirišwa sa bongaka;
- (p) tshedimošo ye e kgontšhago modiriši le molwetši go tsebišwa ka ditemošo, ditšhireletšo, magato ao a tilego go tšewa le melwane ya tirišo malebana le

sedirišwa sa bongaka tšeo di swanetšego go phethagaletšwa ke tshedimošo, mo go swanetšego-

- (i) ditemošo, ditšhireletšo le magato ao a swanetšego go tsewa bakeng sa tšhomompe ya sedirišwa sa bongaka goba diphetogo phethagaletšong ya tšona tšeo di ka amago polokego;
  - (ii) ditemošo, ditšhireletšo le magato ao a swanetšego go tsewa malebana le tlhagišo go dikhetšo tša ka ntle tše di bonagalago goba maemo a tikologo, go swana le mafelo a makenethiki, ditlamorago tša ka ntle tša elektroniki le ditšweletšo tša elektromeknethiki, radiešene ye malebana le ditshepetšo tša phekolo le theraphi, kgatelelelo, bonola goba thempheretšha;
  - (iii) ditemošo, tšhireletšo le magato a a tšerwego malebana le dikotsi tša tsenelelo tšeo di hlolwago ke khwetšagalo yeo e bonetšwegopele ya sedišwa sa bongaka ka nako ya nyakišišo ya phetleko, hlokomelo ya theraphi goba tirišo (mohlala, tsenelelo ya elektromeknethiki yeo e ntšhwago ke sedirišwa sa bongaka yeo e amago sedirišwa se sengwe);
  - (iv) ge sedirišwa sa bongaka se sepetša selo sa šetule goba selo sa paolotši, mellwane efe goba efe goba go se sepelelane kgethong ya selo se se tilego go romelwa;
  - (v) temošo, tšhireletšo le mellwane ye malebana le selo sa šetule goba selo sa paolotši se se tsentšwego sedirišweng sa bongaka bjalo ka karolwana ye bohlokwa ya sedirišwa sa bongaka; le
  - (vi) ditemošo tše malebana le matheriale yo o tsentšwego sedirišweng sa bongaka tšeo di hlolago kankere, phetošo goba kotsi goba tšeo di ka bakago temošo goba aletši go molwetši goba modiriši;
- (q) ditemošo le ditšhireletšo tše swanetšego go diragatšwa tše malebana le tahlo ya sedirišwa sa bongaka, dilomaganyo tša sona le didirišwa tše di dirišwago le sona, mo go swanetšego. Tshedimošo ye e swanetše go akaretša, mo go swanetšego-
- (i) dikotsi tša phetelo goba maekrobale (mohlala, ditlošo, dinalete goba didirišwa tša puo tše di tšhilafaditšwego ke dilo tšeo e ka bago tša phetelo tšeo di tšwago bathong);
  - (ii) dikotsi tša tikologong (mohlala, dipeteri goba matheriale wo o ntšhago radiešene ya maemo a kgonalago ya go hlola kotsi); le
  - (iii) dikotsi tše di bonagalago (mohlala, magare);

- (r) bakeng sa didirišwa tša bongaka tšeo e lego tša go dirišwa ke motho yo a sa rutegago, mabaka ao modiriši a swanetšego go bolela le mošomi wa tša maphele ka ona;
  - (s) letšatšikgwedi la kabo goba mohuta wa maefelelo wa ditaleo tša tirišo gape, mo go kgonegago, nomoro ya tsopolo; le
  - (t) ditaleo tše swanetšego tša tirelo le hlokomelo bakeng sa didirišwa tša sethekgeniki le didirišwa tša bongaka, mo go swanetšego.
- (2) Ditaello tša tirišo ya sedirišwa sa bongaka di swanetše go akaretšwa ka thekišo ya sedirišwa sa bongaka se se ngwe le se se ngwe, efela, ditaello tša tirišo ya didirišwa tša bongaka tša Legoro la A di swanetše go akaretšwa mo go hlokegago.

#### 24. Taetšo ya tirišo ya IVD

- (1) Ditaetšo tša tirišo di swanetše go ba le tshedimošo ye e latelago ka Seisimane:
- (a) leina goba leina la kgwebo;
  - (b) leina le aterese ya motšweletši;
  - (c) maikemišetšo a mohola le tirišo go akaretšwa efela go sa felele go-
    - (i) seo se bonwago;
    - (ii) mošomo wa sona;
    - (iii) bolwetši bjo bo itšego, seemo goba ntlha ya kotsi ya kgahlegelo yeo e swanetšego go hwetšwa, hlalošwa goba go farologanywa;
    - (iv) gore ke boitiragaletšo goba aowa;
    - (v) gore ke ya boleng goba tša dipalo;
    - (vi) mohuta wa ditšhupetšo tšeo di hlokegago (mohlala, seramo, polasma, maadi, payopsi ya tlhalenama, moroto); le
    - (vii) batho ba teko;
  - (d) taetšo ya gore ke ya tirišo ya phekolo ka *in vitro* gape, mo go swanetšego, bakeng sa "tirišo ya profešene fela", bakeng sa "teko pele ga molwetši", bakeng sa "lefelo la hlokomelo", bakeng sa "go iteka ka bowena" goba bakeng sa "tirišo ya nyakišišo fela"
  - (e) modiriši yo e diritšwego yena, ka mo go swanetšego;

- (f) molao wa teko;
- (g) hlalošo ya selo, ditokišo le ditaelo le mellwane efe goba efe ge didirišwa (mohlala, di swanetše sedirišwa sa maikemišetšo fela);
- Gopola: diphuthelwana tša IVD di akareša dilo tše di sepelago ka botšona le diathekele tše di ka hwetšagalago bjalo ka di-IVD tše sepelago ka botšona. Seemong se, mo go swanetšego, di-IVD tše di swanetše go obamela ditaelo tša tirišo tše di lego karolong ye;
- (h) hlamego ya setšweletšwa ka hlago le hlamego ya didirišwa tše di šomago tša dilo goba diphuthelwana gammogo le setatamente, mo go swanetšego, gore sedirišwa sa bongaka se na le didirišwa tše dingwe tše di ka huetšago tekanyetšo;
- (i) lenaneo la matheriale yeo e neilwego le lenaneo la matheriale ye e kgethegilego ye e hlokegago efela e sa phethagaletšwa;
- j) bakeng sa di-IVD tirišo ya maikemišo gammogo le di-IVD tše dingwe goba didirišwa tša bongaka, goba didirišwa tša mohola kakaretšo-
- (i) tshedimošo ya go tsopola didirišwa tše tša bongaka goba didirišwa, bakeng sa go hwetša kopanyo ye e bolokegilego; le
- (ii) tshedimošo ya mellwane yeo e tsebjago go dikopanyo tša didirišwa tša bongaka le didirišwa;
- (k) taetšo ya dipeelano dife goba dife tša poloko ye e kgethegilego le swaro tše di šomago;
- (l) phethagaletšo tirišong ye e ka akretšago, dipeelano tša poloko, botelele bja nako ya poloko morago ga pulo ya mathomo ya seswari sa mathomo, gammogo le dipeelano tša poloko le swanelo ya ditharollo tša mošomo, mo go swanetšego;
- (m) ge IVD e phethagaletšwe e hlwekile, ditaelo bakeng sa tshenyego ya phuthelo ye hlwekilego pele ga tirišo;
- (n) tshedimošo ye e dumelelago modiriši go tsebišwa ka ditemošo, ditšhireletšo, magato ao a swanetšego go tšewa le mellwane ya tirišo malebana le IVD, yeo e swanetšego go phethagaletša ke tshedimošo, mo go swanetšego-
- (i) ditemošo, ditšhireletšo le magato ao a swanetšego go tšewa bakeng sa tshenyego ya IVD goba tshenyego ya yona yeo e laetšago ke diphetogo tša ponagalo tše di ka amago tiragatšo;
- (ii) ditemošo, ditšhireletšo le magato ao a swanetšego go tšewa malebana le tšweletšo dikhuetsong tše di nago ke kgonego ya ponelopele goba

dipeelano tša tikologo, go swana le mafelo a makenethiki, ditšweletšo tša elektrosthetiki, radiešene ye e sepelelanago le ditshepetšo tša phekolo le theraphi, kgatelelo, bonola, goba thempheretšha;

- (iii) ditemošo, ditšhireletšo le magato ao a swanetšego go tšewa malebana le dikotsi tša tsenelelo tšeo di tšweletšwago ke ponelopele ya go ba gona ga sedirišwa sa bongaka ka nako ya nyakišišo ye itšego ya phekolo, diphetleko, hlokomelo ya theraphi go akaretšwa tsenelelo ya elektromeknethiki yeo e ntšhwago ke sedirišwa sa bongaka yeo e amago didirišwa tše dingwe, mo go swanetšego; le
- (iv) ditšhireletšo tše malebana le matheriale ye tsentšwego go IVD yeo e lego ya go hlola kankere, phetogo goba kotsi goba yeo e ka hlolago temošo le aletši;
- (o) ditemošo le ditšhireletšo tše malebana le matheriale wo o ka hlolago phetelo wo o akareditšwego go IVD;
- (p) mo go kgonegago, dinyakwa tša didirišwa tše kgethegilego go akaretšwa lefelo la phapoši ye hlwekilego, polokego ya radiešene goba boithutelo bjo itšego ba modiriši wa sedirišwa sa bongaka;
- (q) dipeelano tša kgoboketšo, swaro le peakanyetšo ya dišupo;
- (r) dintlha tša peakanyetšo ya hlokomelo efe goba efe goba swaro ya IVD pele e lokela tirišo go akaretšwa kagoleswa le tokišo mo go swanetšego;
- (s) tshedimošo ye e hlokegago bakeng sa go netefatša gore naa IVD e tsentšwe gabotse mme e loketše go dira ka polokego le ka maikemišetšo a motšweletši, gammogo le, mo go hlokegago-
  - (i) dintlha tša seemo, boipoeletšo, hlokomelo ya thibelo le ya nako le nako go akaretšwa hlwekišo le tlošotwatši;
  - (ii) tsopolo ya dikarolwana dife goba dife tša didirišwa le gore di bewabakeng ka tsela efe;
  - (iii) tshedimošo ya tokišo efe goba efe ye e hlokegago go netefatša gore IVD e šoma gabotse le ka polokego ka nako ya yona ya go šoma; le
  - (iv) mekgwa ya go fokotša dikotsi tšeo di lebanego batho bao ba tsenyago, lokišago goba hlokomelago IVD;
- (t) mo go swanetšego, dieletšo bakeng sa ditshepetšo tša taolo ya boleng;

- (u) mohlala wa tša metrolotši wo o neilwego dilokiši le matheriale ya taolo ya nepagalo, go akaretšwa tsopolo ya matheriale ya tšhupetšo ye e šomago le ditsela tša tekanyetšo ya tšhupetšo tša tatellano ya godimo;
  - (v) hlahloba tshepetšo go akaretšwa dipalo le tihathollo ya dipoelo mme mo go swanetšego, gore teko ya netefatšo e eleletšwe;
  - (w) dibopego tša phetleko ya tiragatšo go swana le boitemošo, taetšo, le nepagalo;
  - (x) mo go swanetšego, dibopego tša tiragatšo ya bongaka, go swana le ditemoši tša phekolo le taetšo ya phekolo;
  - (y) mo go swanetšego, dinako tša tšhupetšo;
  - (z) tshedimošo ya dilo tše di tsenelelago goba mellwane ya go swana le bohlatse bja ponagalo, haephaletimia goba haemolesese, ngwaga wa sešupo wo o ka amago tiragatšo ya sešupo;
  - (aa) ditemošo goba ditšhireletšo tše di swanetšego go diragatšwa mabapi le tahlo ya sedirišwa sa bongaka, dilomaganyo tša sona, le didirišwa tše di dirišwago le sona, ge di le gona, tshedimošo e swanetše go e swanetše go akaretša, mo go swanetšego--
    - (i) phetelo goba dikotsi tša maekrobaele;
    - (ii) dikotsi tša tikologo; le
    - (iii) dikotsi tša ponagalo;
  - (bb) bakeng sa IVD ya maikemišetšo a tirišo ya motho yo a sa rutegago, mabaka ao modiriši a swanetšego go ikgokaganya le mošomedi wa tša maphelo;
  - (cc) mo go swanetšego, bibliokerafi;
  - (dd) letšatšikgwedi la phethagaletšo goba phetošo ya bjale ya ditaelo tša tirišo mme, mo go swanetšego, nomoro ya tšhupetšo; le
  - (ee) ditaelo tše malebana tša hlokomelo ya metšhene ya sethekgeniki ya IVD, mo go swanetšego.
- (2) ditaelo tša tirišo ya IVD di swanetše go akaretšwa le thekišo ya IVD ye nngwe le ye nngwe, efela, ditaelo tša tirišo ya di-IVD tša Legoro A di swanetše go akaretšwa, mo go swanetšego.

**25. Didirišwa tša bongaka tše di dirilwego ka kgethego**

Sedirišwa sa bongaka seo se dirilwego ka kgethego se swanetše go tšweletšwa le go rekišwa ka kobamelo ya methalohlahli ye e šomago didirišweng tša bongaka.

**26. Rekhoto ya didirišwa tša bongaka tše di tsenyegago le didirišwa tša bongaka tše di dirilego ka kgethego**

- (1) rekhoto ya go ya go ile mabapi le sedirišwa sa bongaka se se tsenyegago sa Legoro D le sedirišwa sa bongaka se se kgethegilego sa kotsi ye godimo e swanetše go lotwa lefelong ke sehlongwa sa hlokomelo ya maphelo goba mošomi wa tša maphelo moo didirišwa tša bongaka di rekišetšwago molwetši, mme e swanetše go swara tshedimošo ye e latelago:
- (a) leina le khoutu ya setšweletšwa sa sedirišwa sa bongaka;
  - (b) letšatšikgwedi leo kgopelo ya sedirišwa sa bongaka se se tsenyegago goba se se dirilwego ka kgethego e dirilwego ka lona;
  - (c) nomoro ya sebopego, nomoro ya sehlopha, le palotatellano, ge e le gona;
  - (d) leina, aterese le nomoro ya boitsebišo ya molwetši;
  - (e) mo go swanetšego, leina la modiriši le, bakeng sa sedirišwa sa bongaka se se tsenyegago, motho yo a nago le maikarabelo a tsenyo ya sedirišwa sa bongaka;
  - (f) leina le aterese ya hlongo ya tša maphelo;
  - (g) leina la motšweletši wa sedirišwa sa bongaka se se tsenyegago goba se se dirilwego ka kgethego; le
  - (h) tshedimošo ye malebana le sebopego, tšweletšo le tiragatšo ya sedirišwa sa bongaka go akaretšwa tiragatšo ye e letetšwego.
- (2) Rekhoto ya kgopelo e swanetše go swarwa atereseng ya kgwebo ya morekiši botelele bja nako ya mengwaga ye mehlango go feta nako ya tšhomo ye e letetšwego ya sedirišwa sa bongaka.
- (3) Motšweletši, mophatlalatši goba rakgwebokgolo ya Legoro D goba didirišwa tša bongaka tše di tsenyegago ebile tše di dirilwego ka kgethego o swanetše go lota rekhoto ya Legoro D goba didirišwa tša bongaka tše di tsenyegago ebile tše di dirilwego ka kgethego ka mokgwa wa setlakana sa kgopelotefelo-
- (a) letšatšikgwedi la phetisetšo ya theko ye nngwe le yenngwe;
  - (b) leina la kgwebo la sedirišwa sa bongaka;
  - (c) leina le aterese ya moreki yo mongwe le yo mongwe;

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- (d) palo ya tše direkišitšwego; le
  - (e) nomoro ya sehlopha goba palotatellano.
- (4) Rekhoto ye e hlalošitšwego go molawana (3) e swanetše go lotwa botelele bja nako ya mengwaga ye masomehlano go tloga ka letšatšikgwedi la thekišo.

**27. Dipeakanyetšo tša nakwana mabapi le motšweletši wa go hloka laesense, motšweletši goba rakgwebokgolo**

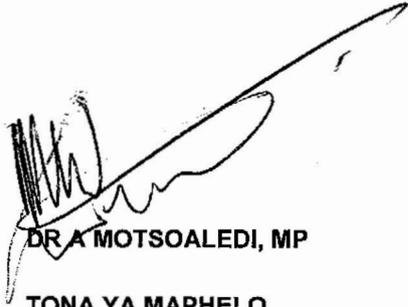
- (1) Motšweletši, mophatlalatši goba rakgwebo yo a, ka nako ya go thoma ga Melawana, rekišago didirišwa tša bongaka goba di-IVD mo Rephabliki, go ya ka molawana 5, o bonwa bjalo ka ya a dirago go ya ka molao.
- (2) Khansele e swanetše go nea tsebišo *Kuranteng ya mmušo* e bitše batšweletši bao go hloka dilaesense, baphatlalatši le borakgwebokgolo, mme tsebišo e swanetše go tšweletša dipeelano le dinako tša go dira laesense, mme le gore, ka nako ya go dira dilaesense, batšweletši, baphatlalatši le borakgwebokgolo ba tla be ba dira go ya ka molao.

**28. Dipeakanyetšo tša nakwana malebana le didirišwa tša bongaka tše di sa ngwadišwago le di-IVD**

- (1) Sedirišwa se se sa ngwadišwago goba IVD ye e rekišwago mo Rephabliki ka nako ya go thoma go šoma ga Melawana, go ya ka molawana 8 , e bonwa bjalo ka ye e rekišwago go ya ka molao go fihlela mafelelong a nako ya tsebišo yeo e hlalošitšwego go molawana (2), bakeng sa tsebišo ya bongaka goba IVD.
- (2) Khansele e swanetše go, ka nako le nako, go nea tsebišo *Kuranteng ya mmušo* e bitša ngwadišo ya didirišwa tša bongaka le di-IVD, mme tsebišo yeo e swanetše-
  - (a) go tšweletša gore ke magoro afe a didirišwa tša bongaka ao a swanetšego go ngwadišwa; gape
  - (b) go phethagaletša dipeelano le nako ya go dira kgopelo ya ngwadišo.
- (3) Ntle le molawana (1), Khansele e ka kgopela sedirišwa sa bongaka goba IVD go obamela dinyakwa tšeo Khansele e ka di laetšago bakeng sa go netefatša gore sedirišwa sa bongaka goba IVD e fihlelela Molao ye Bohlokwa ya polokego le tiragatšo, ye e laolwago ke Khansele.

**29. Thaetlele ye kopana**

Melawana ye e bitšwa Melawana ye mabapi le Didirišwa tša Bongaka le Didirišwa tša Bongaka tša Phekolo ka/n *Vitro* (di-IVD).



**DR. A. MOTSOLEDI, MP**

**TONA YA MAPHELO**

**LETŠATŠIKGWEDI:**

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1516

09 DECEMBER 2016

## SKILLS DEVELOPMENT ACT, 1998 (ACT NO. 97 OF 1998) AS AMENDED

**CALL FOR NOMINATIONS FOR THE APPOINTMENT OF THE CHAIRPERSON OF THE ACCOUNTING AUTHORITY FOR THE AGRICULTURE SECTOR EDUCATION AND TRAINING AUTHORITY (AGRISETA) FOR THE TERM ENDING 31 MARCH 2018:**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training in terms of section 9(11)(1) (b) of the Skills Development Act, 1998 as amended, hereby invite nominations for the appointment of the Chairperson of the Accounting Authority of the Agriculture Sector Education and Training Authority from the agriculture services sectors.

Written nominations must contain the following:

- Full names of the individual or organisation making a nomination;
- The nominee's Curriculum Vitae and certified copies of qualifications;
- The nominee's signed written acceptance of the nomination; and
- Motivation letter indicating why the nominee must be considered for appointment.

Nominations and any related enquiries should be submitted, within 30 working days after publication of this notice, to:

The Director-General: Higher Education and Training  
Private Bag X174  
Pretoria  
0001

Attention : Mr MZ Ngubane  
Tel : (012) 312 5896  
Fax : (012) 323 7603  
E-mail : [Ngubane.M@dhet.gov.za](mailto:Ngubane.M@dhet.gov.za)

The Chairperson of the Accounting Authority will assume duties from the date of approval of appointment until 31 March 2018.



**DR BE NZIMANDE, MP**  
**MINISTER OF HIGHER EDUCATION AND TRAINING**

DATE: 25/11/2016

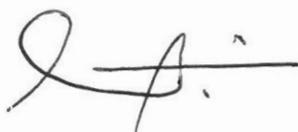
## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1517

09 DECEMBER 2016

**CANCELLATION OF THE REGISTRATION OF THE CENTRE FOR FINE ART  
ANIMATION AND DESIGN (PTY) LTD**

I, Gwebinkundla Felix Qonde, Director-General of the Department of Higher Education and Training, hereby, in terms of section 63(a) of the *Higher Education Act, 1997 (Act No. 101 of 1997)* (“the Act”) and Regulation 17(3) of the *Regulations for the Registration of Private Higher Education Institutions, 2016* (“the Regulations”), give notice that the registration of the *Centre for Fine Art Animation and Design (Pty) Ltd* as a private higher education institution has been cancelled. The reason for my decision to cancel the institution’s registration is due to the failure to comply with Section 57(2) of the Act and Regulation 27 as *the Centre for Fine Art Animation and Design (Pty) Ltd* has failed to submit the 2015 annual report.



**Mr GF Qonde**  
**Director-General: Higher Education and Training**

Date: 20/11/2016

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1518

09 DECEMBER 2016

## SMALL CLAIMS COURTS ACT, 1984 (ACT NO. 61 OF 1984)

**ESTABLISHMENT OF SMALL CLAIMS COURTS FOR THE AREAS OF UMVOTI AND KRANSKOP AND WITHDRAWAL OF GOVERNMENT NOTICE NO. 1286 OF 15 JUNE 1990: ESTABLISHMENT OF THE SMALL CLAIMS COURT FOR THE AREA OF KRANSKOP**

I, John Harold Jeffery, Deputy Minister of Justice and Constitutional Development, acting under the power delegated to me by the Minister of Justice and Correctional Services, under section 2 of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), hereby -

- (a) (i) establish a Small Claims Court for the adjudication of claims for the area of Umvoti, consisting of the district of Umvoti;
- (ii) determine Greytown to be the seat of the said Court; and
- (iii) determine Greytown to be the place in that area for the holding of sessions of the said Court.
- (b) (i) establish a Small Claims Court for the adjudication of claims for the area of Kranskop, consisting of the district of Kranskop;
- (ii) determine Kranskop to be the seat of the said Court; and
- (iii) determine Kranskop to be the place in that area for the holding of sessions of the said Court.
- (c) withdraw Government Notice No. 1286 of 15 June 1990.

Despite the withdrawal of Government Notice No. 1286 of 15 June 1990, any claim emanating from the district of Kranskop which has already been instituted in the Small Claims Court of Umvoti prior to the publication of this Government Notice, shall be continued and concluded in the Small Claims Court of Umvoti as if this Government Notice has not been published.



**MR J H JEFFERY, MP**  
**DEPUTY MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1519

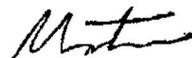
09 DECEMBER 2016

**PROMOTION OF ACCESS TO INFORMATION ACT, 2000****DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)**

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby publish under section 15(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the descriptions submitted to me in terms of section 15(1) of the said Act by the –

**DEPARTMENT OF SMALL BUSINESS DEVELOPMENT**

As set out in the Schedule



**TSHILOLO MICHAEL MASUTHA, MP**  
**MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES**

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b))
<b>FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):</b>	
National Small Business Act National Small Business Act, 1996 (Act No. 102 of 1996) Cooperatives Act (No. 14 of 2005)	Obtained from Department of Small Business Development Tel: 0861 843 384

<b>FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):</b>	
Publications and Information is available on the DSBD website or by request free of charge.	

<b>FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii):</b>	
Records available for inspection in terms of Section 15(1)(a)(i), as specified above, is available according to the criteria specified	

<b>AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii):</b>	
<p data-bbox="215 1252 805 1352"><b><u>Information available by request or some information can be obtained from the DSBD website</u></b></p> <p data-bbox="215 1408 694 1442">Information relating to the following:</p> <ul data-bbox="215 1498 726 1816" style="list-style-type: none"> <li>• Overview of DSBD</li> <li>• SMME development and support</li> <li>• DSBD Contact Details</li> <li>• About DSBD</li> <li>• DSBD Financial Support Programmes (Incentives)</li> <li>• Informal Businesses</li> </ul>	<p data-bbox="845 1420 1348 1520">The Information specified is available on the DSBD website: <a href="http://www.dsbd.gov.za">www.dsbd.gov.za</a> or by request.</p>

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b))
<ul style="list-style-type: none"> <li>• Co-operatives Development and Support</li>   <li>• Enterprise Development and entrepreneurship</li> <li>• Speeches and Media Statements</li> <li>• Overview of DSBD (Leadership and organogram)</li> <li>• Mandate, Strategic Objectives, Values, Vision and Mission</li> <li>• DSBD Programmes</li> <li>• Research reports relating to small businesses and cooperatives.</li> </ul> <p style="text-align: center;"><b><u>List of publication available</u></b></p> <ul style="list-style-type: none"> <li>• Annual Performance Plan (APP)</li> <li>• Black Business Supplier Development Programme</li> <li>• Co-operatives catalogue</li> <li>• Co-operative Incentive Scheme (CIS)</li> <li>• Co-operatives Act no 14 of 2005</li> <li>• Co-operatives Amendment Act, 2013 (Act No. 06 of 2013)</li> <li>• Co-operatives handbook</li> <li>• Guidelines to Co-Ops Act</li> <li>• Co-operatives information leaflet</li> <li>• Guide to the Co-Operatives Act 2005</li> <li>• CIS Guidelines</li> <li>• The National Informal Business Upliftment</li> </ul>	<p>Soft and hard copies of Publications can be obtained from Mr Clement Moaga.</p> <p>Postal Address</p> <p>Private Bag X84</p> <p>Pretoria</p> <p>0001</p> <p>Street Address</p> <p>77 Meintjies Street</p> <p>Sunnyside</p> <p>Pretoria</p> <p>0002</p>

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b))
Strategy (NIBUS) <ul style="list-style-type: none"><li>• DSBD Annual Report</li><li>• National Small Business Act, 2004</li><li>• Small Business Connect</li></ul>	

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1520

09 DECEMBER 2016

## SMALL CLAIMS COURTS ACT, 1984 (ACT NO. 61 OF 1984)

## ESTABLISHMENT OF SMALL CLAIMS COURTS FOR THE AREAS OF HOOPSTAD, BULTFONTEIN AND WESSELSBRON AND WITHDRAWAL OF GOVERNMENT NOTICE NO. 751 OF 11 OCTOBER 2013

I, John Harold Jeffery, Deputy Minister of Justice and Constitutional Development, acting under the power delegated to me by the Minister of Justice and Constitutional Development, under section 2 of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), hereby -

- (a) establish a small claims court for the adjudication of claims for the area of Hoopstad, consisting of the district of Hoopstad;
- (b) determine Hoopstad to be the seat of the said court;
- (c) determine Hoopstad to be the place in that area for the holding of sessions of the said court;
- (d) establish a small claims court for the adjudication of claims for the area of Bultfontein, consisting of the district of Bultfontein;
- (e) determine Bultfontein to be the seat of the said court;
- (f) determine Bultfontein to be the place in that area for the holding of sessions of the said court;
- (g) establish a small claims court for the adjudication of claims for the area of Wesselsbron, consisting of the district of Wesselsbron;
- (h) determine Wesselsbron to be the seat of the said court;
- (i) determine Wesselsbron to be the place in that area for the holding of sessions of the said court; and
- (j) withdraw Government Notice No. 751 of 11 October 2013.

Despite the withdrawal of Government Notice No. 751 of 11 October 2013, any claim emanating from the district of Wesselsbron which has already been instituted in the Small Claims Court of Hoopstad (previously known as the Sandveld Small Claims Court) prior to the publication of this Government Notice, shall be continued and concluded in the Small Claims Court of Hoopstad as if this Government Notice has not been published.



MR J.H. JEFFERY, MP  
DEPUTY MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1521

09 DECEMBER 2016

## SMALL CLAIMS COURTS ACT, 1984 (ACT NO. 61 OF 1984)

## ESTABLISHMENT OF A SMALL CLAIMS COURT FOR THE AREA OF NTABETHEMBA

I, John Harold Jeffery, Deputy Minister of Justice and Constitutional Development, acting under the power delegated to me by the Minister of Justice and Correctional Services, under section 2 of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), hereby -

- (a) establish a Small Claims Court for the adjudication of claims for the area of Ntabethemba, consisting of the district of Ntabethemba;
- (b) determine Ntabethemba to be the seat of the said Court; and
- (c) determine Ntabethemba to be the place in that area for the holding of sessions of the said Court.



MR. J. H. JEFFERY, MP  
DEPUTY MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

## DEPARTMENT OF LABOUR

NO. 1522

09 DECEMBER 2016

**LABOUR RELATIONS ACT, 1995****BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY  
KWAZULU NATAL: EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE  
AMENDING AGREEMENT**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby in terms of section 32(2) read with section 32(3)(b) and (c) as well as section 32(8) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for the Furniture Manufacturing Industry KwaZulu Natal**, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry, with effect from the second Monday after the date of publication of this Notice and for the period ending **30 June 2021**.

  
**MINISTER OF LABOUR**

**UMNYANGO WEZABASEBENZI****UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI  
BEMBONI YOKWAKHA IFENISHA KWAZULU NATAL: UKWELULWA  
KWESIVUMELWANO ESIYINGQIKITHI SABAQASHI NABASEBENZI  
SELULELWA KULABO ABANGEYONA INGXYENYE YASO**

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe Wezabasebenzi, lapha ngokwesigaba 32(2) sifundwa nesigaba 32(3)(b) kanye no (c) kuhlenganisa nesigaba 32(8) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano phakathi kwabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **eMkhandlwini Wokuxoxisana Kwabaqashi Nabasebenzi Embonini Yokwakha Ifenisha, KwaZulu Natal** futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi ka 1995, esibopha labo abasenzayo, sizobopha bonke abaqashi nabasebenzi kuleyoMboni kusukela ngoMsombuluko wesibili emva kosuku lokushicilelwa kwalesiSaziso futhi kuze kube isikhathi esiphela mhlaka **30 kuNhlanguvana 2021**.

  
**UNGQONGQOSHE WEZABASEBENZI**

**SCHEDULE****BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING  
INDUSTRY, KWAZULU-NATAL****MAIN COLLECTIVE AMENDING AGREEMENT**

In accordance with the provisions of the Labour Relations Act, 1995, made and entered into between the

**KwaZulu-Natal Furniture Manufacturers' Association and  
Allied Business Association**

**(hereinafter referred to as the "employers" or the "employers' organisation") of the  
one part**

and the

**National Union of Furniture & Allied Workers' Union of South Africa**

**(hereinafter referred to as the "employees" or "the trade union") of the other part,  
being the parties to the Bargaining Council for the Furniture Manufacturing Industry,  
KwaZulu-Natal**

To amend the Main Collective Agreement Part 2, Annexure A published under Government Notice R.945 dated 02 October 2015, renewed by Government Notice R.450 dated 29 July 2016 and amended by Government Notice R. 1027 dated 16 September 2016.

**PART 1****1. SCOPE OF APPLICATION**

1. The terms of this Agreement shall be observed in the Furniture Manufacturing Industry, KwaZulu-Natal –
  - (a) by all employers who are members of the employers organisations and by all employees who are members of the trade union, and who are engaged and employed therein;

- (b) in the Magisterial Districts of Camperdown, Chatsworth, Durban, Inanda, Lower Tugela, Pietermaritzburg, Pinetown, Mount Currie and the Municipal Area of Mandini.
2. Notwithstanding the provisions of sub-clause (1), the provisions of this Collective Agreement shall –
- (a) only apply in respect of employees for whom minimum wages are prescribed in this Agreement and employers of such employees;
- (b) apply to learners in so far as they are not inconsistent with the provisions of the Skills Development Act, 1998, or any contracts entered into or any conditions fixed thereunder;
- (c) not apply to professional, technical, administrative, sales and office staff: Provided that such employees are in receipt of regular remuneration in excess of the maximum rate prescribed in Annexure A of this Agreement, plus R35.00 ;
- (d) not apply to managers, sub-managers, foremen and supervisory staff if such employees are in receipt of regular remuneration of not less than R98,301.31 per annum or, R115.644.72 per annum where the employer of such employee does not provide or maintain a registered retirement fund and a registered medical aid fund. These limits shall be increased from year to year by the same percentages as the increases granted to employees earning the highest rate set out in Annexure A of this Agreement;
- (3) Notwithstanding the provisions of sub-clauses (1) and (2), employers who carry on not more than one business within the scope of application of this Agreement and who employs less than five employees at all times in or in connection with such business, will be entitled to the following phasing-in concessions: Provided that their employees consent to it, in writing in the prescribed form:

**PHASE ONE: First Two Years from Commencement**

During this period, the employer will be exempt from Annexure A.

Any pro-rata holiday pay benefits accrued by employees during the first two years from the commencement, must be paid by the employer in terms of the Basic Conditions of Employment Act, 1997 as amended, when due.

PHASE TWO: Third Year from Commencement

During this period, employees must be remunerated at not less than 60% of the rate of pay as prescribed in Annexure A provided that the employer complies with the following:

Any pro-rata holiday pay benefits accrued by employees during the third year of commencement, must be paid by the employer in terms of the Basic Conditions of Employment Act, 1997, when due.

PHASE THREE: Fourth Year from Commencement

During this period, employees must be remunerated at not less than 75% of the rate of pay as prescribed in Annexure A.

In addition, the following contributions shall come into effect:

- (a) Clause 13 - Holidays and Holiday Fund.

PHASE FOUR: Fifth Year from Commencement

During this period, employees must be remunerated at not less than 90% of the rate of pay as prescribed in Annexure A.

In addition the following contributions shall come into effect :

- (a) Clause 13 - Holidays and Holiday Fund.
- (b) Provident Fund and Mortality Benefit contributions as prescribed in that Collective Agreement as amended and extended from time to time.

PHASE FIVE: From Sixth Year Onwards

All provisions of the Main Collective and Provident Fund and Mortality Benefit Association Collective Agreements as well as Annexure A, as amended and extended from time to time shall apply.

- (4) The provisions of Sub-Clause (3) above shall not apply where an employer has more than four employees in his employ at the date of coming into operation of this Agreement, and subsequently reduces this number of employees to fewer than five.
- (5) Phasing In Provision: For new employees in existing establishments other than those as identified under Sub-clause 1(3) excluding employees falling within the Scope of Annexures B and C.

A two year phasing in provision for new employees shall apply after coming into operation of this Agreement ; as follows :

- (a) Provident Fund - exempted.
- (b) Leave pay to be paid for 16 days only, directly to the employee.
- (c) Mortality Fund contributions of 0.50 cents per employer and 0.50 cents per employee per week to be paid monthly towards the Mortality Benefit Association as per Chapter III of the Natal Furniture Workers' Mortality Benefit Association as it appears in Government Gazette No. 34463 dated 22 July 2011, published under Regulation No. R 589 read with correction notice under Gazette No 34511, Regulation No. 642 dated 12 August 2011, including any successor thereof,
- (d) Full compliance with the provisions towards the Holiday Fund, Provident Fund and Natal Furniture Workers' Sick Benefit Society Collective Agreements, from the third year onwards.

## **2. PERIOD OF OPERATION OF AGREEMENT**

- 2.1 This Agreement shall be binding on the Parties to this Agreement as from 01 July 2016 until 30 June 2021
- 2.2 This Agreement shall come into operation in respect of non-parties on such date as the Minister of Labour extends the Agreement to non-parties and shall remain in force ending 30 June 2021.

**PART 2****ANNEXURE A****CLAUSE 1 SCOPE OF APPLICATION**

1. This part of the Agreement applies to the Magisterial Districts of Camperdown, Chatsworth, Durban, Inanda, Pietermaritzburg, Pinetown and Mount Currie.

**CLAUSE 2 PERIOD OF OPERATION**

1. This part of the Agreement is effective from the coming into operation of this Agreement until 30 June 2018.

**CLAUSE 3. COUNCIL EXPENSES**

Add the word "weekly" after the word "deduct" as it appears in the existing text, in the first line of paragraph (1).

**CLAUSE 4 WAGE INCREASE**

Substitute the following for the existing sub-clause 1(b)

"(b) Party Shops : A wage increase of 7.5% per week across the board on **actual** wages paid for all employees, effective from 01<sup>st</sup> July 2017 for the period ending 30<sup>th</sup> June 2018."

Substitute the following for the existing sub-clause 2(b)

"(b) Non Party Shops : A wage increase of 7.5% per week across the board on **actual** wages paid from 1<sup>st</sup> July 2017 for the period ending 30 June 2018, subject to the following condition."

**CLAUSE 7 DEATH AND DISABILITY SCHEME**

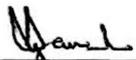
Substitute the following for the existing sub-clause (3) Contributions

- "1. Total monthly premium per employer shall be R40.67 of which the employee shall pay 50% and the employer shall add a like amount."

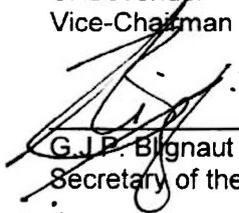
Signed at Durban on this 26<sup>th</sup> day of September 2016.



A. Khan  
Chairperson



S. Gevender  
Vice-Chairman



G.J.P. Bignaut  
Secretary of the Council

## DEPARTMENT OF LABOUR

NO. 1523

09 DECEMBER 2016

## LABOUR RELATIONS ACT, 1995

## NOTICE OF INTENTION TO CANCEL THE REGISTRATION A TRADE UNION

I, Malixole Ntleki, Acting Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **National Sugar and Refining and Allied Industries Employees' Union (LR2/6/2/133)** for the following reasons:

- The union failed comply with the provisions of section 98, 99 and 100 of the Act, and
- The union ceased to function in terms of its constitution

The trade union and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number: 2016/173**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – Fax No. (012) 309 4156 / 4848], within 60 days of the date of this notice.



ACTING REGISTRAR OF LABOUR RELATIONS

25/11/2016

## DEPARTMENT OF LABOUR

NO. 1524

09 DECEMBER 2016

## LABOUR RELATIONS ACT, 1995

## NOTICE OF INTENTION TO CANCEL THE REGISTRATION OF A TRADE UNION

I, Malixole Ntleki, Acting Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **National Contact Centre Union (NCCU) (LR 2/6/2/1694)** for the following reasons:

- The union failed to comply with the provisions of section 98, 99 and 100 of the Act, and
- The union ceased to function in terms of its constitution

The trade union and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number: 2016/174**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – Fax No. (012) 309 4156 / 4848], within 60 days of the date of this notice.

**ACTING REGISTRAR OF LABOUR RELATIONS**

25/11/2016

## DEPARTMENT OF LABOUR

NO. 1525

09 DECEMBER 2016

## LABOUR RELATIONS ACT, 1995

VARIATION OF SCOPE OF THE SOUTH AFRICAN LOCAL GOVERNMENT  
BARGAINING COUNCIL

I, Malixole Ntleki, Acting Registrar of Labour Relations, hereby, give notice in terms of section 109 of the Labour Relations Act, 1995, that, following an application by the above-mentioned Council, its scope has been varied as contained in the Annexure hereto.

## ACTING REGISTRAR OF LABOUR RELATIONS

## ANNEXURE

The scope of the above-named Bargaining Council has in terms of section 58 of the Labour Relations Act, 1995 been varied.

With effect from ..... 29/11/2016 ..... the Council is registered in respect of:-

The Local Government Undertaking, as defined hereunder) in the Republic of South Africa

“Local Government Undertaking” means the undertaking in which the employer and employees are associated for the institution, continuance or finalisation of any act, scheme or activity undertaken by a Municipality and by municipal entities as established in terms of the Local Government: Municipal Systems Act, 2000;

“a municipality”

- (a) is an organ of state within the local sphere of government exercising legislative and executive authority within an area determined in terms of the Local Government: Municipal Demarcation Act, 1998;
- (b) consists of—
  - (i) the political structures and administration of the municipality; and
  - (ii) the community of the municipality;
- (c) functions in its area in accordance with the political, statutory and other relationships between its political structures, political office bearers and administration and its community; and
- (d) has a separate legal personality which excludes liability on the part of its community for the actions of the municipality

“municipal entity” means

- (a) a company, co-operative, trust, fund or any other corporate entity established in terms of any applicable national or provincial legislation and which operates under the ownership control of one or more municipalities, and includes, in the case of a company under such ownership control, any subsidiary of that company; or
- (b) a service utility;

“service utility” means a municipal entity established in terms of section 82(1)(c) of the Local Government: Municipal Systems Act, 2000;

A service utility is a separate juristic person.



ACTING REGISTRAR OF LABOUR RELATIONS

DATE: ..... 29/11/2016 .....

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1526

09 DECEMBER 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT,  
1994 (ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/83/0/0/13

CLAIMANT : Zamuxolo Wiseman Mgumane (Family Claim)

PROPERTY DESCRIPTION : Portion of Goede Hoop Farm 51 and Hill Side Farm 53

EXTENT OF LAND : 143 hectares

DISTRICT : Indwe / Chris Hani

DATE SUBMITTED : 31<sup>st</sup> December 1998

CURRENT OWNER : Limos Maliti Malgas

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**

  
**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1527

09 DECEMBER 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

**WHEREAS** The Thom family lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")  
And

**WHEREAS** during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that, the claim was lodged before the cut-off date as per instant claim form.

**NOTICE:** is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No.5 of 2016 in the Government Gazette No. 39718 of 19 February 2016 relates to the following:

REFERENCE	: 6/2/3/D/51/797/1883/3
CLAIMANT	: Freddie Thom
PROPERTY	: Erf 2486, Central Port Elizabeth
DISTRICT	: Port Elizabeth / Cacadu
MEASURING	: 238 meter square
DEEDS OF TRANSFER	: T911/1961
DATE SUBMITTED	: 31 <sup>st</sup> December 1998
BONDHOLDER	:
CURRENT OWNER	: Louis Munro

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be amended:

- a) When the claim was gazetted it transpired that the claimed property that was gazetted was incorrectly.

**NOTICE** is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner  
Department of Rural Development and Land Reform  
Land Restitution Support Office: Eastern Cape  
P.O. Box 1375  
East London  
5200

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Mr. L.H. Maphutha  
Regional Land Claims Commissioner

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1528

09 DECEMBER 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT,  
1994 (ACT NO.22 OF 1994)**

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/1097/0/0/27  
CLAIMANT : Nothozamile Mkhundu (Mkhundu Family Claim)  
PROPERTY DESCRIPTION : Un-surveyed and Unregistered land in Qoqodala Loc.  
EXTENT OF LAND : 1.054681 hectares  
DISTRICT : Lady Frere / Chris Hani  
TITLE DEED : N/A  
DATE SUBMITTED : 23 November 1998  
CURRENT OWNER : Department of Rural and Land Reform

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**



**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1529

09 DECEMBER 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994 as amended); that a claim for restitution of land rights on:

REF NO.	CLAIMANT	PROPERTY	PORTION	DISTRICT	CURRENT LAND OWNER	BONDS /NO BONDS	DEED OF TRANSFER
Z 0323	Mr Simon Piet Mabena	Schietpoort 507 JR	Portion 0(RE)	City of Tshwane Metropolitan Municipality	Dream World Inv 73 Pty Ltd		T38755/2006
		Portion 18(a) portion of portion 3)			Property not registered		Property not registered
		Portion 21			Jacobus Johannes Barkhuizen		T62114/2015
II 252	Jivan Kaylan	Lot 660-10 <sup>th</sup> Street, Asiatic Bazaar	NONE	Pretoria	Shree Pretoria Hindu Seva Samaj	NONE	T63481/2011
II 195	Narottam Valji	Lot 42,43,54,55,90,91, 102, 103, 138 and 139	NONE	Pretoria	City of Tshwane Metropolitan Municipality	NONE	T35504/1977
II 035	Narottam Valji	243	NONE	Pretoria	City of Tshwane Metropolitan Municipality	NONE	T35504/1977
<b>Interested Parties:</b> Current Land Claimants, the current land owners and the City of Tshwane Metropolitan Municipality, Department of Rural Development and Land Reform, and other current land owners.							

has been submitted to the office of the Regional Land Claim Commission. The Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of Rule 5 of the Rules Regarding Procedure of Commission Established in terms of section 16 of Restitution of Land Rights Act as amended. Any interested party on the claim is hereby invited to submit, representations in terms of section 11A of the Restitution of Land Rights Act No. 22 of 1994 as amended within 60 (sixty) working days from the publication date of this notice, any comments/information may be send to:

MR. L. H. MAPHUTHA  
The Regional Land Claims Commissioner  
Gauteng Province  
Private Bag X 03  
ARCADIA  
0007  
TEL: (012) 310-6500/6620  
FAX: (012) 323-2961

  
Mr. Solomon Maruma  
Deputy Director (IMU)  
Date: 02/12/2016

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1530

09 DECEMBER 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994) AS AMENDED**

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended, that a claim for restitution of land rights has been lodged by Mr Moshidi Jeremia Mosima in respect of the farm Gelyk 491 LQ situated within the Lephalele local Municipality, Waterberg District of the Limpopo Province.

FARM	OWNER	TITLE DEED NOTICE	EXTENT (ha)	ENDORSEMENTS	HOLDER
Gelyk 491 LQ	Lewia familie Trust	T35407/2005	939.8283 ha	K5007/1995S K5409/2001RM	Lewies Johanna Maria Anglo Operations Ltd

The Office of the Regional Land Claims Commissioner: Limpopo is investigating this claim and any party that has an interest on the above-mentioned property is hereby invited to submit in writing within 30 days of publication of this notice, any comment, information or objection to the said notice under reference number KRP 2283 to:

**Office of the Regional Land Claims Commissioner: Limpopo**  
 Private Bag X 9552  
 Polokwane 0700

**Submission may also be delivered to:**  
 First Floor, 96 Kagisho House  
 Corner Rissik & Schoeman Street  
 Polokwane 0700



**MR L. MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER**

DATE: 2016/11/22

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1531

09 DECEMBER 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

**WHEREAS** The Thom family lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")  
And

**WHEREAS** during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that, the claim was lodged before the cut-off date as per instant claim form.

**NOTICE:** is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 5 of 2016 in the Government Gazette No. 39718 of 19 February 2016 relates to the following:

REFERENCE	: 6/2/3/D/51/797/1883/3
CLAIMANT	: Freddie Thom
PROPERTY	: Erf 2091
DISTRICT	: Port Elizabeth / Cacadu
MEASURING	: 132 meter square
DEEDS OF TRANSFER	: T910/1961
DATE SUBMITTED	: 31 <sup>st</sup> December 1998
BONDHOLDER	:
CURRENT OWNER	: G.J. Buckowski

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be amended:

- a) When the claim was gazetted it transpired that the claimed property that was gazetted was incorrectly.

**NOTICE** is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner  
Department of Rural Development and Land Reform  
Land Restitution Support Office: Eastern Cape  
P.O. Box 1375  
East London  
5200

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Mr. L.H. Maphutha  
Regional Land Claims Commissioner

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1532

09 DECEMBER 2016

**NOTICE OF AMENDMENT INTERMS OF SECTION 11A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO 22 OF 1994), AS AMENDED**

Notice is hereby given in terms of Section 11A (4) of the Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, that an amendment is hereby made to gazette notices 85 of 2013 contained in Government Gazette number 36123 to include the claimants as listed on the table below that have also lodged land claims for Restitution of Land Rights on the farm Ramputas Location 196 MT, situated within the Magisterial District of Vhembe, Mutale Local Municipality, Limpopo.

No.	KRP No.	Claimants	I.D No.
1.	8052	Nyavale Makhanane	2902270228088
2.	10035	Maluleke Nyanise Hatlhane	3412100127087
3	3723	Baloyi Mzamane Andries	3802085299085
4	3722	Mathebula Mamaila Mihlaba	3501200240087
5	11454	Netili Thomani Johannes	2003040141804

Preliminary investigations that were done by the office of the Regional Land Claims Commissioner: Limpopo indicates that the claimants were disposed of land rights from areas (Villages) such as Fefe and Pile Villages. The latter villages are located within the farm Ramputa's Location 196 MT.

Detailed information of these farms is indicated on the table below.

Farm name	Current owner	Title Deed	Extent	Encumbrances	HOLDER
Ramputa's Location 196 MT	National Government of The Republic of South Africa	T27542/2013 T27543/2013	11137.4542	I-4525/2016LG MT, 196-VN	- -

All interested parties should take note that the Office of the Regional Land Claims Commissioner: Limpopo is investigating these land claims Any party that has an interest in the above-mentioned property is hereby invited to submit in writing, within 14 days of publication of this notice, any comment, objection or information under : KRP's: 8052, 10035, 3722, 3723 and 11454.

The Regional Land Claims Commissioner: Limpopo OR Submissions may also be delivered to:

Commissioner: Limpopo  
Private Bag X 9552  
Polokwane, 0700

61 Biccard Street  
Polokwane  
0700

  
**MR. LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER**

DATE: 2016/11/23

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 1533

09 DECEMBER 2016



# LIMPOPO

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**PROVINCIAL GOVERNMENT**  
REPUBLIC OF SOUTH AFRICA

**MANUAL**  
**ON**  
**PROMOTION OF ACCESS TO INFORMATION ACT**  
**NO. 2 OF 2000**

**FIFTH EDITION**  
**2016**

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## **2. PARTICULARS IN TERMS OF SECTION 14**

### **The functions and the structure of the Department of Social Development Section 14 (1) (a)**

#### **The functions of the Department of Social Development are:**

To improve, maintain and promote the status, well-being, safety and security of older persons.

To provide social development through integrated poverty alleviation programmes.

To provide protection, care and adoption of children.

To eradicate poverty in an effort to build a better life for all focusing on the following:

- Women's co-operatives
- Youth development
- HIV and AIDS
- Food security
- Older persons
- Social finance

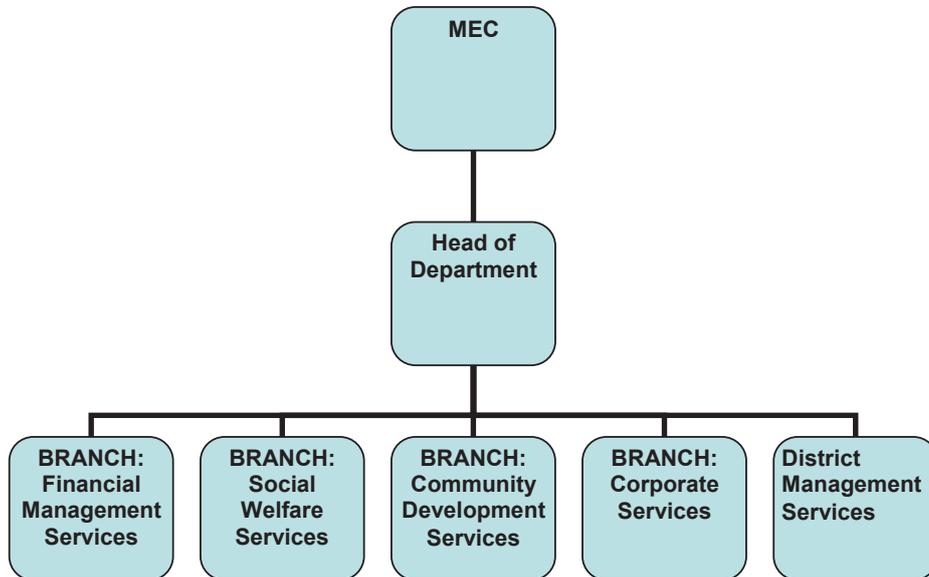
Responding to the impact of HIV and AIDS by providing protection and support to the infected and affected.

To provide Home and Community-Based Care and support programme.

Ensure promotion and protection of the rights of vulnerable groups through the following programmes:

- Child and Youth development
- Social Crime prevention
- Victim Empowerment Programme (VEP)
- Interdepartmental collaboration
- Services to families
- Prevention and treatment of substance abuse
- Child abuse and neglect
- Women empowerment
- People with disabilities, etc.

**A schematic structure of Department of Social Development, Limpopo Province**



**The structure of the Department of Social Development**

The MEC is the Political Head of the Department and the administrative wing of the Department is headed by the HOD, who is also the Department's Accounting Officer. The Department consists of 6 (six) Branches as depicted in the Diagram below:

Administratively, the Department consists of the Provincial Head Office situated in Polokwane and the following five District Offices:

- a. Capricorn
- b. Mopani
- c. Sekhukhune
- d. Vhembe
- e. Waterberg

In terms of service delivery, the Department has 1 Welfare Complex (Place of Safety), 1 Old Age Home, and 2 Children's Homes.

**B. Contact Details (Section 14(1)(b))**

<b>INFORMATION OFFICER</b>	<b>ADDRESS</b>
<b>Head of Department</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4301 FAX. NO. : +27 15-291 2298 Email: <a href="mailto:RamokgopaDM@dsd.limpopo.gov.za">RamokgopaDM@dsd.limpopo.gov.za</a>
<b>DEPUTY INFORMATION OFFICER</b>	<b>ADDRESS</b>
<b>Ms Malamule P.J.</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4350 FAX. NO. : +27 15-291 2182/2335 Email: <a href="mailto:MalamuleP@dsd.limpopo.gov.za">MalamuleP@dsd.limpopo.gov.za</a>
<b>Physical Address</b>	21 Corner Biccard and Rabe Street <b>POLOKWANE</b> 0700 Website: <a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a> Email: <a href="mailto:info@dsd.limpopo.gov.za">info@dsd.limpopo.gov.za</a> Telephone No. : +27 15 230 4300 Fax. No. : +27 15 291 2182/2335 Website : <a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a>
<b>Postal Address</b>	Department of Social Development Private Bag X9710 <b>POLOKWANE</b> 0700

**C. Section 10 Guide on how to use the Act (Section 14(1) (c))**

The Guide is available from the South African Human Rights Commission. Please direct any enquiries to:

<b>SOUTH AFRICAN HUMAN RIGHTS COMMISSION</b>	<b>ADDRESS</b>
<b>PAIA UNIT</b>	33 Hoofd Street Braampark BRAAMFONTEIN 2198 TEL. NO. : +27 11-877 3600 Email: <a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a>

**D. Access to the records held by the Department of Social Development Limpopo (Section 14(1) (d))**

**(i) Automatic disclosure (Section 14(1) (e))**

The following are categories of records generated by the Department, which are available without a person having to request access in terms of the Act:

- Approved Departmental Structure
- Departmental contact details
- Quarterly Reports
- Annual Reports
- Service Standards and Norms
- Departmental Strategic Plans
- Annual Performance Plans
- Departmental File Plans
- Acts and Regulations
- News Letters
- Brochures
- Budget Speech
- MEC' speech
- Promotion of Access to Information Manual
- Circular for advertisement of posts
- Public Service Application Forms (Z83)
- Circular for advertisement of Tenders
- Tender documents

**(ii) RECORDS THAT MAY BE REQUESTED [Section 14(1) (d)]**

**Description of the Subjects and Categories of Records held by the Department of Social Development:**

<b>SUBJECT</b>	<b>SUB-CATEGORY</b>
Social Welfare Services  (Manage the provision of an integrated Social Welfare Services to the most vulnerable through the delivery of Social Welfare Services)	Policies and reports on: NGO Funding Management Services. Child and Family Care Victim Empowerment, Substance Abuse and Social Crime Prevention Older Persons and Disabilities Services Non-Institutional HIV/AIDS and Social Relief Transversal Social Works Services
Community Development Services  (Provide the provision of Community Development Services)	Policies and reports on: Sustainable Livelihood Services Institutional Capacity Building and Support Services Youth Development Services Community Outreach and Support Services.

Strategy, Policy alignment and monitoring and evaluation	Policies and reports on: Transformation and Transversal Services Monitoring and Evaluation Strategic and Policy Alignment Special Program Coordination Strategic Plans
Financial Management Services	Finance and Tender policies, documents and reports. Supply Chain Management and Procurement Policies Physical Facilities Management Plans and reports Supplier's records Asset and commitment registers
Communication	News Letters Brochures Posters Speeches
Human Resource Development and Training	Organizational Structure Human Resource Development and Training Reports
Human Resource Management	Recruitment Reports Human Resource Management
Information Technology, Information and Records Management	IT Infrastructure Information Management Reports Records Management Services
Labour Relations	Code of Conduct
Physical Facilities Planning and Co-ordination	Buildings' Plans
Population Development	Demographic and Statistical Reports
Transport and Logistical Support	Transport and Maintenance Reports

### (iii) THE REQUEST PROCEDURE

**A requester may be given access to a record in the Department of Social Development if he/she complies with the following:**

- The requester complies with all the procedural requirements in the Act relating to the request for access to that record; and
- Access to that record is in terms of the requirements of the Promotion of Access to Information Act 2 of 2000.

#### **Nature of the request:**

- A requester must use the form that has been printed in the Government Gazette (Govt. Notice R187 – 15 February 2002) (Form A).
- The requester must also indicate if the request is for a copy of the record or if the requester wants to come in and look at the record at the Offices of the Department. Alternatively if the record is not a document it can be viewed in the requested form, where possible (S 29(2)).
- If a requester asks for access in a particular form then the requester should get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the public body concerned, or damage

the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee must be calculated according to the way that the requester first asked for it. (S29 (3) and (4)).

- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any way, e.g. telephone, this must be indicated (S18(2)(e)).
- If a requester is asking for the information on behalf of somebody else, the capacity in which the request is being made should be indicated (S18 (2) (f)).
- If a requester is unable to read or write, or has a disability, then they can make the request for the record orally. The information officer must then fill in the form on behalf of such a requester and give him/her a copy (S (13)).

**There are two types of fees required to be paid in terms of the Act, being the request fee and the access fee (Section 22):**

A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester, who is not a personal requester, must pay the required request fee:

- The information officer must notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed fee (if any) before further processing the request.
- The request payable to public bodies is R35-00. The requester may lodge an internal appeal, where appropriate, or an application to the court against the tender or payment of the request fee.
- After the information officer has made a decision on the request the requester must be notified of such a decision in the way in which the requester wanted to be notified in.
- If the requester is granted then a further access fee must be paid for the search, preparation, and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure.

**E. SERVICES OFFERED BY THE DEPARTMENT**

**(i) Nature of Services**

**Social Welfare Services:**

Manage the provision of an integrated social welfare services to the most vulnerable through the delivery of social welfare services.

NGO Funding and Management Services  
Child and Family Care Services  
Victim Empowerment, Substance Abuse and Social Crime Prevention Services  
Older Persons and Disabilities Services

Non-Institutional HIV/AIDS and Social Relief  
Transversal Social Work Services

**Community Development Services**

Provide the provision of community development services.

Sustainable Livelihood Services  
Institutional Capacity Building and Support Services  
Youth Development Services  
Community Outreach and Support Services

**Strategy, Policy alignment and monitoring & evaluation**

Manage the development of strategic plan, policy alignment and monitoring and evaluation services.

Transformation and Transversal Services  
Monitoring and Evaluation  
Strategic and Policy Alignment Services  
Special Programme Coordination

**Financial Management Services**

Manage a comprehensive financial management services

Financial Planning, Budgeting and Reporting  
Financial Accounting  
Supply Chain Management  
Physical Facilities Management Services  
Financial Regulatory Compliance and Reporting Services

**Corporate Services**

Manage the provision of comprehensive and integrated corporate services

Human Resources Management and Administration Services  
Auxiliary Services  
Government Information Management and Technology  
Information and Records Management  
Legal Services  
Security Management Service  
Communication Services

**(ii) HOW TO GAIN ACCESS TO THESE SERVICES**

A request for access to a record must be made on the prescribed form (see Item F) to the Information Officer or Deputy Information Officer at the following address:

<b>Information officer</b>	The Head Of Department, Social Development
<b>Physical Address</b>	21 Corner Biccard and Rabe Street Polokwane 0700
<b>Postal Address</b>	Private Bag X9710 Polokwane 0700

<b>Telephone</b>	015 230 – 4300
<b>Fax</b>	015 291 – 2182/2335
<b>Email</b>	<a href="mailto:info@dsd.limpopo.gov.za">info@dsd.limpopo.gov.za</a>
<b>Website</b>	<a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a>

**F. Arrangement allowing for public participation in the formulation of policy and the exercising of the powers [Section 14(1)(g)]**

Imbizo-Department meetings the community and provides a platform for raising issues of community concerns.

Outreach programmes-Consult with the community on Social Services available in the department.

Internship programmes-There is a recruitment policy in place for the recruitment of the public for such posts.

Consultants and contract workers

**G. The remedies available if the provisions of this Act are not complied with [Section 14(1) (h) ]**

**(i) INTERNAL APPEALS AGAINST DECISIONS.**

An internal appeal against a decision of the Information Officer or Deputy Information Officer may be lodged with the MEC for Health and Social Development, Limpopo, or the person designated in writing by the MEC, on any of the following grounds:

- (a) a refusal to grant access; or
- (b) a decision taken in terms of sections 22, 26 (1) or 29 (3).

A third party may lodge an internal appeal against a decision of the information officer or deputy information officer to grant a request for access.

An internal appeal must-

- a) be lodged in the prescribed, Form B (attached hereto) within 60 days if notice to a third party as required by section 49(1)(b) and within 30 days after decision was taken or notice has been given to the appellant of the decision appealed against;
- b) be delivered or sent to the information officer or deputy information officer at his or her address, fax number or electronic mail address;
- c) identify the subject of the internal appeal and state the reasons thereof and may include any other relevant information known to the appellant;
- d) state the manner and provide the particulars which the appellant desires to be informed of on the decision of the internal appeal in addition to a written reply; and
- e) Specify a postal address or fax number.

An internal appeal which is lodged after the expiry of the prescribed period may, on good cause shown, be allowed by the MEC or the person designated in writing by the MEC.

**(ii) COURT APPLICATIONS REGARDING DECISIONS OF THE MEC OR THE PERSON DESIGNATED IN WRITING BY THE MEC**

A requester or third party may only, after exhausting the internal appeal procedure against a decision of an information officer or deputy information officer, apply to a court for appropriate relief.

A requester whose internal appeal has been unsuccessful or aggrieved by a decision of the MEC or the person designated in writing by the MEC to disallow the late lodging of an internal appeal in terms of section 75 (2) may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

The unsuccessful third party in an internal appeal to the relevant executing authority may, by way of an application, within 30 days apply to a court for appropriate relief in terms of section 82.

**H. UPDATING OF THE MANUAL [Section 14(2)]**

The Department may, if necessary, update and publish its manual referred to in subsection (1) of Section 14, at intervals of not more than a year.

**I. AVAILABILITY OF THE MANUAL [(Section 14(3)]**

The manual is available in the following languages:

- English
- Sepedi
- Tshivenda
- Tsonga
- Afrikaans

**3. PRESCRIBED FEES FOR THE DEPARTMENT****3.1 PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15 FEBRUARY 2002 PRESCRIBES FEES IN RESPECT OF THE GOVERNMENTAL BODIES AS FOLLOWS:**

3.1.1 The fee for a copy of the manual as contemplated in regulation 5(c) is R0, 60 for every photocopy of an A4-size page or part thereof.

3.1.2 The fees for reproduction referred to in regulation 7(1) are as follows:

<b>DESCRIPTION</b>	<b>R</b>
(a) For every photocopy of an A4-size page or part thereof	<b>0,60</b>
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine – readable form	<b>0,40</b>
(c) For a copy in a computer-readable form on: i) stifty disc ii) compact disc	<b>5,00</b> <b>40,00</b>
(d) i) for a transcription of visual images, for an A4-size page or part thereof ii) For a copy of visual images	<b>22,00</b> <b>60,00</b>
(e) i) For a transcription of an audio record, for an A4-size page or part thereof ii) For a copy of an audio record	<b>12,00</b> <b>17,00</b>

3.1.3 The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35, 00.

3.1.4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

	<b>R</b>
(1) (a) For every photocopy of an A4-size page or part thereof	<b>0,60</b>
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine – readable form	<b>0,40</b>
(c) For a copy in a computer-readable form on: i) stifty disc ii) compact disc	<b>5,00</b> <b>40,00</b>
(d) i) for a transcription of visual images, for an A4-size page or part thereof ii) For a copy of visual images	<b>22,00</b> <b>60,00</b>
(e) i) For a transcription of an audio record, for an A4-size page or part	

thereof	<b>12,00</b>
ii) For a copy of an audio record	<b>17,00</b>
(f) To search for and prepare the record for disclosure, R15, 00 for each hour or part of an hour, excluding the first hour, reasonable required for such search and preparation.	

3.2 For purposes of section 22(2) of the Act, the following applies:

3.2.1 Six hours as the hours to be exceeded before a deposit is payable; and

3.2.2 One third of the access fee is payable as a deposit by the requester.

3.3 The actual postage is payable when a copy of a record must be posted to a requester.

**4. PRESCRIBED FORM FOR ACCESS TO A RECORD OF THE DEPARTMENT  
ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE ON THE 15  
FEBRUARY 2002**

**FORM A**

**REQUEST FOR ACCESS TO RECORD OF THE DEPARTMENT**

**Section 18(1) of the Promotion of Access to Information Act, 2000  
(Act No. 2 of 2000)**

**{Regulation 2}**

<b>FOR DEPARTMENTAL USE</b>	
	Reference Number: _____
Request received by:	
Name:	.....
Rank:	.....
Date:	.....
Place:	.....
Request fee (if any): R.....	
Deposit (if any): R.....	
Access fee: R.....	
<b>SIGNATURE OF</b>	
_____	
<b>INFORMATION OFFICER/DEPUTY INFORMATION OFFICER</b>	

**A. Particulars of the Department**

**The Information Officer/Deputy Information Officer**

<b>INFORMATION OFFICER</b>	<b>ADDRESS</b>
<b>Head of Department</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4301 FAX. NO. : +27 15-291 2298 Email: <a href="mailto:RamokgopaDM@dsd.limpopo.gov.za">RamokgopaDM@dsd.limpopo.gov.za</a>
<b>DEPUTY INFORMATION OFFICERS</b>	<b>ADDRESS</b>
<b>Ms Malamule P.J.</b>	Private Bag X9710 <b>POLOKWANE</b> 0700 TEL. NO. : +27 15-230 4350 FAX. NO. : +27 15-291 2182/2335 Email: <a href="mailto:MalamuleP@dsd.limpopo.gov.za">MalamuleP@dsd.limpopo.gov.za</a>
<b>Physical Address</b>	21 Corner Biccard and Rabe Street POLOKWANE 0700 Website: <a href="http://www.dsd.limpopo.gov.za">www.dsd.limpopo.gov.za</a> Email: <a href="mailto:info@dsd.limpopo.gov.za">info@dsd.limpopo.gov.za</a> Telephone No. : +27 15 230 4350 Fax. No. : +27 15 291 2182/2335

**B. Particulars of Person Requesting Access to the Record**

- (a) *The particulars of the person who requests access to the record must be recorded below.*  
 (b) *Furnish and address and/or fax number in the Republic to which information must be sent.*  
 (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

**SURNAME:** .....

**FULL NAMES:** .....

**IDENTITY NUMBER:** .....

**POSTAL ADDRESS:** .....  
 .....  
 .....

**TELEPHONE NUMBER:** .....

**FAX. NUMBER:** .....

**E-MAIL ADDRESS:** .....

Capacity in which request is made, when made on behalf of another person:

.....  
**C. Particulars of Person on whose behalf request is made**

*This section must be completed only if a request for information is made on behalf of another person.*

**Surname:** .....

**Full Names:** .....

**Identity Number:** .....

**D. Particulars of Record**

*(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.*

*(b) If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. Description of record or relevant part of the record:
2. Reference number, is available:
3. Any further particulars of record:

**E. Fees**

*(a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*

*(b) You will be notified of the amount required to be paid as the request fee.*

*(c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*

*(d) If you qualify for exemption of the payment of any fee, please state the reason therefore.*

**Reason for exemption from payment of fees:**

**F. Form of Access to Record**

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:	Form in which record is required:
-------------	-----------------------------------

Mark the appropriate box with an "X".

**NOTES:**

(a) Your indication as to the required form of access depends on the form in which the record is available.

(b) Access in the form requested may be refused in circumstances. In such a case you will be informed if access will be granted in another form.

(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

**1. If the record is in written or printed form-**

	copy of record*		inspection of record
--	-----------------	--	----------------------

**2. If record consists of visual images-**

(This includes photographs, slides, video recordings, computer-generated images, sketches, etc.)

	View the images		Copy of the images*		Transcription of the images*
--	-----------------	--	---------------------	--	------------------------------

**3. If the record consists of recorded words or information which can be reproduced in sound-**

	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)
--	--	--	---

**4. If record is held on computer or in an electronic or machine-readable form-**

	Printed copy of record*		Printed copy of information derived from the record*		Copy in computer readable form* (stiffy or compact disc)
--	-------------------------	--	--	--	---

<p>*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p><b>A postal fee is payable.</b></p>	<p>YES</p>	<p>NO</p>
---	------------	-----------

*Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.*

*In which language would you prefer the record? .....*

**G. Notice of decision regarding request for access**

*You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.*

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_  
**SIGNATURE OF REQUESTER/  
 PERSON ON WHO'S BEHALF REQUEST IS MADE**

## DEPARTMENT OF TRANSPORT

NO. 1534

09 DECEMBER 2016

**CROSS-BORDER ROAD TRANSPORT ACT, 1998 (ACT 4 OF 1998): PERMIT  
TARIFF FEE REGULATIONS, 2017**

The Minister of Transport intends to make Regulations in the Schedule in terms of section 51 of the Cross-Border Road Transport Act, 1998 (Act No 4 of 1998).

All interested parties are called upon to object, comment or make inputs within sixty (60) days from the date of publication of these Regulations to:

**ADV. E. MAFURAHA**  
DEPARTMENT OF TRANSPORT  
PRIVATE BAG X193  
PRETORIA  
0001

**(012) 309 3009**  
**Fax: (012) 309 3962**  
**E-mail: [mafuraha@dot.gov.za](mailto:mafuraha@dot.gov.za)**

**MR. J. MOTSAJSING**  
DEPARTMENT OF TRANSPORT  
PRIVATE BAG X193  
PRETORIA  
0001

**Tel: (012) 309 3574**  
**(012) 309 3962**  
**E-mail: [motsajs@dot.gov.za](mailto:motsajs@dot.gov.za)**

## SCHEDULE

### Definitions

1. In this Schedule, unless the context indicates otherwise, the expression “the Regulations” mean the Cross-Border Road Transport Regulations, published in terms of section 51 under Government Notice No. R464 of 3 April 1998, as amended by Government Notice Nos. R.988 of 13 August 1999, R682 of 7 July 2000, R677 of 2 June 2003 and R342 of 6 May 2014.

### Amendment of Schedule 1 of the Regulations

2. Schedule 1 of the Regulations is hereby amended—

(a) by the substitution of Schedule 1 with the following schedule:

<b>SCHEDULE 1: APPLICATION FEES</b>	
<b>TYPE OF APPLICATION</b>	<b>AMOUNT</b>
PART A: WITH RESPECT TO ALL APPLICATIONS FOR ANY CABOTAGE PERMIT	R2 090
PART B: WITH RESPECT TO ALL APPLICATIONS FOR ANY CROSS-BORDER ROAD TRANSPORT PERMIT FOR THE CONVEYANCE OF FREIGHT	R600
PART C: WITH RESPECT TO ALL APPLICATIONS FOR ANY CROSS-BORDER ROAD TRANSPORT PERMIT FOR THE CONVEYANCE OF PASSENGERS	R170
PART D: WITH RESPECT TO ALL APPLICATIONS FOR ANY CORRECTION OF ANY PERMIT OR AN AMENDMENT OF ANY PERMIT OR ANY DUPLICATE PERMIT OR ANY REPLACEMENT PERMIT	R170

### Amendment of Schedule 2 of the Regulations

3. Schedule 2 of the Regulations is hereby amended—

(a) by the substitution of Schedule 2 with the following schedule:

<b>SCHEDULE 2: PERMIT FEES</b>	
<b>TYPE OF PERMIT</b>	<b>AMOUNT</b>
<b>PART A: WITH RESPECT TO ALL CABOTAGE PERMITS</b>	
In relation to a temporary permit valid for 14 days	R2 090
In relation to a permit valid for 3 Months	R6 280
In relation to a permit valid for 12 Months	R18830
<b>PART B: WITH RESPECT TO A CROSS-BORDER TRANSPORT PERMIT FOR THE CONVEYANCE OF FREIGHT</b>	
<b>(a) With respect to a class 1 vehicle:</b>	
In relation to a temporary permit valid for 14 days	R780
In relation to a permit valid for 3 months	R1 490

In relation to a permit valid for 12 Months	R4 490
In relation to a permit valid for 5 Years	R6 280
In relation to a permit renewal valid for 12 Months	R4 490
In relation to a permit renewal valid for 5 Years	R6 280
In relation to annual compliance in respect of a permit valid for 5 Years	R1 080
<b>(b) With respect to a class 2 vehicle:</b>	
In relation to a temporary permit valid for 14 days	R1 050
In relation to a permit valid for 3 months	R1 990
In relation to a permit valid for 12 Months	R5 980
In relation to a permit valid for 5 Years	R8 370
In relation to a permit renewal valid for 12 Months	R5 980
In relation to a permit renewal valid for 5 Years	R8 370
In relation to annual compliance in respect of a permit valid for 5 Years	R1 430
<b>PART C: WITH RESPECT TO ALL CROSS-BORDER TRANSPORT PERMITS FOR THE CONVEYANCE OF PASSENGERS:</b>	
<b>(a) With respect to a minibus or midibus</b>	
In relation to a temporary permit valid for a maximum of 14 days	R170
In relation to a permit valid for 3 months	R330
In relation to a permit valid for 12 Months	R1 860
In relation to a permit valid for 5 Years	R4 180
In relation to a permit renewal valid for 12 Months	R1 860
In relation to a permit renewal valid for 5 Years	R4 180
In relation to annual compliance in respect of a permit valid for 5 Years	R630
<b>(b) With respect to a bus</b>	
In relation to a temporary permit valid for a maximum of 14 days	R190
In relation to a permit valid for 3 months	R380
In relation to a permit valid for 12 Months	R2 090
In relation to a permit valid for 5 Years	R4 810
In relation to a permit renewal valid for 12 Months	R2 090
In relation to a permit renewal valid for 5 Years	R4 810
In relation to annual compliance in respect of a permit valid for 5 Years	R720
<b>(c) With respect to a minibus or midibus providing a tourist transport service</b>	
In relation to a temporary permit valid for a maximum of 14 days	R180
In relation to a permit valid for 3 months	R550
In relation to a permit valid for 12 Months	R2 020
In relation to a permit valid for 5 Years	R4 390
In relation to a permit renewal valid for 12 Months	R2 020
In relation to a permit renewal valid for 5 Years	R4 390
In relation to annual compliance in respect of a permit valid for 5 Years	R660
<b>(d) With respect to a bus providing a tourist transport service</b>	
In relation to a temporary permit valid for a maximum of 14 days	R200
In relation to a permit valid for 3 months	R1 910
In relation to a permit valid for 12 Months	R2 170
In relation to a permit valid for 5 Years	R5 050
In relation to a permit renewal valid for 12 Months	R2 170
In relation to a permit renewal valid for 5 Years	R5 050
In relation to annual compliance in respect of a permit valid for 5 Years	R760
<b>PART D: WITH RESPECT TO A PERMIT FOR CORRECTION OF ANY PERMIT OR AN AMENDMENT OF A PERMIT OR A DUPLICATE PERMIT OR REPLACEMENT PERMIT</b>	
In relation to correction of permit	R170
In relation to amendment of permit	R690
In relation to duplicate permit	R170
In relation to replacement of permit (vehicle)	R170

**Title and commencement**

4. These Regulations are called the Cross-Border Road Transport Act Regulations, 2017 and shall come into operation on 1 April 2017.

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NOTICE 858 OF 2016**

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

**DRAFT REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF FRESH FRUITS (MENTIONED BELOW) INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

**INVITATION FOR PUBLIC COMMENTS**

The Executive Officer: Agricultural Product Standards hereby invite all interested institutions, organizations, and individuals to submit written comments and representations on the **Regulations Relating to the Grading, Packing and Marking of Fresh fruits (Guavas; Papayas; Mangoes; Cherries; Melons and Watermelons; Persimmons; Pomegranates; Kiwi fruits; Granadillas; Berries (Gooseberries; Blueberries; Cranberries; Raspberries and Blackberries); Cactus pears; Dragon fruits; Strawberries; Star fruits; Jackfruits and Quinces)** intended for sale in the Republic of South Africa.

The draft regulations are available for inspection at the office of the Executive Officer: Agricultural Product Standards, Harvest House, 30 Hamilton Street, Arcadia, Pretoria; or copies can be obtained from the Executive Officer: Agricultural Product Standards, Department of Agriculture, Forestry and Fisheries, Private Bag X343, Pretoria, 0001, tel. no. 012 319 6023, fax no. 012 319 6265 or 6055, e-mail [BillyM@daff.gov.za](mailto:BillyM@daff.gov.za) or the acting Manager [MadibaV@daff.gov.za](mailto:MadibaV@daff.gov.za), tel. no. 012 319 6051 or on the Department's website at <http://www.daff.gov.za>

All interested parties who wish to comment or make representations regarding the proposed draft regulations are invited to furnish such comments or representations in writing to the Executive Officer: Agricultural Product Standards at the above contact information within **30 days** from the date of publication of this Notice.

**B.M. MAKHAFOLA**  
**EXECUTIVE OFFICER: AGRICULTURAL PRODUCT STANDARDS**

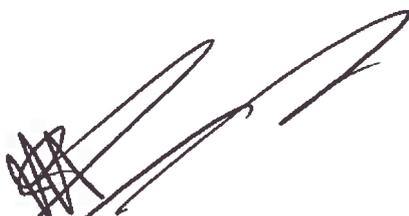
INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA  
NOTICE 859 OF 2016



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

**APPLICATIONS FOR THE TRANSFER OF LICENCES FROM INTERNET  
SOLUTIONS (PTY) LTD TO MAIN STREET 1270 (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice in terms of section 9(5) of the Electronic Communications Act, Act No.36 of 2005, as amended, that after considering applications for the transfer of one individual electronic communications service licence and one Individual Electronic Communications Service Network Licence from Internet Solutions (Pty) Ltd to Main Street 1270 (Pty) Ltd, the transfer was approved and the licenses issued to Main Street 1270 (Pty) Ltd.
2. The reasons for the Authority's decision on the application and copies of the licences for Main Street 1270 (Pty) Ltd are available at the Authority's library in Sandton, Block D, Pinmill Farm, 164 Katherine Street during office hours.



**RUBBEN MOHLALOGA**  
**ACTING CHAIRPERSON**

DATE: 17 / 11 / 2016

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA  
NOTICE 860 OF 2016



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

**APPLICATIONS FOR THE TRANSFER OF LICENCES FROM NETAWK (PTY) LTD  
TO ONICAMARK (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice in terms of section 9(5) of the Electronic Communications Act, Act No.36 of 2005, as amended, that after considering applications for the transfer of one individual electronic communications service licence and one Individual Electronic Communications Service Network Licence from Netawk (Pty) Ltd to Onicamark (Pty) Ltd, the transfer was approved and the licenses issued to Onicamark (Pty) Ltd.
2. The reasons for the Authority's decision on the application and copies of the licences for Onicamark (Pty) Ltd are available at the Authority's library in Sandton, Block D, Pinmill Farm, 164 Katherine Street during office hours.

**RUBBEN MOHLALOGA  
ACTING CHAIRPERSON**

DATE: 17 / 11 / 2016

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA  
NOTICE 861 OF 2016



PURSUANT TO SECTION 34 (5) OF THE ELECTRONIC COMMUNICATIONS ACT 2005,  
(ACT NO. 36 OF 2005)

HEREBY ISSUES A NOTICE INVITING COMMENTS REGARDING THE DRAFT  
UPDATE OF THE NATIONAL RADIO FREQUENCY PLAN

1. The Independent Communications Authority of South Africa ("the Authority"), in terms of section 34 (5), of the Electronic Communications Act (Act No. 36 of 2005), hereby gives notice and invites comments on the draft *National Radio Frequency Plan 2017*.
2. Interested persons are hereby invited to submit written representations, including an electronic version of the representation in Microsoft Word, of their views on the Draft Update of the National Radio Frequency Plan 2017 by no later than 16h00 on Friday, 27 January 2017.
3. Persons making representations are further invited to indicate whether they are requesting an opportunity to make oral representations which shall not exceed one hour. The public hearings may be held from the 2<sup>nd</sup> to the 3<sup>rd</sup> of February 2017.
4. Written representations or enquiries may be directed to:

The Independent Communications Authority of South Africa  
*Pinnmill Farm Block A*  
*164 Katherine Street*  
*South Africa*

*Private Bag XI0002*  
*Sandton*  
*2146*

**Attention:**

Mr Manyapelo Richard Makgotlho  
e-mail: [rmakgotlho@icasa.org.za](mailto:rmakgotlho@icasa.org.za)

5. All written representations submitted to the Authority pursuant to this notice shall be made available for inspection by interested persons from 31 January 2017 at the ICASA Library or website and copies of such representations and documents will be obtainable on payment of a fee.
6. Where persons making representations require that their representation or part thereof be treated as confidential, then an application in terms of section 4D of the ICASA Act, 2000 (Act No. 13 of 2000) must be lodged with the Authority. Such an application must be submitted simultaneously with the representation on the draft regulations and plan. All confidential material must be pasted onto a separate annexure which is clearly marked as "Confidential". If, however, the request for confidentiality is not granted, the person making the request will be allowed to withdraw the representation or document in question.



NOMVUYISTO BATYI  
COUNCILLOR

**NOTE:**

The draft National Radio Frequency Plan takes into consideration resolution taken by the World Radiocommunication Conference of 2015 (WRC 15). The colour coding has been used in this document for ease of referencing.

1. **Green** - This signifies the new resolution taken by WRC 15 and or incorporate changes to the National Plan
2. **Yellow (Amber)** - This signifies modification to existing resolution by WRC 15 and or incorporate changes to the National Plan
3. **Red** - This signifies suppress of an existing resolution by WRC 15 and or incorporate changes to the National Plan
4. Strike Through (e.g. ~~XXX~~) - This signifies text that is to be deleted from the National Radio Frequency Plan 2013

**DRAFT NATIONAL RADIO FREQUENCY PLAN 2017  
(NRFP-17)**

**8.3 kHz – 3000 GHz**

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA  
2016**

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## 1 TERMS, DEFINITIONS AND ACRONYMS

### 1.1 Terms and definitions

These definitions are for the purposes of the NRFP and do not necessarily apply elsewhere.

<i>adaptive system:</i>	A radiocommunication system which varies its radio characteristics according to channel quality.
<i>administration</i>	Any governmental department or service responsible for discharging the obligations undertaken in the Constitution of the International Telecommunication Union, in the Convention of the International Telecommunication Union and in the Administrative Regulations (CS 1002).
<i>allocation</i> (of a frequency band)	Entry in the Table of Frequency Allocations of a given frequency band for the purpose of its use by one or more terrestrial or space radiocommunication services or the radio astronomy service under specified conditions. This term shall also be applied to the frequency band concerned.
<i>allotment</i> (of a radio frequency or radio frequency channel)	Entry of a designated frequency channel in an agreed plan, adopted by a competent conference, for use by one or more administrations for a terrestrial or space radiocommunication service in one or more identified countries or geographical areas and under specified conditions.
<i>assignment</i> (of a radio frequency or radio frequency channel)	Authorization given by an administration for a radio station to use a radio frequency or radio frequency channel under specified conditions.
<i>aeronautical earth station:</i>	An <i>earth station</i> in the <i>fixed-satellite service</i> , or, in some cases, in the <i>aeronautical mobile-satellite service</i> , located at a specified fixed point on land to provide a <i>feeder link</i> for the <i>aeronautical mobile-satellite service</i> .
<i>aeronautical mobile (OR)** service:</i>	An <i>aeronautical mobile service</i> intended for communications, including those relating to flight coordination, primarily outside national or international civil air routes.
<i>aeronautical mobile (R)* service:</i>	An <i>aeronautical mobile service</i> reserved for communications relating to safety and regularity of flight, primarily along national or international civil air routes.
<i>aeronautical mobile service:</i>	A <i>mobile service</i> between <i>aeronautical stations</i> and <i>aircraft stations</i> , or between <i>aircraft stations</i> , in which <i>survival craft stations</i> may participate; <i>emergency position-indicating radiobeacon stations</i> may also participate in this service on designated distress and emergency frequencies.
<i>aeronautical mobile-satellite (OR)** service:</i>	An <i>aeronautical mobile-satellite service</i> intended for communications, including those relating to flight coordination, primarily outside national and international civil air routes.
<i>aeronautical mobile-satellite (R)* service:</i>	An <i>aeronautical mobile-satellite service</i> reserved for communications relating to safety and regularity of flights, primarily along national or international civil air routes.
<i>aeronautical mobile-satellite service:</i>	A <i>mobile-satellite service</i> in which <i>mobile earth stations</i> are located on board aircraft; <i>survival craft stations</i> and <i>emergency position-indicating radiobeacon stations</i> may also participate in this service.
<i>aeronautical radionavigation service:</i>	A <i>radionavigation service</i> intended for the benefit and for the safe operation of aircraft.

\*\* (OR): off-route.

\* (R): route.

<i>aeronautical radionavigation-satellite service:</i>	A <i>radionavigation-satellite service</i> in which <i>earth stations</i> are located on board aircraft.
<i>aeronautical station:</i>	A <i>land station</i> in the <i>aeronautical mobile service</i> . In certain instances, an aeronautical station may be located, for example, on board ship or on a platform at sea.
<i>aircraft earth station:</i>	A <i>mobile earth station</i> in the <i>aeronautical mobile-satellite service</i> located on board an aircraft.
<i>aircraft station:</i>	A <i>mobile station</i> in the <i>aeronautical mobile service</i> , other than a <i>survival craft station</i> , located on board an aircraft.
<i>amateur service:</i>	A <i>radiocommunication service</i> for the purpose of self-training, intercommunication and technical investigations carried out by amateurs; that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.
<i>amateur station:</i>	A <i>station</i> in the <i>amateur service</i> .
<i>amateur-satellite service:</i>	A <i>radiocommunication service</i> using <i>space stations</i> on <i>earth satellites</i> for the same purposes as those of the <i>amateur service</i> .
<i>base earth station:</i>	An <i>earth station</i> in the <i>fixed-satellite service</i> or, in some cases, in the <i>land mobile-satellite service</i> , located at a specified fixed point or within a specified area on land to provide a <i>feeder link</i> for the <i>land mobile-satellite service</i> .
<i>base station:</i>	A <i>land station</i> in the <i>land mobile service</i> .
<i>broadcasting service:</i>	A <i>radiocommunication service</i> in which the transmissions are intended for direct reception by the general public. This service may include sound transmissions, <i>television</i> transmissions or other types of transmission (CS).
<i>broadcasting station:</i>	A <i>station</i> in the <i>broadcasting service</i> .
<i>broadcasting-satellite service:</i>	A <i>radiocommunication service</i> in which signals transmitted or retransmitted by <i>space stations</i> are intended for direct reception by the general public. In the <i>broadcasting-satellite service</i> , the term “direct reception” shall encompass both <i>individual reception</i> and <i>community reception</i> .
<i>coast earth station:</i>	An <i>earth station</i> in the <i>fixed-satellite service</i> or, in some cases, in the <i>maritime mobile-satellite service</i> , located at a specified fixed point on land to provide a <i>feeder link</i> for the <i>maritime mobile-satellite service</i> .
<i>coast station:</i>	A <i>land station</i> in the <i>maritime mobile service</i> .
<i>Coordinated Universal Time (UTC):</i>	Time scale, based on the second (SI), as described in Resolution 655 (WRC-15). (WRC-15). For most practical purposes associated with the Radio Regulations, UTC is equivalent to mean solar time at the prime meridian (0° longitude), formerly expressed in GMT.
<i>Earth exploration-satellite service:</i>	A <i>radiocommunication service</i> between <i>earth stations</i> and one or more <i>space stations</i> , which may include links between <i>space stations</i> , in which: – <ul style="list-style-type: none"> <li>– information relating to the characteristics of the Earth and its natural phenomena, including data relating to the state of the environment, is obtained from <i>active sensors</i> or <i>passive sensors</i> on <i>Earth satellites</i>;</li> <li>– similar information is collected from airborne or Earth-based platforms;</li> <li>– such information may be distributed to earth stations within the system concerned;</li> <li>– platform interrogation may be included.</li> </ul> <p>This service may also include <i>feeder links</i> necessary for its operation.</p>

<i>earth station:</i>	A <i>station</i> located either on the Earth's surface or within the major portion of the Earth's atmosphere and intended for communication: <ul style="list-style-type: none"> <li>– with one or more <i>space stations</i>; or</li> <li>– with one or more <i>stations</i> of the same kind by means of one or more reflecting <i>satellites</i> or other objects in space.</li> </ul>
<i>emergency position-indicating radiobeacon station:</i>	A <i>station</i> in the <i>mobile service</i> the <i>emissions</i> of which are intended to facilitate search and rescue operations.
<i>experimental station:</i>	A <i>station</i> utilizing <i>radio waves</i> in experiments with a view to the development of science or technique. This definition does not include <i>amateur stations</i> .
<i>facsimile</i>	A form of telegraphy for the transmission of fixed images, with or without half-tones, with a view to their reproduction in a permanent form.
<i>feeder link:</i>	A radio link from an <i>earth station</i> at a given location to a <i>space station</i> , or vice versa, conveying information for a <i>space radiocommunication service</i> other than for the <i>fixed-satellite service</i> . The given location may be at a specified fixed point, or at any fixed point within specified areas.
<i>fixed service:</i>	A <i>radiocommunication service</i> between specified fixed points.
<i>fixed station:</i>	A <i>station</i> in the <i>fixed service</i> .
<i>fixed-satellite service:</i>	A <i>radiocommunication service</i> between <i>earth stations</i> at given positions, when one or more <i>satellites</i> are used; the given position may be a specified fixed point or any fixed point within specified areas; in some cases, this service includes satellite-to-satellite links, which may also be operated in the <i>inter-satellite service</i> ; the fixed-satellite service may also include <i>feeder links</i> for other <i>space radiocommunication services</i> .
<i>frequency-shift telegraphy</i>	Telegraphy by frequency modulation in which the telegraph signal shifts the frequency of the carrier between predetermined values.
<i>high altitude platform station:</i>	A station located on an object at an altitude of 20 to 50 km and at a specified, nominal, fixed point relative to the Earth.
<i>industrial, scientific and medical (ISM) applications (of radio frequency energy):</i>	Operation of equipment or appliances designed to generate and use locally radio frequency energy for industrial, scientific, medical, domestic or similar purposes, excluding applications in the field of <i>telecommunications</i> .
<i>instrument landing system (ILS):</i>	A <i>radionavigation</i> system which provides aircraft with horizontal and vertical guidance just before and during landing and, at certain fixed points, indicates the distance to the reference point of landing.
<i>instrument landing system glide path:</i>	A system of vertical guidance embodied in the <i>instrument landing system</i> which indicates the vertical deviation of the aircraft from its optimum path of descent.
<i>instrument landing system localizer:</i>	A system of horizontal guidance embodied in the <i>instrument landing system</i> which indicates the horizontal deviation of the aircraft from its optimum path of descent along the axis of the runway.
<i>inter-satellite service:</i>	A <i>radiocommunication service</i> providing links between artificial <i>satellites</i> .
<i>land earth station:</i>	An <i>earth station</i> in the <i>fixed-satellite service</i> or, in some cases, in the <i>mobile-satellite service</i> , located at a specified fixed point or within a specified area on land to provide a <i>feeder link</i> for the <i>mobile-satellite service</i> .
<i>land mobile earth station:</i>	A <i>mobile earth station</i> in the <i>land mobile-satellite service</i> capable of surface movement within the geographical limits of a country or continent.

<i>land mobile service:</i>	A <i>mobile service</i> between <i>base stations</i> and <i>land mobile stations</i> , or between <i>land mobile stations</i> .
<i>land mobile station:</i>	A <i>mobile station</i> in the <i>land mobile service</i> capable of surface movement within the geographical limits of a country or continent.
<i>land mobile-satellite service:</i>	A <i>mobile-satellite service</i> in which <i>mobile earth stations</i> are located on land.
<i>land station:</i>	A <i>station</i> in the <i>mobile service</i> not intended to be used while in motion.
<i>maritime mobile service:</i>	A <i>mobile service</i> between <i>coast stations</i> and <i>ship stations</i> , or between <i>ship stations</i> , or between associated <i>on-board communication stations</i> ; <i>survival craft stations</i> and <i>emergency position-indicating radiobeacon stations</i> may also participate in this service.
<i>maritime mobile-satellite service:</i>	A <i>mobile-satellite service</i> in which <i>mobile earth stations</i> are located on board ships; <i>survival craft stations</i> and <i>emergency position-indicating radiobeacon stations</i> may also participate in this service.
<i>maritime radionavigation service:</i>	A <i>radionavigation service</i> intended for the benefit and for the safe operation of ships.
<i>maritime radionavigation-satellite service:</i>	A <i>radionavigation-satellite service</i> in which <i>earth stations</i> are located on board ships.
<i>marker beacon:</i>	A transmitter in the <i>aeronautical radionavigation service</i> which radiates vertically a distinctive pattern for providing position information to aircraft.
<i>meteorological aids service:</i>	A <i>radiocommunication service</i> used for meteorological, including hydrological, observations and exploration.
<i>meteorological aids land station:</i>	A station in the meteorological aids service not intended to be used while in motion.
<i>meteorological aids mobile station:</i>	A station in the meteorological aids service intended to be used while in motion or during halts at unspecified points.
<i>meteorological-satellite service:</i>	An <i>earth exploration-satellite service</i> for meteorological purposes.
<i>mobile earth station:</i>	An <i>earth station</i> in the <i>mobile-satellite service</i> intended to be used while in motion or during halts at unspecified points.
<i>mobile service:</i>	A <i>radiocommunication service</i> between <i>mobile</i> and <i>land stations</i> , or between <i>mobile stations (CV)</i> .
<i>mobile station:</i>	A <i>station</i> in the <i>mobile service</i> intended to be used while in motion or during halts at unspecified points.
<i>mobile-satellite service:</i>	A <i>radiocommunication service:</i> <ul style="list-style-type: none"> <li>– between <i>mobile earth stations</i> and one or more <i>space stations</i>, or between <i>space stations</i> used by this service; or</li> <li>– between <i>mobile earth stations</i> by means of one or more <i>space stations</i>.</li> </ul> <p>This service may also include <i>feeder links</i> necessary for its operation.</p>
<i>multi-satellite link:</i>	A radio link between a transmitting <i>earth station</i> and a receiving <i>earth station</i> through two or more <i>satellites</i> , without any intermediate <i>earth station</i> . A multi-satellite link comprises one up-link, one or more satellite-to-satellite links and one down-link.
<i>on-board communication station:</i>	A low-powered <i>mobile station</i> in the <i>maritime mobile service</i> intended for use for internal communications on board a ship, or between a ship and its lifeboats and life-rafts during lifeboat drills or operations, or for communication within a

	group of vessels being towed or pushed, as well as for line handling and mooring instructions.
<i>port operations service:</i>	A <i>maritime mobile service</i> in or near a port, between <i>coast stations</i> and <i>ship stations</i> , or between <i>ship stations</i> , in which messages are restricted to those relating to the operational handling, the movement and the safety of ships and, in emergency, to the safety of persons. Messages which are of a <i>public correspondence</i> nature shall be excluded from this service.
<i>port station:</i>	A <i>coast station</i> in the <i>port operations service</i> .
<i>primary radar:</i>	A <i>radiodetermination</i> system based on the comparison of reference signals with radio signals reflected from the position to be determined.
<i>public correspondence</i>	Any <i>telecommunication</i> which the offices and <i>stations</i> must, by reason of their being at the disposal of the public, accept for transmission (CS).
<i>radar beacon (racon):</i>	A transmitter-receiver associated with a fixed navigational mark which, when triggered by a <i>radar</i> , automatically returns a distinctive signal which can appear on the display of the triggering <i>radar</i> , providing range, bearing and identification information.
<i>radar:</i>	A <i>radiodetermination</i> system based on the comparison of reference signals with radio signals reflected, or retransmitted, from the position to be determined.
<i>radio</i>	A general term applied to the use of radio waves.
<i>radio altimeter:</i>	<i>Radiavigation</i> equipment, on board an aircraft or <i>spacecraft</i> , used to determine the height of the aircraft or the <i>spacecraft</i> above the Earth's surface or another surface.
<i>radio astronomy</i>	Astronomy based on the reception of <i>radio waves</i> of cosmic origin.
<i>radio astronomy service:</i>	A service involving the use of <i>radio astronomy</i> .
<i>radio astronomy station:</i>	A <i>station</i> in the <i>radio astronomy service</i> .
<i>radio astronomy:</i>	Astronomy based on the reception of <i>radio waves</i> of cosmic origin.
<i>radio direction-finding station:</i>	A <i>radiodetermination station</i> using <i>radio direction-finding</i> .
<i>radio direction-finding:</i>	<i>Radiodetermination</i> using the reception of <i>radio waves</i> for the purpose of determining the direction of a <i>station</i> or object.
<i>radiobeacon station:</i>	A <i>station</i> in the <i>radiavigation service</i> the <i>emissions</i> of which are intended to enable a <i>mobile station</i> to determine its bearing or direction in relation to the radiobeacon station.
<i>radiocommunication</i>	<i>Telecommunication</i> by means of <i>radio waves</i> (CS) (CV).
<i>radiocommunication service:</i>	A service as defined in this Section involving the transmission, <i>emission</i> and/or reception of <i>radio waves</i> for specific <i>telecommunication</i> purposes. In these Regulations, unless otherwise stated, any radiocommunication service relates to <i>terrestrial radiocommunication</i> .
<i>radiodetermination:</i>	The determination of the position, velocity and/or other characteristics of an object, or the obtaining of information relating to these parameters, by means of the propagation properties of <i>radio waves</i> .
<i>radiodetermination service:</i>	A <i>radiocommunication service</i> for the purpose of <i>radiodetermination</i> .
<i>radiodetermination Station:</i>	A <i>station</i> in the <i>radiodetermination service</i> .
<i>radiodetermination-satellite service:</i>	A <i>radiocommunication service</i> for the purpose of <i>radiodetermination</i> involving the use of one or more <i>space stations</i> .

	This service may also include <i>feeder links</i> necessary for its own operation.
<i>radio direction-finding</i>	<i>Radiodetermination</i> using the reception of <i>radio waves</i> for the purpose of determining the direction of a <i>station</i> or object.
<i>radiolocation land station:</i>	A <i>station</i> in the <i>radiolocation service</i> not intended to be used while in motion.
<i>radiolocation mobile station:</i>	A <i>station</i> in the <i>radiolocation service</i> intended to be used while in motion or during halts at unspecified points.
<i>radiolocation:</i>	<i>Radiodetermination</i> used for purposes other than those of <i>radionavigation</i> .
<i>radiolocation service:</i>	A <i>radiodetermination service</i> for the purpose of <i>radiolocation</i> .
<i>radiolocation-satellite service:</i>	A <i>radiodetermination-satellite service</i> used for the purpose of <i>radiolocation</i> . This service may also include the <i>feeder links</i> necessary for its operation.
<i>radionavigation</i>	<i>Radiodetermination</i> used for the purposes of navigation, including obstruction warning.
<i>radionavigation land station:</i>	A <i>station</i> in the <i>radionavigation service</i> not intended to be used while in motion.
<i>radionavigation mobile station:</i>	A <i>station</i> in the <i>radionavigation service</i> intended to be used while in motion or during halts at unspecified points.
<i>radionavigation service:</i>	A <i>radiodetermination service</i> for the purpose of <i>radionavigation</i> .
<i>radionavigation:</i>	<i>Radiodetermination</i> used for the purposes of navigation, including obstruction warning.
<i>radionavigation-satellite service:</i>	A <i>radiodetermination-satellite service</i> used for the purpose of <i>radionavigation</i> . This service may also include <i>feeder links</i> necessary for its operation.
<i>radiosonde:</i>	An automatic radio transmitter in the <i>meteorological aids service</i> usually carried on an aircraft, free balloon, kite or parachute, and which transmits meteorological data.
<i>radiotelegram</i>	A telegram, originating in or intended for a mobile station or a mobile earth station transmitted on all or part of its route over the radiocommunication channels of the mobile service or of the mobile-satellite service.
<i>radiotelex call</i>	A telex call, originating in or intended for a mobile station or a mobile earth station, transmitted on all or part of its route over the radiocommunication channels of the mobile service or the mobile-satellite service.
<i>radio waves or hertzian waves</i>	Electromagnetic waves of frequencies arbitrarily lower than 3 000 GHz, propagated in space without artificial guide
<i>safety service:</i>	Any <i>radiocommunication service</i> used permanently or temporarily for the safeguarding of human life and property.
<i>satellite emergency position-indicating radiobeacon:</i>	An <i>earth station</i> in the <i>mobile-satellite service</i> the <i>emissions</i> of which are intended to facilitate search and rescue operations.
<i>satellite link:</i>	A radio link between a transmitting <i>earth station</i> and a receiving <i>earth station</i> through one <i>satellite</i> . A satellite link comprises one up-link and one down-link.
<i>satellite network:</i>	A <i>satellite system</i> or a part of a <i>satellite system</i> , consisting of only one <i>satellite</i> and the cooperating <i>earth stations</i> .
<i>satellite system:</i>	A <i>space system</i> using one or more artificial earth <i>satellites</i> .
<i>secondary radar:</i>	A <i>radiodetermination</i> system based on the comparison of reference signals with radio signals retransmitted from the position to be determined.
<i>ship earth station:</i>	A <i>mobile earth station</i> in the <i>maritime mobile-satellite service</i> located on board ship.

<i>ship movement service:</i>	A <i>safety service</i> in the <i>maritime mobile service</i> other than a <i>port operations service</i> , between <i>coast stations</i> and <i>ship stations</i> , or between <i>ship stations</i> , in which messages are restricted to those relating to the movement of ships. Messages which are of a <i>public correspondence</i> nature shall be excluded from this service.
<i>ship station:</i>	A <i>mobile station</i> in the <i>maritime mobile service</i> located on board a vessel which is not permanently moored, other than a <i>survival craft station</i> .
<i>ship's emergency transmitter:</i>	A ship's transmitter to be used exclusively on a distress frequency for distress, urgency or safety purposes.
<i>space operation service:</i>	A <i>radiocommunication service</i> concerned exclusively with the operation of <i>spacecraft</i> , in particular <i>space tracking</i> , <i>space telemetry</i> and <i>space telecommand</i> . These functions will normally be provided within the service in which the <i>space station</i> is operating.
<i>space radiocommunication</i>	Any <i>radiocommunication</i> involving the use of one or more <i>space stations</i> or the use of one or more <i>reflecting satellites</i> or other objects in space.
<i>space research service:</i>	A <i>radiocommunication service</i> in which <i>spacecraft</i> or other objects in space are used for scientific or technological research purposes.
<i>space station:</i>	A <i>station</i> located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the Earth's atmosphere.
<i>space system:</i>	Any group of cooperating <i>earth stations</i> and/or <i>space stations</i> employing <i>space radiocommunication</i> for specific purposes.
<i>special service:</i>	A <i>radiocommunication service</i> , not otherwise defined in this Section, carried on exclusively for specific needs of general utility, and not open to <i>public correspondence</i> .
<i>standard frequency and time signal service:</i>	A <i>radiocommunication service</i> for scientific, technical and other purposes, providing the transmission of specified frequencies, time signals, or both, of stated high precision, intended for general reception.
<i>standard frequency and time signal station:</i>	A <i>station</i> in the <i>standard frequency and time signal service</i> .
<i>standard frequency and time signal-satellite service:</i>	A <i>radiocommunication service</i> using <i>space stations</i> on <i>earth satellites</i> for the same purposes as those of the <i>standard frequency and time signal service</i> . This service may also include <i>feeder links</i> necessary for its operation.
<i>station:</i>	One or more transmitters or receivers or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a <i>radiocommunication service</i> , or the <i>radio astronomy service</i> . Each station shall be classified by the service in which it operates permanently or temporarily.
<i>survival craft station:</i>	A <i>mobile station</i> in the <i>maritime mobile service</i> or the <i>aeronautical mobile service</i> intended solely for survival purposes and located on any lifeboat, life-raft or other survival equipment.
<i>telecommunication</i>	Any transmission, emission or reception of signs, signals, writings, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems (CS).
<i>telegraphy</i>	A form of telecommunication in which the transmitted information is intended to be recorded on arrival as a graphic document; the transmitted information may sometimes be presented in an alternative form or may be stored for subsequent use (CS 1016).
<i>telephony</i>	A form of telecommunication primarily intended for the exchange of information in the form of speech (CS 1017).

<i>telegram</i>	Written matter intended to be transmitted by telegraphy for delivery to the addressee. This term also includes radiotelegrams unless otherwise specified (CS). In this definition the term telegraphy has the same general meaning as defined in the Convention.
<i>terrestrial radiocommunication</i>	Any radiocommunication other than space radiocommunication or radio astronomy
<i>terrestrial station:</i>	A <i>station</i> effecting <i>terrestrial radiocommunication</i> . In these Regulations, unless otherwise stated, any <i>station</i> is a terrestrial station.

## 1.2 Acronyms

AAA	Astronomy Advantage Area
AGAA	Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007)
ASDE	Airports Surface Detection Equipment
ATC/CGC	Auxiliary Terrestrial Component / Complimentary Ground Component
BFWA	Broadband Fixed Wireless Access
BSS	Broadcast Satellite Service
BTX	Base Transmit
C-band	Frequency range between about 4 and 6 GHz
CT2	Second generation cordless telephones operating to specification MPT1334.
dBW	Decibels relative to one Watt of power.
DECT	Digital European Cordless Telecommunication system. ERC Decision ERC/DEC/(94)03 refers.
DF	Duplex Frequency
DSC	Digital Selective Calling
DSSS	Direct Sequence Spread Spectrum
e.i.r.p	Effective Isotropically Radiated power.
EESS	Earth Exploration-Satellite Service
ENG	Electronic News Gathering
ENG/OB	Electronic News Gathering / Outside Broadcasting
EPIRB	Emergency Position Indicating Radio Beacon
ERC	European Radiocommunications Committee - the main CEPT committee looking after radio matters.
FDDA	Field Disturbance and Doppler Apparatus

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FM	Frequency Modulation
FSS	Fixed Satellite Service
FWA	Fixed Wireless Access
GLONASS	Global Navigation Satellite System
GMDSS	Global Maritime Distress and Safety System.
GPRS	General Packet Radio Service
GPS	Global Positioning System - a satellite radio navigation system.
GSM	Global System for Mobile communications. Originally Groupe Spécial Mobile. See ERC Decision ERC/DEC/(94)01.
GSM 900	GSM using 900 MHz frequencies
GSM-R	GSM Railways
GSO	Geostationary Orbit
HAP	High Altitude Platform
HDFS	High Density Fixed Service
HDFSS	High Density Fixed Satellite Service
HF	High Frequency (3 to 30 MHz)
HDFS	Hadoop Distributed File System
ICAO	International Civil Aviation Organisation
ILS	Instrument Landing System-aeronautical radio navigation system.
IMO	International Maritime Organisation
IMT	International Mobile Telecommunications
ISM	Industrial, Scientific and Medical. The use of radio for non-communication purposes such as microwave heating etc.
ITU	International Telecommunication Union.

Ka-band	Part of the frequency band between about 18 and 30 GHz
Ku-band	Part of the frequency band between about 11 and 14 GHz
L-band	Frequency band around 1.5 GHz
LEO	Low Earth Orbit satellite
LF	Low Frequency (30 to 300 kHz)
LMDS	Local Multipoint Distribution Services
LPVS	Low Power Video Surveillance
LTE	Long Term Evolution
MF	Medium Frequency (300 to 3000 kHz)
MPT	Mobile Public Trunking
MSS	Mobile Satellite Service
MTX	Mobile Transmit
NGSO	Non-geostationary Satellite Orbit
NINP	Non-Interference and non-protection basis. This means that the service in question must not cause interference to, nor claim protection from interference from, other services.
<b>NOAA</b>	National Oceanic and Atmospheric Administration
OB	Outside Broadcast.
PAMR	Public Access Mobile Radio.
PMR	Private Mobile Radio.
PPDR	Public Protection and Disaster Relief
PSTN	Public Switched Telephone Network
RFID	Radio Frequency Identification systems
RLAN	Radio Local Area Network
RNSS	Radio Navigation Satellite Service

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RR	Radio Regulation of the International Telecommunication Union
RTT	Road Transport Telematics
SAB	Services Ancillary to Broadcasting
SABRE	South African Band Replanning Exercise
SADC	Southern African Development Community
SAP	Services Ancillary to Programme making
S-DAB	Satellite Digital Audio Broadcasting
SKA	Square Kilometre Array
SNG	Satellite News Gathering
SRDs	Short Range Devices, formerly referred to as Low Power Devices (LPDs).
T-DAB	Terrestrial Digital Audio Broadcasting.
TDD	Time Division Duplex
UHF	Ultra High Frequency (300 to 3000 MHz)
VHF	Very High Frequency (30 to 300 MHz)
VLf	Very Low Frequency (3 to 30 kHz)
VOR	Very high frequency Omnidirectional Range (aeronautical radionavigation system).
VSAT	Very Small Aperture Terminal
WAS	Wireless Access Services
WARC	World Administrative Radio Conference. The last WARC was held in 1992. WARC's are now superseded by WRC's.
WLAN	Wireless Local Area Network
WRC	World Radiocommunication Conference.

## 2 PREAMBLE

### 2.1 Legislative Framework

The Electronic Communications Act, 2005 (Act No. 36 of 2005), herein after referred to as the Act; provides for the control of the radio frequency spectrum.

In carrying out its functions under the Act and the related legislation, the Authority controls, plans, administers and manages the use and licensing of the radio frequency spectrum in terms of section 30(1) of the Act.

Section 34 of the Act is concerned with the National Radio Frequency Plan (NRFP) and this National Radio Frequency Plan 2017 (NRFP) has been prepared under Section 34 of the Act.

The national radio frequency plan allocates the Radio Frequency Spectrum to Radio Services in the Frequency Bands between 8.3 kHz and 3000 GHz. All frequency assignments must be in accordance national radio frequency plan.

This revision of the National Radio Frequency Plan incorporates the decisions taken by World Radiocommunications Conferences (WRC), including up to WRC 15 that was concluded in Geneva in November 2015. The revision reflects the subsequent 2016 version of the ITU Radio Regulations, including the frequency allocations relevant to Region 1 and associated footnotes. It also includes updates on the Table of Frequency Allocations extending up to 3000 GHz and South African National Footnotes. The revised NRFP further reflects agreements taken at regional level including that of the African Telecommunication Union (ATU) and the Southern African Development Community (SADC)<sup>1</sup> Frequency Allocation Plan (FAP)<sup>2</sup>

The Authority consulted with relevant government Department as prescribed in the Electronic Communications Act, to incorporate the radio frequency spectrum allocated by the Minister for use by security services taking into account the Government's current and planned use of radio frequency spectrum, including but not limited to, civil aviation, and aeronautical services and scientific research. This updated version of the NRFP incorporates the outcome of that consultation.

A document containing ITU – R and all other relevant Resolutions and Recommendations referred to in this document can be found on the Authority's website.

The pattern of radio use is not static as it is continuously evolving to reflect the many changes that are taking place in the radio environment; particularly in the field of technology. Spectrum allocations must reflect these changes and the position set out in this plan is therefore subject to continuous reviews.

In view of the above, it is the intention of the Authority to update the national radio frequency plan when necessary in order to keep the plan current with due regard given to the current and future usage of the radio frequency spectrum.

#### **The following changes have been implemented in NRFP 2017:**

- National footnotes have been revised.
- The resolutions and decisions taken by the World Radiocommunications Conference 2015, as agreed to by the Republic, have been reflected.

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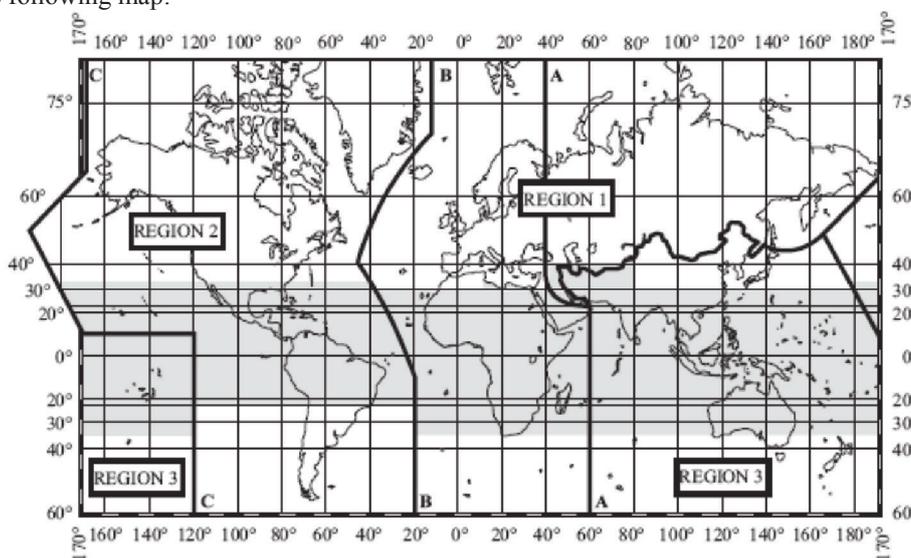
<sup>1</sup> <http://www.crasa.org/crasa-publication/cat/18/regulatory-guidelines/>

<sup>2</sup> [http://www.crasa.org/common\\_up/crasa-setup/10-11-2016\\_SADC%20FREQUENCY%20ALLOCATION%20PLAN%202016.pdf](http://www.crasa.org/common_up/crasa-setup/10-11-2016_SADC%20FREQUENCY%20ALLOCATION%20PLAN%202016.pdf)

- The Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007) covered in a separate chapter in view of the award of the Square Kilometre Array (SKA) to South Africa. The commencement of the astronomy geographic advantage act, 2007 (act no. 21 of 2007) In terms of section 53 of the Astronomy Geographic Advantage Act. 2007 (Act No. 21 of 2007), the 24 April 2009 has been determined as the date on which the said Act comes into operation.
- The regulations apply to the Karoo Central Astronomy Advantage Areas declared for the purpose of radio astronomy and related scientific endeavours in terms of section 9(1) and (2) of the Act.
- Added new maritime, aeronautical allocations below 20 MHz and new satellite allocations above 70 GHz.
- Incorporated references to the SADC Frequency Allocation Plan (FAP) and SADC Harmonised Guidelines

## 2.2 ITU-R Radio Regions

For the purposes of allocating frequencies, the ITU has divided the world into three Regions as shown on the following map:



Region 1: Region 1 includes the area limited on the east by line A (lines A, B and C are defined below) and on the west by line B, excluding any of the territory of the Islamic Republic of Iran which lies between these limits. It also includes the whole of the territory of Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Mongolia, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan, Turkey and Ukraine and the area to the north of Russian Federation which lies between lines A and C.

Region 2: Region 2 includes the area limited on the east by line B and on the west by line C.

Region 3: Region 3 includes the area limited on the east by line C and on the west by line A, except any of the territory of Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Mongolia, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan, Turkey and Ukraine and the area to the north of Russian Federation. It also includes that part of the territory of the Islamic Republic of Iran lying outside of those limits.

The Republic of South Africa falls under ITU Region 1 and thus aligns its frequency allocations with those specified for ITU Region 1 in the ITU Radio Regulations as required by the Act.

## 2.3 Structure of the Table of Frequency Allocations

The Table of Frequency Allocations lists all the allocations in the radio-frequency spectrum in the Republic of South Africa. The structure of the Table, which is outlined below, is similar to that of the International Table of Frequency Allocations as it appears in Article 5 of the ITU Radio Regulations.

The Table of Frequency Allocations covers the frequency range 8.3 kilohertz (kHz) to 3 000 Gigahertz. It lists for each frequency range the types of radiocommunication services that are permitted and which ones are currently in use in South Africa. Information is also given on possible future uses or changes in use of particular frequency bands.

### 2.3.1 Column 1 - ITU Region 1 Allocations and footnotes

This column shows the type of radiocommunications service allocated to the frequency band by ITU. These allocations are defined in the ITU Radio Regulations. Entries in UPPER CASE denote primary services while entries in lower case denote secondary services as defined in the ITU Radio Regulations. Footnotes (e.g., 5.149) are the footnotes to the Table of Frequency Allocations as detailed in Article 5 of the Radio Regulations.

Values in this column denote the radio-frequency band. Magnitude of frequency units used in the column header are: kHz indicates kilohertz, MHz indicates Megahertz and GHz indicates Gigahertz. Secondary services are on a non-interference and non-protection basis (NINP) to the primary services<sup>3</sup>. Spectrum assigned on a secondary basis means that the secondary station:

- (i) cannot cause harmful interference to stations of primary services to which frequencies are already assigned or to which frequencies may be assigned at a later date;
- (ii) cannot claim protection from harmful interference from stations of a primary service to which frequencies are already assigned or may be assigned at a later date, however;
- (iii) can claim protection from interference from stations of the secondary service(s) to which frequencies may be assigned at a later date.

The frequency band referred to in each allocation is indicated in the left hand top corner of the part of the Table concerned.

The order of listing does not indicate relative priority within each category.

The footnote references are those that appear in Article 5 of the ITU Radio Regulations and are applicable to region 1.

- The footnote references which appear in the bottom of the table reflect the allocated service or services which apply to more than one of the allocated services, or to the whole of the allocation concerned.
- The footnote references which appear to the right of the name of a service are applicable only to that particular service.

### 2.3.2 Column 2 – South African allocations and footnotes

This column indicates the allocations of radiocommunication service(s) specified for South Africa, based on Article 5 of the ITU Radio Regulations. Names of services are based on the definitions in the ITU Radio Regulations and footnotes relevant to South Africa are included. The allocations highlighted with UPPER-CASE letters correspond to primary status allocations; the allocations with secondary status are written in lower-case.

Values in this column denote the radio-frequency band. The magnitude of the frequency units used in the column header are: kilohertz(kHz), Megahertz(MHz) and GHz indicates Gigahertz.

<sup>3</sup> Article 4.4 of the Radio Regulations: Administrations of the Member States shall not assign to a station any frequency in derogation of either the Table of Frequency Allocations in this Chapter or the other provisions of these Regulations, except on the express condition that such a station, when using such a frequency assignment, shall not cause harmful interference to, and shall not claim protection from harmful interference caused by, a station operating in accordance with the provisions of the Constitution, the Convention and these Regulations.

Whilst the South African allocations are broadly aligned with the ITU Region 1 requirements, a number of variations exist. In accordance with Radio Regulations No. 4.4, such variations are subject to the condition that the associated radio installations do not cause harmful interference to the radio services or communications of other ITU Member States that operate in accordance with the provisions of the Radio Regulations, and that the possibility of harmful interference from such services and communications is accepted.

The column further makes reference to national footnotes (e.g., NF xx) that are indicated as 'NF' and appear in the table on the same basis as the ITU footnotes.

### **2.3.3 Column 3 – Typical Applications**

This column indicates the current national usage of the frequency band in South Africa and contains allowed applications. Contains the main service, systems and application(s) of this frequency band or a part of it, authorized in South Africa. If the use covers more than one frequency band or concerns only one part of the band, the frequency range is generally indicated.

### **2.3.4 Column 4 – Notes and comments**

This column gives relevant document references as well as other additional information applicable to the frequency band. This column contains information about reference documents and relevant standards as well as other guidelines applicable to the frequency band, e.g., Government Gazette Notices pertinent to specific frequency bands, future requirements in specific bands, and ITU-R Recommendations or Resolutions which require implementation.

### **2.3.5 ITU-R Region 1 and National Footnotes**

South African National Footnotes and ITU-R footnotes applicable to Region 1 are contained in sections 5 and 6 respectively.

### **2.3.6 List of frequency bands used for Maritime services**

The List of frequency bands used for Maritime services is contained in section 7.

### **2.3.7 Frequency and wavelength bands**

The radio spectrum shall be subdivided into nine frequency bands, which shall be designated by progressive whole numbers in accordance with the following table. As the unit of frequency is the hertz (Hz), frequencies shall be expressed:

- in kilohertz (kHz), up to and including 3 000 kHz;
- in megahertz (MHz), above 3 MHz, up to and including 3 000 MHz;
- in gigahertz (GHz), above 3 GHz, up to and including 3 000 GHz.

However, where adherence to these provisions would introduce serious difficulties, for example in connection with the notification and registration of frequencies, the lists of frequencies and related matters, reasonable departures may be made. (WRC-15).

**Table 1: Frequency and wavelength bands**

Band number	Symbols	Frequency Range (lower limit exclusive, upper limit inclusive)	Corresponding metric subdivision
4	VLF	3 to 30 kHz	Myriametric waves
5	LF	30 to 300 kHz	Kilometric waves
6	MF	300 to 3 000 kHz	Hectometric waves
7	HF	3 to 30 MHz	Decametric waves
8	VHF	30 to 300 MHz	Metric waves
9	UHF	300 to 3000 MHz	Decimetric waves
10	SHF	3 to 30 GHz	Centimetric waves
11	EHF	30 to 300 GHz	Millimetric waves
12		300 to 3000 GHz	Decimillimetric waves

**NOTE 1:** "Band N" (N = band number) extends from  $0.3 \times 10^N$  Hz to  $3 \times 10^N$  Hz.

**NOTE 2:** Prefix: k = kilo ( $10^3$ ), M = mega ( $10^6$ ), G = giga ( $10^9$ ).

**Table 2: Standard Frequency Band Nomenclature**

Table 2 below illustrates the standard letter-band designations.

Band	Frequency Range (GHz)	Wavelength in Free Space (centimeters)
L band	1 to 2	30.0 to 15.0
S band	2 to 4	15 to 7.5
C band	4 to 8	7.5 to 3.8
X band	8 to 12	3.8 to 2.5
Ku band	12 to 18	2.5 to 1.7
K band	18 to 27	1.7 to 1.1
Ka band	27 to 40	1.1 to 0.75
V band	40 to 75	0.75 to 0.40
W band	75 to 110	0.40 to 0.27
mm	110 to 300	0.27 to 0.10

## 2.4 Contact details

Further information on the South African Table of Frequency Allocations and its interpretation can be obtained by contacting:

Independent Communications Authority of South Africa

Pin Mill Farm  
164 Katherine Street  
Sandton  
2146  
Phone: +27 11 566 3000  
Fax: +27 11 566 3292  
URL: <http://www.icasa.org.za>  
E-mail: [info@icasa.org.za](mailto:info@icasa.org.za)

## 3 Table of frequency allocations

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>Below 8.3 kHz</b> (Not allocated) 5.53 5.54	<b>Below 8.3 kHz</b> (Not allocated) 5.53 5.54		<b>Frequency</b> bands below 8.3 kHz are not allocated in South Africa
<b>8.3-9 kHz</b> METEOROLOGICAL AIDS 5.54A <b>5.54B</b> 5.54C	<b>8.3-9 kHz</b> METEOROLOGICAL AIDS 5.54A <b>5.54B</b> 5.54C	<b>Thunderstorm</b> detection stations	
<b>9-11.3 kHz</b> METEOROLOGICAL AIDS 5.54A RADIONAVIGATION	<b>9-11.3 kHz</b> METEOROLOGICAL AIDS 5.54A RADIONAVIGATION	<b>Thunderstorm</b> detection stations Navigational Aids Inductive Loop Systems (9 – 135 kHz)	Radio Frequency Spectrum Regulations as amended () (GG. No. 38641, 30 March 2015).
<b>11.3-14 kHz</b> RADIONAVIGATION	<b>11.3-14 kHz</b> RADIONAVIGATION	Navigational Aids Inductive Loop Systems (9 – 135 kHz) <b>SRDs</b> – inductive short-range radiocommunications (9 kHz-135 kHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015). <b>SRDs</b> - see ITU-R Rec.SM. [SRD] <sup>4</sup>
<b>14-19.95 kHz</b> FIXED MARITIME MOBILE 5.57 <b>5.55</b> 5.56	<b>14-19.95 kHz</b> FIXED MARITIME MOBILE 5.57 5.56	Inductive Loop Systems (9 – 135 kHz) <b>SRDs</b> – inductive short-range radiocommunications (9 kHz-135 kHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015). <b>SRDs</b> - see ITU-R Rec.SM. [SRD]

<sup>4</sup>Rec. ITU-R SM.[SRD]in the process of being finalised with ITU-R WP1B.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>19.95-20.05 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (20 kHz)</p>	<p><b>19.95-20.05 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (20 kHz)</p>	<p>Maritime mobile</p> <p>Inductive Loop Systems (9 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015) SRDs - see ITU-R Rec.SM. [SRD]</p>
<p><b>20.05-70 kHz</b> FIXED MARITIME MOBILE 5.57</p> <p>5.56 5.58</p>	<p><b>20.05-70 kHz</b> FIXED MARITIME MOBILE 5.57</p> <p>5.56</p>	<p>Inductive Loop Systems (9 – 135 kHz) RFID (59.75 – 60.25 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz) Maritime mobile communications</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No., 38641 March 2015) SRDs - see ITU-R Rec.SM. [SRD]</p>
<p><b>70-72 kHz</b> RADIONAVIGATION 5.60</p>	<p><b>70-72 kHz</b> RADIONAVIGATION 5.60</p>	<p>Navigational Aids Inductive Loop Systems (9 – 135 kHz) RFID (70 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 386410 March 2015) SRDs - see ITU-R Rec.SM. [SRD]</p>
<p><b>72-84 kHz</b></p>	<p><b>72-84 kHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>FIXED MARITIME MOBILE 5.57 RADIONAVIGATION 5.60</p> <p>5.56</p>	<p>FIXED MARITIME MOBILE 5.57 RADIONAVIGATION 5.60</p> <p>5.56</p>	<p>Navigational Aids Inductive Loop Systems (9 – 135 kHz)</p> <p>RFID (70 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz) Maritime mobile communications</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015).</p> <p>SRDs - see ITU-R Rec.SM. [SRD]</p>
<p><b>84-86 kHz</b> RADIONAVIGATION 5.60</p>	<p><b>84-86 kHz</b> RADIONAVIGATION 5.60</p>	<p>Navigational Aids Inductive Loop Systems (9 – 135 kHz)</p> <p>RFID (70 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p> <p>SRDs - see ITU-R Rec.SM. [SRD]</p>
<p><b>86-90 kHz</b> FIXED MARITIME MOBILE 5.57 RADIONAVIGATION</p> <p>5.56</p>	<p><b>86-90 kHz</b> FIXED MARITIME MOBILE 5.57 RADIONAVIGATION</p> <p>5.56</p>	<p>Navigational Aids Inductive Loop Systems (9 – 135 kHz)</p> <p>RFID (70 – 135 kHz)</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p> <p>SRDs - see ITU-R Rec.SM. [SRD]</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		<p><b>SRDs</b> – inductive short-range radiocommunications (9 kHz-135 kHz) Maritime mobile communications</p>	
<p><b>90-110 kHz</b> RADIONAVIGATION 5.62 Fixed</p> <p>5.64</p>	<p><b>90-110 kHz</b> RADIONAVIGATION 5.62 Fixed</p> <p>5.64</p>	<p>Navigation Aids Inductive Loop Systems (9 – 135 kHz)</p> <p>RFID (70 – 135 kHz)</p> <p><b>SRDs</b> – inductive short-range radiocommunications(9 kHz-135 kHz)</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No. 38641, 30 March 2015).</p>
<p><b>110-112 kHz</b> FIXED MARITIME MOBILE RADIONAVIGATION</p> <p>5.64</p>	<p><b>110-112 kHz</b> FIXED MARITIME MOBILE RADIONAVIGATION</p> <p>5.64</p>	<p>Inductive Loop Systems (9 – 135 kHz)</p> <p>RFID (70 – 135 kHz)</p> <p><b>SRDs</b> – inductive short-range radiocommunications (9 kHz-135 kHz) Maritime mobile communications</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No. 38641, 30 March 2015).</p>
<p><b>112-115 kHz</b></p>	<p><b>112-115 kHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
RADIONAVIGATION 5.60	RADIONAVIGATION 5.60	Navigational Aids Inductive Loop Systems (9 – 135 kHz) RFID (70 – 135 kHz) <b>SRDs</b> – inductive short-range radiocommunications (9 kHz-135 kHz) Maritime mobile communications	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs - see ITU-R Rec.SM. [SRD]
<b>115-117.6 kHz</b> RADIONAVIGATION 5.60 Fixed Maritime mobile 5.64 5.66	<b>115-117.6 kHz</b> RADIONAVIGATION 5.60 Fixed Maritime mobile 5.64	Navigational Aids <b>Maritime</b> mobile communications Inductive Loop Systems (9 – 135 kHz) RFID (70 – 135 kHz) <b>SRDs</b> – inductive short-range radiocommunications (9 kHz-135 kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs - see ITU-R Rec.SM. [SRD]
<b>117.6-126 kHz</b> FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64	<b>117.6-126 kHz</b> FIXED MARITIME MOBILE RADIONAVIGATION 5.60 5.64	Maritime mobile communications Navigational Aids Inductive Loop Systems (9 – 135 kHz) RFID (70 – 135 kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs - see ITU-R Rec.SM. [SRD]

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)	
126-129 kHz RADIONAVIGATION 5.60	126-129 kHz RADIONAVIGATION 5.60	Navigational Aids Inductive Loop Systems (9 – 135 kHz) RFID (70 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs - see ITU-R Rec.SM. [SRD]
129-130 kHz FIXED MARITIME MOBILE RADIONAVIGATION 5.60  5.64	129-130 kHz FIXED MARITIME MOBILE RADIONAVIGATION 5.60  5.64	Maritime mobile communications Navigational Aids Inductive Loop Systems (9 – 135 kHz) RFID (70 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs - see ITU-R Rec.SM. [SRD]
130-135.7 kHz FIXED MARITIME MOBILE	130-135.7 kHz FIXED MARITIME MOBILE	Maritime mobile communications Inductive Loop Systems (9 – 135 kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs - see ITU-R Rec.SM. [SRD]

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.64 5.67	5.64	RFID (70 – 135 kHz) SRDs – inductive short-range radiocommunications (9 kHz-135 kHz)	
135.7-137.8 kHz FIXED MARITIME MOBILE Amateur 5.67A 5.64 5.67 5.67B	135.7-137.8 kHz FIXED MARITIME MOBILE Amateur 5.67A 5.64	Maritime mobile communications Amateur	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Amateur (135.7-137.8 kHz) services are limited to maximum radiated power of 1 W (e.i.r.p).
137.8-148.5 kHz FIXED MARITIME MOBILE 5.64 5.67	137.8-148.5 kHz FIXED MARITIME MOBILE 5.64	Maritime mobile communications	
148.5-255 kHz BROADCASTING 5.68 5.69 5.70	148.5-160 kHz BROADCASTING 160-200 kHz FIXED 5.68 200-255 kHz AERONAUTICAL RADIONAVIGATION 5.70	Broadcasting	The Terrestrial Broadcasting Frequency Plan as amended (GG No.36321) 02 April 2013. Frequency assignment Plan (GE75) applies

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>255-283.5 kHz</b> BROADCASTING AERONAUTICAL RADIONAVIGATION 5.70 5.71</p>	<p><b>255-283.5 kHz</b> AERONAUTICAL RADIONAVIGATION 5.70</p>	<p>Navigational Aids</p>	
<p><b>283.5-315 kHz</b> AERONAUTICAL RADIONAVIGATION MARITIME RADIONAVIGATION (radiobeacons) 5.73 5.74</p>	<p><b>283.5-315 kHz</b> AERONAUTICAL RADIONAVIGATION MARITIME RADIONAVIGATION (radiobeacons) 5.73 5.74</p>		
<p><b>315-325 kHz</b> AERONAUTICAL RADIONAVIGATION Maritime radionavigation (radiobeacons) 5.73 5.75</p>	<p><b>315-325 kHz</b> AERONAUTICAL RADIONAVIGATION Maritime radionavigation (radiobeacons) 5.73</p>	<p>Navigational Aids Coast Radio Telegraph Stations Radionavigation</p>	
<p><b>325-405 kHz</b> AERONAUTICAL RADIONAVIGATION</p>	<p><b>325-405 kHz</b> AERONAUTICAL RADIONAVIGATION</p>		
<p><b>405-415 kHz</b> RADIONAVIGATION 5.76</p>	<p><b>405-415 kHz</b> RADIONAVIGATION 5.76</p>	<p>Navigational Aids</p>	
<p><b>415-435 kHz</b> MARITIME MOBILE 5.79 AERONAUTICAL RADIONAVIGATION</p>	<p><b>415-435 kHz</b> MARITIME MOBILE 5.79 AERONAUTICAL RADIONAVIGATION 5.82</p>	<p>Maritime mobile communications Under the MMS the use of the band 415-495 kHz is limited to radiotelegraphy</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>435-472 kHz</b> MARITIME MOBILE 5.79 Aeronautical radio navigation 5.77 5.82	<b>435-472 kHz</b> MARITIME MOBILE 5.79 Aeronautical radionavigation 5.82	<b>Maritime</b> mobile communications Coast Stations in the NAVTEX service on 490 kHz; Res.339 applies. Transmission of navigational and meteorological warnings and urgent info for ships (NBDP telegraphy). Articles 31 and 52 apply.	
<b>472-479 kHz</b> MARITIME MOBILE 5.79 Amateur 5.80A Aeronautical radionavigation 5.77 5.80B 5.82	<b>472-479 kHz</b> MARITIME MOBILE 5.79 Amateur 5.80A Aeronautical radionavigation 5.82		
<b>479-495 kHz</b> MARITIME MOBILE 5.79 5.79A Aeronautical radionavigation 5.77 5.82	<b>479-495 kHz</b> MARITIME MOBILE 5.79 5.79A Aeronautical radionavigation 5.82	NAVTEX service on 490 kHz Article 31 and 32	
<b>495-505 kHz</b> MARITIME MOBILE	<b>495-505 kHz</b> MARITIME MOBILE	<b>Limited</b> to radiotelegraphy; Articles 31 and 52 apply.	
<b>505-526.5 kHz</b> MARITIME MOBILE 5.79 5.79A 5.84 AERONAUTICAL RADIONAVIGATION	<b>505-526.5 kHz</b> MARITIME MOBILE 5.79 5.79A 5.84 AERONAUTICAL RADIONAVIGATION	Maritime Radio Telegraphy NAVTEX service on 518 kHz Article 31 and 32 <b>Maritime</b> mobile communications Coast Stations in the NAVTEX service on 518 kHz; Res.339 applies. Articles 31 and 52 apply. Under the MMS the use	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		of the band 505-526.5 kHz is limited to radiotelegraphy.	
526.5-1 606.5 kHz BROADCASTING  5.87 5.87A	526.5-1 606.5 kHz BROADCASTING	Medium Wave Sound Broadcasting (535.5 - 1606.5 kHz)  Inductive Loop Systems (740 – 8800 kHz)	The Terrestrial Broadcasting Frequency Plan as amended (GG No. 36321) 02 April 2013  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
1 606.5-1 625 kHz FIXED MARITIME MOBILE 5.90 LAND MOBILE 5.92	1 606.5-1 625 kHz FIXED MARITIME MOBILE 5.90 LAND MOBILE 5.92	Maritime mobile communications Land mobile communications	
1 625-1 635 kHz RADIOLOCATION 5.93	1 625-1 635 kHz RADIOLOCATION	Navigational Aids	
1 635-1 800 kHz FIXED MARITIME MOBILE 5.90 LAND MOBILE 5.92 5.96	1 635-1 800 kHz FIXED MARITIME MOBILE 5.90 LAND MOBILE 5.92	Maritime mobile communications Land mobile communications	
1 800-1 810 kHz RADIOLOCATION 5.93	1 800-1 810 kHz RADIOLOCATION	Navigational Aids	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 810-1 850 kHz</b> AMATEUR</p> <p><b>5.98</b> 5.99 5.100</p>	<p><b>1 810-1 850 kHz</b> AMATEUR</p>	<p>Amateur communications</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>
<p><b>1 850-2 000 kHz</b> FIXED MOBILE except aeronautical mobile</p> <p><b>5.92 5.96 5.103</b></p>	<p><b>1 850-2 000 kHz</b> FIXED MOBILE except aeronautical mobile</p> <p>5.92 5.103</p>	<p>Maritime mobile applications. Maritime mobile communications Land mobile communications</p>	<p>1850-1950 kHz is used for Maritime Coast Stations; 1950-2045 kHz is used by ship stations SSB Radio Telephony</p>
<p><b>2 000-2 025 kHz</b> FIXED MOBILE except aeronautical mobile (R)</p> <p>5.92 5.103</p>	<p><b>2 000-2 025 kHz</b> FIXED MOBILE except aeronautical mobile (R)</p> <p>5.92 5.103</p>	<p>Maritime mobile communications Land mobile communications</p>	<p>1950-2045 kHz is used by ship stations SSB Radio Telephony</p>
<p><b>2 025-2 045 kHz</b> FIXED MOBILE except aeronautical mobile (R)</p> <p>Meteorological aids 5.104 5.92 5.103</p>	<p><b>2 025-2 045 kHz</b> FIXED MOBILE except aeronautical mobile (R)</p> <p>Meteorological aids 5.104 5.92 5.103</p>	<p>Maritime mobile applications Limited to Oceanographic buoy stations</p>	<p>1950-2045 kHz is used by ship stations SSB Radio Telephony</p>
<p><b>2 045-2 160 kHz</b> FIXED MARITIME MOBILE LAND MOBILE</p> <p>5.92</p>	<p><b>2 045-2 160 kHz</b> FIXED MARITIME MOBILE LAND MOBILE</p> <p>5.92</p>	<p>Maritime mobile communications Land mobile communications</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>2 160-2 170 kHz</b> RADIOLOCATION 5.93 5.107</p>	<p><b>2 160-2 170 kHz</b> RADIOLOCATION</p>	<p>Navigation Aids</p>	
<p><b>2 170-2 173.5 kHz</b> MARITIME MOBILE</p>	<p><b>2 170-2 173.5 kHz</b> MARITIME MOBILE</p>	<p>Maritime mobile communications</p>	
<p><b>2 173.5-2 190.5 kHz</b> MOBILE (distress and calling) 5.108 5.109 5.110 5.111</p>	<p><b>2 173.5-2 190.5 kHz</b> MOBILE (distress and calling) 5.108 5.109 5.110 5.111</p>	<p>Distress &amp; Watch keeping (2182 kHz) 2 182 kHz is an international distress and calling frequency for radiotelephony. 2 187.5 kHz – DSC for distress and calling; Article 31 applies. 2 174.5 kHz – international distress frequency for NBDP telegraphy; Article 31 applies.</p>	<p>Articles 31 and 52 applies</p>
<p><b>2 190.5-2 194 kHz</b> MARITIME MOBILE</p>	<p><b>2 190.5-2 194 kHz</b> MARITIME MOBILE</p>	<p>Maritime mobile communications</p>	
<p><b>2 194-2 300 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.92 5.103 5.112</p>	<p><b>2 194-2 300 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.92 5.103</p>	<p>Maritime mobile communications Land mobile communications</p>	
<p><b>2 300-2 498 kHz</b> FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113 5.103</p>	<p><b>2 300-2 498 kHz</b> FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113 5.103</p>	<p>Land Mobile and Maritime applications Sound Broadcasting</p>	<p>Terrestrial Broadcasting Frequency Plan 2013</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>2 498-2 501 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (2 500 kHz)	<b>2 498-2 501 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (2 500 kHz)		
<b>2 501-2 502 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space Research	<b>2 501-2 502 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space Research		
<b>2 502-2 625 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.92 5.103 5.114	<b>2 502-2 625 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.92 5.103	Land Mobile and Maritime applications	
<b>2 625-2 650 kHz</b> MARITIME MOBILE MARITIME RADIONAVIGATION 5.92	<b>2 625-2 650 kHz</b> MARITIME MOBILE MARITIME RADIONAVIGATION 5.92	Sonobuoys Maritime mobile communications	
<b>2 650-2 850 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.92 5.103	<b>2 650-2 850 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.92 5.103	Fixed Services links Maritime mobile communications Land mobile communications	
<b>2 850-3 025 kHz</b> AERONAUTICAL MOBILE (R) 5.111 5.115	<b>2 850-3 025 kHz</b> AERONAUTICAL MOBILE (R) 5.111 5.115	Aeronautical mobile (R) 3 023 kHz may be used under the MMS for search and rescue operations (see Article 31)	Appendix 27 Allotment Plan applies
<b>3 025-3 155 kHz</b> AERONAUTICAL MOBILE (OR)	<b>3 025-3 155 kHz</b> AERONAUTICAL MOBILE (OR)	Aeronautical mobile (OR)	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>3 155-3 200 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.116 5.117</p>	<p><b>3 155-3 200 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.116</p>	<p>Maritime mobile communications Land mobile communications SRD<sup>5</sup> Low power wireless hearing aids</p>	<p>Appendix 26 Allotment Plan applies Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Worldwide channel for low power hearing aids (3155 to 3195 kHz). Additional channels may be assigned in the band 3155 – 3400 kHz.</p>
<p><b>3 200-3 230 kHz</b> FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113 5.116</p>	<p><b>3 200-3 230 kHz</b> FIXED MOBILE except aeronautical mobile (R) BROADCASTING 5.113 5.116</p>	<p>Maritime mobile communications Land mobile communications HF Sound Broadcasting Low power wireless hearing aids</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 Worldwide channel for low power hearing aids (3155 to 3195 kHz). Additional channels may be assigned in the band 3155 – 3400 kHz.</p>
<p><b>3 230-3 400 kHz</b> FIXED MOBILE except aeronautical mobile BROADCASTING 5.113</p>	<p><b>3 230-3 400 kHz</b> FIXED MOBILE except aeronautical mobile BROADCASTING 5.113</p>	<p>HF Sound Broadcasting Low power wireless hearing aids</p>	<p>The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013</p>

<sup>5</sup> [http://www.crasa.org/common\\_up/crasa-setup/06-07-2015\\_SADC%20FREQUENCIES%20FOR%20SHORT%20RANGE%20DEVICE%20\(CE%20\(SRDS\)%20CRASA%202011%20ANNEXURE%20B%20AND%20C.pdf](http://www.crasa.org/common_up/crasa-setup/06-07-2015_SADC%20FREQUENCIES%20FOR%20SHORT%20RANGE%20DEVICE%20(CE%20(SRDS)%20CRASA%202011%20ANNEXURE%20B%20AND%20C.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.116	5.116		Worldwide channel for low power hearing aids (3155 to 3195 kHz). Additional channels may be assigned in the band 3155 – 3400 kHz.
<b>3 400-3 500 kHz</b> AERONAUTICAL MOBILE (R)	<b>3 400-3 500 kHz</b> AERONAUTICAL MOBILE (R)	Aeronautical mobile (R)	Appendix 27 Allotment Plan applies
<b>3 500-3 800 kHz</b> AMATEUR FIXED MOBILE except aeronautical mobile 5.92	<b>3 500-3 800 kHz</b> AMATEUR FIXED MOBILE except aeronautical mobile 5.92	Amateur communications Maritime communications Land mobile communications	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>3 800-3 900 kHz</b> FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	<b>3 800-3 900 kHz</b> FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	Aeronautical mobile (OR)	Appendix 26 Allotment Plan applies
<b>3 900-3 950 kHz</b> AERONAUTICAL MOBILE (OR) 5.123	<b>3 900-3 950 kHz</b> AERONAUTICAL MOBILE (OR) BROADCASTING 5.123	Aeronautical mobile (OR)	Appendix 26 Allotment Plan applies
<b>3 950-4 000 kHz</b> FIXED BROADCASTING	<b>3 950-4 000 kHz</b> FIXED BROADCASTING	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013
<b>4 000-4 063 kHz</b> FIXED MARITIME MOBILE 5.127 5.126	<b>4 000-4 063 kHz</b> FIXED MARITIME MOBILE 5.127	Maritime mobile communications	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>4 063-4 438 kHz</b> MARITIME MOBILE 5.79A 5.109 5.110 5.130 5.131 5.132 5.128</p>	<p><b>4 063-4 438 kHz</b> MARITIME MOBILE 5.79A 5.109 5.110 5.130 5.131 5.132</p>	<p>Use of the band 4000-4063 kHz by the MMS is limited to ship stations using radiotelephony</p>	
<p><b>4 438-4 488 kHz</b> FIXED MOBILE except aeronautical mobile (R) Radiolocation 5.132A <b>5.132B</b></p>	<p><b>4 438-4 488 kHz</b> FIXED MOBILE except aeronautical mobile (R) Radiolocation 5.132A</p>	<p><b>Maritime</b> mobile communications 4209.5 kHz - Coast Stations in the NAVTEX service; Res.339 applies. Articles 31 and 52 apply. 4207.5 kHz – DSC for distress and calling; Article 31 applies. 4177.5 kHz – international distress frequency for NBDP telegraphy; Article 31 applies. 4125 kHz – use of this frequency prescribed in Article 31. 4209.5 kHz – exclusive for transmission by coast stations of meteorological and navigational warnings and urgent information to ships (NBDP). 4210 kHz – maritime safety information (MSI); App.17 applies.</p> <p><b>Maritime</b> communications <b>Land</b> mobile communications</p>	<p>See Section 7 for details <b>ITU RR</b> Appendix 17 Channelling Plan applies <b>ITU RR</b> Appendix 25 Allotment Plan applies</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>4 488-4 650 kHz</b> FIXED MOBILE except aeronautical mobile (R)	<b>4 488-4 650 kHz</b> FIXED MOBILE except aeronautical mobile (R)	Aeronautical mobile	Appendix 27 Allotment Plan applies
<b>4 650-4 700 kHz</b> AERONAUTICAL MOBILE (R)	<b>4 650-4 700 kHz</b> AERONAUTICAL MOBILE (R)	Aeronautical mobile	Appendix 26 Allotment Plan applies
<b>4 700-4 750 kHz</b> AERONAUTICAL MOBILE (OR)	<b>4 700-4 750 kHz</b> AERONAUTICAL MOBILE (OR)	Aeronautical mobile	Appendix 26 Allotment Plan applies
<b>4 750-4 850 kHz</b> FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE BROADCASTING 5.113	<b>4 750-4 850 kHz</b> FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE BROADCASTING 5.113	Aeronautical mobile Land mobile HF Sound Broadcasting	Appendix 26 Allotment Plan applies
<b>4 850-4 995 kHz</b> FIXED LAND MOBILE BROADCASTING 5.113	<b>4 850-4 995 kHz</b> FIXED LAND MOBILE BROADCASTING 5.113	Land mobile HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013
<b>4 995-5 003 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (5 000 kHz)	<b>4 995-5 003 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (5 000 kHz)		
<b>5 003-5 005 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space research	<b>5 003-5 005 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space research		
<b>5 005-5 060 kHz</b>	<b>5 005-5 060 kHz</b>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED BROADCASTING 5.113	FIXED BROADCASTING 5.113	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013
5 060-5 250 kHz FIXED Mobile except aeronautical mobile 5.133	5 060-5 250 kHz FIXED Mobile except aeronautical mobile	SADC harmonised HF frequencies for cross-border mobile communications;	
5 250-5 275 kHz FIXED MOBILE except aeronautical mobile Radiolocation 5.132A 5.133A	5 250-5 275 kHz FIXED MOBILE except aeronautical mobile Radiolocation 5.132A	SADC <sup>6</sup> harmonised HF frequencies for cross-border mobile communications; Oceanographic Radar	Oceanographic Radars are used in accordance with ITU Resolution 612 (Rev WRC-12).
5 275-5 351.5 kHz FIXED MOBILE except aeronautical mobile	5 275-5 351.5 kHz FIXED MOBILE except aeronautical mobile		
5 351.5-5 366.5 kHz FIXED MOBILE except aeronautical mobile Amateur 5.133B	5 351.5-5 366.5 kHz FIXED MOBILE except aeronautical mobile Amateur 5.133B		
5 366.5-5 450 kHz FIXED MOBILE except aeronautical mobile	5 366.5-5 450 kHz FIXED MOBILE except aeronautical mobile		

<sup>6</sup> [http://www.crasa.org/common\\_up/crasa-setup/10-03-2015\\_SADC%20FREQUENCY%20BAND%20202013.pdf](http://www.crasa.org/common_up/crasa-setup/10-03-2015_SADC%20FREQUENCY%20BAND%20202013.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>5 450-5 480 kHz</b> FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	<b>5 450-5 480 kHz</b> FIXED AERONAUTICAL MOBILE (OR) LAND MOBILE	<b>Aeronautical</b> mobile	<b>Appendix 27</b> Allotment plan applies
<b>5 480-5 680 kHz</b> AERONAUTICAL MOBILE (R) 5.111 5.115	<b>5 480-5 680 kHz</b> AERONAUTICAL MOBILE (R) 5.111 5.115	<b>Aeronautical</b> mobile	<b>Appendix 27</b> Allotment plan applies
<b>5 680-5 730 kHz</b> AERONAUTICAL MOBILE (OR) 5.111 5.115	<b>5 680-5 730 kHz</b> AERONAUTICAL MOBILE (OR) 5.111 5.115	<b>Aeronautical</b> mobile 5 680 kHz may be used under the MMS for search and rescue operations (see Article 31). 6215 kHz – use of this frequency prescribed in Article 31. SRD <sup>7</sup> applications (6 765-6 795 kHz)	<b>Appendix 27</b> Allotment plan applies Common international SRD band; see ITU-R Rec.SM. [SRD] Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>5 730-5 900 kHz</b> FIXED LAND MOBILE	<b>5 730-5 900 kHz</b> FIXED LAND MOBILE	<b>Land</b> mobile communications	
<b>5 900-5 950 kHz</b> BROADCASTING 5.134 5.136	<b>5 900-5 950 kHz</b> BROADCASTING 5.134 Fixed 5.136 Land Mobile 5.136	HF Sound Broadcasting	<b>The</b> Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 <b>Article 12</b> Planning Procedures and Res.517 apply.
<b>5 950-6 200 kHz</b> BROADCASTING	<b>5 950-6 200 kHz</b> BROADCASTING	HF Sound Broadcasting	

<sup>7</sup> [http://www.crasa.org/common\\_up/crasa-setup/06-07-2015\\_FRAME%20WORK%20FOR%20HARMONISATION%20FOR%20SHORT%20RANGE%20DEVICES%20OF%20F%20%20SHORT%20RANGE%20DEVICES%20\(SRDs\)%20-%20ANNEXURE%20A.pdf](http://www.crasa.org/common_up/crasa-setup/06-07-2015_FRAME%20WORK%20FOR%20HARMONISATION%20FOR%20SHORT%20RANGE%20DEVICES%20OF%20F%20%20SHORT%20RANGE%20DEVICES%20(SRDs)%20-%20ANNEXURE%20A.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>6 200-6 525 kHz</b> MARITIME MOBILE 5.109 5.110 5.130 5.132</p> <p>5.137</p>	<p><b>6 200-6 525 kHz</b> MARITIME MOBILE 5.109 5.110 5.130 5.132</p> <p>5.137</p>	<p>Maritime mobile communications 6312 kHz and 6215 kHz – DSC for distress and calling; Article 31 applies 6268 kHz – international distress frequency for NBDP telegraphy; Article 31 applies. 6314 kHz – maritime safety information (MSI); App.17 applies</p>	<p>Article 12 Planning Procedures and Res.517 apply.</p> <p>ITU RR Appendix 17 Channelling Plan applies ITU RR Appendix 25 Allotment Plan applies</p>
<p><b>6 525-6 685 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p><b>6 525-6 685 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p>Aeronautical mobile communications</p>	<p>Appendix 27 Allotment Plan applies</p>
<p><b>6 685-6 765 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p><b>6 685-6 765 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p>Aeronautical mobile communications</p>	<p>Appendix 26 Allotment Plan applies</p>
<p><b>6 765-7 000 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.138 5.138A 5.139</p>	<p><b>6 765-7 000 kHz</b> FIXED MOBILE except aeronautical mobile (R) 5.138 5.138A</p>	<p>Inductive Loop Systems (6765 – 6795 kHz)</p>	
<p><b>7 000-7 100 kHz</b> AMATEUR AMATEUR-SATELLITE 5.140 5.141 5.141A</p>	<p><b>7 000-7 100 kHz</b> AMATEUR AMATEUR-SATELLITE</p>	<p>Amateur communications Amateur-satellite communications</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>
<p><b>7 100-7 200 kHz</b> AMATEUR 5.141A 5.141B 5.141C 5.142</p>	<p><b>7 100-7 200 kHz</b> AMATEUR 5.141C 5.142</p>	<p>Amateur communications</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
7 200-7 300 kHz BROADCASTING	7 200-7 300 kHz BROADCASTING	HF Sound Broadcasting	ITU RR Article 12 Planning Procedures applies
7 300-7 400 kHz BROADCASTING 5.134 5.143 5.143A 5.143B 5.143C	7 300-7 400 kHz BROADCASTING 5.134 Fixed 5.143 (7300-7350 kHz) Land mobile 5.143 (7300-7350 kHz) 5.143B	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 Article 12 Planning Procedures and Res.517 apply. NINP basis to broadcasting NINP basis to broadcasting
7 400-7 450 kHz BROADCASTING 5.143B 5.143C	7 400-7 450 kHz BROADCASTING 5.143B	HF Sound Broadcasting  Inductive Loop Systems (7400 – 8800 kHz)	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 Article 12 Planning Procedures and Res.517 apply. Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
7 450-8 100 kHz FIXED MOBILE except aeronautical mobile (R)	7 450-8 100 kHz FIXED MOBILE except aeronautical mobile (R)	Inductive Loop Systems (7400 – 8800 kHz) SADC harmonised HF frequencies for cross-border mobile communications;	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
8 100-8 195 kHz FIXED MARITIME MOBILE	8 100-8 195 kHz FIXED MARITIME MOBILE	Maritime mobile communications	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>8 195-8 815 kHz</b> MARITIME MOBILE 5.109 5.110 5.132 5.145</p> <p>5.111</p>	<p><b>8 195-8 815 kHz</b> MARITIME MOBILE 5.109 5.110 5.132 5.145</p> <p>5.111</p>	<p>Inductive Loop Systems (7400 – 8800 kHz)</p> <p>Digital Selective Calling (GMDSS) Distress Watch keeping on 8414.5 kHz Public Correspondence and transmission of meteorological bulletins and notices to navigators Inductive Loop Systems (7400 – 8800 kHz) Maritime mobile communications 8414.5 kHz – DSC for distress and calling; Article 31 applies 8 376.5 kHz – international distress frequency for NBDP telegraphy; Article 31 applies. 8416.5 kHz – maritime safety information (MSI); App.17 applies.</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p> <p>Appendix 15 of ITU RR See Section 7 for details</p> <p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p> <p>ITU RR Appendix 17 Channelling Plan applies ITU RR Appendix 25 Allotment Plan applies</p>
<p><b>8 815-8 965 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p><b>8 815-8 965 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p>Aeronautical mobile communications</p>	<p>Appendix 27 Allotment Plan applies</p>
<p><b>8 965-9 040 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p><b>8 965-9 040 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p>Aeronautical mobile communications</p>	<p>Appendix 26 Allotment Plan applies</p>
<p><b>9 040-9 305 kHz</b> FIXED</p>	<p><b>9 040-9 305 kHz</b> FIXED</p>	<p>Fixed</p>	
<p><b>9 305-9 355 kHz</b></p>	<p><b>9 305-9 355 kHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED Radiolocation 5.145A <b>5.145B</b>	FIXED Radiolocation 5.145A	<b>Fixed</b>	
<b>9 355-9 400 kHz</b> FIXED	<b>9 355-9 400 kHz</b> FIXED		
<b>9 400-9 500 kHz</b> BROADCASTING 5.134 5.146	<b>9 400-9 500 kHz</b> BROADCASTING 5.134 5.146	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013
<b>9 500-9 900 kHz</b> BROADCASTING 5.147	<b>9 500-9 900 kHz</b> BROADCASTING 5.147	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 ITU RR <b>Article 12</b> Planning Procedures applies
<b>9 900-9 995 kHz</b> FIXED	<b>9 900-9 995 kHz</b> FIXED	<b>Fixed</b>	
<b>9 995-10 003 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (10 000 kHz) 5.111	<b>9 995-10 003 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (10 000 kHz) 5.111		
<b>10 003-10 005 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space research 5.111	<b>10 003-10 005 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space research 5.111	Passive sensing	
<b>10 005-10 100 kHz</b> AERONAUTICAL MOBILE (R) 5.111	<b>10 005-10 100 kHz</b> AERONAUTICAL MOBILE (R) 5.111	<b>Aeronautical</b> mobile communications	<b>Appendix 27</b> Allotment Plan applies

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>10 100-10 150 kHz</b> FIXED Amateur</p>	<p><b>10 100-10 150 kHz</b> FIXED Amateur</p>	<p>Fixed Amateur communications</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>
<p><b>10 150-11 175 kHz</b> FIXED Mobile except aeronautical mobile (R)</p>	<p><b>10 150-11 175 kHz</b> FIXED Mobile except aeronautical mobile (R)</p>	<p>SADC harmonised HF frequencies for cross-border mobile communications;</p>	
<p><b>11 175-11 275 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p><b>11 175-11 275 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p>Aeronautical mobile communications</p>	<p>Appendix 26 Allotment Plan applies</p>
<p><b>11 275-11 400 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p><b>11 275-11 400 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p>Aeronautical mobile communications</p>	<p>Appendix 27 Allotment Plan applies</p>
<p><b>11 400-11 600 kHz</b> FIXED</p>	<p><b>11 400-11 600 kHz</b> FIXED</p>	<p>Fixed</p>	
<p><b>11 600-11 650 kHz</b> BROADCASTING 5.134 5.146</p>	<p><b>11 600-11 650 kHz</b> BROADCASTING 5.134 5.146</p>	<p>HF Sound Broadcasting</p>	<p>Article 12 Planning Procedures and Res.517 apply.</p>
<p><b>11 650-12 050 kHz</b> BROADCASTING 5.147</p>	<p><b>11 650-12 050 kHz</b> BROADCASTING 5.147</p>	<p>HF Sound Broadcasting</p>	<p>ITU RR Article 12 Planning Procedures applies</p>
<p><b>12 050-12 100 kHz</b> BROADCASTING 5.134 5.146</p>	<p><b>12 050-12 100 kHz</b> BROADCASTING 5.134 5.146</p>	<p>HF Sound Broadcasting</p>	<p>Article 12 Planning Procedures and Res.517 apply.</p>
<p><b>12 100-12 230 kHz</b></p>	<p><b>12 100-12 230 kHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>FIXED</p> <p><b>12 230-13 200 kHz</b> MARITIME MOBILE 5.109 5.110 5.132 5.145</p>	<p>FIXED</p> <p><b>12 230-13 200 kHz</b> MARITIME MOBILE 5.109 5.110 5.132 5.145</p>	<p><b>Fixed</b></p> <p>Digital Selective Calling(GMDSS) Distress Watch keeping (12 577 kHz)</p> <p>Public Correspondence and transmission of meteorological bulletins and notices to navigators</p> <p><b>Maritime</b> mobile communications</p> <p>12 577 kHz – DSC for distress and calling; Article 31 applies</p> <p>12 520 kHz – international distress frequency for NBDP telegraphy; Article 31 applies.</p> <p>12 579 kHz – maritime safety information (MSI); App.17 applies.</p>	<p>Appendix 15 of ITU RR</p> <p>See Section 7 for details</p> <p>ITU RR <b>Appendix 17</b> Channelling Plan applies</p> <p>ITU RR <b>Appendix 25</b> Allotment Plan applies</p>
<p><b>13 200-13 260 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p><b>13 200-13 260 kHz</b> AERONAUTICAL MOBILE (OR)</p>	<p><b>Aeronautical</b> mobile communications</p>	<p><b>Appendix 26</b> Allotment Plan applies</p>
<p><b>13 260-13 360 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p><b>13 260-13 360 kHz</b> AERONAUTICAL MOBILE (R)</p>	<p><b>Aeronautical</b> mobile communications</p>	<p><b>Appendix 27</b> Allotment Plan applies</p>
<p><b>13 360-13 410 kHz</b> FIXED RADIO ASTRONOMY 5.149</p>	<p><b>13 360-13 410 kHz</b> FIXED RADIO ASTRONOMY 5.149</p>	<p>Radio astronomy</p>	
<p><b>13 410-13 450 kHz</b> FIXED</p>	<p><b>13 410-13 450 kHz</b> FIXED</p>	<p><b>Maritime</b> and/or land mobile communications</p>	<p><b>Common</b> international SRD band; see ITU-R Rec.SM.[SRD]</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Mobile except aeronautical mobile (R)	Mobile except aeronautical mobile (R)	The band 13 553-13 567 kHz is designated for ISM applications (5.150). SRD <sup>8</sup> applications (13 553-13 567kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>13 450-13 550 kHz</b> FIXED Mobile except aeronautical mobile (R) Radiolocation 5.132A <b>5.149A</b>	<b>13 450-13 550 kHz</b> FIXED Mobile except aeronautical mobile (R) Radiolocation 5.132A		
<b>13 550-13 570 kHz</b> FIXED Mobile except aeronautical mobile (R)	<b>13 550-13 570 kHz</b> FIXED Mobile except aeronautical mobile (R)	Inductive Loop Systems (13 553 – 13 567 kHz) RFID and EAS systems (13 553 – 13 567 kHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
5.150	5.150		
<b>13 570-13 600 kHz</b> BROADCASTING 5.134 5.151	<b>13 570-13 600 kHz</b> BROADCASTING 5.134 5.151	HF Sound Broadcasting	<b>Article 12</b> Planning Procedures and Res.517 apply.
<b>13 600-13 800 kHz</b> BROADCASTING	<b>13 600-13 800 kHz</b> BROADCASTING	HF Sound Broadcasting	ITU RR <b>Article 12</b> Planning Procedures applies
<b>13 800-13 870 kHz</b> BROADCASTING 5.134	<b>13 800-13 870 kHz</b> BROADCASTING 5.134	HF Sound Broadcasting	

<sup>8</sup> [http://www.crasa.org/common\\_up/crasa-setup/06-07-2015\\_SADC%20FREQUENCIES%20FOR%20SHORT%20RANGE%20DEVICES%20CRA-SA%202011.pdf](http://www.crasa.org/common_up/crasa-setup/06-07-2015_SADC%20FREQUENCIES%20FOR%20SHORT%20RANGE%20DEVICES%20CRA-SA%202011.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.151	5.151		Article 12 Planning Procedures and Res.517 apply.
<b>13 870-14 000 kHz</b> FIXED Mobile except aeronautical mobile (R)	<b>13 870-14 000 kHz</b> FIXED Mobile except aeronautical mobile (R)	Land mobile communications Maritime communications	
<b>14 000-14 250 kHz</b> AMATEUR AMATEUR-SATELLITE	<b>14 000-14 250 kHz</b> AMATEUR AMATEUR-SATELLITE	Amateur communications Amateur-satellite communications	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>14 250-14 350 kHz</b> AMATEUR	<b>14 250-14 350 kHz</b> AMATEUR	Amateur communications	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
5.152			
<b>14 350-14 990 kHz</b> FIXED Mobile except aeronautical mobile (R)	<b>14 350-14 990 kHz</b> FIXED Mobile except aeronautical mobile (R)	SADC harmonised HF frequencies for cross-border mobile communications;	
<b>14 990-15 005 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (15 000 kHz)	<b>14 990-15 005 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL (15 000 kHz)		
5.111	5.111		
<b>15 005-15 010 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space research	<b>15 005-15 010 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL Space research		
<b>15 010-15 100 kHz</b> AERONAUTICAL MOBILE (OR)	<b>15 010-15 100 kHz</b> AERONAUTICAL MOBILE (OR)		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
15 100-15 600 kHz BROADCASTING	15 100-15 600 kHz BROADCASTING	Aeronautical mobile communications	Appendix 26 Allotment Plan applies
15 600-15 800 kHz BROADCASTING 5.134 5.146	15 600-15 800 kHz BROADCASTING 5.134 5.146	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013. ITU RR Article 12 Planning Procedures applies
15 800-16 100 kHz FIXED	15 800-16 100 kHz FIXED	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013. Article 12 Planning Procedures and Res.517 apply.
16 100-16 200 kHz FIXED Radiolocation 5.145A 5.145B	16 100-16 200 kHz FIXED Radiolocation 5.145A	Fixed	
16 200-16 360 kHz FIXED	16 200-16 360 kHz FIXED	Fixed	
16 360-17 410 kHz MARITIME MOBILE 5.109 5.110 5.132 5.145	16 360-17 410 kHz MARITIME MOBILE 5.109 5.110 5.132 5.145	Digital Selective Calling (GMDSS) Distress Watch keeping (16 804.5 kHz) Public Correspondence and transmission of meteorological bulletins and notices to navigators. Maritime mobile communications	Appendix 15 of ITU RR See Section 7 for details ITU RR Appendix 17 Channelling Plan applies

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		16 804.5kHz – DSC for distress and calling; Article 31 applies. 16 695 kHz – international distress frequency for NBDP telegraphy; Article 31 applies. 16 806.5 kHz – maritime	ITU RR Appendix 25 Allotment Plan applies
17 410-17 480 kHz FIXED	17 410-17 480 kHz FIXED	Fixed	
17 480-17 550 kHz BROADCASTING 5.134 5.146	17 480-17 550 kHz BROADCASTING 5.134 5.146	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013. Article 12 Planning Procedures and Res.517 apply.
17 550-17 900 kHz BROADCASTING	17 550-17 900 kHz BROADCASTING	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013. ITU RR Article 12 Planning Procedures applies
17 900-17 970 kHz AERONAUTICAL MOBILE (R)	17 900-17 970 kHz AERONAUTICAL MOBILE (R)	Aeronautical mobile communications	Appendix 27 Allotment Plan applies
17 970-18 030 kHz AERONAUTICAL MOBILE (OR)	17 970-18 030 kHz AERONAUTICAL MOBILE (OR)	Aeronautical mobile communications	Appendix 26 Allotment Plan applies
18 030-18 052 kHz FIXED	18 030-18 052 kHz FIXED	Fixed	
18 052-18 068 kHz FIXED Space research	18 052-18 068 kHz FIXED Space research	Fixed	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>18 068-18 168 kHz</b> AMATEUR AMATEUR-SATELLITE 5.154</p>	<p><b>18 068-18 168 kHz</b> AMATEUR AMATEUR-SATELLITE</p>	<p>Amateur communications Amateur-satellite communications</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>
<p><b>18 168-18 780 kHz</b> FIXED Mobile except aeronautical mobile</p>	<p><b>18 168-18 780 kHz</b> FIXED Mobile except aeronautical mobile</p>	<p>Land mobile communications</p>	
<p><b>18 780-18 900 kHz</b> MARITIME MOBILE</p>	<p><b>18 780-18 900 kHz</b> MARITIME MOBILE</p>	<p>Maritime communications</p>	<p>ITU RR Appendix 17 Channelling Plan applies</p>
<p><b>18 900-19 020 kHz</b> BROADCASTING 5.134 5.146</p>	<p><b>18 900-19 020 kHz</b> BROADCASTING 5.134 5.146</p>	<p>HF Sound Broadcasting</p>	<p>The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013. Article 12 Planning Procedures and Res.517 apply.</p>
<p><b>19 020-19 680 kHz</b> FIXED</p>	<p><b>19 020-19 680 kHz</b> FIXED</p>	<p>Fixed</p>	
<p><b>19 680-19 800 kHz</b> MARITIME MOBILE 5.132</p>	<p><b>19 680-19 800 kHz</b> MARITIME MOBILE 5.132</p>	<p>19 680.5 kHz – maritime safety information (MSI); App.17 applies</p>	<p>The frequency 19 680.5 kHz is the international frequency for transmission of MSI.</p>
<p><b>19 800-19 990 kHz</b> FIXED</p>	<p><b>19 800-19 990 kHz</b> FIXED</p>	<p>Fixed</p>	
<p><b>19 990-19 995 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL</p>	<p><b>19 990-19 995 kHz</b> STANDARD FREQUENCY AND TIME SIGNAL</p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Space research 5.111	Space research 5.111		
19 995-20 010 kHz STANDARD FREQUENCY AND TIME SIGNAL (20 000 kHz) 5.111	19 995-20 010 kHz STANDARD FREQUENCY AND TIME SIGNAL (20 000 kHz) 5.111		
20 010-21 000 kHz FIXED Mobile	20 010-21 000 kHz FIXED Mobile		
21 000-21 450 kHz AMATEUR AMATEUR-SATELLITE	21 000-21 450 kHz AMATEUR AMATEUR-SATELLITE	Amateur communications Amateur-satellite communications	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
21 450-21 850 kHz BROADCASTING	21 450-21 850 kHz BROADCASTING	HF Sound Broadcasting	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013. ITU RR Article 12 Planning Procedures applies
21 850-21 870 kHz FIXED 5.155A 5.155	21 850-21 870 kHz FIXED	Fixed <sup>9</sup>	
21 870-21 924 kHz FIXED 5.155B	21 870-21 924 kHz FIXED 5.155B	Fixed	This band is used by the FS for services related to aircraft flight safety (5.155B)

<sup>9</sup> [http://www.crasa.org/common\\_up/crasa-setup/10-03-2015\\_FREQUENCY%20CHANNELLING%20ARRANGEMENTS%20FOR%20TERRESTRIAL%20FIXED%20AND%20MOBILE%202011.pdf](http://www.crasa.org/common_up/crasa-setup/10-03-2015_FREQUENCY%20CHANNELLING%20ARRANGEMENTS%20FOR%20TERRESTRIAL%20FIXED%20AND%20MOBILE%202011.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
21 924-22 000 kHz AERONAUTICAL MOBILE (R)	21 924-22 000 kHz AERONAUTICAL MOBILE (R)	Aeronautical mobile communications	Appendix 27 Allotment Plan applies
22 000-22 855 kHz MARITIME MOBILE 5.132 5.156	22 000-22 855 kHz MARITIME MOBILE 5.132	Public correspondence 22 376 kHz – maritime safety information (MSI); App.17 applies	ITU RR Appendix 17 Channelling Plan applies. ITU RR Appendix 25 Allotment Plan applies. The frequency 22 376 kHz is the international frequency for transmission of MSI. See Section 7 for details
22 855-23 000 kHz FIXED 5.156	22 855-23 000 kHz FIXED	Fixed	
23 000-23 200 kHz FIXED Mobile except aeronautical mobile (R) 5.156	23 000-23 200 kHz FIXED Mobile except aeronautical mobile (R)		
23 200-23 350 kHz FIXED 5.156A AERONAUTICAL MOBILE (OR)	23 200-23 350 kHz FIXED 5.156A AERONAUTICAL MOBILE (OR)	Aeronautical mobile communications	The use of this band by the FS is limited to the provision of services related to aircraft flight safety (5.156A)
23 350-24 000 kHz FIXED MOBILE except aeronautical mobile 5.157	23 350-24 000 kHz FIXED MOBILE except aeronautical mobile 5.157		The use of this band by the MMS is limited to inter-ship radiotelegraphy (5.157).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
24 000-24 450 kHz FIXED LAND MOBILE	24 000-24 450 kHz FIXED LAND MOBILE		
24 450-24 600 kHz FIXED LAND MOBILE Radiolocation 5.132A 5.158	24 450-24 600 kHz FIXED LAND MOBILE Radiolocation 5.132A		
24 600-24 890 kHz FIXED LAND MOBILE	24 600-24 890 kHz FIXED LAND MOBILE		
24 890-24 990 kHz AMATEUR AMATEUR-SATELLITE	24 890-24 990 kHz AMATEUR AMATEUR-SATELLITE		Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
24 990-25 005 kHz STANDARD FREQUENCY AND TIME SIGNAL (25 000 kHz)	24 990-25 005 kHz STANDARD FREQUENCY AND TIME SIGNAL (25 000 kHz)		
25 005-25 010 kHz STANDARD FREQUENCY AND TIME SIGNAL Space research	25 005-25 010 kHz STANDARD FREQUENCY AND TIME SIGNAL Space research		
25 010-25 070 kHz FIXED MOBILE except aeronautical mobile	25 010-25 070 kHz FIXED MOBILE except aeronautical mobile		
25 070-25 210 kHz MARITIME MOBILE	25 070-25 210 kHz MARITIME MOBILE	Maritime mobile communications	ITU RR Appendix 17 Channelling Plan applies

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>25 210-25 550 kHz</b> FIXED MOBILE except aeronautical mobile</p>	<p><b>25 210-25 550 kHz</b> FIXED MOBILE except aeronautical mobile</p>		
<p><b>25 550-25 670 kHz</b> RADIO ASTRONOMY 5.149</p>	<p><b>25 550-25 670 kHz</b> RADIO ASTRONOMY 5.149</p>	<p>Radio astronomy</p>	
<p><b>25 670-26 100 kHz</b> BROADCASTING</p>	<p><b>25 670-26 100 kHz</b> BROADCASTING</p>	<p>HF Sound Broadcasting</p>	<p>The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 ITU RR Article 12 Planning Procedures applies.</p>
<p><b>26 100-26 175 kHz</b> MARITIME MOBILE 5.132</p>	<p><b>26 100-26 175 kHz</b> MARITIME MOBILE 5.132</p>	<p>26 100.5 kHz – maritime safety information (MSI); App.17 applies</p>	<p>ITU RR Appendix 17 Channelling Plan applies. ITU RR Appendix 25 Allotment Plan applies. The frequency 26 100.5 kHz is the international frequency for transmission of MSI.</p>
<p><b>26 175-26 200 kHz</b> FIXED MOBILE except aeronautical mobile</p>	<p><b>26 175-26 200 kHz</b> FIXED MOBILE except aeronautical mobile</p>	<p>Single Frequency Mobile Mobile systems (single frequency) CB Radio (26.96-27.410 MHz) ISM applications (26.975-27.283 MHz) SRD applications (26 957-27 283 kHz)</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Common international SRD band; see ITU-R Rec.SM.[SRD]</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>26 200-26 350 kHz</b> FIXED MOBILE except aeronautical mobile</p> <p>Radiolocation 5.132A <b>5.133A</b></p>	<p><b>26 200-26 350 kHz</b> FIXED MOBILE except aeronautical mobile</p> <p>Radiolocation 5.132A</p>	Single Frequency Mobile	
<p><b>26 350-27 500 kHz</b> FIXED MOBILE except aeronautical mobile</p> <p>5.150</p>	<p><b>26 350-27 500 kHz</b> FIXED MOBILE except aeronautical mobile</p> <p>5.150</p>	Single Frequency Mobile Inductive Loop Systems, Non-specific SRD's (26.957 – 27.283 MHz) Surface Model Control (26.995 MHz, 27.045 MHz, 27.095 MHz, 27.145 MHz and 27.195 MHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<p><b>27.5-28 MHz</b> METEOROLOGICAL AIDS FIXED MOBILE</p>	<p><b>27.5-28 MHz</b> METEOROLOGICAL AIDS FIXED MOBILE</p>	Radiosondes	
<p><b>28-29.7 MHz</b> AMATEUR AMATEUR-SATELLITE</p>	<p><b>28-29.7 MHz</b> AMATEUR AMATEUR-SATELLITE</p>	Amateur communications Amateur-satellite communications	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<p><b>29.7-30.005 MHz</b> FIXED MOBILE</p>	<p><b>29.7-30.005 MHz</b> FIXED MOBILE Amateur NF1</p>	Single frequency mobile (29.7-29.99 MHz)	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		Government Services	Amateur – disaster and emergencies  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>30.005-30.01 MHz</b> SPACE OPERATION (satellite identification) FIXED MOBILE SPACE RESEARCH	<b>30.005-30.01 MHz</b> SPACE OPERATION (satellite identification) FIXED MOBILE SPACE RESEARCH	Government Services	
<b>30.01-37.5 MHz</b> FIXED MOBILE	<b>30.01-37.5 MHz</b> MOBILE	Single Frequency Mobile (32 – 32.325 MHz) Government Services Mobile 1 MTX (32.325 – 33.675 MHz) Single Frequency Mobile (33.675 – 34.175 MHz) Mobile 2 MTX (34.175 – 35 MHz) Model Aircraft Control (35 – 35.5 MHz)  Wireless microphone (36.65 – 36.75 MHz) Single Frequency Mobile (33.25 – 33.5 MHz) Mobile 3 BTX 35.5 – 36.825 MHz	Paired with 41.65 – 43 MHz  Paired with 40.625 – 41.25 MHz Exclusive use by Model Aircraft Control  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).  Paired with 38.5 – 39.825 MHz

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
37.5-38.25 MHz FIXED MOBILE Radio astronomy 5.149	37.5-38.25 MHz MOBILE Radio astronomy 5.149	Single Frequency Mobile (36.825 – 38.5 MHz) <b>PMR</b> <sup>10</sup>	
38.25-39 MHz FIXED MOBILE	38.25-39 MHz MOBILE	Single Frequency Mobile (36.825 – 38.5 MHz) <b>Government Services</b>	Paired with 35.5 – 36.825 MHz
39-39.5 MHz FIXED MOBILE Radiolocation 5.132A <b>5.159</b>	39-39.5 MHz MOBILE Radiolocation 5.132A	Single Frequency Mobile (36.825 – 38.5 MHz) <b>Government Services</b> Mobile 3 MTX (38.5 – 39.825 MHz)	Paired with 35.5 – 36.825 MHz
39.5-39.986 MHz FIXED MOBILE Radiolocation 5.132A	39.5-39.986 MHz MOBILE	Mobile 3 MTX (38.5 – 39.825 MHz) Single Frequency Mobile (39.825 – 40.625 MHz)	Paired with 35.5 – 36.825 MHz
39.5-39.986 MHz FIXED MOBILE	39.5-39.986 MHz MOBILE	Mobile 3 MTX (38.5 – 39.825 MHz) Single Frequency Mobile (39.825 – 40.625 MHz) <b>PMR</b>	Paired with 35.5 – 36.825 MHz

<sup>10</sup>[http://www.crasa.org/common\\_up/crasa-setup/10-03-2015\\_GUIDELINES%20%20ON%20PMR%202014.pdf](http://www.crasa.org/common_up/crasa-setup/10-03-2015_GUIDELINES%20%20ON%20PMR%202014.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>39.986-40.02 MHz</b> FIXED MOBILE Space research</p>	<p><b>39.986-40.02 MHz</b> MOBILE Space research</p>	<p>Single Frequency Mobile (39.825 – 40.625 MHz) <b>PMR</b></p>	
<p><b>40.02-40.98 MHz</b> FIXED MOBILE 5.150</p>	<p><b>40.02-40.98 MHz</b> MOBILE 5.150</p>	<p>Single Frequency Mobile (39.825 – 40.625 MHz) Mobile 2 BTX (40.625 – 41.45 MHz) Wireless microphones (40.65 – 40.7 MHz) Non-specific SRD's (40.66 – 40.7 MHz) Surface Model Control (40.665 MHz, 40.675 MHz, 40.685 MHz, 40.695 MHz) ISM applications (40.66 – 40.7 MHz) <b>PMR</b></p>	<p>Paired with 34.175 – 35 MHz Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Common international SRD band; see ITU-R recommendation. SM[SRD]</p>
<p><b>40.98-41.015 MHz</b> FIXED MOBILE Space research 5.160</p>	<p><b>40.98-41.015 MHz</b> MOBILE Space research</p>	<p>Mobile 2 BTX (40.625 – 41.45 MHz) <b>PMR</b></p>	<p>Paired with 34.175 – 35 MHz)</p>
<p><b>41.015-42 MHz</b> FIXED MOBILE</p>	<p><b>41.015-42 MHz</b> MOBILE</p>	<p>Mobile 2 BTX (40.625 – 41.45 MHz) Single Frequency Mobile (41.45 – 41.65 MHz)</p>	<p>Paired with 34.175 – 35 MHz Paired with 32.325 – 33.675 MHz</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.160		Mobile 1 BTX (41.65 – 43 MHz) Government Services <b>PMR</b>	
<b>42-42.5 MHz</b> FIXED MOBILE Radiolocation 5.132A 5.160 <b>5.161B</b>	<b>42-42.5 MHz</b> MOBILE Radiolocation 5.132A	Mobile 1 BTX (41.65 – 43 MHz) Government Services <b>Oceanographic radars</b>	Paired with 32.325 – 33.675 MHz
<b>42.5-44 MHz</b> FIXED MOBILE 5.160	<b>42.5-44 MHz</b> MOBILE	Mobile 1 BTX (41.65 – 43 MHz) Government Services	Paired with 32.325 – 33.675 MHz
<b>44-47 MHz</b> FIXED MOBILE 5.162 <b>5.162A</b>	<b>44-47 MHz</b> FIXED MOBILE	Meteor Burst (45.3 – 46.9 MHz) CT0 Cordless Telephones BTX (46.61 – 46.97 MHz) Government Services <b>PMR</b> <b>Meteor Burst (45.3-46.9 MHz)</b> <b>CT0 Cordless Telephony BTx</b> (46.61-46.97 MHz)	Paired with 47.5 – 49.1 MHz 10 frequency pairs assigned to CT0; paired with 49.67 – 49.97 MHz; Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Paired with <b>47.5-49.1 MHz</b>
<b>47-68 MHz</b> BROADCASTING	<b>47-50 MHz</b> BROADCASTING LAND MOBILE 5.164	CT0 Cordless Telephones MTX (49.67 – 49.97 MHz) <b>PMR</b> <b>Meteor Burst (47.5-49.1 MHz)</b>	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 Paired with <b>45.3-46.9 MHz</b>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.162A 5.163 5.164 5.165 5.169 5.171		<p><b>CT0 Cordless</b> Telephony MTX (49.67-49.97 MHz)</p>	<p>Paired with 46.61 – 46.97 MHz. Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Paired with 45.3-46.9 MHz</p>
	<p><b>50-54 MHz</b> AMATEUR 5.169</p>	<p>Wireless microphones (53 – 54 MHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015).</p>
	<p><b>54-68 MHz</b> BROADCASTING FIXED 5.171 MOBILE except aeronautical mobile 5.171</p>	<p>Government Services Model control (54.45 – 54.55 MHz) <b>PMR</b> Single Frequency Mobile (54 – 54.325 MHz) Mobile 1 BTX (54.325 – 54.45 MHz) Mobile 2 BTX (55.45 – 56.85 MHz) Single Frequency Mobile (56.85 – 58.5 MHz) Mobile 2 MTX (58.5 – 59.9 MHz) Mobile 1 MTX (59.9 – 60.025 MHz)</p>	<p>The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).  Paired with 59.9 – 60.025 MHz Paired with 58.5 – 59.9 MHz Paired with 55.45 – 56.85 MHz Paired with 54.325 – 54.45 MHz</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>68-74.8 MHz</b> FIXED MOBILE except aeronautical mobile</p> <p>5.149 5.175 5.177 5.179</p>	<p><b>68-74.8 MHz</b> MOBILE except aeronautical mobile</p> <p>Amateur (70 – 70.3 MHz) NF2 Radio Astronomy (73 – 74.6 MHz) 5.149</p>	<p>Sport Stadium Communications (62.8 – 62.85 MHz) National Emergency Alarm Radio (NEAR) (66 – 68 MHz)</p> <p>Single Frequency Mobile (68 – 69.25 MHz) Mobile 1 BTX (69.25 – 70 MHz) Mobile 2 BTX (70 – 70.975 MHz) Single Frequency Mobile (70.975 – 71.475 MHz) Mobile 3 BTX (71.475 – 72.525 MHz) Single Frequency Mobile (72.525 – 73.425 MHz) Mobile 4 BTX (73.425 – 74.8 MHz) <b>PMR and/or PAMIR</b></p>	<p>Paired with 76.175 – 76.925 MHz Paired with 75.2 – 76.175 MHz Current assignments for fire fighting Paired with 76.925 – 77.975 MHz Paired with 78.625 – 80 MHz Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>
<p><b>74.8-75.2 MHz</b> AERONAUTICAL RADIONAVIGATION 5.180 5.181</p>	<p><b>74.8-75.2 MHz</b> AERONAUTICAL RADIONAVIGATION 5.180</p>	<p>Instrument Landing System Markers 74.80 – 75.20 <b>Marker beacons (75 MHz)</b></p>	
<p><b>75.2-87.5 MHz</b> FIXED MOBILE except aeronautical mobile</p>	<p><b>75.2-87.5 MHz</b> MOBILE except aeronautical mobile</p>	<p>Mobile 2 MTX (75.2 – 76.175 MHz) Mobile 1 MTX (76.175 – 76.925 MHz) Mobile 3 MTX (76.925 – 77.975 MHz)</p>	<p>Paired with 70 – 70.975 MHz Paired with 69.25 – 70 MHz Paired with 71.475 – 72.525 MHz Paired with 73.425 – 74.8 MHz Paired with 82.975 – 83.625 MHz Paired with 87 – 87.5 MHz</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.175 5.179 5.187		Mobile 4 MTX (78.625 – 80 MHz) Mobile 5 BTX (77.975 – 78.625 MHz) Mobile 6 BTX (80 – 80.5 MHz) Single Frequency Mobile (80.5 – 81 MHz) Mobile 7 BTX (81 – 81.625 MHz) Mobile 8 BTX (81.625 – 82.975 MHz) Mobile 5 MTX (82.975 – 83.625 MHz) Single Frequency Mobile (83.625 – 85.025 MHz) Mobile 8 MTX (85.025 – 86.375 MHz) Mobile 7 MTX (86.375 – 87 MHz) Mobile 6 MTX (87 – 87.5 MHz) <b>PMR and/or PAMR</b>	Paired with 86.375 - 87 MHz Paired with 85.025 - 86.375 MHz Paired with 77.975 - 78.625 MHz Paired with 81.625 - 82.975 MHz Paired with 81 - 81.625 MHz Paired with 80 - 80.5 MHz
<b>87.5-100 MHz</b> BROADCASTING 5.190	<b>87.5-100 MHz</b> BROADCASTING	FM Sound Broadcasting (87.5-108 MHz)	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 <b>Geneva agreement GE84</b>
<b>100-108 MHz</b> BROADCASTING 5.194	<b>100-108 MHz</b> BROADCASTING	FM Sound Broadcasting (87.5-108 MHz)	The Terrestrial Broadcasting Frequency Plan (GG no.36321) 02 April 2013 <b>Geneva agreement GE84</b>
<b>108-117.975 MHz</b> AERONAUTICAL RADIONAVIGATION	<b>108-117.975 MHz</b> AERONAUTICAL RADIONAVIGATION	ILS localiser (108 – 112 MHz)	<b>AM(R)S shall</b> operate in accordance with

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.197 5.197A	5.197A	VOR (VHF Omni-directional Range) (112 – 117.975 MHz) Aeronautical mobile communications (108–117.975 MHz)	Res.413(Rev.WRC-07). Safety and regularity of flights; in the band 108-112 MHz AM(R)S limited to ground based transmitters.
<b>117.975-137 MHz</b> AERONAUTICAL MOBILE (R) 5.111 5.200 5.201 5.202	<b>117.975-137 MHz</b> AERONAUTICAL MOBILE (R) 5.111 5.200	117.975-121.450 MHz Aeronautical mobile communications 121.450-121.550 MHz International Distress Frequency (121.5 MHz)	Safety and regularity of flights EPIRBs at 121.5 MHz ITU RR Article 31 applies
<b>137-137.025 MHz</b> SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A 5.208B 5.209 SPACE RESEARCH (space-to-Earth) Fixed Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.208	<b>137-137.025 MHz</b> SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A 5.208B 5.209 SPACE RESEARCH (space-to-Earth) Mobile except aeronautical mobile (R) 5.208	121.550-137.000 MHz Aeronautical mobile communications MET SAT	123.1 MHz - auxiliary emergency frequency
<b>137.025-137.175 MHz</b>	<b>137.025-137.175 MHz</b>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth) Fixed Mobile-satellite (space-to-Earth) 5.208A <b>5.208B</b> 5.209 Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.208	SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth) Mobile-satellite (space-to-Earth) 5.208A <b>5.208B</b> 5.209 Mobile except aeronautical mobile (R) 5.208		
<b>137.175-137.825 MHz</b> SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A <b>5.208B</b> 5.209 SPACE RESEARCH (space-to-Earth) Fixed Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.208	<b>137.175-137.825 MHz</b> SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A <b>5.208B</b> 5.209 SPACE RESEARCH (space-to-Earth) Mobile except aeronautical mobile (R) 5.208	NOAA meteorological satellite (137.5 – 137.62 MHz)	
<b>137.825-138 MHz</b> SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth)	<b>137.825-138 MHz</b> SPACE OPERATION (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) SPACE RESEARCH (space-to-Earth)		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Fixed Mobile-satellite (space-to-Earth) 5.208A <b>5.208B</b> 5.209 Mobile except aeronautical mobile (R) 5.204 5.205 5.206 5.208	Mobile-satellite (space-to-Earth) 5.208A <b>5.208B</b> 5.209 Mobile except aeronautical mobile (R) 5.208		
<b>138-143.6 MHz</b> AERONAUTICAL MOBILE (OR)	<b>138-143.6 MHz</b> FIXED MOBILE	Single Frequency Alarms (140.5 – 141 MHz) Mobile 1 MTX (138 – 140.5 MHz) Single Frequency Mobile (141 – 141.5 MHz) Mobile 1 BTX (141.5 – 144 MHz) Remote control industrial apparatus (141 – 142 MHz) <b>PMR and / or PAMR</b>	Paired with 141.5 - 144 MHz. Paired with 138 – 140.5 MHz. Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
5.210 <b>5.211</b> 5.212 5.214	5.212		
<b>143.6-143.65 MHz</b> AERONAUTICAL MOBILE (OR) SPACE RESEARCH (space-to-Earth)	<b>143.6-143.65 MHz</b> FIXED MOBILE	Mobile 1 BTX (141.5 – 144 MHz) <b>PMR and / or PAMR</b>	Paired with 138 – 140.5 MHz. Allocation includes BTX assignments at 142.8 – 143.275 MHz and 143.325 - 143.975 MHz
<b>5.211</b> 5.212 5.214 <b>143.65-144 MHz</b> AERONAUTICAL MOBILE (OR)	<b>143.65-144 MHz</b> FIXED MOBILE	<b>PMR and / or PAMR</b> Mobile 1 BTX (141.5 – 144 MHz)	Paired with 138 – 140.5 MHz. Allocation

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.210 <b>5.211</b> 5.212 5.214	5.212		includes BTX assignments at 142.8 – 143.275 MHz and 143.325 – 143.975 MHz
<b>144-146 MHz</b> AMATEUR AMATEUR-SATELLITE	<b>144-146 MHz</b> AMATEUR AMATEUR-SATELLITE		
<b>146-148 MHz</b> FIXED MOBILE except aeronautical mobile (R)	<b>146-148 MHz</b> MOBILE except aeronautical mobile (R)	Mobile 2 MTX (146 – 148.95 MHz) <b>PMR and / or PAMR</b>	Paired with 153.05 – 156 MHz
<b>148-149.9 MHz</b> FIXED MOBILE except aeronautical mobile (R)	<b>148-149.9 MHz</b> MOBILE except aeronautical mobile (R)	Mobile 2 MTX (146 – 148.95 MHz) Single Frequency Mobile (148.950 – 151 MHz) Wildlife telemetry Tracking (148 – 152 MHz) Low Earth Orbit systems	Paired with 153.05 – 156 MHz  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Systems are paired with either 137 – 138 MHz or 400.15 – 401 MHz <b>For some</b> small LEO systems this band is supplemented by the band 149.9-150.05 MHz.
MOBILE-SATELLITE (Earth-to-space) 5.209  5.218 5.219 <b>5.221</b>	MOBILE-SATELLITE (Earth-to-space) 5.209 NF3  5.218 5.219 <b>5.221</b>	Low Earth Orbit systems <b>Mobile-satellite communications</b> Wildlife telemetry Tracking (148 – 152 MHz)	
<b>149.9-150.05 MHz</b> MOBILE-SATELLITE (Earth-to-space) <b>5.209</b>	<b>149.9-150.05 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.209 NF3		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
RADIO NAVIGATION-SATELLITE 5 5.220	RADIO NAVIGATION-SATELLITE 5.220	Single Frequency Mobile (148.950 – 151 MHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
150.05-153 MHz FIXED MOBILE except aeronautical mobile	150.05-153 MHz FIXED MOBILE except aeronautical mobile	Single frequency alarms (152.05 – 152.55 MHz) Alarms, Single Frequency Mobile and Load Shedding (148.950 – 151 MHz) PMR and PAMR Paging Government Services Wildlife Telemetry Tracking (148 – 152 MHz) Single Frequency Mobile (152.55 – 153.05 MHz)	Channels 150.550 MHz and 150.5625 MHz are used for load shedding. Channels 150.625 MHz and 150.675 MHz are reserved for in-house paging  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
153-154 MHz FIXED MOBILE except aeronautical mobile (R) Meteorological aids	153-154 MHz MOBILE except aeronautical mobile (R) Meteorological aids	Single Frequency Mobile (152.55 – 153.05 MHz) Mobile 2 B/TX (153.05 – 156 MHz) PMR and/or PAMR	Paired with 146 – 148.95 MHz

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>154-156.4875 MHz</b> FIXED MOBILE except aeronautical mobile (R)</p> <p>5.225A 5.226</p>	<p><b>154-156.4875 MHz</b> MOBILE except aeronautical mobile (R)</p> <p>5.226</p>	<p><b>154-156 MHz</b> <b>PMR and/or PAMR</b> Maritime Mobile Public Correspondence Mobile 2 BTX (153.05 – 156 MHz) Mobile 3 MTX (156 – 156.7625 MHz)</p> <p>Single Frequency Mobile (156.375 – 156.7625 MHz)</p>	<p>See Section 7 for details Paired with 146 – 148.95 MHz Paired with 160.6 – 160.975 MHz (156 – 156.375 MHz allocated to land mobile MTX in inland areas) Limited to inland areas</p>
<p><b>156.4875-156.5625 MHz</b> MARITIME MOBILE (distress and calling via DSC)</p> <p>5.111 5.226 5.227</p>	<p><b>156.4875-156.5625 MHz</b> MARITIME MOBILE (distress and calling via DSC)</p> <p>FIXED 5.227 LAND MOBILE 5.227</p> <p>5.111 5.226</p>	<p>156.00-156.4875 MHz <b>Maritime</b> mobile communications (Ship stations) <b>Land</b> mobile in areas remote from coast</p> <p><b>Maritime</b> mobile distress, safety and calling frequency 156.525 MHz for maritime mobile VHF radiotelephone service using DSC.</p> <p><b>The bands</b> 156.4875-156.5125 MHz and 156.5375-156.5625 MHz may also be used for land mobile services while protecting the maritime mobile service.</p>	<p><b>Paired</b> with 160.625-160.950 MHz, single frequency 156.3 MHz and in the band 156.375-156.475 MHz. ITU RR <b>Articles</b> 31 and 52 and Appendix 18 apply.</p> <p>The use of this band by the maritime services shall be in accordance with ITU Appendix 18. ITU RR <b>Articles</b> 31 and 52 and Appendix 18 apply.</p> <p>NINP basis to Maritime Mobile Service; Limited to inland areas</p>

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ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>156.5625-156.7625 MHz</b> FIXED MOBILE except aeronautical mobile (R) 5.226	<b>156.5625-156.7625 MHz</b> FIXED MOBILE except aeronautical mobile (R) 5.226	Single Frequency Mobile (156.375 – 156.7625 MHz)  156.5625-156.7625 MHz Maritime mobile communications. Land mobile in areas remote from coast.	Single frequency applications, ITU RR Articles 31 and 52 and Appendix 18 apply.
<b>156.7625-156.7875 MHz</b> MARITIME MOBILE  Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	<b>156.7625-156.7875 MHz</b> MARITIME MOBILE  Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	International distress, safety and calling frequency at 156.8 MHz for the maritime mobile VHF radiotelephone service.  Distress safety and calling (156.76250 – 156.8375)	ITU RR Article 31 and Appendix 18 apply to the use of the frequency 156.8 MHz and this band.
<b>156.7875-156.8125 MHz</b> MARITIME MOBILE (distress and calling)  5.111 5.226	<b>156.7875-156.8125 MHz</b> MARITIME MOBILE (distress and calling)  5.111 5.226	Distress safety and calling (156.76250 – 156.8375, <b>channel 16</b> )	See Section 7 for details
<b>156.8125-156.8375 MHz</b> MARITIME MOBILE  Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	<b>156.8125-156.8375 MHz</b> MARITIME MOBILE  Mobile-satellite (Earth-to-space) 5.111 5.226 5.228	Distress safety and calling (156.76250 – 156.8375)	
<b>156.8375-161.9375 MHz</b> FIXED MOBILE -except aeronautical mobile 5.226	<b>156.8375-161.9375 MHz</b> FIXED MOBILE -except aeronautical mobile 5.226	156.8375-157.45 MHz Maritime mobile communications (ship stations). Land mobile in areas remote from coast.	Paired with 161.5-162.0 MHz and single frequency applications; ITU RR Articles 31 and 52 and Appendix 18 apply.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		157.450-160.6 MHz PMR and/or PAMR	Paired with 156.025-156.350 MHz; ITU RR Articles 31 and 52 and Appendix 18 apply.
		160.600-160.975 MHz Maritime mobile communications (Coast stations). Land mobile in areas remote from coast.	Single frequency applications.
		160.975-161.475 MHz PMR and/or PAMR	Paired with 156.9-157.4 MHz; ITU RR Articles 31 and 52 and Appendix 18 apply.
		161.475-162.050 MHz Maritime mobile communications (Coast stations) Land mobile in areas remote from coast Automatic Identification System (AIS) at 161.975 MHz and 162.025 MHz	
		162.050-174 MHz PMR and/or PAMR	
<b>161.9375 - 161.9625 MHz</b> FIXED MOBILE except aeronautical mobile Maritime mobile-satellite (Earth-to-space) 5.228AA	<b>161.9375 - 161.9625 MHz</b> MOBILE except aeronautical mobile NF4 Maritime mobile-satellite (Earth-to-space) 5.228AA	Sonobuoy (161.875 – 173.875)  Public Correspondence, transmission of meteorological bulletins and notice to navigators Mobile 1 MTX-DF (161.475 – 165.0375 MHz)  Single Frequency Mobile (160.45 – 161.4625 MHz)	See Section 7 for details  Paired with Mobile 1 BTX-DF (156.875 – 160.4375 MHz)  Inland areas only Paired with 162.05 – 162.55 MHz

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.226	5.226	Single Frequency Mobile (156.8375 – 156.875 MHz) Private Maritime MTX (157.45 – 157.95 MHz)	
161.9625-161.9875 MHz FIXED MOBILE except aeronautical mobile	161.9625-161.9875 MHz MOBILE except aeronautical mobile NF4	Mobile 1 MTX-DF (161.475 – 165.0375 MHz)	Paired with Mobile 1 BTX-DF (156.875 – 160.4375 MHz)
Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B	Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B		
161.9875-162.0125 MHz FIXED MOBILE except aeronautical mobile Maritime mobile-satellite (Earth-to-space) 5.228AA	161.9875-162.0125 MHz MOBILE except aeronautical mobile NF4 Maritime mobile-satellite (Earth-to-space) 5.228AA	Transmission of meteorological bulletins and notice to navigators Mobile 1 MTX-DF (161.475 – 165.0375 MHz)	See Section 7 for details Paired with Mobile 1 BTX-DF (156.875 – 160.4375 MHz)
5.226 5.229	5.226		
162.0125-162.0375 MHz FIXED MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B 5.229	162.0125-162.0375 MHz MOBILE except aeronautical mobile NF4 Mobile-satellite (Earth-to-space) 5.228F 5.226 5.228A 5.228B	Mobile 1 MTX-DF (161.475 – 165.0375 MHz)	Paired with Mobile 1 BTX-DF (156.875 – 160.4375 MHz)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>162.0375-174 MHz</b> FIXED MOBILE except aeronautical mobile</p> <p>5.226 5.229</p>	<p><b>162.0375-174 MHz</b> MOBILE except aeronautical mobile NF4</p> <p>5.226 NF5</p>	<p>Mobile 1 MTX-DF (161.475 – 165.0375 MHz) Mobile 2 MTX-DF (165.05 – 165.5375 MHz)  Single Frequency Mobile (168.95 – 170.0375 MHz) Mobile 3 MTX-DF (165.55 – 167.4875 MHz)  Single Frequency Mobile (172 – 172.0375 MHz) Mobile 4 MTX-DF (167.5 – 168.9375 MHz)  Meter Reading (169.4 – 169.475 MHz) Non-specific SRD's – Telecommand only (173.2125 – 173.2375 MHz) Non-specific SRDs (173.2375 – 173.2875 MHz) Wireless microphones and assistive listening devices (173.7 – 175.1 MHz)</p>	<p>Paired with Mobile 2 BTX-DF (170.50 – 170.5375 MHz)  Paired with Mobile 3 BTX-DF (172.05 – 173.9875 MHz)  Paired with Mobile 4 BTX (170.55 – 171.9875 MHz)  Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).</p>
<p><b>174-223 MHz</b> BROADCASTING</p>	<p><b>174-223 MHz</b> BROADCASTING</p>	<p>Television Broadcasting (174 – 214 MHz) T-DAB (214 – 230 MHz) <b>Sound-Broadcasting</b></p>	<p>Broadcasting Allotments in accordance with GE89 Plan in the process of conversion to GE06 and conversion from analogue to digital post 2015.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.235 5.237 5.243	NF5	Wireless microphones (173.7 – 175.1 MHz)	The Terrestrial Broadcasting Frequency Plan as amended (GG no.36321) 02 April 2013 TV Band III Migration from analogue to digital in accordance with SADC time lines. Digital sound broadcasting is being planned in this band.
223-230 MHz BROADCASTING Fixed Mobile 5.243 5.246 5.247	223-230 MHz BROADCASTING	T-DAB (214 – 230 MHz) Sound Broadcasting	Broadcasting Allotments in accordance with GE89 Plan in the process of conversion to GE06 and conversion from analogue to digital post 2015. The Terrestrial Broadcasting Frequency Plan as amended (GG no.36321) 02 April 2013 TV Band III Migration from analogue to digital in accordance with SADC time lines. Digital sound broadcasting is being planned in this band.
230-235 MHz FIXED MOBILE 5.247 5.251 5.252	230-238 MHz BROADCASTING 5.252	Television broadcasting (230 – 238 MHz)	Broadcasting Allotments in accordance with GE89 Plan in the process of conversion to GE06 and conversion from analogue to digital post 2015.
235-267 MHz	5.254		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED MOBILE			The Terrestrial Broadcasting Frequency Plan as amended (GG no.36321) 02 April 2013
5.111 5.252 5.254 5.256 5.256A	238-246 MHz MOBILE 5.111 5.252 5.254 5.256	238-242.95 MHz PMR and/or PAMR International Distress Frequency at 243 MHz (242.95 – 243.05 MHz) 243.05-246.00 MHz Low-power devices Television broadcasting (246-254 MHz)	Band available for distress and safety purposes. Low-power devices ancillary to the broadcasting service.
267-272 MHz FIXED MOBILE	246-254 MHz BROADCASTING 5.252  254-267 MHz MOBILE  5.254  267-272 MHz MOBILE	Trunking (MPT1327) BTX (254 – 259.4 MHz) Trunking (MPT1327) MTX (262 – 267.4 MHz) Government Services 267.4-272 MHz	Broadcasting Allotments in accordance with GE89 Plan in the process of conversion to GE06 and conversion from analogue to digital post 2015. The Terrestrial Broadcasting Frequency Plan as amended (GG no.36321) 02 April 2013  Paired with 262 – 267.4 MHz Paired with 254 – 259.4 MHz  Paired with 254 – 259.4 MHz

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Space operation (space-to-Earth) 5.254 5.257	Space operation (space-to-Earth) 5.254 5.257	Trunking (MPT1327) MTX (262 – 267.4 MHz)	
<b>272-273 MHz</b> SPACE OPERATION (space-to-Earth) FIXED MOBILE 5.254	<b>272-273 MHz</b> MOBILE 5.254	Government Services	
<b>273-312 MHz</b> FIXED MOBILE 5.254	<b>273-312 MHz</b> MOBILE 5.254	Government Services Single Frequency Mobile (278 – 286 MHz)	
<b>312-315 MHz</b> FIXED MOBILE Mobile-satellite (Earth-to-space) 5.254 5.255	<b>312-315 MHz</b> MOBILE Mobile-satellite (Earth-to-space) 5.254 5.255	Government Services	
<b>315-322 MHz</b> FIXED MOBILE 5.254	<b>315-322 MHz</b> MOBILE 5.254	Government Services	
<b>322-328.6 MHz</b> FIXED MOBILE RADIO ASTRONOMY 5.149	<b>322-328.6 MHz</b> MOBILE RADIO ASTRONOMY 5.149	Government Services	
<b>328.6-335.4 MHz</b> AERONAUTICAL RADIONAVIGATION 5.258	<b>328.6-335.4 MHz</b> AERONAUTICAL RADIONAVIGATION 5.258	ILS Glide Path	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.259			
335.4-387 MHz FIXED MOBILE	335.4-387 MHz FIXED NF6 MOBILE NF7	FWA (336 – 346 MHz) FWA ( 356 – 366 MHz) 366-380 MHz (Govt.) Digital Trunking (Emergency) (380 – 387 MHz) (PPDR <sup>11</sup> ) 335.4-336 MHz PMR and/or PAMR	Paired with 356 – 366 MHz Paired with 336 – 346 MHz  Paired with 390 – 397 MHz
5.254	5.254	336-346 MHz Fixed Wireless Access	PTP/PTMP rural system; Paired with 356-366 MHz.
		336-346 Unmanned Aerial Vehicles (UAV)	Unmanned Aerial Vehicles (UAV) paired with 356-366 MHz.
		356.0-366.0 MHz Fixed Wireless Access	PTP/PTMP rural system; Paired with 336-346 MHz
		366.0-380.0 MHz PMR and/or PAMR	
		380.0-387.0 MHz PPDR	Paired with 390.0-397.0 MHz. To be used mainly for digital systems.

<sup>11</sup> [http://www.crasa.org/common\\_up/crasa-setup/12-03-2015\\_GUIDELINES%20ON%20FREQUENCIES%20FOR%20PPDR%202014.pdf](http://www.crasa.org/common_up/crasa-setup/12-03-2015_GUIDELINES%20ON%20FREQUENCIES%20FOR%20PPDR%202014.pdf)

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>387-390 MHz</b> FIXED MOBILE Mobile-satellite (space-to-Earth) 5.208A <b>5.208B</b> 5.254 5.255	<b>387-390 MHz</b> MOBILE NF7 Mobile-satellite (space-to-Earth) 5.208A 5.208B 5.254 5.255	Digital Trunking (387 – 390 MHz) (Govt.) <b>387.0-390.0 MHz</b> <b>PMR</b> and/or PAMR	Paired with 397 – 399.9 MHz <b>Paired</b> with 397.0-399.9 MHz. To be used mainly for digital systems.
<b>390-399.9 MHz</b> FIXED MOBILE  5.254	<b>390-399.9 MHz</b> MOBILE NF7  5.254	Emergency) (390 – 397 MHz) (PPDR)	Paired with 380 – 387 MHz
<b>399.9-400.05 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.209 <b>5.220</b>	<b>399.9-400.05 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.209 <b>5.220</b>	<b>PMR</b> and/or PAMR (397 – 399.9 MHz) (Govt.)	Paired with 387 – 390 MHz <b>in</b> accordance with Resolution 646 and Recommendation ITU-R M.2015.
<b>400.05-400.15 MHz</b> STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE (400.1 MHz) 5.261 5.262	<b>400.05-400.15 MHz</b> STANDARD FREQUENCY AND TIME SIGNAL-SATELLITE (400.1 MHz) 5.261		
<b>400.15-401 MHz</b> METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A <b>5.208B</b> 5.209	<b>400.15-401 MHz</b> METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208A <b>5.208B</b> 5.209	Radiosondes	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>SPACE RESEARCH (space-to-Earth) 5.263 Space operation (space-to-Earth) 5.262 5.264</p>	<p>SPACE RESEARCH (space-to-Earth) 5.263 Space operation (space-to-Earth) 5.264</p>		
<p><b>401-402 MHz</b> METEOROLOGICAL AIDS  SPACE OPERATION (space-to-Earth) EARTH EXPLORATION-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) Fixed Mobile except aeronautical mobile</p>	<p><b>401-402 MHz</b> METEOROLOGICAL AIDS  SPACE OPERATION (space-to-Earth)</p>	<p>Radiosonde Data uplink to Geostationary Satellite orbit</p>	
<p><b>402-403 MHz</b> METEOROLOGICAL AIDS EARTH EXPLORATION-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) Fixed Mobile except aeronautical mobile</p>	<p><b>402-403 MHz</b> METEOROLOGICAL AIDS  Mobile except aeronautical mobile</p>	<p>Radiosonde  Medical implants (402 – 405 MHz) Various SRD's (402 – 406 MHz) SRDs – ultra low power active medical implants</p>	<p>Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). SRDs – see ITU-R Rec. SM.[SRD] and Rec. RS.1346</p>
<p><b>403-406 MHz</b> METEOROLOGICAL AIDS</p>	<p><b>403-406 MHz</b> METEOROLOGICAL AIDS</p>	<p>Radiosonde</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Fixed Mobile except aeronautical mobile <b>5.265</b>	Mobile except aeronautical mobile <b>5.265</b>	Medical implants (402 – 405 MHz) Various SRD's (402 – 406 MHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>406-406.1 MHz</b> MOBILE-SATELLITE (Earth-to-space) <b>5.265</b> 5.266 5.267	<b>406-406.1 MHz</b> MOBILE-SATELLITE (Earth-to-space) <b>5.265</b> 5.266 5.267	COSPAS – SARSAT: Emergency Position Indicating Radio Beacon (EPIRB) <b>Low</b> power satellite EPIRBs (distress and safety purposes)	Public Locator Beacon ITU RR Articles 32 and 34 and Appendix 15 applies
<b>406.1-410 MHz</b> FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 <b>5.265</b>	<b>406.1-410 MHz</b> FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 <b>5.265</b>	Fixed Links (406.1 – 407.625 MHz) Fixed Links (407.625 – 410 MHz) Mobile MTX (406.1 – 407.625 MHz) Mobile MTX (407.625 – 410 MHz) <b>PMR</b> and/or <b>PAMR</b> <b>PPDR</b>	Paired with 416.1 – 417.625 MHz Paired with 417.625 – 420 MHz Paired with 416.1 – 417.625 MHz Paired with 417.625 – 420 MHz (Government use for public safety) The use of this band for PPDR to be studied.
<b>410-420 MHz</b> FIXED MOBILE except aeronautical mobile	<b>410-420 MHz</b> FIXED MOBILE except aeronautical mobile	Mobile MTX (410 – 413 MHz) Mobile MTX Digital Trunking (410 – 413 MHz) Mobile Data MTX (413-413.7625 MHz)	Paired with 420 – 423 MHz (Government Services) Paired with 420 – 423 MHz Paired with 423-423.7625 MHz Paired with 423.7625 – 426.1 MHz

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
SPACE RESEARCH (space-to-space) 5.268	SPACE RESEARCH (space-to-space) 5.268	Digital Trunking MTX (413.7625 – 416.1 MHz) Mobile BTX (416.1 – 417.625 MHz) PMR and/or PAMR PPDR	Paired with 406.1 – 407.625 MHz The use of this band for PPDR to be studied.
420-430 MHz FIXED  MOBILE except aeronautical mobile  Radiolocation 5.269 5.270 5.271	420-430 MHz FIXED  MOBILE except aeronautical mobile  Radiolocation	Single Frequency Links (426.1 – 430 MHz)  Digital Trunked Mobile BTX (420 – 423 MHz) Mobile Data BTX (423 – 423.7625 MHz) Digital Trunking BTX (423.7625 – 426.1 MHz) PMR and/or PAMR PPDR	Frequencies will only be assigned for SF links where migration above 1 GHz would be impractical Paired with 410 - 413 MHz (Government use) Paired with 413 – 413.7625 MHz Paired with 413.7626 – 416.1 MHz The use of this band for PPDR to be studied.
430-432 MHz AMATEUR RADIOLOCATION 5.271 5.274 5.275 5.276 5.277	430-432 MHz AMATEUR NF8 RADIOLOCATION	Amateur	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
432-438 MHz AMATEUR  RADIOLOCATION	432-438 MHz AMATEUR NF8  Amateur satellite (435 – 438 MHz) RADIOLOCATION	Non Specific SRD including RFID (433.05 – 434.79 MHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Earth exploration-satellite (active) <b>5.279A</b> 5.138 5.271 <b>5.276</b> 5.277 5.280 5.281 5.282	Earth exploration-satellite (active) <b>5.279A</b> 5.138 5.282	Non-Specific SRD's (433.05 – 434.79 MHz) ISM applications <b>A amateur</b> (432-438 MHz) <b>A amateur-satellite</b> (435-438 MHz) <b>ISM</b> (433.0-434.79 MHz)	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015). Conditions for amateur satellite service is given in 5.282
<b>438-440 MHz</b> AMATEUR RADIOLOCATION 5.271 5.274 <b>5.275</b> <b>5.276</b> 5.277 5.283	<b>438-440 MHz</b> AMATEUR NF8	<b>A amateur</b>	Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).
<b>440-450 MHz</b> FIXED MOBILE except aeronautical mobile Radiolocation	<b>440-450 MHz</b> FIXED MOBILE except aeronautical mobile	Telemetry / Data BTX (440 – 441 MHz) Telemetry / Data MTX (445 – 446 MHz) Single Frequency Mobile (441 – 441.1 MHz) Mobile BTX (441.1 – 445 MHz) PMR 446 (446 – 446.1 MHz)	Paired with 445 – 446 MHz (MTX) Channels 440.0125, 440.3625, 445.0125 and 445.3625 MHz are used for Agricultural Telemetry. Paired with 440 – 441 MHz (BTX) Channels 440 - 440.100 MHz and 445 – 445.1 MHz are used as simplex. Channels 440.275 MHz, 440.2875 MHz, 445.2750 MHz, 445.2875 MHz, 440.375 MHz and 445.375 MHz are roving simplex channels. Paired with 446.1 – 450 MHz (MTX) 8 channels - Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.269 5.270 5.271 5.284 5.285 5.286	5.286	Mobile 446.1 – 450 MHz PMR and/or PAMR PPDR PMR446 (446-446.1 MHz) FIXED (telemetry, dual frequency alarm systems)	Paired with 441.1 – 445 MHz The use of this band for PPDR to be studied. PMR446-ERC/DEC/(98)25
450-455 MHz FIXED MOBILE 5.286AA  5.209 5.271 5.286 5.286A 5.286B 5.286C 5.286D 5.286E	450-455 MHz FIXED MOBILE 5.286AA NF9  5.209 5.286 5.286A	Fixed links (450 – 453 MHz) Single Frequency Mobile (453 – 454 MHz) Government Services Paging (454 – 454.425 MHz) Trunked Mobile BTX (454.425 – 460 MHz) IMT450 (450 – 470 MHz) Fixed links (PTP) IMT (450-470 MHz) PMR and/or PAMR	Paired with 460 – 463 MHz Recommendation ITU-R M.1036  Paired with 464.425 – 470 MHz This band is currently used for a variety of fixed and mobile systems in the various SADC countries. This band is also identified for IMT (Res.224 applies).
455-456 MHz FIXED MOBILE 5.286AA  5.209 5.271 5.286A 5.286B 5.286C 5.286E	455-456 MHz FIXED MOBILE 5.286AA NF9  5.209 5.286A	Trunked mobile BTX (454.425 – 460 MHz) IMT450 (450 – 470 MHz) Government Services	Paired with 464.425 – 470 MHz Recommendation ITU-R M.1036
456-459 MHz FIXED MOBILE 5.286AA  5.271 5.287 5.288	456-459 MHz FIXED MOBILE 5.286AA NF9  5.287	Trunked mobile BTX (454.425 – 460 MHz) IMT450 (450 – 470 MHz) Government Services	Paired with 464.425 – 470 MHz Recommendation ITU-R M.1036

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>459-460 MHz</b> FIXED MOBILE <b>5.286AA</b></p> <p>5.209 5.271 5.286A 5.286B 5.286C 5.286E</p>	<p><b>459-460 MHz</b> FIXED MOBILE <b>5.286AA</b> NF9</p> <p>5.209 5.271 5.286A</p>	<p>Trunked Mobile BTX 454.425 – 460 MHz IMT450 (450 – 470 MHz) Government Services</p>	<p>Paired with 464.425 – 470 MHz. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015 Recommendation ITU-R M.1036</p>
<p><b>460-470 MHz</b> FIXED MOBILE <b>5.286AA</b></p> <p>Meteorological-satellite (space-to-Earth) 5.287 5.288 5.289 5.290</p>	<p><b>460-470 MHz</b> FIXED MOBILE <b>5.286AA</b> NF9</p> <p>5.287 5.289</p>	<p>Fixed Links (460 – 463 MHz) Single Frequency Mobile (463.025 – 463.975 MHz) Low Power Mobile Radio (463.975 MHz, 464.125 MHz, 464.175 MHz, 464.325 MHz, 464.375 MHz) Single Frequency Mobile (464.375 – 464.425 MHz) Trunked Mobile MTX (464.425 – 470 MHz) IMT450 (450 – 470 MHz) Security Systems (464.5375 MHz) Non-specific SRDs (464.5 – 464.5875 MHz) Government Services</p>	<p>Paired with 450 – 453 MHz Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115). Recommendation ITU-R M.1036 Paired with 454.425 – 460 MHz International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).</p>
<p><b>470-694 MHz</b> BROADCASTING</p>	<p><b>470-694 MHz</b> BROADCASTING</p>	<p><b>DTT</b> Broadcasting (470-694 MHz)</p>	<p><b>Broadcasting</b> Allotments in accordance with GE89 and GE06. Broadcast assignments in accordance with the latest version of the Terrestrial Broadcasting</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.149 5.291A 5.294 5.296 5.300 5.304 5.306 5.311A 5.312	RADIO ASTRONOMY 5.304 5.149 5.311A	Radio Astronomy (606 – 614 MHz) SAP/SAB Applications	Frequency Plan as amended (GG No.36321) 02 April 2013. Band IV/V Analogue television to migrate to digital television in line with SADC time line. The use of ‘White Spaces’ in this band is under consideration (subject to NINP basis to users under a primary allocation) 470 - 606 MHz, max. 50 mW ERP 606 - 614 MHz, max. 50 mW ERP
694-790 MHz MOBILE except aeronautical mobile 5.312A 5.317A	694-790 MHz MOBILE except aeronautical mobile 5.312A 5.317A 5.311A	IMT700 (694 – 790 MHz)	International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. IMT in accordance with ITU-R Recommendation M.2090 and Resolution 760 (WRC-15) applies Recommendation ITU-R M.1036

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>790-862 MHz FIXED</p> <p>MOBILE except aeronautical mobile 5.316B <b>5.317A</b></p> <p>5.312 5.319</p>	<p>790-862 MHz FIXED</p> <p>MOBILE except aeronautical mobile 5.316B <b>5.317A</b></p>	<p>Fixed Links (856 – 864.1 MHz)</p> <p>IMT800 BTX (791 – 821 MHz)</p> <p>Mobile Wireless Access (827.775 – 832.695 MHz)</p> <p>IMT800 MTX (832 – 862 MHz)</p> <p>Television Broadcasting (470 – 854 MHz)</p>	<p>International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014.</p> <p>Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M.1036</p> <p>The fixed links have to be migrated along with the broadcasting service in line with Radio Frequency Migration Plan.</p> <p>Band IV/V analogue television to migrate to digital television according to SADC time lines. WRC-07, WRC-12 and WRC-15 allocated this band to Mobile service except aeronautical mobile and identified it for IMT.</p> <p>Fixed links operating in this band will have to be migrated in order to accommodate IMT.</p>
<p>862-890 MHz FIXED</p> <p>MOBILE except aeronautical mobile <b>5.317A</b></p>	<p>862-890 MHz FIXED</p> <p>MOBILE except aeronautical mobile <b>5.317A</b> NF10</p>	<p>Fixed Links (856 – 864.1 MHz)</p> <p>Fixed Wireless Access (872.775 – 877.695 MHz)</p> <p>GSM-R (MTX) (877.695 – 880 MHz) NF10</p> <p>IMT900 MTX (880 – 915 MHz)</p>	<p>Paired with 868.1 – 876 MHz</p> <p>Paired with 827.775 – 832.695 MHz</p> <p>Paired with 921 – 925 MHz</p> <p>Paired with 925 – 960 MHz</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>BROADCASTING 5.322 5.319 5.323</p>		<p>Wireless Audio systems and Wireless microphones (863 – 865 MHz) CT2 cordless phones (864.1 – 868.1 MHz) CT2 FWA (864.1 – 868.1 MHz) RFID (865 – 868 MHz) Non-specific SRD and RFID (869.4 – 869.65 MHz) Non Specific SRDs (868 – 868.6 MHz, 868.7 – 869.2 MHz, 869.4 – 869.65 MHz, 869.7 – 870.0 MHz) Alarms (868.6 – 868.7 MHz, 869.25 – 869.3 MHz, 869.65 – 869.7 MHz) 862-876 MHz IMT</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015).  Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015). Recommendation ITU-R M.1036</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		876-880 MHz IMT	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>890-942 MHz</b> FIXED MOBILE except aeronautical mobile 5.317A</p> <p>BROADCASTING 5.322 Radiolocation 5.323</p>	<p><b>890-942 MHz</b> MOBILE except aeronautical mobile 5.317A NF9 NF10 NF11</p>	<p>GSM-R (BTX) (921 - 925 MHz) IMT900 MTX (880 - 915 MHz) IMT900 BTX (925 - 960 MHz) RFID (including, passive tags and vehicle location (915.1 - 921 MHz) <b>915-921 MHz</b></p> <p><b>921-925 MHz</b> <b>IMT</b> <b>PMR</b> and/or PAMR</p> <p><b>925-960 MHz</b> <b>IMT</b></p>	<p>Paired with 877.695 - 880 MHz Paired with 925 - 960 MHz Paired with 880 - 915 MHz International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015). Recommendation ITU-R M.1036</p> <p><b>Paired</b> with 876-880 MHz.</p> <p><b>Paired</b> with 880-915 MHz</p>
<p><b>942-960 MHz</b></p>	<p><b>942-960 MHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED MOBILE except aeronautical mobile 5.317A  BROADCASTING 5.322 5.323	MOBILE except aeronautical mobile 5.317A NF9	IMT900 BTX (925 – 960 MHz)	Paired with 880 – 915 MHz <b>Recommendation</b> ITU-R M.1036
<b>960-1 164 MHz</b> AERONAUTICAL RADIONAVIGATION 5.328 <b>5.328AA</b>  AERONAUTICAL MOBILE (R) <b>5.327A</b>	<b>960-1 164 MHz</b> AERONAUTICAL RADIONAVIGATION 5.328 <b>5.328AA</b>  AERONAUTICAL MOBILE (R) <b>5.327A</b>	Distance measuring equipment / Secondary surveillance radar	
<b>1 164-1 215 MHz</b> AERONAUTICAL RADIONAVIGATION 5.328 RADIONAVIGATION- SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.328A	<b>1 164-1 215 MHz</b> AERONAUTICAL RADIONAVIGATION 5.328 RADIONAVIGATION- SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.328A	Galileo (1164 – 1214 MHz) GLONASS (1190.3 – 1213.8 MHz)	
<b>1 215-1 240 MHz</b> EARTH EXPLORATION- SATELLITE (active) RADIOLOCATION  RADIONAVIGATION- SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.329 5.329A SPACE RESEARCH (active)	<b>1 215-1 240 MHz</b> EARTH EXPLORATION- SATELLITE (active) RADIOLOCATION  RADIONAVIGATION- SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.329 5.329A SPACE RESEARCH (active)	Radar/navigation systems (1215 – 1300 MHz)  GPS (1215 – 1260 MHz) GLONASS (1237.8-1253.8 MHz)	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>5.330 5.331 5.332</p> <p><b>1 240-1 300 MHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION</p> <p>RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.329 5.329A SPACE RESEARCH (active) Amateur 5.282 5.330 5.331 5.332 5.335 5.335A</p> <p><b>1 300-1 350 MHz</b> AERONAUTICAL RADIONAVIGATION 5.337 RADIOLOCATION RADIONAVIGATION-SATELLITE (Earth-to-space) 5.149 5.337A</p>	<p>5.331 5.332</p> <p><b>1 240-1 300 MHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION</p> <p>RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.329 5.329A SPACE RESEARCH (active) Amateur 5.282 5.331 5.332 5.335A</p> <p><b>1 300-1 350 MHz</b> AERONAUTICAL RADIONAVIGATION 5.337 RADIOLOCATION RADIONAVIGATION-SATELLITE (Earth-to-space) Radio Astronomy 5.149 5.337A</p>	<p>Air Traffic Control Radar (1 240 – 1 350 MHz) Radar/navigation systems (1215 – 1300 MHz) GPS (1215 – 1260 MHz) GLONASS (1237.8 – 1253.8 MHz) Galileo (1260 – 1300 MHz) Amateur (1 240 – 1 300 MHz)</p> <p>Air Traffic Control Radar (1 240 – 1 350 MHz)</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 350-1 400 MHz</b> FIXED</p> <p>MOBILE RADIOLOCATION</p> <p>5.149 5.338 <b>5.338A</b> 5.339</p>	<p><b>1 350-1 400 MHz</b> FIXED NF 14</p> <p>MOBILE RADIOLOCATION Radio Astronomy 5.149 <b>5.338A</b> 5.339</p>	<p><b>1 350-1 375 MHz</b> Fixed links (duplex)</p> <p><b>1 375-1 400 MHz</b> Fixed links (duplex)</p>	<p>Paired with 1 492-1 517 MHz; CEPT T/R 13-01 refers.</p> <p>Paired with 1 427-1 452 MHz; CEPT T/R 13-01 refers.</p>
<p><b>1 400-1 427 MHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341</p>	<p><b>1 400-1 427 MHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341</p>	<p>Passive sensing</p>	
<p><b>1 427-1 429 MHz</b> SPACE OPERATION (Earth-to-space) FIXED</p> <p>MOBILE except aeronautical mobile <b>5.341A</b> 5.338A 5.341</p>	<p><b>1 427-1 429 MHz</b> SPACE OPERATION (Earth-to-space) FIXED NF14</p> <p>MOBILE except aeronautical mobile <b>5.341A</b> 5.338A 5.341</p>	<p><b>1 427-1 452 MHz</b> Fixed links (duplex)</p>	<p>Paired with 1 375 – 1 400 MHz in accordance with Recommendation ITU-R F.1242</p>
<p><b>1 429-1 452 MHz</b> FIXED</p> <p>MOBILE except aeronautical mobile <b>5.341A</b> 5.338A 5.341 <b>5.342</b></p>	<p><b>1 429-1 452 MHz</b> FIXED</p> <p>MOBILE except aeronautical mobile <b>5.341A</b> 5.338A 5.341</p>	<p><b>1 427-1 452 MHz</b> Fixed links (duplex)</p>	<p>Paired with 1 375 – 1 400 MHz in accordance with Recommendation ITU-R F.1242</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 452-1 492 MHz</b> FIXED MOBILE except aeronautical mobile <b>5.346</b> BROADCASTING BROADCASTING-SATELLITE <b>5.208B</b> 5.341 5.342 <b>5.345</b></p>	<p><b>1 452-1 492 MHz</b> FIXED NF14 MOBILE except aeronautical mobile <b>5.346</b> BROADCASTING BROADCASTING-SATELLITE <b>5.208B</b> 5.341 <b>5.345</b> NF12</p>	<p>Terrestrial Digital Audio Broadcasting (T-DAB) (1 452 – 1 479.5 MHz) Satellite Digital Audio Broadcasting (S-DAB) (1 479.5 – 1 492 MHz)</p>	<p>The Terrestrial Broadcasting Frequency Plan (GG No.36321) 02 April 2013. IMT Res. 223 (Rev.WRC-15) <b>IMT</b> Res. 223 (Rev.WRC-15)</p>
<p><b>1 492-1 518 MHz</b> FIXED MOBILE except aeronautical mobile <b>5.341A</b> 5.341 5.342</p>	<p><b>1 492-1 518 MHz</b> FIXED MOBILE except aeronautical mobile <b>5.341A</b> 5.341</p>	<p>Fixed Links (1 492 – 1 517 MHz) Single Frequency Links (1 517 – 1 525 MHz)</p>	<p>Paired with 1 350 – 1 375 MHz In accordance with Recommendation ITU-R F.1242 IMT Res. 223 (Rev.WRC-15)</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 518-1 525 MHz</b> FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.348B 5.351A 5.341 5.342</p>	<p><b>1 518-1 525 MHz</b> FIXED MOBILE-SATELLITE (space-to-Earth) 5.348 5.348A 5.351A 5.341</p>	<p>Single Frequency Links (1 517 – 1 525 MHz) IMT Satellite component</p>	<p>In accordance with Recommendation ITU-R F.1242 The band 1518-1559 MHz is identified for satellite component of IMT; Res.225 applies.</p>
<p><b>1 525-1 530 MHz</b> SPACE OPERATION (space-to-Earth) FIXED MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Mobile except aeronautical mobile 5.349 5.342 5.350 5.351 5.352A 5.354</p>	<p><b>1 525-1 530 MHz</b> SPACE OPERATION (space-to-Earth) FIXED MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A Earth exploration-satellite Mobile except aeronautical mobile 5.341 5.351 5.354</p>	<p>GMDSS Maritime satellite (1 525 – 1 544 MHz) Mobile satellite (1544 – 1545 MHz) Aeronautical Mobile satellite (1545 – 1555 MHz) Land Mobile satellite (1555 – 1559 MHz)</p>	<p>Paired with 1 626.5 – 1 660.5 MHz The band 1518-1559 MHz is identified for satellite component of IMT; Res.225 applies.</p>
<p><b>1 530-1 535 MHz</b> SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.353A</p>	<p><b>1 530-1 535 MHz</b> SPACE OPERATION (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A 5.353A</p>	<p>GMDSS Maritime satellite (1 525 – 1 544 MHz) Mobile satellite (1544 – 1545 MHz) Aeronautical Mobile satellite (1545 – 1555 MHz)</p>	<p>Paired with 1 626.5 – 1 660.5 MHz The band 1518-1559 MHz is identified for satellite component of IMT; Res.225 applies. In the band 1530-1544 MHz priority for maritime mobile</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Earth exploration-satellite Fixed Mobile except aeronautical mobile 5.341 5.342 5.351 5.354	Earth exploration-satellite Fixed Mobile except aeronautical mobile 5.341 5.351 5.354	Land Mobile satellite (1555 – 1559 MHz)	distress, urgency and safety communications (GMDSS); Res.222 applies.
<b>1 535-1 559 MHz</b> MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A  5.341 5.351 5.353A 5.354 5.355 5.356 5.357 5.357A 5.359	<b>1 535-1 559 MHz</b> MOBILE-SATELLITE (space-to-Earth) 5.208B 5.351A  5.341 5.351 5.353A 5.354 5.356 5.357 5.357A	GMDSS Maritime satellite (1 525 – 1 544 MHz) Mobile satellite (1544 – 1545 MHz) Aeronautical Mobile satellite (1545 – 1555 MHz) Land Mobile satellite (1555 – 1559 MHz)	Paired with 1 626.5 – 1 660.5 MHz The band 1518-1559 MHz is identified for satellite component of IMT; Res.225 applies. In the band 1530-1544 MHz priority for maritime mobile distress, urgency and safety communications (GMDSS); Res.222 applies.
<b>1 559-1 610 MHz</b> AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.208B 5.328B 5.329A 5.341	<b>1 559-1 610 MHz</b> AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.208B 5.328B 5.329A 5.341	Global Positioning System (1 563.42 – 1 587.42 MHz) GALILEO (1559.42 – 1591.42 MHz), GLONAS (1592.9 – 1610.5 MHz)	
<b>1 610-1 610.6 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION 5.341 5.355 5.359 5.364 5.366 5.367 5.368 5.369 5.371 5.372	<b>1 610-1 610.6 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A AERONAUTICAL RADIONAVIGATION 5.341 5.364 5.366 5.367 5.368 5.371 5.372	MSS (1 610 – 1 626.5 MHz) GLONASS (1 592.9 – 1610.5 MHz)	Paired with 2 483.5 – 2 500 MHz for some systems The band 1610-1645.5 MHz is identified for satellite component of IMT; Res.225 applies.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 610.6-1 613.8 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A</p> <p>RADIO ASTRONOMY AERONAUTICAL RADIONAVIGATION 5.149 5.341 5.355 5.359 5.364 5.366 5.367 5.368 5.369 5.371 5.372</p>	<p><b>1 610.6-1 613.8 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A</p> <p>RADIO ASTRONOMY AERONAUTICAL RADIONAVIGATION 5.149 5.341 5.364 5.366 5.367 5.368 5.371 5.372</p>	<p>MSS (1 610 – 1 626.5 MHz)</p>	<p>This band is designated world-wide for the MSS. Paired with 2483.5-2484.1 MHz for some systems.</p> <p>Paired with 2 483.5 – 2 500 MHz for some systems</p> <p>The band 1610-1645.5 MHz is identified for satellite component of IMT; Res.225 applies.</p> <p>This band is designated world-wide for the MSS. Paired with 2484.1-2487.3 MHz for some systems.</p>
<p><b>1 613.8-1 626.5 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A</p> <p>AERONAUTICAL RADIONAVIGATION Mobile-satellite (space-to-Earth) <b>5.208B</b> 5.341 5.355 5.359 5.364 5.365 5.366 5.367 5.368 5.369 5.371 5.372</p>	<p><b>1 613.8-1 626.5 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A</p> <p>AERONAUTICAL RADIONAVIGATION Mobile-satellite (space-to-Earth) <b>5.208B</b> 5.341 5.364 5.365 5.366 5.367 5.368 5.371 5.372</p>	<p>MSS (1 610 – 1 626.5 MHz)</p>	<p>Paired with 2 483.5 – 2 500 MHz for some systems</p> <p>The band 1610-1645.5 MHz is identified for satellite component of IMT; Res.225 applies.</p> <p>Paired with 1593-1594 MHz for aeronautical public correspondence</p>
<p><b>1 626.5-1 660 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A</p>	<p><b>1 626.5-1 660 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A</p>	<p>GMDSS Maritime satellite (1 525 – 1 544 MHz) Mobile satellite (1544 – 1545 MHz)</p>	<p>Paired with 1 626.5 – 1 660.5 MHz</p> <p>The bands 1610-1645.5 MHz and 1646.5-1660.5 MHz are identified</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.341 5.351 5.353A 5.354 5.355 5.357A 5.359 5.374 5.375 5.376	5.341 5.351 5.353A 5.354 5.357A 5.374 5.375 5.376	Aeronautical Mobile satellite (1545 – 1555 MHz) Land Mobile satellite (1555 – 1559 MHz)	for satellite component of IMT; Res.225 applies. In the band 1626.5-1645.5 MHz priority is given to maritime mobile distress, urgency and safety communications (GMDSS); Res.222 applies.
<b>1 660-1 660.5 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A  RADIO ASTRONOMY 5.149 5.341 5.351 5.354 5.376A	<b>1 660-1 660.5 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A  RADIO ASTRONOMY 5.149 5.341 5.351 5.354 5.376A	GMDSS Maritime satellite (1 525 – 1 544 MHz) Mobile satellite (1 544 – 1 545 MHz) Aeronautical Mobile satellite (1545 – 1555 MHz) Land Mobile satellite (1555 – 1559 MHz)	Paired with 1 626.5 – 1 660.5 MHz The band 1610-1645.5 MHz and 1646.5-1660.5 MHz are identified for satellite component of IMT; Res.225 applies.
<b>1 660.5-1 668 MHz</b> RADIO ASTRONOMY SPACE RESEARCH (passive) Fixed Mobile except aeronautical mobile 5.149 5.341 5.379 5.379A	<b>1 660.5-1 668 MHz</b> RADIO ASTRONOMY SPACE RESEARCH (passive)  5.149 5.341 5.379A		
<b>1 668-1 668.4 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.379C RADIO ASTRONOMY SPACE RESEARCH (passive) Fixed Mobile except aeronautical mobile 5.149 5.341 5.379 5.379A	<b>1 668-1 668.4 MHz</b> MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.379C RADIO ASTRONOMY SPACE RESEARCH (passive)  5.149 5.341 5.379A	IMT satellite component (1 668 – 1 675 MHz)	The band 1668-1675 MHz is identified for satellite component of IMT; Res.225 applies.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 668-4-1 670 MHz</b> METEOROLOGICAL AIDS FIXED MOBILE except aeronautical mobile MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.379C RADIO ASTRONOMY 5.149 5.341 5.379D 5.379E</p>	<p><b>1 668-4-1 670 MHz</b> METEOROLOGICAL AIDS MOBILE except aeronautical mobile MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.379C RADIO ASTRONOMY 5.149 5.341 5.379D 5.379E</p>	<p>Radiosonde (1 668 – 1 700 MHz) IMT satellite component (1 668 – 1 675 MHz)</p>	<p>The band 1668-1675 MHz is identified for satellite component of IMT; Res.225 applies.</p>
<p><b>1 670-1 675 MHz</b> METEOROLOGICAL AIDS FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.341 5.379D 5.379E 5.380A</p>	<p><b>1 670-1 675 MHz</b> METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE MOBILE-SATELLITE (Earth-to-space) 5.351A 5.379B 5.341 5.379D 5.379E 5.380A</p>	<p>Radiosonde (1 668 – 1 700 MHz) IMT satellite component (1 668 – 1 675 MHz)</p>	<p>The band 1668-1675 MHz is identified for satellite component of IMT; Res.225 applies.</p>
<p><b>1 675-1 690 MHz</b> METEOROLOGICAL AIDS FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile 5.341</p>	<p><b>1 675-1 690 MHz</b> METEOROLOGICAL AIDS METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile 5.341</p>	<p>Radiosonde (1 668 – 1 700 MHz)</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>1 690-1 700 MHz</b> METEOROLOGICAL AIDS</p> <p>METEOROLOGICAL-SATELLITE (space-to-Earth) Fixed Mobile except aeronautical mobile 5.289 5.341 <b>5.382</b></p>	<p><b>1 690-1 700 MHz</b> METEOROLOGICAL AIDS</p> <p>METEOROLOGICAL-SATELLITE (space-to-Earth) 5.289 5.341</p>	<p>Radiosonde (1 668 – 1 700 MHz)</p>	<p>Channels 1695.6938 MHz; 1695.7250 MHz; 1695.7562 MHz; 1695.7874 MHz; 1691 MHz and 1694.5 MHz</p>
<p><b>1 700-1 710 MHz</b> FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile 5.289 5.341</p>	<p><b>1 700-1 710 MHz</b> METEOROLOGICAL-SATELLITE (space-to-Earth) 5.289 5.341</p>	<p>Fixed links (single frequency)</p>	
<p><b>1 710-1 930 MHz</b> FIXED</p> <p>MOBILE <b>5.384A</b> 5.388A 5.388B</p> <p>5.149 5.341 5.385 5.387 <b>5.388</b></p>	<p><b>1 710-1 930 MHz</b> FIXED</p> <p>MOBILE <b>5.384A</b> 5.388A NF9</p> <p>5.149 5.341 5.385 <b>5.388</b></p>	<p>DECT FWA (1880 – 1900 MHz) FWA TDD (1900 – 1920 MHz) Fixed Broadband data applications (1 785 – 1 805 MHz) IMT1800 MTX (1710 – 1785 MHz) DECT Cordless telephones (1880 – 1900 MHz) IMT1900 TDD (1900 – 1920 MHz) IMT2100 MTX (1920 – 1980 MHz) <b>1 710-1 785 MHz</b> IMT</p>	<p>Paired with BTX 1805 – 1880 MHz. Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115) Paired with 1710-1785 MHz.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
		<p>1785-1805 MHz BFWA</p> <p>1 805-1 880 MHz IMT</p> <p>1 880-1 900 MHz FWA</p> <p>Cordless telephone</p> <p>1 900-1 920 MHz FWA</p> <p>IMT (terrestrial)</p> <p>1 920-1 980 MHz IMT (terrestrial)</p>	<p>Paired with 1805-1880 MHz.</p> <p>IMT TDD applications (Future) Paired with BTX 2110 – 2170 MHz.</p> <p>Paired with 2110-2170 MHz</p>
<p>1 930-1 970 MHz FIXED</p> <p>MOBILE 5.388A 5.388B 5.388</p>	<p>1 930-1 970 MHz FIXED</p> <p>MOBILE 5.388A NF9 5.388</p>	<p>IMT2100 MTX (1920 – 1980 MHz)</p>	<p>Paired with 2110 – 2170 MHz.</p>
<p>1 970-1 980 MHz FIXED</p> <p>MOBILE 5.388A 5.388B 5.388</p>	<p>1 970-1 980 MHz FIXED</p> <p>MOBILE 5.388A NF9 5.388</p>	<p>IMT2100 MTX (1920 – 1980 MHz)</p>	<p>Paired with 2110 – 2170 MHz.</p>
<p>1 980-2 010 MHz FIXED</p> <p>MOBILE</p> <p>MOBILE-SATELLITE (Earth-to-space) 5.351A 5.388 5.389A 5.389B 5.389F</p>	<p>1 980-2 010 MHz FIXED</p> <p>MOBILE</p> <p>MOBILE-SATELLITE (Earth-to-space) 5.351A 5.388 5.389A NF13</p>	<p>Fixed links (1980 – 2010 MHz) CGC/ATC fixed systems (1980 – 2010 MHz) IMT-satellite IMT (satellite) (1980-2010 MHz)</p>	<p>Paired with 2170 – 2200 MHz Paired with 2170 – 2200 MHz (future) The development of satellites for IMT services to be monitored.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>2 010-2 025 MHz</b> FIXED MOBILE 5.388A 5.388B <b>5.388</b></p>	<p><b>2 010-2 025 MHz</b> FIXED MOBILE 5.388A NF9 <b>5.388</b></p>	<p>IMT TDD (2010 – 2025 MHz)</p>	<p>IMT TDD applications (Future) Recommendation ITU-R M.1036</p>
<p><b>2 025-2 110 MHz</b> SPACE OPERATION (Earth-to-space) (space-to-space) EARTH EXPLORATION-SATELLITE (Earth-to-space) (space-to-space) FIXED <b>MOBILE 5.391</b> SPACE RESEARCH (Earth-to-space) (space-to-space) 5.392</p>	<p><b>2 025-2 110 MHz</b>  FIXED NF14  5.392</p>	<p>Fixed Links (2025 – 2110 MHz) <b>Fixed</b> links (2025-2110 MHz) paired with 2200-2285 MHz)</p>	<p>Paired with 2200 – 2285 MHz. ITU-R Rec. F.1098 refers. <b>Radio</b> Frequency channel arrangement according to ITU-R F.1098.</p>
<p><b>2 110-2 120 MHz</b> FIXED MOBILE 5.388A 5.388B SPACE RESEARCH (deep space) (Earth-to-space) <b>5.388</b></p>	<p><b>2 110-2 120 MHz</b> FIXED MOBILE 5.388A NF9 <b>5.388</b></p>	<p>IMT2100 BTX (2110 – 2170 MHz)</p>	<p>Paired with 1920 – 1980 MHz. <b>Recommendation</b> ITU-R M.1036</p>
<p><b>2 120-2 160 MHz</b> FIXED MOBILE 5.388A 5.388B <b>5.388</b></p>	<p><b>2 120-2 160 MHz</b> FIXED MOBILE 5.388A NF9 <b>5.388</b></p>	<p>IMT-2100 BTX (2110 – 2170 MHz)</p>	<p>Paired with 1920 – 1980 MHz. <b>Recommendation</b> ITU-R M.1036</p>
<p><b>2 160-2 170 MHz</b> FIXED MOBILE 5.388A 5.388B <b>5.388</b></p>	<p><b>2 160-2 170 MHz</b> FIXED MOBILE 5.388A NF9 <b>5.388</b></p>	<p>IMT2100 BTX (2110 – 2170 MHz)</p>	<p>Paired with 1920 – 1980 MHz. <b>Recommendation</b> ITU-R M.1036</p>
<p><b>2 170-2 200 MHz</b></p>	<p><b>2 170-2 200 MHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A 5.388 5.389A 5.389F</p>	<p>FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A 5.388 5.389A 5.389F NF13</p>	<p>Fixed Links (2170 – 2200 MHz) CGC/ATC fixed systems (1980 – 2010 MHz) IMT-satellite <b>IMT</b> (satellite) (2170-2200 MHz)</p>	<p>Paired with 1980 – 2010 MHz Paired with 2170 – 2200 MHz (future) <b>Radio</b> Frequency channel arrangement according to ITU-R F.1098.</p>
<p><b>2 200-2 290 MHz</b> SPACE OPERATION (space-to-Earth) (space-to-space) EARTH EXPLORATION-SATELLITE (space-to-Earth) (space-to-space) FIXED MOBILE <b>5.391</b> SPACE RESEARCH (space-to-Earth) (space-to-space) 5.392</p>	<p><b>2 200-2 290 MHz</b> SPACE OPERATION (space-to-Earth) (space-to-space) FIXED NF14 MOBILE <b>5.391</b> 5.392</p>	<p>TT&amp;C received from space</p> <p>Fixed Links (2025 – 2110 MHz paired with 2200 – 2285) Fixed Links (2200 – 2285 MHz) <b>BFWA</b> (2 285-2 300 MHz)</p>	<p>Radio Frequency Channel arrangements in accordance with ITU-R F.1098 Paired with 2025 – 2110 MHz ITU-R Rec. F.1098 refers.</p>
<p><b>2 290-2 300 MHz</b> FIXED MOBILE except aeronautical mobile SPACE RESEARCH (deep space) (space-to-Earth)</p>	<p><b>2 290-2 300 MHz</b> FIXED MOBILE except aeronautical mobile SPACE RESEARCH (deep space) (space-to-Earth)</p>	<p>Fixed Links</p>	
<p><b>2 300-2 450 MHz</b> FIXED</p>	<p><b>2 300-2 450 MHz</b> FIXED</p>	<p>FWA (PTP/PTMP) (2307-2387 MHz) Outside Broadcast Links</p>	<p>Paired with 2401 – 2481 MHz 28 MHz channels OB links. Frequency co-ordination with other systems operating in the band is mandatory on a case-by-case basis. Primary basis: 2377 MHz and 2471</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>MOBILE 5.384A</p> <p>Amateur Radiolocation 5.150 5.282 5.395</p>	<p>MOBILE 5.384A NF9</p> <p>Amateur 5.150 5.282</p>	<p>FWA (PTP/PTMP) (2401 – 2481 MHz)                      IMT2300 TDD (2300 – 2400 MHz)                      WLAN, FDDA and model ctrl. (2400 – 2483.5 MHz)                      Non-Specific SRDs and low power video surveillance (2400 – 2483.5 MHz)                      RFID (2 400 – 2 483.5 MHz)                      ISM applications (2400 – 2500 MHz)                      2300-2400 MHz                      Fixed links PTP/PTMP                      IMT (TDD)BFWA</p>	<p>MHz. Secondary basis: 2321 MHz, 2349 MHz, 2415 MHz and 2443 MHz                      Paired with 2307-2387 MHz</p> <p>International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014.                      Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015.                      Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).                      Recommendation ITU-R M.1036</p> <p>8) Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).                      Fixed paired with 2400-2500 MHz.                      This band has been identified for IMT.</p>
<p>2 450-2 483.5 MHz                      FIXED                      MOBILE</p> <p>Radiolocation</p>	<p>2 450-2 483.5 MHz                      FIXED                      MOBILE</p> <p>Radiolocation</p>	<p>FWA (PTP/PTMP) (2401 – 2481 MHz)                      WLAN and RFID (2400 – 2483.5 MHz)</p>	<p>Paired with 2307-2387 MHz</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.150	5.150	Non-Specific SRDs and low power video surveillance (2400 – 2483.5 MHz)  ISM applications (2400 – 2500 MHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>2 483.5-2 500 MHz</b> FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A  RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 Radiolocation 5.398A 5.150 5.399 <b>5.401</b> 5.402	<b>2 483.5-2 500 MHz</b> FIXED MOBILE MOBILE-SATELLITE (space-to-Earth) 5.351A  RADIODETERMINATION-SATELLITE (space-to-Earth) 5.398 5.150 5.399 5.402	Aeronautical Mobile Video surveillance MSS (2483.5 – 2500 MHz) <b>2400-2500 MHz</b> <b>Fixed</b> links PTP/PTMP <b>The</b> band 2 400-2 500 MHz is designated for ISM applications (5.150). <b>SRD</b> applications (2 400-2 483.5 MHz)	Unmanned aerial vehicles only Some systems are paired with 1610 – 1626.5 MHz <b>FS</b> paired with 2300-2400 MHz. The band 2483.5-2500 MHz is identified for satellite component of IMT; Res.225 applies. Common international SRD band; see ITU-R Rec.SM.[SRD]
<b>2 500-2 520 MHz</b> FIXED 5.410 MOBILE except aeronautical mobile 5.384A  5.412	<b>2 500-2 520 MHz</b>  MOBILE except aeronautical mobile 5.384A NF9	IMT2600 MTX (2500 – 2570 MHz)	Paired with 2620 – 2690 MHz International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M.1036
<b>2 520-2 655 MHz</b> FIXED 5.410	<b>2 520-2 655 MHz</b>		Paired with 2620 – 2690 MHz

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>MOBILE except aeronautical mobile 5.384A</p> <p>BROADCASTING-SATELLITE 5.413 5.416</p> <p>5.339 5.412 5.418B 5.418C</p>	<p>MOBILE except aeronautical mobile 5.384A NF9</p> <p>5.339</p>	<p>IMT2600 MTX (2500 – 2570 MHz)</p> <p>IMT2600 TDD (2570 – 2620 MHz)</p> <p>IMT2600 BTX (2620 – 2690 MHz)</p> <p>BFWA (2500-2690 MHz)</p> <p>IMI (2500-2690 MHz)</p>	<p>Paired with 2500 – 2570 MHz International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M.1036 The band 2 500-2 690 MHz is also used for BFWA in some SADC countries</p>
<p><b>2 655-2 670 MHz</b></p> <p>FIXED 5.410</p> <p>MOBILE except aeronautical mobile 5.384A</p> <p>BROADCASTING-SATELLITE / <b>5.208B</b> 5.413 5.416</p> <p>Earth exploration-satellite (passive)</p> <p>Radio astronomy</p> <p>Space research (passive)</p> <p>5.149 5.412</p>	<p><b>2 655-2 670 MHz</b></p> <p>MOBILE except aeronautical mobile 5.384A NF9</p> <p>Radio astronomy</p> <p>5.149</p>	<p>IMT2600 BTX (2620 – 2690 MHz)</p>	<p>Paired with 2500 – 2570 MHz International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M.1036</p>
<p><b>2 670-2 690 MHz</b></p> <p>FIXED 5.410</p> <p>MOBILE except aeronautical mobile 5.384A</p> <p>Earth exploration-satellite (passive)</p> <p>Radio astronomy</p> <p>Space research (passive)</p> <p>5.149 5.412</p>	<p><b>2 670-2 690 MHz</b></p> <p>MOBILE except aeronautical mobile 5.384A</p> <p>Radio astronomy</p> <p>5.149</p>	<p>IMT2600 MTX (2620 – 2690 MHz)</p>	<p>Paired with 2500 – 2570 MHz International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>2 690-2 700 MHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.422	<b>2 690-2 700 MHz</b> RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	Passive sensing	(GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M.1036
<b>2 700-2 900 MHz</b> AERONAUTICAL RADIONAVIGATION 5.337 Radiolocation 5.423	<b>2 700-2 900 MHz</b> AERONAUTICAL RADIONAVIGATION 5.337 Radiolocation 5.423		
<b>2 900-3 100 MHz</b> RADIOLOCATION 5.424A RADIONAVIGATION 5.426 5.425 5.427	<b>2 900-3 100 MHz</b> RADIOLOCATION 5.424A RADIONAVIGATION 5.426 5.425 5.427		
<b>3 100-3 300 MHz</b> RADIOLOCATION Earth exploration-satellite (active) Space research (active) 5.149 5.428	<b>3 100-3 300 MHz</b> RADIOLOCATION Earth exploration-satellite (active) Space research (active) 5.149	Government Services	
<b>3 300-3 400 MHz</b> RADIOLOCATION 5.149 5.429 5.429A 5.429B 5.430	<b>3 300-3 400 MHz</b> RADIOLOCATION 5.149 5.429A 5.429B	Government Services <b>IMT</b> Res. 223 (Rev.WRC-15)	International Mobile Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M. 1036

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>3 400-3 600 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) Mobile <b>5.430A</b>  Radiolocation <b>5.431</b></p>	<p><b>3 400-3 600 MHz</b> FIXED  MOBILE <b>5.430A</b> NF9</p>	<p>FWA (3400 – 3600 MHz)  IMT3500 (3410 – 3490 MHz) IMT3500 (3510 – 3590 MHz)</p>	<p>Paired with 3510 – 3590 MHz Paired with 3410 – 3490 MHz <b>International Mobile</b> Telecommunication Roadmap (GG No.38213) 14 November 2014. Radio Frequency Assignment Plan (GG N. 38640) as amended 30 March 2015. Recommendation ITU-R M.1036 <b>The</b> band 3400 -3600 MHz is also used for BFWA in some SADC countries</p>
<p><b>3 600-4 200 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) NF14</p>	<p><b>3 600-4 200 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) NF14</p>	<p>Fixed links (4 GHz) (3600 – 4200 MHz) C-band downlink <b>Fixed</b> services (PTP) (3600-4200 MHz) Fixed-satellite (space-to-Earth) (PTP/VSAT/SNG) (3600-4200 MHz) Broadband Fixed Wireless Access (BFWA) (3600-3800 MHz)</p>	<p><b>The</b> sub-band 3 600-3 800 MHz could be used for BFWA where frequency sharing with FS PTP and/or FSS is feasible. The channelling arrangement for PTP links in this band is based on ITU-R Recommendation F.635 Annex 1. The sub-band 3 600-4 200 MHz is used for medium and high capacity PTP links and FSS. In the band 3 600-3 800 MHz, BFWA, FS PTP and FSS applications will have to operate on coordinated basis. However, considering the difficulty in</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>4 200-4 400 MHz</b> AERONAUTICAL MOBILE (R) <b>5.436</b> AERONAUTICAL RADIONAVIGATION <b>5.438</b> <b>5.437</b> 5.439 5.440</p>	<p><b>4 200-4 400 MHz</b>AERONAUTICAL MOBILE (R) <b>5.436</b> AERONAUTICAL RADIONAVIGATION <b>5.438</b> <b>5.437</b> 5.440</p>	<p>Radio altimeters onboard aircraft Radars</p>	<p>coordinating ubiquitous user terminals used for BFWA and VSAT, it is proposed that VSAT systems be migrated to the Ku-band.</p>
<p><b>4 400-4 500 MHz</b> FIXED MOBILE</p>	<p><b>4 400-4 500 MHz</b> FIXED NF14 MOBILE</p>	<p>Fixed links (4.8 GHz) (4400 – 5000 MHz) Government services Outside Broadcast links Electronic News Gathering</p>	
<p><b>4 500-4 800 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.441 MOBILE 5.440A</p>	<p><b>4 500-4 800 MHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.441 MOBILE NF15</p>	<p>Fixed links (4.8 GHz) (4400 – 5000 MHz) Government services Outside Broadcast links Electronic News Gathering</p>	<p>Appendix 30B Plan The band 4 500-4 800 MHz is part of the APP30B Plan (FSS space-to-Earth). Refer to Annex B.</p>
<p><b>4 800-4 990 MHz</b> FIXED MOBILE 5.440A <b>5.442</b></p>	<p><b>4 800-4 990 MHz</b> FIXED NF14 MOBILE <b>5.442</b></p>	<p>Fixed links (4.8 GHz) (4400 – 5000 MHz) Government services</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Radio astronomy 5.149 5.339 5.443	Radio astronomy 5.149 5.339 NF15	Outside Broadcast links Electronic News Gathering Radio astronomy on 4825 – 4835 MHz and 4950 – 4990 MHz	
<b>4 990-5 000 MHz</b> FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY Space research (passive) 5.149	<b>4 990-5 000 MHz</b> FIXED NF14 MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 NF15	Fixed links (4.8 GHz) (4400 – 5000 MHz) Government services Outside Broadcast links Electronic News Gathering	
<b>5 000-5 010 MHz</b> AERONAUTICAL MOBILE-SATELLITE (R) 5.443AA AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (Earth-to-space)	<b>5 000-5 010 MHz</b> AERONAUTICAL MOBILE-SATELLITE (R) 5.443AA AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (Earth-to-space)		
<b>5 010-5 030 MHz</b> AERONAUTICAL MOBILE-SATELLITE (R) 5.443AA AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (space-to-Earth) 5.443B	<b>5 010-5 030 MHz</b> AERONAUTICAL MOBILE-SATELLITE (R) 5.443AA AERONAUTICAL RADIONAVIGATION RADIONAVIGATION-SATELLITE (space-to-Earth) (space-to-space) 5.328B 5.443B		
<b>5 030-5 091 MHz</b> AERONAUTICAL MOBILE (R) 5.443C	<b>5 030-5 091 MHz</b> AERONAUTICAL MOBILE (R) 5.443C		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
AERONAUTICAL MOBILE-SATELLITE (R) 5.443D AERONAUTICAL RADIONAVIGATION 5.444	AERONAUTICAL MOBILE-SATELLITE (R) 5.443D AERONAUTICAL RADIONAVIGATION 5.444	Microwave Landing System	
5 091-5 150 MHz FIXED-SATELLITE (Earth-to-space) 5.444A AERONAUTICAL MOBILE 5.444B AERONAUTICAL MOBILE-SATELLITE (R) 5.443A 5.443AA AERONAUTICAL RADIONAVIGATION	5 091-5 150 MHz FIXED-SATELLITE (Earth-to-space) 5.444A AERONAUTICAL MOBILE 5.444B AERONAUTICAL MOBILE-SATELLITE (R) 5.443A AERONAUTICAL RADIONAVIGATION FIXED-SATELLITE (Earth-to-space) 5.444 5.444A	NGSO MSS feeder links (5091 – 5150 MHz)	
5.444 5.444A 5 150-5 250 MHz AERONAUTICAL RADIONAVIGATION FIXED-SATELLITE (Earth-to-space) 5.447A MOBILE except aeronautical mobile 5.446A 5.446B 5.446 5.446C 5.447 5.447B 5.447C	5 150-5 250 MHz AERONAUTICAL RADIONAVIGATION FIXED-SATELLITE (Earth-to-space) 5.447A MOBILE except aeronautical mobile 5.446A 5.446B 5.446 5.446C 5.447B 5.447C	NGSO MSS feeder links (5091 – 5150 MHz) WAS / RLAN (5150 – 5350 MHz) (indoor use only)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2015).
5 250-5 255 MHz EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH 5.447D	5 250-5 255 MHz SPACE RESEARCH 5.447D MOBILE except aeronautical mobile 5.446A 5.447E	WAS / RLAN (5150 – 5350 MHz) (indoor use only)	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MOBILE except aeronautical mobile 5.446A 5.447F 5.447E 5.448 5.448A	5.448A		Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
5 255-5 350 MHz EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) MOBILE except aeronautical mobile 5.446A 5.447F 5.447E 5.448 5.448A	5 255-5 350 MHz EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) MOBILE except aeronautical mobile 5.446A 5.447F 5.448A	WAS / RLAN (5150 – 5350 MHz) (indoor use only)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
5 350-5 460 MHz EARTH EXPLORATION-SATELLITE (active) 5.448B SPACE RESEARCH (active) 5.448C AERONAUTICAL RADIO NAVIGATION 5.449 RADIOLOCATION 5.448D	5 350-5 460 MHz EARTH EXPLORATION-SATELLITE (active) 5.448B SPACE RESEARCH (active) 5.448C AERONAUTICAL RADIO NAVIGATION 5.449 RADIOLOCATION 5.448D		
5 460-5 470 MHz RADIO NAVIGATION 5.449 EARTH EXPLORATION-SATELLITE (active) SPACE RESEARCH (active) RADIOLOCATION 5.448D 5.448B	5 460-5 470 MHz RADIO NAVIGATION 5.449 EARTH EXPLORATION-SATELLITE (active) SPACE RESEARCH (active) RADIOLOCATION 5.448D 5.448B		
5 470-5 570 MHz MARITIME RADIO NAVIGATION	5 470-5 570 MHz MARITIME RADIO NAVIGATION	WAS / RLAN (5470 – 5725 MHz)	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MOBILE except aeronautical mobile 5.446A 5.450A EARTH EXPLORATION-SATELLITE (active) SPACE RESEARCH (active) RADIOLOCATION 5.450B 5.448B 5.450 5.451	MOBILE except aeronautical mobile 5.446A 5.450A EARTH EXPLORATION-SATELLITE (active) SPACE RESEARCH (active) RADIOLOCATION 5.450B 5.448B		Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>5 570-5 650 MHz</b> MARITIME RADIONAVIGATION  MOBILE except aeronautical mobile 5.446A 5.450A RADIOLOCATION 5.450B 5.450 5.451 5.452	<b>5 570-5 650 MHz</b> MARITIME RADIONAVIGATION  MOBILE except aeronautical mobile 5.446A 5.450A RADIOLOCATION 5.450B 5.452	Location Radar Ground based meteorological radars (5600 – 5650 MHz) WAS / RLAN (5470 – 5725 MHz) <b>Weather</b> Radars (5600 – 5650 MHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>5 650-5 725 MHz</b> RADIOLOCATION MOBILE except aeronautical mobile 5.446A 5.450A Amateur Space research (deep space) 5.282 5.451 5.453 5.454 5.455	<b>5 650-5 725 MHz</b> RADIOLOCATION MOBILE except aeronautical mobile 5.446A 5.450A Amateur Space research (deep space) 5.282	WAS / RLAN (5470 – 5725 MHz) (indoor use only)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>5 725-5 830 MHz</b> FIXED-SATELLITE (Earth-to-space) RADIOLOCATION Amateur <b>5.150 5.451 5.453 5.455</b>	<b>5 725-5 830 MHz</b> FIXED-SATELLITE (Earth-to-space) RADIOLOCATION Amateur Fixed NF16 <b>5.150</b>	Fixed links (5725 – 5850 MHz) RTTA data (5795 – 5815 MHz) ISM applications (5725 – 5875 MHz) <b>BFWA</b> (5725-5850 MHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>5 830-5 850 MHz</b> FIXED-SATELLITE (Earth-to-space) RADIOLOCATION Amateur Amateur-satellite (space-to-Earth) 5.150 <b>5 451</b> 5.453 5.455</p>	<p><b>5 830-5 850 MHz</b> FIXED-SATELLITE (Earth-to-space) RADIOLOCATION Amateur Amateur-satellite (space-to-Earth) Fixed NF16 5.150</p>	<p>ISM (5725-5875 MHz) RTTT (Road Transport and Traffic Telematics) (5795-5815 MHz) SRD applications (5 725-5 875 MHz) SRD - Transport and information control systems (5 805-5 815 MHz)</p>	<p><b>BFWA</b> in some SADC countries is limited to below 5850 MHz in order to protect FSS in the band 5850-6425 MHz.  Common international SRD band; see ITU-R Rec.SM.[SRD] Transport information and control systems Recommendation ITU-R M.1453</p>
<p><b>5 850-5 925 MHz</b> FIXED-SATELLITE (Earth-to-space) MOBILE 5.150</p>	<p><b>5 850-5 925 MHz</b> FIXED-SATELLITE (Earth-to-space) MOBILE 5.150</p>	<p>Fixed links <b>BFWA</b> (5725 – 5850 MHz) ISM applications (5725 – 5875 MHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 3417238641, 3130 March 20115). <b>BFWA</b> in some SADC countries is limited to below 5850 MHz in order to protect FSS in the band 5850-6425 MHz.</p>
<p><b>5 850-5 925 MHz</b> FIXED-SATELLITE (Earth-to-space) MOBILE 5.150</p>	<p><b>5 850-5 925 MHz</b> FIXED-SATELLITE (Earth-to-space) MOBILE 5.150</p>	<p>C-band uplink (VSAT/SNG/PTP links)  ISM applications (5725 – 5875 MHz)</p>	<p>FS could be used for temporary OB links.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>5 925-6 700 MHz</b> FIXED 5.457</p> <p>FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B MOBILE 5.457C 5.149 5.440 5.458</p>	<p><b>5 925-6 700 MHz</b> FIXED NF14</p> <p>FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.149 5.440 5.458</p>	<p>Fixed-satellite uplinks (PTP/VSAT/SNG) (5850-6425 MHz) FIXED links (5850-5925 MHz) ISM (5725-5875 MHz)</p>	
<p><b>6 700-7 075 MHz</b> FIXED</p> <p>FIXED-SATELLITE (Earth-to-space) (space-to-Earth) 5.441 MOBILE 5.458 5.458A 5.458B</p>	<p><b>6 700-7 075 MHz</b> FIXED NF14</p> <p>FIXED-SATELLITE (Earth-to-space) (space-to-Earth) 5.441 5.458 5.458A 5.458B</p>	<p>Fixed Links (U6) (6425 – 7110 MHz) S-DAB feeder links (uplinks) Fixed links - Upper 6 GHz (6425-7110 MHz)</p>	<p>Channelling plan for L6 GHz band in accordance with ITU-R Rec. F.383. Channelling plan for U6 GHz band in accordance with ITU-R Rec. F.384. Earth Station onboard vessels (ESV) also allowed under FSS.</p>
<p><b>7 075-7 145 MHz</b> FIXED</p> <p>MOBILE 5.458 5.459</p>	<p><b>7 075-7 145 MHz</b> FIXED NF14</p> <p>5.458</p>	<p>Fixed Links (U6) (6425 – 7110 MHz) Fixed Links (L7) (7110 – 7443 MHz)</p>	<p>Channelling plan for U6 band in accordance with ITU-R Rec. F.384.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>7 145-7 190 MHz</b> FIXED MOBILE SPACE RESEARCH (deep space) (Earth-to-space) 5.458 5.459</p>	<p>7 145-7 190 MHz FIXED MOBILE SPACE RESEARCH (deep space) (Earth-to-space) 5.458 5.459</p>	<p>Fixed links - Upper 6 GHz (6425-7110 MHz) and Lower 7 GHz (7110-7425 MHz)</p>	<p>Channelling plan for L7 band is in accordance with ITU-R Rec. F.385 Annex 3.</p>
<p><b>7 190-7 235 MHz</b> EARTH EXPLORATION-SATELLITE (Earth-to-space) 5.460A 5.460B FIXED MOBILE SPACE RESEARCH (Earth-to-space) 5.460 5.459</p>	<p><b>7 190-7 235 MHz</b> EARTH EXPLORATION-SATELLITE (Earth-to-space) 5.460A 5.460B FIXED NF14 SPACE RESEARCH (Earth-to-space) 5.460 5.458</p>	<p>Fixed Links (L7) (7110 – 7443 MHz)</p>	<p>Channelling plan for L7 band in accordance with ITU-R Rec. F.385 Annex 3.</p>
<p><b>7 235-7 250 MHz</b> EARTH EXPLORATION-SATELLITE (Earth-to-space) 5.460A FIXED MOBILE 5.458</p>	<p><b>7 235-7 250 MHz</b> FIXED NF14 5.458</p>	<p>Fixed Links (L7) (7110 – 7443 MHz) Fixed links - Lower 7 GHz (7110-7425 MHz)</p>	<p>Channelling plan for L7 band in accordance with ITU-R Rec. F.385 Annex 3.</p>
<p><b>7 250-7 300 MHz</b> FIXED</p>	<p><b>7 250-7 300 MHz</b> FIXED NF14</p>	<p>Fixed links - Lower 7 GHz (7110-7425 MHz)</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED-SATELLITE (space-to-Earth) MOBILE 5.461	5.461		Channelling plan for L7 band in accordance with ITU-R Rec. F.385 Annex 3.
<b>7 300-7 375 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile <b>5.461</b>	<b>7 300-7 375 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile <b>5.461</b>	Fixed links - Lower 7 GHz (7110-7425 MHz) and Upper 7 GHz (7425-7750 MHz)	Channelling plan for L7 band in accordance with ITU-R Rec. F.385 Annex 3. Channelling plan for U7 band in accordance with ITU-R Rec. F.385 Annex 3.
<b>7 375-7 450 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile MARITIME MOBILE SATELLITE (space-to-Earth) <b>5.461AA 5.461AB</b>	<b>7 375-7 450 MHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile MARITIME MOBILE SATELLITE (space-to-Earth) <b>5.461AA 5.461AB</b>	Fixed links - Lower 7 GHz (7110-7425 MHz) and Upper 7 GHz (7425-7750 MHz)	Channelling plan for L7 band in accordance with ITU-R Rec. F.385 Annex 3. Channelling plan for U7 band in accordance with ITU-R Rec. F.385 Annex 3.
<b>7 450-7 550 MHz</b> FIXED FIXED-SATELLITE (space-to-Earth) METEOROLOGICAL-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile	<b>7 450-7 550 MHz</b> FIXED NF14 METEOROLOGICAL-SATELLITE (space-to-Earth) MARITIME MOBILE-SATELLITE (space-to-Earth) <b>5.461AA 5.461AB</b>	) Fixed links - Upper 7 GHz (7425-7750 MHz)	Channelling plan for U7 band in accordance with ITU-R Rec. F.385 Annex 3.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MARITIME MOBILE-SATELLITE (space-to-Earth) 5.461AA 5.461AB 5.461A	5.461A		
7 550-7 750 MHz FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile MARITIME MOBILE-SATELLITE (space-to-Earth) 5.461AA 5.461AB	7 550-7 750 MHz FIXED NF14 MARITIME MOBILE-SATELLITE (space-to-Earth) 5.461AA 5.461AB	Fixed links - Upper 7 GHz (7425-7750 MHz)	Channelling plan for U7 band in accordance with ITU-R Rec. F.385 Annex 3.
7 750-7 900 MHz FIXED METEOROLOGICAL-SATELLITE (space-to-Earth) 5.461B MOBILE except aeronautical mobile	7 750-7 900 MHz FIXED NF14 METEOROLOGICAL-SATELLITE (space-to-Earth) 5.461B	Fixed Links (L8) (7725 – 8275 MHz) Fixed links - Lower 8 GHz (7725-8275 MHz)	Channelling plan for L8 band in accordance with ITU-R Rec. F.386 Annex 1.
7 900-8 025 MHz FIXED FIXED-SATELLITE (Earth-to-space) MOBILE 5.461	7 900-8 025 MHz FIXED NF14 5.461	Fixed Links (L8) (7725 – 8275 MHz) Fixed links - Lower 8 GHz (7725-8275 MHz)	Channelling plan for L8 band in accordance with ITU-R Rec. F.386 Annex 1.
8 025-8 175 MHz	8 025-8 175 MHz		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
EARTH EXPLORATION-SATELLITE (space-to-Earth) FIXED FIXED-SATELLITE (Earth-to-space) MOBILE 5.463 5.462A	EARTH EXPLORATION-SATELLITE (space-to-Earth) FIXED NF14 5.462A	Fixed Links (L8) (7725 – 8275 MHz) Fixed links - Lower 8 GHz (7725-8275 MHz)	Channelling plan for L8 band in accordance with ITU-R Rec. F.386 Annex 1.
<b>8 175-8 215 MHz</b> EARTH EXPLORATION-SATELLITE (space-to-Earth) FIXED FIXED-SATELLITE (Earth-to-space) METEOROLOGICAL-SATELLITE (Earth-to-space) MOBILE 5.463 5.462A	<b>8 175-8 215 MHz</b> EARTH EXPLORATION-SATELLITE (space-to-Earth) FIXED NF14 METEOROLOGICAL-SATELLITE (Earth-to-space) 5.462A	Fixed Links (L8) (7725 – 8275 MHz) Fixed links - Lower 8 GHz (7725-8275 MHz)	Channelling plan for L8 band in accordance with ITU-R Rec. F.386 Annex 1.
<b>8 215-8 400 MHz</b> EARTH EXPLORATION-SATELLITE (space-to-Earth) FIXED FIXED-SATELLITE (Earth-to-space) MOBILE 5.463 5.462A	<b>8 215-8 400 MHz</b> EARTH EXPLORATION-SATELLITE (space-to-Earth) FIXED NF14 5.462A	Fixed Links (L8) (7725 – 8275 MHz) Fixed Links (U8) (8275 – 8500 MHz) Fixed links - Lower 8 GHz (7725-8275 MHz) and Upper 8 GHz (8275-8500 MHz)	Channelling plan for L8 band in accordance with ITU-R Rec. F.386 Annex 1. Channelling plan for U8 band in accordance with ITU-R Rec. F.386 Annex 1.
<b>8 400-8 500 MHz</b> FIXED MOBILE except aeronautical mobile	<b>8 400-8 500 MHz</b> FIXED NF14 SPACE RESEARCH (space-to-Earth) 5.465	Fixed Links (U8) (8275 – 8500 MHz) Fixed links - Upper 8 GHz (8275-8500 MHz)	Channelling plan for U8 band in accordance with ITU-R Rec. F.386 Annex 1.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
SPACE RESEARCH (space-to-Earth) 5.465			
<b>8 500-8 550 MHz</b> RADIOLOCATION 5.468 5.469	<b>8 500-8 550 MHz</b> RADIOLOCATION	<b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars.	
<b>8 550-8 650 MHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) 5.468 5.469 5.469A	<b>8 550-8 650 MHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) 5.469A	<b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	
<b>8 650-8 750 MHz</b> RADIOLOCATION 5.468 5.469	<b>8 650-8 750 MHz</b> RADIOLOCATION	<b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	
<b>8 750-8 850 MHz</b> RADIOLOCATION AERONAUTICAL RADIONAVIGATION 5.470 5.471	<b>8 750-8 850 MHz</b> RADIOLOCATION AERONAUTICAL RADIONAVIGATION 5.470	<b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	
<b>8 850-9 000 MHz</b> RADIOLOCATION MARITIME RADIONAVIGATION 5.472 5.473	<b>8 850-9 000 MHz</b> RADIOLOCATION MARITIME RADIONAVIGATION 5.472	<b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	
<b>9 000-9 200 MHz</b> AERONAUTICAL RADIONAVIGATION 5.337 RADIOLOCATION	<b>9 000-9 200 MHz</b> AERONAUTICAL RADIONAVIGATION 5.337 RADIOLOCATION	Approach radars <b>RADARS</b> Civil and military aeronautical radionavigation e.g.	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.471 5.473A	5.473A	precision airfield approach radars	
<b>9 200-9 300 MHz</b> EARTH EXPLORATION-SATELLITE (active) 5.474A 5.474B 5.474C RADIOLOCATION/MARITIME/RADIONAVIGATION 5.472 5.473 5.474 5.474D	<b>9 200-9 300 MHz</b> EARTH EXPLORATION-SATELLITE (active) 5.474A 5.474B 5.474C RADIOLOCATION/MARITIME/RADIONAVIGATION 5.472 5.474 5.474D	Field Disturbance and Doppler Apparatus (9200 – 9975 MHz) Harbour radars <b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>9 300-9 500 MHz</b> RADIONAVIGATION/EARTH EXPLORATION-SATELLITE (active) SPACE RESEARCH (active) RADIOLOCATION 5.427 5.474 5.475 5.475A 5.475B 5.476A	<b>9 300-9 500 MHz</b> RADIONAVIGATION/EARTH EXPLORATION-SATELLITE (active) SPACE RESEARCH (active) RADIOLOCATION 5.427 5.474 5.475 5.475A 5.475B 5.476A	Shore based radars (9380 – 9440 MHz) Field Disturbance and Doppler Apparatus (9200 – 9975 MHz) <b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>9 500-9 800 MHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION RADIONAVIGATION SPACE RESEARCH (active)	<b>9 500-9 800 MHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION RADIONAVIGATION SPACE RESEARCH (active)	Field Disturbance and Doppler Apparatus (9200 – 9975 MHz) <b>RADARS</b> Civil and military aeronautical radionavigation e.g.	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.476A  <b>9 800-9 900 MHz</b> RADIOLOCATION Earth exploration-satellite (active) Space research (active) Fixed 5.477 5.478 5.478A 5.478B	5.476A  <b>9 800-9 900 MHz</b> RADIOLOCATION Earth exploration-satellite (active) Space research (active) 5.478A 5.478B	precision airfield approach radars  Field Disturbance and Doppler Apparatus (9200 – 9975 MHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>9 900-10 000 MHz</b> EARTH EXPLORATION-SATELLITE (active) 5.474A 5.474B 5.474C RADIOLOCATION Fixed 5.474D 5.477 5.478 5.479	<b>9 900-10 000 MHz</b> EARTH EXPLORATION-SATELLITE (active) 5.474A 5.474B 5.474C RADIOLOCATION  5.474D 5.479	Field Disturbance and Doppler Apparatus (9200 – 9975 MHz) <b>RADARS</b> Civil and military aeronautical radionavigation e.g. precision airfield approach radars	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>10-10.4 GHz</b> EARTH EXPLORATION-SATELLITE (active) 5.474A 5.474B 5.474C FIXED MOBILE RADIOLOCATION Amateur 5.474D 5.479	<b>10-10.4 GHz</b> EARTH EXPLORATION-SATELLITE (active) 5.474A 5.474B 5.474C FIXED NF14 MOBILE RADIOLOCATION Amateur 5.474D 5.479		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>10.4-10.45 GHz</b> FIXED MOBILE RADIOLOCATION Amateur	<b>10.4-10.45 GHz</b> FIXED NF14  RADIOLOCATION	Low power video links (10.0 – 10.15 GHz) BFWA (10.15 – 10.3 GHz)  Motion sensors <b>BFWA</b> – 10.5 GHz (10.15-10.30 GHz)	Paired with 10.50-10.65 GHz Channelling plan for 10.5 GHz band in accordance with ITU-R Rec. F.1568 Annex 1.
<b>10.45-10.5 GHz</b> RADIOLOCATION Amateur Amateur-satellite <b>5.481</b>	<b>10.45-10.5 GHz</b> RADIOLOCATION	Radars Motion Sensors	
<b>10.5-10.55 GHz</b> FIXED MOBILE Radiolocation	<b>10.5-10.55 GHz</b> FIXED NF14 <b>MOBILE</b> Radiolocation	BFWA (10.5 – 10.65 GHz) SAP/SAB Applications (Video connections) (10.5 – 10.68 GHz) FDDA (10.5 – 10.6 GHz)	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115). <b>Paired</b> with 10.15-10.30 GHz Channelling plan for 10.5 GHz band in accordance with ITU-R Rec. F.1568 Annex 1.
<b>10.55-10.6 GHz</b> FIXED  MOBILE except aeronautical mobile Radiolocation	<b>10.55-10.6 GHz</b> FIXED NF14  Radiolocation	BFWA (10.5 – 10.65 GHz) SAP/SAB Applications (video connections) (10.5 – 10.68 GHz)  FDDA (10.5 – 10.6 GHz)	Paired with 10.15 – 10.3 GHz  Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>10.6-10.68 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE except aeronautical mobile</p> <p>RADIO ASTRONOMY SPACE RESEARCH (passive) Radiolocation 5.149 5.482 5.482A</p>	<p><b>10.6-10.68 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED NF14</p> <p>RADIO ASTRONOMY SPACE RESEARCH (passive) Radiolocation 5.149 5.482 5.482A</p>	<p>Paired with 10.15-10.30 GHz Channelling plan for 10.5 GHz band in accordance with ITU-R Rec. F.1568 Annex 1</p>	<p>Paired with 10.15 – 10.3 GHz Paired with 10.15-10.30 GHz Channelling plan for 10.5 GHz band in accordance with ITU-R Rec. F.1568 Annex 1. For sharing between EESS (passive) and the fixed and mobile service Res.751 applies.</p>
<p><b>10.68-10.7 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.483</p>	<p><b>10.68-10.7 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340</p>	<p>BFWA (10.5 – 10.65 GHz) SAP/SAB Applications (video connections) (10.5 – 10.68 GHz)  Motion sensors</p>	
<p><b>10.7-10.95 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.441 (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>	<p><b>10.7-10.95 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.441 (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>		
<p><b>10.95-11.2 GHz</b> FIXED</p>	<p><b>10.95-11.2 GHz</b> FIXED</p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>	<p>FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>		
<p>11.2-11.45 GHz FIXED FIXED-SATELLITE (space-to-Earth) 5.441 (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>	<p>11.2-11.45 GHz FIXED FIXED-SATELLITE (space-to-Earth) 5.441 (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>		
<p>11.45-11.7 GHz FIXED FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>	<p>11.45-11.7 GHz FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B (Earth-to-space) 5.484 MOBILE except aeronautical mobile</p>	<p>Fixed Links (11 GHz) (10.7 – 11.7 GHz) Ku-band downlink (VSAT/SNG/BSS feeder links) Fixed links - 11 GHz (10.7-11.7 GHz) Fixed-satellite downlinks (PTP/VSAT/SNG),</p>	<p>Band is also used for DTH broadcasting on secondary basis Channelling plan for 11 GHz band in accordance with ITU-R Rec. F.387. The bands 10.7-10.95 GHz and 11.2-11.45 GHz are part of the APP30B Plan (FSS space-to-Earth); refer to Annex B.</p>
<p>11.7-12.5 GHz FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE 5.492 5.487 5.487A</p>	<p>11.7-12.5 GHz FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE 5.492 5.487 5.487A</p>	<p>OB links ENG BSS feeder links</p>	<p>Appendix 30 Plan This band is available for BSS in accordance with Appendix 30 of ITU RR. Refer to Annex B.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>12.5-12.75 GHz</b> FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B (Earth-to-space) 5.494 5.495 5.496</p>	<p><b>12.5-12.75 GHz</b> FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B (Earth-to-space) 5.495</p>		
<p><b>12.75-13.25 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.441 MOBILE Space research (deep space) (space-to-Earth)</p>	<p><b>12.75-13.25 GHz</b> FIXED NF14 FIXED-SATELLITE (Earth-to-space) 5.441</p>	<p>Fixed Links (13 GHz) (12.75 – 13.25 GHz)</p>	<p>Appendix 30B Plan Channelling plan for 13 GHz band in accordance with ITU-R Rec. F.497. The band 12.75-13.25 GHz is part of the APP30B Plan (FSS Earth-to-space); refer to Annex B.</p>
<p><b>13.25-13.4 GHz</b> EARTH EXPLORATION-SATELLITE (active) AERONAUTICAL RADIONAVIGATION 5.497 SPACE RESEARCH (active) 5.498A 5.499</p>	<p><b>13.25-13.4 GHz</b> EARTH EXPLORATION-SATELLITE (active) AERONAUTICAL RADIONAVIGATION 5.497 SPACE RESEARCH (active) 5.498A</p>	<p>Airborne Doppler Radar</p>	
<p><b>13.4-13.65 GHz</b> EARTH EXPLORATION-SATELLITE (active) FIXED SATELLITE (space-to-Earth) 5.499A 5.499B RADIOLOCATION SPACE RESEARCH 5.499C 5.499D Standard frequency and time signal-satellite (Earth-to-space)</p>	<p><b>13.4-13.65 GHz</b> EARTH EXPLORATION-SATELLITE (active) FIXED SATELLITE (space-to-Earth) 5.499A 5.499B RADIOLOCATION SPACE RESEARCH 5.499C 5.499D Standard frequency and time signal-satellite (Earth-to-space)</p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.499 5.499E 5.500 5.501 5.501B <b>13.65-13.75 GHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH 5.501A Standard frequency and time signal-satellite (Earth-to-space) 5.499 5.500 5.501 5.501B	5.499 5.499E 5.500 5.501 5.501B <b>13.65-13.75 GHz</b> RADIOLOCATION 5.501B	FDDA (13.4 – 14 GHz) RADIOLOCATION	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>13.75-14 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.484A RADIOLOCATION Earth exploration-satellite Standard frequency and time signal-satellite (Earth-to-space) Space research 5.499 5.500 5.501 5.502 5.503	<b>13.75-14 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.484A RADIOLOCATION 5.502 5.503	Ku-band uplink (VSAT/SNG/FSS feeder links) FDDA (13.4 – 14 GHz) FSS uplinks (PTP/VSAT/SNG) (13.75-14.5 GHz) RADIOLOCATION	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>14-14.25 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 <b>5.506B</b> RADIONAVIGATION 5.504 Mobile-satellite (Earth-to-space) 5.504B <b>5.504C</b> 5.506A Space research 5.504A <b>5.505</b></p>	<p><b>14-14.25 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B NF17 Mobile-satellite (Earth-to-space) 5.504B <b>5.504C</b> 5.506A 5.504A</p>	<p>Ku-band uplink (VSAT/SNG/FSS feeder links) <b>FSS</b> uplinks (PTP/V SAT/SNG) (13.75-14.5 GHz) <b>ESVs</b> (14 -14.5 GHz)</p>	<p>Earth Station onboard vessels (ESV) also allowed under FSS; Res. 902 applies. The band 14.0-14.5 GHz may also be used for AES (aircraft-to-space station).</p>
<p><b>14.25-14.3 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B RADIONAVIGATION 5.504 Mobile-satellite (Earth-to-space) 5.504B 5.506A <b>5.508A</b> Space research 5.504A 5.505 5.508</p>	<p><b>14.25-14.3 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B NF17 Mobile-satellite (Earth-to-space) 5.504B 5.506A <b>5.508A</b> 5.504A</p>	<p>Ku-band uplink (VSAT/SNG/FSS feeder links) FSS uplinks (PTP/V SAT/SNG) (13.75-14.5 GHz) <b>ESVs</b> (14 -14.5 GHz)</p>	<p>Earth Station onboard vessels (ESV) also allowed under FSS; Res. 902 applies. The band 14.0-14.5 GHz may also be used for AES (aircraft-to-space station).</p>
<p><b>14.3-14.4 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.504B 5.506A <b>5.509A</b> Radionavigation-satellite 5.504A</p>	<p><b>14.3-14.4 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B NF17 MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.504B 5.506A 5.508A 5.504A</p>	<p>Ku-band uplink (VSAT/SNG/FSS feeder links) FSS uplinks (PTP/V SAT/SNG) (13.75-14.5 GHz) <b>ESVs</b> (14 -14.5 GHz)</p>	<p>Earth Station on board vessels (ESV) also allowed under FSS; Res. 902 applies. The band 14.0-14.5 GHz may also be used for AES (aircraft-to-space station).</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>14.4-14.47 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.504B 5.506A 5.509A Space research (space-to-Earth) 5.504A</p>	<p><b>14.4-14.47 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.484B 5.506 5.506B NF17 MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.504B 5.506A 5.508A 5.504A</p>	<p>Ku-band uplink (VSAT/SNG/FSS feeder links) FSS uplinks (PTP/VSAT/SNG) (13.75-14.5 GHz) ESVs (14 -14.5 GHz)</p>	<p>Earth Station onboard vessels (ESV) also allowed under FSS; Res. 902 applies. The band 14.0-14.5 GHz may also be used for AES (aircraft-to-space station).</p>
<p><b>14.47-14.5 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.506 5.506B MOBILE except aeronautical mobile Mobile-satellite (Earth-to-space) 5.504B 5.506A 5.509A Radio astronomy 5.149 5.504A</p>	<p><b>14.47-14.5 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.457A 5.457B 5.484A 5.506 5.506B NF17 Mobile-satellite (Earth-to-space) 5.504B 5.506A 5.508A Radio astronomy 5.149 5.504A</p>	<p>Ku-band uplink (VSAT/SNG/FSS feeder links) FSS uplinks (PTP/VSAT/SNG) (13.75-14.5 GHz) ESVs (14 -14.5 GHz)</p>	<p>Earth Station onboard vessels (ESV) also allowed under FSS; Res. 902 applies. The band 14.0-14.5 GHz may also be used for AES (aircraft-to-space station).</p>
<p><b>14.5-14.75 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.509B 5.509C 5.509D 5.509E 5.509F 5.510 MOBILE Space research 5.509G</p>	<p><b>14.5-14.75 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.510 MOBILE Space research 5.509G</p>	<p>Fixed links - 15 GHz (14.5-15.35 GHz)</p>	<p>Channelling plan for 15 GHz band in accordance with ITU-R Rec. F.636. The band 14.5-14.8 GHz is part of the APP30A Plan (Feeder Links for BSS) for some SADC countries. Refer to Annex B.</p>
<p><b>14.75-14.8 GHz</b> FIXED</p>	<p><b>14.5-14.8 GHz</b> FIXED NF14</p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>FIXED-SATELLITE</b> (Earth-to-space) 5.510  <b>MOBILE</b>                      Space research 5.509G</p>	<p><b>FIXED-SATELLITE</b> (Earth-to-space) 5.510</p>	<p>Fixed Links (15 GHz) (14.5 – 15.35 GHz)                      BSS feeder links                      Fixed links - 15 GHz (14.5-15.35 GHz)</p>	<p><b>Channeling plan</b> for 15 GHz band in accordance with ITU-R Rec. F.636.                      The band 14.5-14.8 GHz is part of the APP30A Plan (Feeder Links for BSS) for some SADC countries. Refer to Annex B.</p>
<p><b>14.8-15.35 GHz</b>  <b>FIXED</b>  <b>MOBILE</b>                      Space research 5.339</p>	<p><b>14.8-15.35 GHz</b>  <b>FIXED</b> NF14                      5.339</p>	<p>Fixed Links (15 GHz) (14.5 – 15.35 GHz)</p>	<p><b>Channeling plan</b> for 15 GHz band in accordance with ITU-R Rec. F.636.                      The band 14.5-14.8 GHz is part of the APP30A Plan (Feeder Links for BSS) for some SADC countries. Refer to Annex B.</p>
<p><b>15.35-15.4 GHz</b>  <b>EARTH EXPLORATION-SATELLITE</b> (passive)  <b>RADIO ASTRONOMY</b>  <b>SPACE RESEARCH</b> (passive) 5.340 5.511</p>	<p><b>15.35-15.4 GHz</b>  <b>EARTH EXPLORATION-SATELLITE</b> (passive)  <b>SPACE RESEARCH</b> (passive) 5.340</p>	<p>Very long base interferometry                      Observations                      Passive sensing</p>	
<p><b>15.4-15.43 GHz</b>  <b>RADIOLOCATION</b> 5.511E                      5.511F  <b>AERONAUTICAL</b>  <b>RADIONAVIGATION</b></p>	<p><b>15.4-15.43 GHz</b>  <b>RADIOLOCATION</b> 5.511E                      5.511F  <b>AERONAUTICAL</b>  <b>RADIONAVIGATION</b></p>	<p>Radio Altimeters                      Radars</p>	<p>ICAO: ASDE Annex 10</p>
<p><b>15.43-15.63 GHz</b>  <b>FIXED-SATELLITE</b> (Earth-to-space) 5.511A</p>	<p><b>15.43-15.63 GHz</b>  <b>RADIOLOCATION</b> 5.511E                      5.511F</p>	<p>Radio Altimeters</p>	<p>ICAO: ASDE Annex 10</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
RADIOLOCATION 5.511E 5.511F AERONAUTICAL RADIOLOCATION 5.511C	AERONAUTICAL RADIOLOCATION 5.511C	Radars	
<b>15.63-15.7 GHz</b> RADIOLOCATION 5.511E 5.511F AERONAUTICAL RADIOLOCATION <b>5</b>	<b>15.63-15.7 GHz</b> RADIOLOCATION 5.511E 5.511F AERONAUTICAL RADIOLOCATION	Radio Altimeters Radars	ICAO: ASDE Annex 10
<b>15.7-16.6 GHz</b> RADIOLOCATION <b>5.512</b> 5.513	<b>15.7-16.6 GHz</b> RADIOLOCATION	Government Services	Altimeters / Distance measuring equipment
<b>16.6-17.1 GHz</b> RADIOLOCATION Space research (deep space) (Earth-to-space) <b>5.512</b> 5.513	<b>16.6-17.1 GHz</b> RADIOLOCATION Space research (deep space) (Earth-to-space)		
<b>17.1-17.2 GHz</b> RADIOLOCATION <b>5.512</b> 5.513	<b>17.1-17.2 GHz</b> RADIOLOCATION	WAS / RLAN	Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).
<b>17.2-17.3 GHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) <b>5.512</b> 5.513 5.513A	<b>17.2-17.3 GHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) 5.513A	WAS / RLAN	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>17.3-17.7 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.516 (space-to-Earth) 5.516A 5.516B Radiolocation 5.514</p>	<p><b>17.3-17.7 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.516 (space-to-Earth) 5.516A 5.516B Radiolocation</p>		<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115).</p> <p>The band 17.3-17.7 GHz is part of the APP30A Plan (Feeder Links for BSS) for many SADC countries; refer to Annex B.</p> <p>The band 17.3-17.7 GHz is identified for HDFFS; Res.143 applies.</p>
<p><b>17.7-18.1 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.484A (Earth-to-space) 5.516 MOBILE</p>	<p><b>17.7-18.1 GHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.484A (Earth-to-space) 5.516</p>	<p>Fixed Links (18 GHz) (17.7 – 19.7 GHz) BSS Feeder Links (17.7 – 19.7 GHz)</p>	<p>Channelling plan for 18 GHz band in accordance with ITU-R Rec. F.595 Annex 1.</p>
<p><b>18.1-18.4 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.484A 5.516B (Earth-to-space) 5.520 MOBILE 5.519 5.521</p>	<p><b>18.1-18.4 GHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.484A 5.516B (Earth-to-space) 5.520 5.519</p>	<p>Fixed Links (18 GHz) (17.7 – 19.7 GHz) BSS Feeder Links (17.7 – 19.7 GHz)</p>	<p>Channelling plan for 18 GHz band in accordance with ITU-R Rec. F.595 Annex 1.</p>
<p><b>18.4-18.6 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.484A 5.516B MOBILE</p>	<p><b>18.4-18.6 GHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.484A 5.516B</p>	<p>Fixed Links (18 GHz) (17.7 – 19.7 GHz) BSS Feeder Links (17.7 – 19.7 GHz)</p>	<p>Channelling plan for 18 GHz band in accordance with ITU-R Rec. F.595 Annex 1.</p>
<p><b>18.6-18.8 GHz</b></p>	<p><b>18.6-18.8 GHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
EARTH EXPLORATION-SATELLITE (passive) FIXED (space-to-Earth) 5.522B MOBILE except aeronautical mobile Space research (passive) 5.522A 5.522C	EARTH EXPLORATION-SATELLITE (passive) FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.522B Space research (passive) 5.522A	Fixed Links (18 GHz) (17.7 – 19.7 GHz) BSS Feeder Links (17.7 – 19.7 GHz)  Passive Sensing	Channelling plan for 18 GHz band in accordance with ITU-R Rec. F.595 Annex 1
18.8-19.3 GHz FIXED FIXED-SATELLITE (space-to-Earth) 5.523A MOBILE	18.8-19.3 GHz FIXED NF14 FIXED-SATELLITE (space-to-Earth) 5.523A	Fixed Links (18 GHz) (17.7 – 19.7 GHz) BSS Feeder Links (17.7 – 19.7 GHz)	
19.3-19.7 GHz FIXED FIXED-SATELLITE (space-to-Earth) (Earth-to-space) 5.523B 5.523C 5.523D 5.523E MOBILE	19.3-19.7 GHz FIXED NF14 FIXED-SATELLITE (space-to-Earth) (Earth-to-space) 5.523B 5.523C 5.523D 5.523E	Fixed Links (18 GHz) (17.7 – 19.7 GHz) BSS Feeder Links (17.7 – 19.7 GHz)	Channelling plan for 18 GHz band in accordance with ITU-R Rec. F.595 Annex 1.
19.7-20.1 GHz FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B 5.516B 5.527A Mobile-satellite (space-to-Earth) 5.524	19.7-20.1 GHz FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B 5.516B 5.527A	GSO/FSS	
20.1-20.2 GHz FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B 5.516B 5.527A	20.1-20.2 GHz FIXED-SATELLITE (space-to-Earth) 5.484A 5.484B 5.516B 5.527A		The band 19.7-20.2 GHz is identified for HDFS; Res.143 applies.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MOBILE-SATELLITE (space-to-Earth) 5.524 5.525 5.526 5.527 5.528	5.525 5.526 5.527 5.528		
<b>20.2-21.2 GHz</b> FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) Standard frequency and time signal-satellite (space-to-Earth) 5.524	<b>20.2-21.2 GHz</b> FIXED-SATELLITE (space-to-Earth) MOBILE-SATELLITE (space-to-Earth) Standard frequency and time signal-satellite (space-to-Earth)		
<b>21.2-21.4 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE SPACE RESEARCH (passive)	<b>21.2-21.4 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED NF14 SPACE RESEARCH (passive)	Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links - 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz) Passive Sensing	Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3.
<b>21.4-22 GHz</b> FIXED MOBILE BROADCASTING-SATELLITE 5.208B 5.530A 5.530B 5.530D	<b>21.4-22 GHz</b> FIXED NF14 MOBILE BROADCASTING-SATELLITE 5.208B 5.530A 5.530B 5.530D	Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links - 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz)	Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3. The use of BSS in this band is subject to the provisions of Res.525. BSS systems operating in this band over SADC countries are not expected within the foreseeable future.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>22-22-21 GHz</b> FIXED MOBILE except aeronautical mobile 5.149</p>	<p><b>22-22-21 GHz</b> FIXED NF14 MOBILE except aeronautical mobile 5.149</p>	<p>Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links - 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz)</p>	<p>Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3.</p>
<p><b>22-21-22.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY SPACE RESEARCH (passive) 5.149 5.532</p>	<p><b>22-21-22.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED NF14 RADIO ASTRONOMY SPACE RESEARCH (passive) 5.149 5.532</p>	<p>Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links - 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz)  Passive Sensing</p>	<p>Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3.</p>
<p><b>22.5-22.55 GHz</b> FIXED MOBILE</p>	<p><b>22.5-22.55 GHz</b> FIXED NF14 MOBILE</p>	<p>Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links - 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz)</p>	<p>Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3.</p>
<p><b>22.55-23.15 GHz</b> FIXED INTER-SATELLITE 5.338A MOBILE SPACE RESEARCH (Earth-to-space) 5.532A 5.149</p>	<p><b>22.55-23.15 GHz</b> FIXED NF14  SPACE RESEARCH (Earth-to-space) 5.532A 5.149</p>	<p>Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links – 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz)</p>	<p>Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3.</p>
<p><b>23.15-23.55 GHz</b> FIXED INTER-SATELLITE 5.338A MOBILE</p>	<p><b>23.15-23.55 GHz</b> FIXED NF14</p>	<p>Fixed Links (23 GHz) (21.2 – 23.6 GHz)</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>23.55-23.6 GHz</b> FIXED MOBILE</p>	<p><b>23.55-23.6 GHz</b> FIXED NF14</p>	<p>Fixed Links (23 GHz) (21.2 – 23.6 GHz) Fixed links - 23 GHz (21.2-23.6 GHz or 22.0-23.6 GHz)</p>	<p>Channelling plan for 23 GHz band in accordance with ITU-R Rec. F.637 Annex 1 or Annex 3.</p>
<p><b>23.6-24 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340</p>	<p><b>23.6-24 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340</p>	<p>Passive Sensing</p>	
<p><b>24-24.05 GHz</b> AMATEUR AMATEUR-SATELLITE 5.150</p>	<p><b>24-24.05 GHz</b> AMATEUR AMATEUR-SATELLITE 5.150</p>	<p>Non-specific SRDs (24-24.25 GHz) AMATEUR AMATEUR-SATELLITE ISM (24.0-24.25 GHz) SRD applications (24-24.25 GHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2011). Common international SRD band; see ITU-R Rec.SM.[SRD]</p>
<p><b>24.05-24.25 GHz</b> RADIOLOCATION Amateur Earth exploration-satellite (active) 5.150</p>	<p><b>24.05-24.25 GHz</b> RADIOLOCATION Amateur Earth exploration-satellite (active) 5.150</p>	<p>FDDA (24.05 – 24.25 GHz)  Non-specific SRDs (24-24.25 GHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2011).  Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 2011).</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
			The band 24.0-24.25 GHz is designated for ISM applications (5.150).
24.25-24.45 GHz FIXED	24.25-24.45 GHz FIXED		Temporary fixed links for ENG/OB
24.45-24.65 GHz FIXED INTER-SATELLITE	24.45-24.65 GHz FIXED NF14	Fixed Links (26 GHz) (24.5 – 26.5 GHz) Fixed links - 26 GHz (24.5-26.5 GHz) BFWA (24.5-26.5 GHz)	Channelling plan for 26 GHz band in accordance with ITU-R Rec. F.748 Annex 1.
24.65-24.75 GHz FIXED FIXED-SATELLITE (Earth-to-space) 5.532B INTER-SATELLITE	24.65-24.75 GHz FIXED NF14	Fixed Links (26 GHz) (24.5 – 26.5 GHz) Fixed links - 26 GHz (24.5-26.5 GHz) BFWA (24.5-26.5 GHz)	Channelling plan for 26 GHz band in accordance with ITU-R Rec. F.748 Annex 1.
24.75-25.25 GHz FIXED FIXED-SATELLITE (Earth-to-space) 5.532B	24.75-25.25 GHz FIXED NF14 FIXED-SATELLITE (Earth-to-space) 5.532B	Fixed Links (26 GHz) (24.5 – 26.5 GHz) Fixed links - 26 GHz (24.5-26.5 GHz) BFWA (24.5-26.5 GHz)	Channelling plan for 26 GHz band in accordance with ITU-R Rec. F.748 Annex 1.
25.25-25.5 GHz FIXED INTER-SATELLITE 5.536 MOBILE Standard frequency and time signal-satellite (Earth-to-space)	25.25-25.5 GHz FIXED NF14	Fixed Links (26 GHz) (24.5 – 26.5 GHz)	Channelling plan for 26 GHz band in accordance with ITU-R Rec. F.748 Annex 1.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>25.5-27 GHz</b> EARTH EXPLORATION-SATELLITE (space-to Earth) <b>5.536B</b> FIXED INTER-SATELLITE 5.536 MOBILE SPACE RESEARCH (space-to-Earth) 5.536C Standard frequency and time signal-satellite (Earth-to-space) 5.536A</p>	<p><b>25.5-27 GHz</b> EARTH EXPLORATION-SATELLITE (space-to Earth) <b>5.536B</b> FIXED NF14  5.536A</p>	<p>National Polar-Orbiting Operational Environment Satellite System (NPOESS) Fixed Links (26 GHz) (24.5 – 26.5 GHz)</p>	<p><b>Channelling</b> plan for 26 GHz band in accordance with ITU-R Rec. F.748 Annex 1.</p>
<p><b>27-27.5 GHz</b> FIXED INTER-SATELLITE 5.536 MOBILE</p>	<p><b>27-27.5 GHz</b> FIXED</p>		
<p><b>27.5-28.5 GHz</b> FIXED 5.537A FIXED-SATELLITE (Earth-to-space) 5.484A 5.516B 5.539 MOBILE 5.538 5.540</p>	<p><b>27.5-28.5 GHz</b> FIXED 5.537A NF14 NF18 FIXED-SATELLITE (Earth-to-space) 5.484A 5.516B 5.539  5.538 5.540</p>	<p>Fixed Links (28 GHz) (27.5 – 29.5 GHz), <b>LMDs</b> (27.82 – 28.35) <b>Base</b> to Subscriber</p>	<p><b>Channelling</b> plan for 28 GHz band in accordance with ITU-R Rec. F.748 Annex 2. <b>The</b> band 27.5-27.82 GHz is identified for HDFFS; Res.143 applies. <b>The</b> band 27.5-30 GHz may be used by the FSS for BSS feeder links.</p>
<p><b>28.5-29.1 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.484A 5.516B 5.523A 5.539</p>	<p><b>28.5-29.1 GHz</b> FIXED NF14 FIXED-SATELLITE (Earth-to-space) 5.484A 5.516B 5.523A 5.539</p>	<p>Fixed Links (28 GHz) (27.5 – 29.5 GHz)</p>	<p><b>Channelling</b> plan for 28 GHz band in accordance with ITU-R Rec. F.748 Annex 2.</p>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MOBILE Earth exploration-satellite (Earth-to-space) 5.541 5.540	5.540		The band 28.45-28.94 GHz is identified for HDFFS; Res.143 applies. The band 27.5-30 GHz may be used by the FSS for BSS feeder links.
<b>29.1-29.5 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.516B 5.523C 5.523E 5.535A 5.539 5.541A MOBILE Earth exploration-satellite (Earth-to-space) 5.541 5.540	<b>29.1-29.5 GHz</b> FIXED NF14 NF18 FIXED-SATELLITE (Earth-to-space) 5.516B 5.523C 5.523E 5.535A 5.539 5.541A  5.540	Fixed Links (28 GHz) (27.5 – 29.5 GHz)	
<b>29.5-29.9 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.484A 5.484B 5.516B 5.527A 5.539 Earth exploration-satellite (Earth-to-space) 5.541 Mobile-satellite (Earth-to-space) 5.540 5.542	<b>29.5-29.9 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.484A 5.484B 5.516B 5.527A 5.539  5.540		The band 29.46-30.0 GHz is identified for HDFFS; Res.143 applies.
<b>29.9-30 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.484A 5.484B 5.516B 5.527A 5.539 MOBILE-SATELLITE (Earth-to-space) Earth exploration-satellite (Earth-to-space) 5.541 5.543 5.525 5.526 5.527 5.538 5.540 5.542	<b>29.9-30 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.484A 5.484B 5.516B 5.527A 5.539 MOBILE-SATELLITE (Earth-to-space) Earth exploration-satellite (Earth-to-space) 5.541 5.543 5.525 5.526 5.527 5.538 5.540		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>30-31 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.338A MOBILE-SATELLITE (Earth-to-space) Standard frequency and time signal-satellite (space-to-Earth) 5.542</p>	<p><b>30-31 GHz</b> FIXED-SATELLITE (Earth-to-space) 5.338A MOBILE-SATELLITE (Earth-to-space)</p>		
<p><b>31-31.3 GHz</b> FIXED 5.338A 5.543A MOBILE Standard frequency and time signal-satellite (space-to-Earth) Space research 5.544 5.545 5.149</p>	<p><b>31-31.3 GHz</b> FIXED 5.338A <b>NF18</b></p>	<p>LPVS (31.0 – 31.056 GHz) <b>31.225 – 31.300 GHz (local</b> multipoint distribution services <b>(LMDS) –subscriber to Base station)</b></p>	
<p><b>31.3-31.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340</p>	<p><b>31.3-31.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY 5.340</p>		
<p><b>31.5-31.8 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) Fixed Mobile except aeronautical mobile 5.149 5.546</p>	<p><b>31.5-31.8 GHz</b> RADIO ASTRONOMY SPACE RESEARCH (passive) FIXED 5.546 MOBILE except aeronautical mobile 5.546 5.149</p>	<p>Passive Sensing HPVS (31.5 – 31.8 GHz)</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>31.8-32 GHz</b> FIXED 5.547A RADIONAVIGATION SPACE RESEARCH (deep space) (space-to-Earth) 5.547 5.548	<b>31.8-32 GHz</b> FIXED 5.547A NF14 RADIONAVIGATION 5.547 5.548	HDFFS (31.8 – 33.4 GHz)	<b>Channelling</b> plan for 32 GHz band in accordance with ITU-R Rec. F.1520 Annex 1. The band 31.8-33.4 GHz is identified for HDFFS; Res.75 applies.
<b>32-32.3 GHz</b> FIXED 5.547A RADIONAVIGATION SPACE RESEARCH (deep space) (space-to-Earth) 5.547 5.548	<b>32-32.3 GHz</b> FIXED 5.547A NF14 RADIONAVIGATION SPACE RESEARCH (deep space) (space-to-Earth) 5.547 5.548	HDFFS (31.8 – 33.4 GHz)	<b>Channelling</b> plan for 32 GHz band in accordance with ITU-R Rec. F.1520 Annex 1. The band 31.8-33.4 GHz is identified for HDFFS; Res.75 applies.
<b>32.3-33 GHz</b> FIXED 5.547A INTER-SATELLITE RADIONAVIGATION 5.547 5.548	<b>32.3-33 GHz</b> FIXED 5.547A NF14 INTER-SATELLITE RADIONAVIGATION 5.547 5.548	HDFFS (31.8 – 33.4 GHz)	<b>Channelling</b> plan for 32 GHz band in accordance with ITU-R Rec. F.1520 Annex 1. The band 31.8-33.4 GHz is identified for HDFFS; Res.75 applies.
<b>33-33.4 GHz</b> FIXED 5.547A RADIONAVIGATION 5.547	<b>33-33.4 GHz</b> FIXED 5.547A NF14 RADIONAVIGATION 5.547	HDFFS (31.8 – 33.4 GHz)	<b>Channelling</b> plan for 32 GHz band in accordance with ITU-R Rec. F.1520 Annex 1. The band 31.8-33.4 GHz is identified for HDFFS; Res.75 applies.
<b>33.4-34.2 GHz</b> RADIOLOCATION	<b>33.4-34.2 GHz</b> RADIOLOCATION	Government Services	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.549			
<b>34.2-34.7 GHz</b> RADIOLOCATION SPACE RESEARCH (deep space) (Earth-to-space) 5.549	<b>34.2-34.7 GHz</b> RADIOLOCATION SPACE RESEARCH (deep space) (Earth-to-space)	Government Services	
<b>34.7-35.2 GHz</b> RADIOLOCATION Space research 5.550 5.549	<b>34.7-35.2 GHz</b> RADIOLOCATION Space research 5.550	Government Services	
<b>35.2-35.5 GHz</b> METEOROLOGICAL AIDS RADIOLOCATION 5.549	<b>35.2-35.5 GHz</b> METEOROLOGICAL AIDS RADIOLOCATION	Government Services	
<b>35.5-36 GHz</b> METEOROLOGICAL AIDS EARTH EXPLORATION- SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) 5.549 5.549A	<b>35.5-36 GHz</b> METEOROLOGICAL AIDS EARTH EXPLORATION- SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) 5.549A	Government Services	
<b>36-37 GHz</b> EARTH EXPLORATION- SATELLITE (passive) FIXED MOBILE SPACE RESEARCH (passive) 5.149 5.550A	<b>36-37 GHz</b> EARTH EXPLORATION- SATELLITE (passive) FIXED MOBILE SPACE RESEARCH (passive) 5.149 5.550A	Government Services Passive Sensing	
<b>37-37.5 GHz</b> FIXED	<b>37-37.5 GHz</b> FIXED NF14	Fixed Links (38 GHz) (37.0 – 39.5 GHz)	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MOBILE except aeronautical mobile SPACE RESEARCH (space-to-Earth) 5.547	SPACE RESEARCH (space-to-Earth) 5.547		
<b>37.5-38 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE except aeronautical mobile SPACE RESEARCH (space-to-Earth) Earth exploration-satellite (space-to-Earth) 5.547	<b>37.5-38 GHz</b> FIXED NF14  SPACE RESEARCH (space-to-Earth) Earth exploration-satellite (space-to-Earth) 5.547	Fixed Links (38 GHz) (37.0 – 39.5 GHz)	The band 37-40 GHz is identified for HDFS; Res.75 applies. Channelling plan for 38 GHz band in accordance with ITU Rec. F.749 Annex 1.
<b>38-39.5 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE Earth exploration-satellite (space-to-Earth) 5.547	<b>38-39.5 GHz</b> FIXED NF14  Earth exploration-satellite (space-to-Earth) 5.547	Fixed Links (38 GHz) (37.0 – 39.5 GHz)	Channelling plan for 38 GHz band in accordance with ITU Rec. F.749 Annex 1. The band 37-40 GHz is identified for HDFS; Res.75 applies.
<b>39.5-40 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.516B MOBILE MOBILE-SATELLITE (space-to-Earth)	<b>39.5-40 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) 5.516B  Earth exploration-satellite (space-to-Earth) 5.547		The band 37-40 GHz is identified for HDFS; Res.75 applies. The band 39.5-40 GHz is identified for HDFS; Res.143 applies.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Earth exploration-satellite (space-to-Earth) 5.547			
<b>40-40.5 GHz</b> EARTH EXPLORATION-SATELLITE (Earth-to-space) FIXED FIXED-SATELLITE (space-to-Earth) 5.516B MOBILE MOBILE-SATELLITE (space-to-Earth) SPACE RESEARCH (Earth-to-space) Earth exploration-satellite (space-to-Earth)	<b>40-40.5 GHz</b> EARTH EXPLORATION-SATELLITE (Earth-to-space) FIXED FIXED-SATELLITE (space-to-Earth) 5.516B MOBILE MOBILE-SATELLITE (space-to-Earth) SPACE RESEARCH (Earth-to-space) Earth exploration-satellite (space-to-Earth)	Government Services	The band 40-40.5 GHz is identified for HDFFS; Res. 143 applies.
<b>40.5-41 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) BROADCASTING BROADCASTING-SATELLITE Mobile 5.547	<b>40.5-41 GHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) BROADCASTING BROADCASTING-SATELLITE Mobile 5.547		BFWA or MWS (40.5-43.5 GHz). The band 40.5-43.5 GHz is identified for HDFFS; Res. 75 applies.
<b>41-42.5 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) BROADCASTING BROADCASTING-SATELLITE Mobile 5.547 5.551F 5.551H 5.551I	<b>41-42.5 GHz</b> FIXED NF14 FIXED-SATELLITE (space-to-Earth) BROADCASTING BROADCASTING-SATELLITE 5.547 5.551F 5.551H 5.551I		BFWA or MWS (40.5-43.5 GHz). The band 40.5-43.5 GHz is identified for HDFFS; Res. 75 applies.

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>42.5-43.5 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 5.547 <b>5.551H</b>	<b>42.5-43.5 GHz</b> FIXED NF14 FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE except aeronautical mobile RADIO ASTRONOMY 5.149 5.547 <b>5.551H</b>	Government Services (43.5-45.5 GHz)	<b>BFWA</b> or MWS (40.5-43.5 GHz). The band 40.5-43.5 GHz is identified for HDFS; Res.75 applies.
<b>43.5-47 GHz</b> MOBILE 5.553 MOBILE-SATELLITE RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.554	<b>43.5-47 GHz</b> MOBILE 5.553 MOBILE-SATELLITE RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.554		
<b>47-47.2 GHz</b> AMATEUR AMATEUR-SATELLITE	<b>47-47.2 GHz</b> AMATEUR AMATEUR-SATELLITE	<b>A amateur</b> <b>A amateur</b> satellite	
<b>47.2-47.5 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE 5.552A	<b>47.2-47.5 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE 5.552A		
<b>47.5-47.9 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 (space-to-Earth) 5.516B 5.554A MOBILE	<b>47.5-47.9 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 (space-to-Earth) 5.516B 5.554A MOBILE	<b>The</b> band 47.5-47.9 GHz is identified for HDFS; Res.143 applies.	
<b>47.9-48.2 GHz</b>	<b>47.9-48.2 GHz</b>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p>FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE 5.552A</p>	<p>FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE 5.552A</p>		
<p><b>48.2-48.54 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 (space-to-Earth) 5.516B 5.554A 5.555B MOBILE</p>	<p><b>48.2-48.54 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 (space-to-Earth) 5.516B 5.554A 5.555B MOBILE</p>		<p>The band 48.2-48.54 GHz is identified for HDFFS; Res.143 applies.</p>
<p><b>48.54-49.44 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE 5.149 5.340 5.555</p>	<p><b>48.54-49.44 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.552 MOBILE 5.149 5.340 5.555</p>		
<p><b>49.44-50.2 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.338A 5.552 (space-to-Earth) 5.516B 5.554A 5.555B MOBILE</p>	<p><b>49.44-50.2 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) 5.338A 5.552 (space-to-Earth) 5.516B 5.554A 5.555B MOBILE</p>		<p>The band 49.44-50.2 GHz is identified for HDFFS; Res.143 applies.</p>
<p><b>50.2-50.4 GHz</b> EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340</p>	<p><b>50.2-50.4 GHz</b> EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340</p>		
<p><b>50.4-51.4 GHz</b></p>	<p><b>50.4-51.4 GHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED FIXED-SATELLITE (Earth-to-space) 5.338A MOBILE Mobile-satellite (Earth-to-space)	FIXED FIXED-SATELLITE (Earth-to-space) 5.338A MOBILE Mobile-satellite (Earth-to-space)		
<b>51.4-52.6 GHz</b> FIXED 5.338A MOBILE 5.547 5.556	<b>51.4-52.6 GHz</b> FIXED 5.338A MOBILE 5.547 5.556		The band 51.4-52.6 GHz is identified for HDFS; Res.75 applies.
<b>52.6-54.25 GHz</b> EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340 5.556	<b>52.6-54.25 GHz</b> EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340 5.556	Passive Sensing (53.6 – 59.3 GHz)	
<b>54.25-55.78 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.556A SPACE RESEARCH (passive)	<b>54.25-55.78 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.556A SPACE RESEARCH (passive)	Passive Sensing (53.6 – 59.3 GHz)	
<b>55.78-56.9 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED 5.557A INTER-SATELLITE 5.556A MOBILE 5.558 SPACE RESEARCH (passive) 5.547	<b>55.78-56.9 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED 5.557A NF14 INTER-SATELLITE 5.556A MOBILE 5.558 SPACE RESEARCH (passive) 5.547	Passive Sensing (53.6 – 59.3 GHz)	The band 55.78-59 GHz is identified for HDFS; Res.75 applies.
<b>56.9-57 GHz</b> EARTH EXPLORATION-SATELLITE (passive)	<b>56.9-57 GHz</b> EARTH EXPLORATION-SATELLITE (passive)		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>FIXED</b>                      INTER-SATELLITE 5.558A                      MOBILE 5.558                      SPACE RESEARCH (passive)                      5.547</p>	<p>FIXED NF14                      INTER-SATELLITE 5.558A                      MOBILE 5.558                      SPACE RESEARCH (passive)                      5.547</p>	<p>Passive Sensing (53.6 – 59.3 GHz)</p>	<p>The band 55.78-59 GHz is identified for HDFS; Res.75 applies.</p>
<p><b>57-58.2 GHz</b>                      EARTH EXPLORATION-SATELLITE (passive)                      FIXED                      INTER-SATELLITE 5.556A                      MOBILE 5.558                      SPACE RESEARCH (passive)                      5.547</p>	<p><b>57-58.2 GHz</b>                      EARTH EXPLORATION-SATELLITE (passive)                      FIXED NF14                      INTER-SATELLITE 5.556A                      MOBILE 5.558                      SPACE RESEARCH (passive)                      5.547</p>	<p>Passive Sensing (53.6 – 59.3 GHz)</p>	<p>The band 55.78-59 GHz is identified for HDFS; Res.75 applies.</p>
<p><b>58.2-59 GHz</b>                      EARTH EXPLORATION-SATELLITE (passive)                      FIXED                      MOBILE                      SPACE RESEARCH (passive)                      5.547 5.556</p>	<p><b>58.2-59 GHz</b>                      EARTH EXPLORATION-SATELLITE (passive)                      FIXED NF14                      MOBILE                      SPACE RESEARCH (passive)                      5.547 5.556</p>		<p>The band 55.78-59 GHz is identified for HDFS; Res.75 applies.</p>
<p><b>59-59.3 GHz</b>                      EARTH EXPLORATION-SATELLITE (passive)                      FIXED                      INTER-SATELLITE 5.556A                      MOBILE 5.558                      RADIOLOCATION 5.559                      SPACE RESEARCH (passive)</p>	<p><b>59-59.3 GHz</b>                      EARTH EXPLORATION-SATELLITE (passive)                      FIXED                      INTER-SATELLITE 5.556A                      MOBILE 5.558                      RADIOLOCATION 5.559                      SPACE RESEARCH (passive)</p>	<p>Passive Sensing (53.6 – 59.3 GHz)</p>	
<p><b>59.3-64 GHz</b>                      FIXED                      INTER-SATELLITE                      MOBILE 5.558</p>	<p><b>59.3-64 GHz</b>                      FIXED                      INTER-SATELLITE                      MOBILE 5.558</p>	<p>Government Services</p>	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
RADIOLOCATION 5.559 5.138	RADIOLOCATION 5.559 5.138		The band 61-61.5 GHz is designated for ISM applications (5.138). The band 59 - 61 GHz reserved for government use. Common international SRD band; see ITU-R Rec.SM.138R
<b>64-65 GHz</b> FIXED INTER-SATELLITE MOBILE except aeronautical mobile 5.547 5.556	<b>64-65 GHz</b> FIXED INTER-SATELLITE MOBILE except aeronautical mobile 5.547 5.556		The band 64-66 GHz is identified for HDFS; Res.75 applies.
<b>65-66 GHz</b> EARTH EXPLORATION-SATELLITE FIXED INTER-SATELLITE MOBILE except aeronautical mobile SPACE RESEARCH 5.547	<b>65-66 GHz</b> EARTH EXPLORATION-SATELLITE FIXED INTER-SATELLITE MOBILE except aeronautical mobile SPACE RESEARCH 5.547		The band 64-66 GHz is identified for HDFS; Res.75 applies.
<b>66-71 GHz</b> INTER-SATELLITE MOBILE 5.553 5.558 MOBILE-SATELLITE RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.554	<b>66-71 GHz</b> INTER-SATELLITE MOBILE 5.553 5.558 MOBILE-SATELLITE RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.554		
<b>71-74 GHz</b>	<b>71-74 GHz</b>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>FIXED</b> FIXED-SATELLITE (space-to-Earth) <b>MOBILE</b> MOBILE-SATELLITE (space-to-Earth)</p>	<p><b>FIXED NF14</b> FIXED-SATELLITE (space-to-Earth) <b>MOBILE</b> MOBILE-SATELLITE (space-to-Earth)</p>	<p>Fixed Links (80 GHz) (71 – 76 GHz) Government use Fixed links (71-76 GHz)</p>	<p>Paired with 81 – 86 GHz. Radio Frequency Spectrum Regulations Amendments, (Government Gazette Number 40436, 22 November 2016)</p>
<p><b>74-76 GHz</b> <b>FIXED</b> FIXED-SATELLITE (space-to-Earth) <b>MOBILE</b> BROADCASTING BROADCASTING-SATELLITE Space research (space-to-Earth) 5.561</p>	<p><b>74-76 GHz</b> <b>FIXED NF14</b> FIXED-SATELLITE (space-to-Earth) <b>MOBILE</b> BROADCASTING BROADCASTING-SATELLITE Space research (space-to-Earth) 5.561</p>	<p>Fixed Links (80 GHz) (71 – 76 GHz)</p>	<p>Paired with 81 – 86 GHz. Radio Frequency Spectrum Regulations Amendments, (Government Gazette Number 40436, 22 November 2016)</p>
<p><b>76-77.5 GHz</b> <b>RADIO ASTRONOMY</b> RADIOLOCATION Amateur Amateur-satellite Space research (space-to-Earth) 5.149</p>	<p><b>76-77.5 GHz</b> <b>RADIO ASTRONOMY</b> RADIOLOCATION Amateur Amateur-satellite Space research (space-to-Earth) 5.149</p>	<p>RTTT (76 – 77 GHz) SRD - Road Transport and Traffic Telematics Radar (76 – 77 GHz)</p>	<p>Radio Frequency Spectrum Regulations as amended (Annex B) (GG. No. 38641, 30 March 20115). Common international SRD band; see ITU-R Rec.SM.[SRD] and Rec. M.1452</p>
<p><b>77.5-78 GHz</b> <b>AMATEUR</b> AMATEUR-SATELLITE RADIOLOCATION 5.559B Radio astronomy</p>	<p><b>77.5-78 GHz</b> <b>AMATEUR</b> AMATEUR-SATELLITE RADIOLOCATION 5.559B Radio astronomy</p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
Space research (space-to-Earth) 5.149	Space research (space-to-Earth) 5.149		
<b>78-79 GHz</b> RADIOLOCATION Amateur Amateur-satellite Radio astronomy Space research (space-to-Earth) 5.149 5.560	<b>78-79 GHz</b> RADIOLOCATION Amateur Amateur-satellite Radio astronomy Space research (space-to-Earth) 5.149 5.560		
<b>79-81 GHz</b> RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite Space research (space-to-Earth) 5.149	<b>79-81 GHz</b> RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite Space research (space-to-Earth) 5.149		
<b>81-84 GHz</b> FIXED 5.338A FIXED-SATELLITE (Earth-to-space) MOBILE MOBILE-SATELLITE (Earth-to-space) RADIO ASTRONOMY Space research (space-to-Earth) 5.149 5.561A	<b>81-84 GHz</b> FIXED 5.338A NF14 FIXED-SATELLITE (Earth-to-space) MOBILE MOBILE-SATELLITE (Earth-to-space) RADIO ASTRONOMY Space research (space-to-Earth) 5.149 5.561A	Fixed Links (80 GHz) (81 –86 GHz)	Paired with 71 – 76 GHz. <b>Radio Frequency Spectrum Regulations Amendments, (Government Gazette Number 40436, 22 November 2016)</b>
<b>84-86 GHz</b> FIXED 5.338A FIXED-SATELLITE (Earth-to-space) 5.561B MOBILE RADIO ASTRONOMY	<b>84-86 GHz</b> FIXED 5.338A NF14 FIXED-SATELLITE (Earth-to-space) 5.561B MOBILE RADIO ASTRONOMY	Fixed Links (80 GHz) (81 –86 GHz)	<b>Radio Frequency Spectrum Regulations Amendments, (Government Gazette Number 40436, 22 November 2016)</b>

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
5.149	5.149		
<b>86-92 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	<b>86-92 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340		
<b>92-94 GHz</b> FIXED 5.338A MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149	<b>92-94 GHz</b> FIXED 5.338A NF14 MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149		
<b>94-94.1 GHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) Radio astronomy 5.562 5.562A	<b>94-94.1 GHz</b> EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH (active) Radio astronomy 5.562 5.562A	Short Range Radar. Cloud profile radar.	
<b>94.1-95 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149	<b>94.1-95 GHz</b> FIXED NF14 MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149	Short Range Radar	
<b>95-100 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION	<b>95-100 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
RADIONAVIGATION RADIONAVIGATION- SATELLITE 5.149 5.554	RADIONAVIGATION RADIONAVIGATION- SATELLITE 5.149 5.554		
<b>100-102 GHz</b> EARTH EXPLORATION- SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341	<b>100-102 GHz</b> EARTH EXPLORATION- SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341	Passive sensing	
<b>102-105 GHz</b> FIXED MOBILE RADIO ASTRONOMY 5.149 5.341	<b>102-105 GHz</b> FIXED MOBILE RADIO ASTRONOMY 5.149 5.341		
<b>105-109.5 GHz</b> FIXED MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.341	<b>105-109.5 GHz</b> FIXED MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.341		
<b>109.5-111.8 GHz</b> EARTH EXPLORATION- SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341	<b>109.5-111.8 GHz</b> EARTH EXPLORATION- SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341	Passive Sensing	
<b>111.8-114.25 GHz</b> FIXED MOBILE	<b>111.8-114.25 GHz</b> FIXED MOBILE		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>RADIO ASTRONOMY</b> SPACE RESEARCH (passive) 5.562B 5.149 5.341</p>	<p><b>RADIO ASTRONOMY</b> SPACE RESEARCH (passive) 5.562B 5.149 5.341</p>		
<p><b>114.25-116 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341</p>	<p><b>114.25-116 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341</p>		
<p><b>116-119.98 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562C SPACE RESEARCH (passive) 5.341</p>	<p><b>116-119.98 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562C SPACE RESEARCH (passive) 5.341</p>	<p>Passive Sensing</p>	
<p><b>119.98-122.25 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562C SPACE RESEARCH (passive) 5.138 5.341</p>	<p><b>119.98-122.25 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562C SPACE RESEARCH (passive) 5.138 5.341</p>	<p>Passive Sensing (114.25 – 122.25 GHz)</p>	
<p><b>122.25-123 GHz</b> FIXED INTER-SATELLITE MOBILE 5.558 Amateur 5.138</p>	<p><b>122.25-123 GHz</b> FIXED INTER-SATELLITE MOBILE 5.558 Amateur 5.138</p>		
<p><b>123-130 GHz</b> FIXED-SATELLITE (space-to-Earth)</p>	<p><b>123-130 GHz</b> FIXED-SATELLITE (space-to-Earth)</p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
MOBILE-SATELLITE (space-to-Earth) RADIONAVIGATION RADIONAVIGATION-SATELLITE Radio astronomy 5.562D 5.149 5.554	MOBILE-SATELLITE (space-to-Earth) RADIONAVIGATION RADIONAVIGATION-SATELLITE Radio astronomy 5.562D 5.149 5.554		
<b>130-134 GHz</b> EARTH EXPLORATION-SATELLITE (active) 5.562E FIXED INTER-SATELLITE MOBILE 5.558 RADIO ASTRONOMY 5.149 5.562A	<b>130-134 GHz</b> EARTH EXPLORATION-SATELLITE (active) 5.562E FIXED INTER-SATELLITE MOBILE 5.558 RADIO ASTRONOMY 5.149 5.562A		
<b>134-136 GHz</b> AMATEUR AMATEUR-SATELLITE Radio astronomy	<b>134-136 GHz</b> AMATEUR AMATEUR-SATELLITE Radio astronomy		
<b>136-141 GHz</b> RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite 5.149	<b>136-141 GHz</b> RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite 5.149		
<b>141-148.5 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149	<b>141-148.5 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>148.5-151.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	<b>148.5-151.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	Passive Sensing	
<b>151.5-155.5 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149	<b>151.5-155.5 GHz</b> FIXED MOBILE RADIO ASTRONOMY RADIOLOCATION 5.149		
<b>155.5-158.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.562F 5.562G	<b>155.5-158.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.562F 5.562G	Passive Sensing	
<b>158.5-164 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE MOBILE-SATELLITE (space-to-Earth)	<b>158.5-164 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE MOBILE-SATELLITE (space-to-Earth)		
<b>164-167 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY	<b>164-167 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY	Passive Sensing	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
SPACE RESEARCH (passive) 5.340	SPACE RESEARCH (passive) 5.340		
<b>167-174.5 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) INTER-SATELLITE MOBILE 5.558 5.149 5.562D	<b>167-174.5 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) INTER-SATELLITE MOBILE 5.558 5.149 5.562D		
<b>174.5-174.8 GHz</b> FIXED INTER-SATELLITE MOBILE 5.558	<b>174.5-174.8 GHz</b> FIXED INTER-SATELLITE MOBILE 5.558		
<b>174.8-182 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562H SPACE RESEARCH (passive)	<b>174.8-182 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562H SPACE RESEARCH (passive)	Passive sensing (174.8 – 191.8 GHz)	
<b>182-185 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	<b>182-185 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	Passive sensing (174.8 – 191.8 GHz)	
<b>185-190 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562H SPACE RESEARCH (passive)	<b>185-190 GHz</b> EARTH EXPLORATION-SATELLITE (passive) INTER-SATELLITE 5.562H SPACE RESEARCH (passive)	Passive sensing (174.8 – 191.8 GHz)	
<b>190-191.8 GHz</b>	<b>190-191.8 GHz</b>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340	EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) 5.340	Passive sensing (174.8 – 191.8 GHz)	
<b>191.8-200 GHz</b> FIXED INTER-SATELLITE MOBILE 5.558 MOBILE-SATELLITE RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.149 5.341 5.554	<b>191.8-200 GHz</b> FIXED INTER-SATELLITE MOBILE 5.558 MOBILE-SATELLITE RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.149 5.341 5.554		
<b>200-202 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341 5.563A	<b>200-202 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341 5.563A		
<b>202-209 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341 5.563A	<b>202-209 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.341 5.563A	Passive Sensing	
<b>209-217 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) MOBILE RADIO ASTRONOMY 5.149 5.341	<b>209-217 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) MOBILE RADIO ASTRONOMY 5.149 5.341		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<b>217-226 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.341	<b>217-226 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) MOBILE RADIO ASTRONOMY SPACE RESEARCH (passive) 5.562B 5.149 5.341		
<b>226-231.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	<b>226-231.5 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340	Passive Sensing (226 – 232 GHz)	
<b>231.5-232 GHz</b> FIXED MOBILE Radiolocation	<b>231.5-232 GHz</b> FIXED MOBILE Radiolocation		
<b>232-235 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE Radiolocation	<b>232-235 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE Radiolocation		
<b>235-238 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED-SATELLITE (space-to-Earth) SPACE RESEARCH (passive) 5.563A 5.563B	<b>235-238 GHz</b> EARTH EXPLORATION-SATELLITE (passive) FIXED-SATELLITE (space-to-Earth) SPACE RESEARCH (passive) 5.563A 5.563B	Passive Sensing	

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
<p><b>238-240 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE RADIOLOCATION RADIO NAVIGATION RADIO NAVIGATION-SATELLITE</p>	<p><b>238-240 GHz</b> FIXED FIXED-SATELLITE (space-to-Earth) MOBILE RADIOLOCATION RADIO NAVIGATION RADIO NAVIGATION-SATELLITE</p>		
<p><b>240-241 GHz</b> FIXED MOBILE RADIOLOCATION</p>	<p><b>240-241 GHz</b> FIXED MOBILE RADIOLOCATION</p>		
<p><b>241-248 GHz</b> RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite 5.138 5.149</p>	<p><b>241-248 GHz</b> RADIO ASTRONOMY RADIOLOCATION Amateur Amateur-satellite 5.138 5.149</p>		
<p><b>248-250 GHz</b> AMATEUR AMATEUR-SATELLITE Radio astronomy 5.149</p>	<p><b>248-250 GHz</b> AMATEUR AMATEUR-SATELLITE Radio astronomy 5.149</p>		
<p><b>250-252 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.563A</p>	<p><b>250-252 GHz</b> EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) 5.340 5.563A</p>	<p>Passive Sensing</p>	
<p><b>252-265 GHz</b></p>	<p><b>252-265 GHz</b></p>		

ITU Region 1 allocations and footnotes	South African allocations and footnotes	Typical Applications	Notes and Comments
FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) RADIO ASTRONOMY RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.149 5.554	FIXED MOBILE MOBILE-SATELLITE (Earth-to-space) RADIO ASTRONOMY RADIONAVIGATION RADIONAVIGATION-SATELLITE 5.149 5.554		
<b>265-275 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) MOBILE RADIO ASTRONOMY 5.149 5.563A	<b>265-275 GHz</b> FIXED FIXED-SATELLITE (Earth-to-space) MOBILE RADIO ASTRONOMY 5.149 5.563A		
<b>275-3 000 GHz</b> (Not allocated) 5.565	<b>275-1 000 GHz</b> (Not allocated) 5.565	Radio astronomy service Earth exploration-satellite service (passive) Space research (passive)	
	<b>1 000-3 000 GHz</b> (Not allocated) 5.565		Assignments may be considered for Amateur services on a secondary basis above 1000 GHz

#### **4 Radio Astronomy**

The Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007) (AGAA) provides for the Minister responsible for Science and Technology to declare any area or part of an area in the Province of the Northern Cape (except Sol Plaatjie Municipal area) as an astronomy advantage area (AAA). AAA's must be protected, amongst others, from harmful radio frequency interference, which may be caused by radio communication services. The Square Kilometre Array (SKA) will be built in the Northern Cape Province. The SKA location, frequencies bands to be protected, protection levels, coordination procedures, etc. are prescribed through regulations. The band 100 MHz to 26.5 GHz are earmarked for the SKA.

Radiocommunications with transmitters located within the AAA's, which operate within the radio frequency range/s identified for radio astronomy purposes will be subjected to the provisions of the AGAA. All transmitters located, or to be located, within the AAA's will be subject to authorisation according to the prescribed processes. Where authorisation has been granted in accordance with the prescribed procedures, a prospective licensee is still required to submit a spectrum application form for consideration by ICASA.

Where a licensee is required to move its electronic communications facility or migrate to an alternative radio frequency band, ICASA will consult and agree with the licensee regarding the reasonable period within which the licensee must cease to operate its electronic communications facility and migrate to an alternative band.

## 5 National Footnotes to the Table of Frequency Allocations

### NF1 (29.7 - 30 MHz)

This portion of the spectrum is allocated to the amateur service on a secondary basis for use during disaster exercises and emergency situations. This is in addition to the existing exclusive amateur band 28 - 29.7 MHz, which retains its primary status. The additional spectrum is used for single frequency mobile applications.

### NF2 (70 - 70.3 MHz)

This sub-band is allocated to the amateur service on a secondary basis in order to undertake experimental work on propagation. The channels 70.025 – 70.150 MHz are used for civil defence purposes.

### NF3 (148 - 150.05 MHz)

This frequency band was allocated internationally at WARC-92 for the mobile satellite service (MSS) in the Earth-to-space direction. The space-to-Earth link is provided at either 137 – 138 MHz or 400.15 - 401 MHz, depending on the satellite system.

### NF4 (161.875 - 173.875 MHz)

The frequency band is used for sonobouy in the maritime service. Assignments were previously not allowed within a distance of 200 km from the coast. It is generally agreed that there is scope for increased sharing even near the coast. Proper care will be taken in making assignments near the coast in this frequency band and frequency coordination is to be performed with existing services on case by case basis.

### NF5 (173.7 – 175.1 MHz)

This frequency band may be used for wireless microphones for services ancillary to Broadcasting (SAB) and services ancillary to programme (SAP) making. Use of wireless microphones must be co-ordinated and licensed.

### NF6 (336 - 366 MHz)

The frequency band 336 – 346 MHz, paired with the frequency band 356 – 366 MHz, is allocated to fixed services on a primary basis and is applicable for use by Fixed Wireless Access (FWA) systems. Within this frequency band, the sub-band 337 – 344 MHz paired with 357 – 364 MHz is to be used for WAS whereas the sub-band 344 – 346 MHz paired with 364 – 366 MHz is to be used for alarm monitoring and tracking services using DSSS. The band is also considered for use by the Unmanned Aerial Vehicles (UAV) including Remotely Piloted Aircraft System (RPAS) within the sub band 336-346 paired with 356-366 MHz. This spectrum is potentially very useful for providing electronic communications services, in particular in rural areas considering its excellent propagation conditions.

### NF7 (380 – 399.9 MHz)

The frequency band 380 – 399.9 MHz is allocated through ITU Resolution 646 (Rev.WRC-15) to Public Protection and Disaster Relief (PPDR) applications in line with ITU-R M.2015.

### NF8 (430 - 440 MHz)

This frequency band is allocated to the amateur service in South Africa in line with ITU Region 1. The sub-band 433.05 - 434.79 MHz, however, is also designated as an ISM band in Region 1, subject to the special authorisation of the administration concerned (see RR 5.138). Furthermore, the sub-band 433.05 - 434.79 MHz can be used for non-specific short range devices on an unlicensed basis in accordance with the prescribed Regulations. The consequence

of this is that the amateur service may not claim protection from (in-band) emissions from ISM equipment operating in the band, nor can ISM equipment and low power devices claim protection from amateur users operating in the band.

#### NF9 (IMT Frequency Bands - terrestrial)

The table below list all possible IMT frequency bands identified by the ITU, relevant ITU Radio Regulation footnote as well as the applicable ITU-R channel plan.

Band	Frequency band		RR FN	Channel Plan	WRC Resolution/s
450 MHz	450 – 470 MHz		5.286A A	Recommendation ITU-R M.1036	224 (Rev. WRC-15)
700 MHz	694 – 790 MHz		5.312A and 5.317A	Recommendation ITU-R M.1036	224 (Rev. WRC-15) and 760 (WRC-15)
800 MHz	790 — 862 MHz		5.316B and 5.317A	Recommendation ITU-R M.1036 (A3)	224 (Rev. WRC-15) and 749 (Rev. WRC-15)
900 MHz	880 – 915 MHz // 925 – 960 MHz		5.317A	Recommendation ITU-R M.1036 (A2)	224 (Rev. WRC-15) and 749 (Rev. WRC-15)
1500 MHz	1 427-1 518 MHz		5.341A, 5.346, and 5.346A	Recommendation ITU-R M.1036 <sup>12</sup>	223 (Rev. WRC-15), 750 (Rev. WRC-15), and 761 (WRC-15)
1800 MHz	1710 – 1785 MHz // 1805 – 1880 MHz		5.384A	Recommendation ITU-R M.1036 (B2)	223 (Rev. WRC-15)
2100 MHz	1920 – 1980 MHz // 2110 – 2170 MHz		5.388	Recommendation ITU-R M.1036 (B1)	212 (Rev. WRC-07) and 223 (Rev. WRC-12)
2100 MHz (TDD)	1900 – 1920 MHz, 2010 – 2025 MHz		5.388	Recommendation ITU-R M.1036 (B1)	212 (Rev. WRC-07) and 223 (Rev. WRC-12)

<sup>12</sup> Channelling arrangement for 1 427-1 518 MHz is under study at the ITU-R Working Party 5D

2300 MHz	2300 – 2400 MHz		5.384A	Recommendation ITU-R M.1036 (E1)	223 (Rev. WRC-12)
2600 MHz	2500 – 2690 MHz		5.384A	Recommendation ITU-R M.1036 (C1)	223 (Rev. WRC-12)
3350 MHz	3300 – 3400 MHz		5.429B	Recommendation ITU-R M.1036 <sup>13</sup>	223 (Rev. WRC-15),
3.5 GHz	3400 – 3600 MHz		5.430A	Recommendation ITU-R M.1036 (F2)	NA

**NF10 (876 - 880 // 921 - 925 MHz)**

This frequency band is used by GSM-R systems.

**NF11 (915 - 921 MHz)****NF12 (1452 - 1492 MHz)****NF13 (1980 – 2010 MHz paired with 2170 – 2200 MHz)**

These frequency bands are allocated, amongst others, to both the mobile and mobile-satellite services and are also earmarked for the satellite component of IMT. Further, the implementation of IMT in the bands 1850-2025 MHz and 2110-2200 MHz is under study within ITU-R in accordance with Resolution 212 (Rev. WRC-15),

**NF14 (Channel arrangements for Fixed services Systems)**

The table below list the main fixed services frequency bands and the applicable ITU-R Recommendation specifying the applicable frequency channel arrangement. Different channel spacing for each frequency band will allowed in accordance with the relevant ITU-R Recommendation. Sub-division of channels will also be allowed to cater for smaller bandwidth systems. Hop distances will be determined, amongst others, by propagation conditions. Sharing with services other than fixed services is indicated in the comments column.

<sup>13</sup> Channelling arrangement for 3300 – 3400 MHz is under study at the ITU-R Working Party 5D

Band	Band limits	Channel Plan	Comments
1-2GHz	1350 - 1375 MHz // 1492 – 1517 MHz 1375 – 1400 MHz // 1427 – 1452 MHz	ITU-R F.1242	
2 GHz	2025-2110 MHz // 2200-2285 MHz	ITU-R F.1098	
4 GHz	3600 – 4200 MHz	ITU-R F.635, Annex 1	Shared with FSS (downlink) (Note 1)
4.8 GHz	4400 – 5000 MHz	ITU-R F.1099, Annex 1	Government Services
Lower 6 GHz	5925 – 6425 MHz	ITU-R F.383	Shared with FSS (uplink) (Note 2)
Upper 6 GHz	6425 – 7110 MHz	ITU-R F.384	Shared with FSS (Note 3)
7 GHz (L7 + U7)	7110 – 7750 MHz	ITU-R F.385, Annex 3	
Lower 8 GHz	7725 – 8275 MHz	ITU-R F.386, Annex 6	
Upper 8 GHz	8275 – 8500 MHz	ITU-R F.386, Annex 1	
10.5 GHz	10.15-10.3 GHz// 10.5-10.65 GHz	ITU-R F.1568, Annex 1	
11 GHz	10.7 – 11.7 GHz	ITU-R F.387	Shared with FSS (Note 4)
13 GHz	12.75 – 13.25 GHz	ITU-R F.497	
15 GHz	14.5 – 15.35 GHz	ITU-R F.636	
18 GHz	17.7 – 19.7 GHz	ITU-R F.595, Annex 1	
23 GHz	21.2-23.6 GHz or	ITU-R F.637, Annex 1	Shared with BSS (Note 5)
26 GHz	24.5 – 26.5 GHz	ITU-R F.748, Annex 1	Shared with EESS (Note 6)
28 GHz	27.5 – 29.5 GHz	ITU-R F.748-4, Annex 2	
32 GHz	31.8 – 33.4 GHz	ITU-R F.1520, Annex 1	
38 GHz	37.0 – 39.5 GHz	ITU-R F.749 Annex 1	
42 GHz	40.5 – 43.5 GHz	ITU-R F. 2005	
57 GHz	55.78 – 59 GHz	ITU-R F 1497	
80 GHz	71 – 76 GHz // 81 – 86 GHz	ITU-R F.2006	(Note 7)

94 GHz	92 – 94 GHz 94.1 – 95 GHz	ITU –R F. 2004	
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**Note 1:** The band 3600 – 4200 MHz is used on a national basis for high capacity, core network telecommunication services under the fixed service using ( for fixed services links generally over long hop lengths. The band 3625 – 4200 MHz, part of the C-band, is used extensively for FSS (space-to-Earth) applications. This band is shared between FS and FSS.

**Note 2:** In addition to deployment of for fixed services links under the fixed services, the band 5850 – 6425 MHz, part of the C-band, is also used for FSS (Earth-to-space) applications on a shared basis with FS. The C-band is also used for satellite news gathering (SNG) operations, which will require frequency co-ordination with fixed links on a case-by-case basis. Users are encouraged to, as far as possible, use the Ku-band for SNG operations in South Africa in order to avoid the need for frequency coordination and the interference problems associated with C-band SNG operations. The band 5850 – 5926 MHz may also be used for temporary deployment for ENG and OB links under the mobile and fixed services respectively on a strictly coordinated basis.

**Note 3:** This band is used on a national basis for fixed services links under the fixed service. Fixed links are shared with NGSO MSS (space-to-Earth) feeder links and geo-stationary satellite orbit (GSO) FSS (Earth-to-space) systems on a strictly controlled and co-ordinated basis.

**Note 4:** This band is used on a national basis for fixed services links under the fixed service. The bands 10.95 – 11.2 GHz and 11.45 – 11.7 GHz are also shared with FSS (space-to-Earth) systems (typically VSAT/SNG and PTP links). The sub-bands 10.95 – 11.2 GHz and 11.45 – 11.7 GHz is also used DTH satellite broadcasting services on a secondary basis to the FS and FSS services.

**Note 5:** In addition to the fixed services, the band 21.2 – 23 GHz is also allocated to the BSS on a co-primary basis. In accordance with 5.530A, all fixed links must comply to the prescribed pfd limits at national borders, unless otherwise agreed with the administration concerned. In line with 5.530B, the band 21.2 – 23 GHz will not be used for mobile services in South Africa and fixed service deployments will be restricted to for fixed services links.

**Note 6:** An unmanned receive only earth station, forming part of the National Polar-Orbiting Operational Environmental Satellite System (NPOESS) is located in South Africa, and this system operates within the frequency band 25.5 to 27 GHz in the Earth Exploration Satellite (space-to-earth) service.

**Note 7:** The frequency bands 71 – 76 GHz paired with 81 – 86 GHz are allocated to the fixed services and is earmarked for very high capacity Broadband Fixed Wireless Systems over very short hop lengths. Radio frequency channel arrangements for fixed service systems operating in the bands 71-76 GHz and 81-86 GHz are according to the Radio Frequency Spectrum Regulations (GG. No.38641, 30 March 2015).

#### **NF15 (4400 – 5000 MHz)**

The frequency band 4400 – 5000 MHz is allocated to electronic news gathering (ENG) and outside broadcasting (OB) services under the mobile and fixed services respectively, and is shared with Government Services.

**NF16 (5725 – 5850 MHz)**

The band 5725 – 5875 MHz is designated as an ISM band through ITU-R footnote 5.150. In addition to ISM applications, the band 5725 – 5850 MHz is also available for fixed links on a license-exempt basis, provided adherence to the provisions indicated below. Type Approval of these systems is mandatory. See also Radio Frequency Spectrum Regulations (Annex B) (GG. No.38641, 30 March 2015).

( for additional requirements in using this band.

Frequency Range	Maximum Power	Modulation	Restrictions
5.725 – 5.850 GHz	1 watt peak e.i.r.p	Any modulation	No other restriction other than those related to the maximum power and the modulation scheme.
5.725 – 5.850 GHz	4 watt peak e.i.r.p	Frequency hopping or digital modulation only	No other restriction other than those related to the maximum power and the modulation scheme.
5.725 – 5.850 GHz	200 watt peak e.i.r.p with a max 1 watt peak transmitter power	Digital modulation only	<ul style="list-style-type: none"> <li>- Fixed Radio Link devices only</li> <li>- Peak power spectral density must not exceed 17dBm /MHz.</li> </ul>

The Authority reserves the right to require users to change the frequency, reduce the power, or cease operations, where harmful interference is caused.

**NF17 (14.0 – 14.5 GHz)**

The frequency band 14.0 – 14.5 GHz, part of the Ku-band is used extensively for FSS (Earth-to-space) applications (VSAT/SNG/PTP links).

**NF18 (27.5 – 28.35 GHz)**

The frequency bands 27.5 – 28.35 GHz (base station to subscriber) and 29.1 – 29.25 GHz (subscriber to base station) are allocated to broadband service - local multipoint distribution services (LMDS) under the fixed service using a PTMP topology. Implementing of this arrangement has proven to be difficult due to potential harmful interference between High Definition Fixed Satellite Services (HDFSS) and LMDS. Consideration of the implementation of LDMS service is being made for an arrangement where the 29.1 – 29.25 GHz subscriber to base station is changed to 31.225 – 31.300 MHz. This has been implemented by the Federal Communications Commission (FCC).

## 6 ITU Radio Regulations Footnotes

The ITU Radio Regulations footnote listed are those that are applicable to Region 1.

**5.53** Administrations authorizing the use of frequencies below 8.3 kHz shall ensure that no harmful interference is caused to services to which the bands above 8.3 kHz are allocated. (WRC-12)

**5.54** Administrations conducting scientific research using frequencies below 8.3 kHz are urged to advise other administrations that may be concerned in order that such research may be afforded all practicable protection from harmful interference. (WRC-12)

**5.54** Administrations conducting scientific research using frequencies below 9 kHz are urged to advise other administrations that may be concerned in order that such research may be afforded all practicable protection from harmful interference.

**5.54A** Use of the 8.3-11.3 kHz frequency band by stations in the meteorological aids service is limited to passive use only. In the band 9-11.3 kHz, meteorological aids stations shall not claim protection from stations of the radionavigation service submitted for notification to the Bureau prior to 1 January 2013. For sharing between stations of the meteorological aids service and stations in the radionavigation service submitted for notification after this date, the most recent version of Recommendation ITU-R RS.1881 should be applied. (WRC-12)

**5.54B** *Additional allocation:* in Algeria, Saudi Arabia, Bahrain, Egypt, the United Arab Emirates, the Russian Federation, Iran (Islamic Republic of), Iraq, Kuwait, Lebanon, Morocco, Qatar, the Syrian Arab Republic, Sudan and Tunisia, the frequency band 8.3-9 kHz is also allocated to the radionavigation, fixed and mobile services on a primary basis. (WRC-15)

**5.54C** *Additional allocation:* in China, the frequency band 8.3-9 kHz is also allocated to the maritime radionavigation and maritime mobile services on a primary basis. (WRC-12)

**5.55** *Additional allocation:* in Armenia, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the frequency band 14-17 kHz is also allocated to the radionavigation service on a primary basis. (WRC-15)

**5.56** The stations of services to which the bands 14-19.95 kHz and 20.05-70 kHz and in Region 1 also the bands 72-84 kHz and 86-90 kHz are allocated may transmit standard frequency and time signals. Such stations shall be afforded protection from harmful interference. In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, the frequencies 25 kHz and 50 kHz will be used for this purpose under the same conditions. (WRC-12)

**5.57** The use of the bands 14-19.95 kHz, 20.05-70 kHz and 70-90 kHz (72-84 kHz and 86-90 kHz in Region 1) by the maritime mobile service is limited to coast radiotelegraph stations (A1A and F1B only). Exceptionally, the use of class J2B or J7B emissions is authorized subject to the necessary bandwidth not exceeding that normally used for class A1A or F1B emissions in the band concerned.

**5.58** *Additional allocation:* in Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, the band 67-70 kHz is also allocated to the radionavigation service on a primary basis. (WRC-2000)

**5.60** In the bands 70-90 kHz (70-86 kHz in Region 1) and 110-130 kHz (112-130 kHz in Region 1), pulsed radionavigation systems may be used on condition that they do not cause harmful interference to other services to which these bands are allocated.

**5.62** Administrations which operate stations in the radionavigation service in the band 90-110 kHz are urged to coordinate technical and operating characteristics in such a way as to avoid harmful interference to the services provided by these stations.

**5.64** Only classes A1A or F1B, A2C, A3C, F1C or F3C emissions are authorized for stations of the fixed service in the bands allocated to this service between 90 kHz and 160 kHz (148.5 kHz in Region 1) and for stations of the maritime mobile service in the bands allocated to this service between

110 kHz and 160 kHz (148.5 kHz in Region 1). Exceptionally, class J2B or J7B emissions are also authorized in the bands between 110 kHz and 160 kHz (148.5 kHz in Region 1) for stations of the maritime mobile service.

**5.66** *Different category of service:* in Germany, the allocation of the band 115-117.6 kHz to the fixed and maritime mobile services is on a primary basis (see No. **5.33**) and to the radionavigation service on a secondary basis (see No. **5.32**).

**5.67** *Additional allocation:* in Mongolia, Kyrgyzstan and Turkmenistan, the band 130-148.5 kHz is also allocated to the radionavigation service on a secondary basis. Within and between these countries this service shall have an equal right to operate. (WRC-07)

**5.67A** Stations in the amateur service using frequencies in the band 135.7-137.8 kHz shall not exceed a maximum radiated power of 1 W (e.i.r.p.) and shall not cause harmful interference to stations of the radionavigation service operating in countries listed in No. **5.67**. (WRC-07)

**5.67B** The use of the band 135.7-137.8 kHz in Algeria, Egypt, Iran (Islamic Republic of), Iraq, Lebanon, Syrian Arab Republic, Sudan, South Sudan and Tunisia is limited to the fixed and maritime mobile services. The amateur service shall not be used in the above-mentioned countries in the band 135.7-137.8 kHz, and this should be taken into account by the countries authorizing such use. (WRC-12)

**5.68** *Alternative allocation:* in Angola, Congo (Rep. of the), the Dem. Rep. of the Congo and South Africa, the band 160-200 kHz is allocated to the fixed service on a primary basis. (WRC-12)

**5.69** *Additional allocation:* in Somalia, the band 200-255 kHz is also allocated to the aeronautical radionavigation service on a primary basis.

**5.70** *Alternative allocation:* in Angola, Botswana, Burundi, the Central African Rep., Congo (Rep. of the), Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mozambique, Namibia, Nigeria, Oman, the Dem. Rep. of the Congo, South Africa, Swaziland, Tanzania, Chad, Zambia and Zimbabwe, the band 200-283.5 kHz is allocated to the aeronautical radionavigation service on a primary basis. (WRC-12)

**5.71** *Alternative allocation:* in Tunisia, the band 255-283.5 kHz is allocated to the broadcasting service on a primary basis.

**5.73** The band 285-325 kHz (283.5-325 kHz in Region 1) in the maritime radionavigation service may be used to transmit supplementary navigational information using narrow-band techniques, on condition that no harmful interference is caused to radiobeacon stations operating in the radionavigation service. (WRC-97)

**5.74** *Additional Allocation:* in Region 1, the frequency band 285.3-285.7 kHz is also allocated to the maritime radionavigation service (other than radiobeacons) on a primary basis.

**5.75** *Different category of service:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Moldova, Kyrgyzstan, Tajikistan, Turkmenistan, Ukraine and the Black Sea areas of Romania, the allocation of the band 315-325 kHz to the maritime radionavigation service is on a primary basis under the condition that in the Baltic Sea area, the assignment of frequencies in this band to new stations in the maritime or aeronautical radionavigation services shall be subject to prior consultation between the administrations concerned. (WRC-07)

**5.76** The frequency 410 kHz is designated for radio direction-finding in the maritime radionavigation service. The other radionavigation services to which the band 405-415 kHz is allocated shall not cause harmful interference to radio direction-finding in the band 406.5-413.5 kHz.

**5.77** *Different category of service:* in Australia, China, the French overseas communities of Region 3, Korea (Rep. of), India, Iran (Islamic Republic of), Japan, Pakistan, Papua New Guinea and Sri Lanka, the allocation of the frequency band 415-495 kHz to the aeronautical radionavigation service

is on a primary basis. In Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Latvia, Uzbekistan and Kyrgyzstan, the allocation of the frequency band 435-495 kHz to the aeronautical radionavigation service is on a primary basis. Administrations in all the aforementioned countries shall take all practical steps necessary to ensure that aeronautical radionavigation stations in the frequency band 435-495 kHz do not cause interference to reception by coast stations of transmissions from ship stations on frequencies designated for ship stations on a worldwide basis. (WRC-12)

**5.79** The use of the bands 415-495 kHz and 505-526.5 kHz (505-510 kHz in Region 2) by the maritime mobile service is limited to radiotelegraphy.

**5.79A** When establishing coast stations in the NAVTEX service on the frequencies 490 kHz, 518 kHz and 4 209.5 kHz, administrations are strongly recommended to coordinate the operating characteristics in accordance with the procedures of the International Maritime Organization (IMO) (see Resolution **339 (Rev.WRC-07)**). (WRC-07)

**5.80A** The maximum equivalent isotropically radiated power (e.i.r.p.) of stations in the amateur service using frequencies in the band 472-479 kHz shall not exceed 1 W. Administrations may increase this limit of e.i.r.p. to 5 W in portions of their territory which are at a distance of over 800 km from the borders of Algeria, Saudi Arabia, Azerbaijan, Bahrain, Belarus, China, Comoros, Djibouti, Egypt, United Arab Emirates, the Russian Federation, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Oman, Uzbekistan, Qatar, Syrian Arab Republic, Kyrgyzstan, Somalia, Sudan, Tunisia, Ukraine and Yemen. In this frequency band, stations in the amateur service shall not cause harmful interference to, or claim protection from, stations of the aeronautical radionavigation service. (WRC-12)

**5.80B** The use of the frequency band 472-479 kHz in Algeria, Saudi Arabia, Azerbaijan, Bahrain, Belarus, China, Comoros, Djibouti, Egypt, United Arab Emirates, the Russian Federation, Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Mauritania, Oman, Uzbekistan, Qatar, Syrian Arab Republic, Kyrgyzstan, Somalia, Sudan, Tunisia and Yemen is limited to the maritime mobile and aeronautical radionavigation services. The amateur service shall not be used in the above-mentioned countries in this frequency band, and this should be taken into account by the countries authorizing such use. (WRC-12)

**5.82** In the maritime mobile service, the frequency 490 kHz is to be used exclusively for the transmission by coast stations of navigational and meteorological warnings and urgent information to ships, by means of narrow-band direct-printing telegraphy. The conditions for use of the frequency 490 kHz are prescribed in Articles 31 and 52. In using the frequency band 415-495 kHz for the aeronautical radionavigation service, administrations are requested to ensure that no harmful interference is caused to the frequency 490 kHz. In using the frequency band 472-479 kHz for the amateur service, administrations shall ensure that no harmful interference is caused to the frequency 490 kHz. (WRC-12)

**5.84** The conditions for the use of the frequency 518 kHz by the maritime mobile service are prescribed in Articles **31** and **52**. (WRC-07)

**5.87** *Additional allocation:* in Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, Niger and Swaziland, the band 526.5-535 kHz is also allocated to the mobile service on a secondary basis. (WRC-12)

**5.87A** *Additional allocation:* in Uzbekistan, the band 526.5-1 606.5 kHz is also allocated to the radionavigation service on a primary basis. Such use is subject to agreement obtained under No. **9.21** with administrations concerned and limited to ground-based radiobeacons in operation on 27 October 1997 until the end of their lifetime. (WRC-97)

The examination of frequency assignments to stations of the fixed and mobile services in the band 1 625-1 705 kHz shall take account of the allotments appearing in the Plan established by the Regional Administrative Radio Conference (Rio de Janeiro, 1988).

**5.90** In the band 1 605-1 705 kHz, in cases where a broadcasting station of Region 2 is concerned, the service area of the maritime mobile stations in Region 1 shall be limited to that provided by ground-wave propagation.

**5.92** Some countries of Region 1 use radiodetermination systems in the bands 1 606.5-1 625 kHz, 1 635-1 800 kHz, 1 850-2 160 kHz, 2 194-2 300 kHz, 2 502-2 850 kHz and 3 500-3 800 kHz, subject to agreement obtained under No. **9.21**. The radiated mean power of these stations shall not exceed 50 W.

**5.93** *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Hungary, Kazakhstan, Latvia, Lithuania, Mongolia, Nigeria, Uzbekistan, Poland, Kyrgyzstan, Slovakia, Tajikistan, Chad, Turkmenistan and Ukraine, the frequency bands 1 625-1 635 kHz, 1 800-1 810 kHz and 2 160-2 170 kHz are also allocated to the fixed and land mobile services on a primary basis, subject to agreement obtained under No. 9.21. (WRC-15)

**5.96** In Germany, Armenia, Austria, Azerbaijan, Belarus, Croatia, Denmark, Estonia, the Russian Federation, Finland, Georgia, Hungary, Ireland, Iceland, Israel, Kazakhstan, Latvia, Liechtenstein, Lithuania, Malta, Moldova, Norway, Uzbekistan, Poland, Kyrgyzstan, Slovakia, the Czech Rep., the United Kingdom, Sweden, Switzerland, Tajikistan, Turkmenistan and Ukraine, administrations may allocate up to 200 kHz to their amateur service in the frequency bands 1 715-1 800 kHz and 1 850-2 000 kHz. However, when allocating the frequency bands within this range to their amateur service, administrations shall, after prior consultation with administrations of neighbouring countries, take such steps as may be necessary to prevent harmful interference from their amateur service to the fixed and mobile services of other countries. The mean power of any amateur station shall not exceed 10 W. (WRC-15)

**5.98** *Alternative allocation:* in Armenia, Azerbaijan, Belarus, Belgium, Cameroon, Congo (Rep. of the), Denmark, Egypt, Eritrea, Spain, Ethiopia, the Russian Federation, Georgia, Greece, Italy, Kazakhstan, Lebanon, Lithuania, the Syrian Arab Republic, Kyrgyzstan, Somalia, Tajikistan, Tunisia, Turkmenistan and Turkey, the frequency band 1 810-1 830 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-15)

**5.99** *Additional allocation:* in Saudi Arabia, Austria, Iraq, Libya, Uzbekistan, Slovakia, Romania, Slovenia, Chad, and Togo, the band 1 810-1 830 kHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.100** In Region 1, the authorization to use the band 1 810-1 830 kHz by the amateur service in countries situated totally or partially north of 40° N shall be given only after consultation with the countries mentioned in Nos. **5.98** and **5.99** to define the necessary steps to be taken to prevent harmful interference between amateur stations and stations of other services operating in accordance with Nos. **5.98** and **5.99**.

**5.103** In Region 1, in making assignments to stations in the fixed and mobile services in the bands 1 850-2 045 kHz, 2 194-2 498 kHz, 2 502-2 625 kHz and 2 650-2 850 kHz, administrations should bear in mind the special requirements of the maritime mobile service.

**5.104** In Region 1, the use of the band 2 025-2 045 kHz by the meteorological aids service is limited to oceanographic buoy stations.

**5.107** *Additional allocation:* in Saudi Arabia, Eritrea, Ethiopia, Iraq, Libya, Somalia and Swaziland, the band 2 160-2 170 kHz is also allocated to the fixed and mobile, except aeronautical mobile (R), services on a primary basis. The mean power of stations in these services shall not exceed 50 W. (WRC-12)

**5.108** The carrier frequency 2 182 kHz is an international distress and calling frequency for radiotelephony. The conditions for the use of the band 2 173.5-2 190.5 kHz are prescribed in Articles **31** and **52**. (WRC-07)

**5.109** The frequencies 2 187.5 kHz, 4 207.5 kHz, 6 312 kHz, 8 414.5 kHz, 12 577 kHz and 16 804.5 kHz are international distress frequencies for digital selective calling. The conditions for the use of these frequencies are prescribed in Article 31.

**5.110** The frequencies 2 174.5 kHz, 4 177.5 kHz, 6 268 kHz, 8 376.5 kHz, 12 520 kHz and 16 695 kHz are international distress frequencies for narrow-band direct-printing telegraphy. The conditions for the use of these frequencies are prescribed in Article 31.

**5.111** The carrier frequencies 2 182 kHz, 3 023 kHz, 5 680 kHz, 8 364 kHz and the frequencies 121.5 MHz, 156.525 MHz, 156.8 MHz and 243 MHz may also be used, in accordance with the procedures in force for terrestrial radiocommunication services, for search and rescue operations concerning manned space vehicles. The conditions for the use of the frequencies are prescribed in Article 31. The same applies to the frequencies 10 003 kHz, 14 993 kHz and 19 993 kHz, but in each of these cases emissions must be confined in a band of  $\pm$  3 kHz about the frequency. (WRC-07)

**5.112** *Alternative allocation:* in Denmark and Sri Lanka, the band 2 194-2 300 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.113** For the conditions for the use of the bands 2 300-2 495 kHz (2 498 kHz in Region 1), 3 200-3 400 kHz, 4 750-4 995 kHz and 5 005-5 060 kHz by the broadcasting service, see Nos. 5.16 to 5.20, 5.21 and 23.3 to 23.10.

**5.114** *Alternative allocation:* in Denmark and Iraq, the band 2 502-2 625 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.115** The carrier (reference) frequencies 3 023 kHz and 5 680 kHz may also be used, in accordance with Article 31, by stations of the maritime mobile service engaged in coordinated search and rescue operations. (WRC-07)

**5.116** Administrations are urged to authorize the use of the band 3 155-3 195 kHz to provide a common worldwide channel for low power wireless hearing aids. Additional channels for these devices may be assigned by administrations in the bands between 3 155 kHz and 3 400 kHz to suit local needs.

It should be noted that frequencies in the range 3 000 kHz to 4 000 kHz are suitable for hearing aid devices which are designed to operate over short distances within the induction field.

**5.117** *Alternative allocation:* in Côte d'Ivoire, Denmark, Egypt, Liberia, Sri Lanka and Togo, the band 3 155-3 200 kHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.123** *Additional allocation:* in Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe, the band 3 900-3 950 kHz is also allocated to the broadcasting service on a primary basis, subject to agreement obtained under No. 9.21.

**5.127** The use of the band 4 000-4 063 kHz by the maritime mobile service is limited to ship stations using radiotelephony (see No. 52.220 and Appendix 17).

**5.128** Frequencies in the bands 4 063-4 123 kHz and 4 130-4 438 kHz may be used exceptionally by stations in the fixed service, communicating only within the boundary of the country in which they are located, with a mean power not exceeding 50 W, on condition that harmful interference is not caused to the maritime mobile service. In addition, in Afghanistan, Argentina, Armenia, Azerbaijan, Belarus, Botswana, Burkina Faso, the Central African Rep., China, the Russian Federation, Georgia, India, Kazakhstan, Mali, Niger, Pakistan, Kyrgyzstan, Tajikistan, Chad, Turkmenistan and Ukraine, in the bands 4 063-4 123 kHz, 4 130-4 133 kHz and 4 408-4 438 kHz, stations in the fixed service, with a mean power not exceeding 1 kW, can be operated on condition that they are situated at least 600 km from the coast and that harmful interference is not caused to the maritime mobile service. (WRC-12)

**5.130** The conditions for the use of the carrier frequencies 4 125 kHz and 6 215 kHz are prescribed in Articles 31 and 52. (WRC-07)

**5.131** The frequency 4 209.5 kHz is used exclusively for the transmission by coast stations of meteorological and navigational warnings and urgent information to ships by means of narrow-band direct-printing techniques. (WRC-97)

**5.132** The frequencies 4 210 kHz, 6 314 kHz, 8 416.5 kHz, 12 579 kHz, 16 806.5 kHz, 19 680.5 kHz, 22 376 kHz and 26 100.5 kHz are the international frequencies for the transmission of maritime safety information (MSI) (see Appendix 17).

**5.132A** Stations in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the fixed or mobile services. Applications of the radiolocation service are limited to oceanographic radars operating in accordance with Resolution 612 (Rev.WRC-12). (WRC-12)

**5.132B** *Alternative allocation:* in Armenia, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 4 438-4 488 kHz is allocated to the fixed and mobile, except aeronautical mobile (R), services on a primary basis. (WRC-15)

**5.133** *Different category of service:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Latvia, Lithuania, Niger, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the allocation of the band 5 130-5 250 kHz to the mobile, except aeronautical mobile, service is on a primary basis (see No. 5.33). (WRC-12)

**5.133A** *Alternative allocation:* in Armenia, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency bands 5 250-5 275 kHz and 26 200-26 350 kHz are allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-15)

**5.133B** Stations in the amateur service using the frequency band 5 351.5-5 366.5 kHz shall not exceed a maximum radiated power of 15 W (e.i.r.p.). However, in Region 2 in Mexico, stations in the amateur service using the frequency band 5 351.5-5 366.5 kHz shall not exceed a maximum radiated power of 20 W (e.i.r.p.). In the following Region 2 countries: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Dominica, El Salvador, Ecuador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Peru, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay, Venezuela, as well as the overseas territories of the Netherlands in Region 2, stations in the amateur service using the frequency band 5 351.5-5 366.5 kHz shall not exceed a maximum radiated power of 25 W (e.i.r.p.). (WRC-15)

**5.134** The use of the bands 5 900-5 950 kHz, 7 300-7 350 kHz, 9 400-9 500 kHz, 11 600-11 650 kHz, 12 050-12 100 kHz, 13 570-13 600 kHz, 13 800-13 870 kHz, 15 600-15 800 kHz, 17 480-17 550 kHz and 18 900-19 020 kHz by the broadcasting service is subject to the application of the procedure of Article 12. Administrations are encouraged to use these bands to facilitate the introduction of digitally modulated emissions in accordance with the provisions of Resolution 517 (Rev.WRC-07). (WRC-07)

**5.136** *Additional allocation:* frequencies in the band 5 900-5 950 kHz may be used by stations in the following services, communicating only within the boundary of the country in which they are located: fixed service (in all three Regions), land mobile service (in Region 1), mobile except aeronautical mobile (R) service (in Regions 2 and 3), on condition that harmful interference is not caused to the broadcasting service. When using frequencies for these services, administrations are urged to use the minimum power required and to take account of the seasonal use of frequencies by the broadcasting service published in accordance with the Radio Regulations. (WRC-07)

**5.137** On condition that harmful interference is not caused to the maritime mobile service, the bands 6 200-6 213.5 kHz and 6 220.5-6 525 kHz may be used exceptionally by stations in the fixed service, communicating only within the boundary of the country in which they are located, with a mean

power not exceeding 50 W. At the time of notification of these frequencies, the attention of the Bureau will be drawn to the above conditions.

**5.138** The following bands:

6 765-6 795 kHz	(centre frequency 6 780 kHz),
433.05-434.79 MHz	(centre frequency 433.92 MHz) in Region 1 except in the countries mentioned in No. <b>5.280</b> ,
61-61.5 GHz	(centre frequency 61.25 GHz),
122-123 GHz	(centre frequency 122.5 GHz), and
244-246 GHz	(centre frequency 245 GHz)

are designated for industrial, scientific and medical (ISM) applications. The use of these frequency bands for ISM applications shall be subject to special authorization by the administration concerned, in agreement with other administrations whose radiocommunication services might be affected. In applying this provision, administrations shall have due regard to the latest relevant ITU-R Recommendations.

**5.138A** Until 29 March 2009, the band 6 765-7 000 kHz is allocated to the fixed service on a primary basis and to the land mobile service on a secondary basis. After this date, this band is allocated to the fixed and the mobile except aeronautical mobile (R) services on a primary basis. (WRC-03)

**5.139** *Different category of service:* until 29 March 2009, in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Latvia, Lithuania, Mongolia, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the allocation of the band 6 765-7 000 kHz to the land mobile service is on a primary basis (see No. **5.33**). (WRC-07)

**5.140** *Additional allocation:* in Angola, Iraq, Somalia and Togo, the frequency band 7 000-7 050 kHz is also allocated to the fixed service on a primary basis. (WRC-15)

**5.141** *Alternative allocation:* in Egypt, Eritrea, Ethiopia, Guinea, Libya, Madagascar and Niger, the band 7 000-7 050 kHz is allocated to the fixed service on a primary basis. (WRC-12)

**5.141A** *Additional allocation:* in Uzbekistan and Kyrgyzstan, the bands 7 000-7 100 kHz and 7 100-7 200 kHz are also allocated to the fixed and land mobile services on a secondary basis. (WRC-03)

**5.141B** *Additional allocation:* in Algeria, Saudi Arabia, Australia, Bahrain, Botswana, Brunei Darussalam, China, Comoros, Korea (Rep. of), Diego Garcia, Djibouti, Egypt, United Arab Emirates, Eritrea, Guinea, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Kuwait, Libya, Mali, Morocco, Mauritania, Niger, New Zealand, Oman, Papua New Guinea, Qatar, the Syrian Arab Republic, Singapore, Sudan, South Sudan, Tunisia, Viet Nam and Yemen, the frequency band 7 100-7 200 kHz is also allocated to the fixed and the mobile, except aeronautical mobile (R), services on a primary basis. (WRC-15)

**5.141C** In Regions 1 and 3, the band 7 100-7 200 kHz is allocated to the broadcasting service until 29 March 2009 on a primary basis. (WRC-03)

**5.142** Until 29 March 2009, the use of the band 7 100-7 300 kHz in Region 2 by the amateur service shall not impose constraints on the broadcasting service intended for use within Region 1 and Region 3. After 29 March 2009 the use of the band 7 200-7 300 kHz in Region 2 by the amateur service shall not impose constraints on the broadcasting service intended for use within Region 1 and Region 3. (WRC-03)

**5.143** *Additional allocation:* frequencies in the band 7 300-7 350 kHz may be used by stations in the fixed service and in the land mobile service, communicating only within the boundary of the country in which they are located, on condition that harmful interference is not caused to the broadcasting service. When using frequencies for these services, administrations are urged to use the

minimum power required and to take account of the seasonal use of frequencies by the broadcasting service published in accordance with the Radio Regulations. (WRC-07)

**5.143B** In Region 1, the band 7 350-7 450 kHz is allocated, until 29 March 2009, to the fixed service on a primary basis and to the land mobile service on a secondary basis. After 29 March 2009, on condition that harmful interference is not caused to the broadcasting service, frequencies in the band 7 350-7 450 kHz may be used by stations in the fixed and land mobile services communicating only within the boundary of the country in which they are located, each station using a total radiated power that shall not exceed 24 dBW. (WRC-03)

**5.143C** *Additional allocation:* after 29 March 2009 in Algeria, Saudi Arabia, Bahrain, Comoros, Djibouti, Egypt, United Arab Emirates, Iran (Islamic Republic of), Jordan, Kuwait, Libya, Morocco, Mauritania, Niger, Oman, Qatar, the Syrian Arab Republic, Sudan, South Sudan, Tunisia and Yemen, the bands 7 350-7 400 kHz and 7 400-7 450 kHz are also allocated to the fixed service on a primary basis. (WRC-12)

**5.143E** Until 29 March 2009, the band 7 450-8 100 kHz is allocated to the fixed service on a primary basis and to the land mobile service on a secondary basis. (WRC-03)

**5.145** The conditions for the use of the carrier frequencies 8 291 kHz, 12 290 kHz and 16 420 kHz are prescribed in Articles 31 and 52. (WRC-07)

**5.145A** Stations in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the fixed service. Applications of the radiolocation service are limited to oceanographic radars operating in accordance with Resolution 612 (Rev.WRC-12). (WRC-12)

**5.145B** *Alternative allocation:* in Armenia, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency bands 9 305-9 355 kHz and 16 100-16 200 kHz are allocated to the fixed service on a primary basis. (WRC-15)

**5.146** *Additional allocation:* frequencies in the bands 9 400-9 500 kHz, 11 600-11 650 kHz, 12 050-12 100 kHz, 15 600-15 800 kHz, 17 480-17 550 kHz and 18 900-19 020 kHz may be used by stations in the fixed service, communicating only within the boundary of the country in which they are located, on condition that harmful interference is not caused to the broadcasting service. When using frequencies in the fixed service, administrations are urged to use the minimum power required and to take account of the seasonal use of frequencies by the broadcasting service published in accordance with the Radio Regulations. (WRC-07)

**5.147** On condition that harmful interference is not caused to the broadcasting service, frequencies in the bands 9 775-9 900 kHz, 11 650-11 700 kHz and 11 975-12 050 kHz may be used by stations in the fixed service communicating only within the boundary of the country in which they are located, each station using a total radiated power not exceeding 24 dBW.

**5.149** In making assignments to stations of other services to which the bands:

13 360-13 410 kHz,	4 950-4 990 MHz,	102-109.5 GHz,
25 550-25 670 kHz,	4 990-5 000 MHz,	111.8-114.25 GHz,
37.5-38.25 MHz,	6 650-6 675.2 MHz,	128.33-128.59 GHz,
73-74.6 MHz in Regions 1 and 3,	10.6-10.68 GHz,	129.23-129.49 GHz,
150.05-153 MHz in Region 1,	14.47-14.5 GHz,	130-134 GHz,
322-328.6 MHz,	22.01-22.21 GHz,	136-148.5 GHz,
406.1-410 MHz,	22.21-22.5 GHz,	151.5-158.5 GHz,
608-614 MHz in Regions 1 and 3,	22.81-22.86 GHz,	168.59-168.93 GHz,
1 330-1 400 MHz,	23.07-23.12 GHz,	171.11-171.45 GHz,
1 610.6-1 613.8 MHz,	31.2-31.3 GHz,	172.31-172.65 GHz,
1 660-1 670 MHz,	31.5-31.8 GHz in Regions 1 and 3,	173.52-173.85 GHz,
1 718.8-1 722.2 MHz,	36.43-36.5 GHz,	195.75-196.15 GHz,
2 655-2 690 MHz,	42.5-43.5 GHz,	209-226 GHz,
3 260-3 267 MHz,	48.94-49.04 GHz,	241-250 GHz,
3 332-3 339 MHz,	76-86 GHz,	252-275 GHz
3 345.8-3 352.5 MHz,	92-94 GHz,	
4 825-4 835 MHz,	94.1-100 GHz,	

are allocated, administrations are urged to take all practicable steps to protect the radio astronomy service from harmful interference. Emissions from spaceborne or airborne stations can be particularly serious sources of interference to the radio astronomy service (see Nos. 4.5 and 4.6 and Article 29). (WRC-07)

**5.149A** *Alternative allocation:* in Armenia, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 13 450-13 550 kHz is allocated to the fixed service on a primary basis and to the mobile, except aeronautical mobile (R), service on a secondary basis. (WRC-15) **5.150** The following bands:

13 553-13 567 kHz	(centre frequency 13 560 kHz),
26 957-27 283 kHz	(centre frequency 27 120 kHz),
40.66-40.70 MHz	(centre frequency 40.68 MHz),
902-928 MHz	in Region 2 (centre frequency 915 MHz),
2 400-2 500 MHz	(centre frequency 2 450 MHz),
5 725-5 875 MHz	(centre frequency 5 800 MHz), and
24-24.25 GHz	(centre frequency 24.125 GHz)

are also designated for industrial, scientific and medical (ISM) applications. Radiocommunication services operating within these bands must accept harmful interference which may be caused by these applications. ISM equipment operating in these bands is subject to the provisions of No. 15.13.

**5.151** *Additional allocation:* frequencies in the bands 13 570-13 600 kHz and 13 800-13 870 kHz may be used by stations in the fixed service and in the mobile except aeronautical mobile (R) service, communicating only within the boundary of the country in which they are located, on the condition that harmful interference is not caused to the broadcasting service. When using frequencies in these services, administrations are urged to use the minimum power required and to take account of the seasonal use of frequencies by the broadcasting service published in accordance with the Radio Regulations. (WRC-07)

**5.152** *Additional allocation:* in Armenia, Azerbaijan, China, Côte d'Ivoire, the Russian Federation, Georgia, Iran (Islamic Republic of), Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 14 250-14 350 kHz is also allocated to the fixed service on a primary basis. Stations of the fixed service shall not use a radiated power exceeding 24 dBW. (WRC-03)

**5.154** *Additional allocation:* in Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 18 068-18 168 kHz is also allocated to the fixed service on a primary basis for use within their boundaries, with a peak envelope power not exceeding 1 kW. (WRC-03)

**5.155** *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Moldova, Mongolia, Uzbekistan, Kyrgyzstan, Slovakia, Tajikistan, Turkmenistan and Ukraine, the band 21 850-21 870 kHz is also allocated to the aeronautical mobile (R) service on a primary basis. (WRC-07)

**5.155A** In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Moldova, Mongolia, Uzbekistan, Kyrgyzstan, Slovakia, Tajikistan, Turkmenistan and Ukraine, the use of the band 21 850-21 870 kHz by the fixed service is limited to provision of services related to aircraft flight safety. (WRC-07)

**5.155B** The band 21 870-21 924 kHz is used by the fixed service for provision of services related to aircraft flight safety.

**5.156** *Additional allocation:* in Nigeria, the band 22 720-23 200 kHz is also allocated to the meteorological aids service (radiosondes) on a primary basis.

**5.156A** The use of the band 23 200-23 350 kHz by the fixed service is limited to provision of services related to aircraft flight safety.

**5.157** The use of the band 23 350-24 000 kHz by the maritime mobile service is limited to inter-ship radiotelegraphy.

**5.158** *Alternative allocation:* in Armenia, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 24 450-24 600 kHz is allocated to the fixed and land mobile services on a primary basis. (WRC-15)

**5.159** *Alternative allocation:* in Armenia, Belarus, Moldova, Uzbekistan and Kyrgyzstan, the frequency band 39-39.5 MHz is allocated to the fixed and mobile services on a primary basis. (WRC-15)

**5.160** *Additional allocation:* in Botswana, Burundi, Dem. Rep. of the Congo and Rwanda, the band 41-44 MHz is also allocated to the aeronautical radionavigation service on a primary basis. (WRC-12)

**5.161** *Additional allocation:* in Iran (Islamic Republic of) and Japan, the band 41-44 MHz is also allocated to the radiolocation service on a secondary basis.

**5.161B** *Alternative allocation:* in Albania, Germany, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Cyprus, Vatican, Croatia, Denmark, Spain, Estonia, Finland, France, Greece, Hungary, Ireland, Iceland, Italy, Latvia, The Former Yugoslav Rep. of Macedonia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Norway, Uzbekistan, Netherlands, Portugal, Kyrgyzstan, Slovakia, Czech Rep., Romania, United Kingdom, San Marino, Slovenia, Sweden, Switzerland, Turkey and Ukraine, the frequency band 42-42.5 MHz is allocated to the fixed and mobile services on a primary basis. (WRC-15)

**5.162A** *Additional allocation:* in Germany, Austria, Belgium, Bosnia and Herzegovina, China, Vatican, Denmark, Spain, Estonia, the Russian Federation, Finland, France, Ireland, Iceland, Italy, Latvia, The Former Yugoslav Republic of Macedonia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Norway, the Netherlands, Poland, Portugal, the Czech Rep., the United Kingdom, Serbia, Slovenia, Sweden and Switzerland the band 46-68 MHz is also allocated to the radiolocation service on a secondary basis. This use is limited to the operation of wind profiler radars in accordance with Resolution 217 (WRC-97). (WRC-12)

**5.163** *Additional allocation:* in Armenia, Belarus, the Russian Federation, Georgia, Hungary, Kazakhstan, Latvia, Moldova, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the bands 47-48.5 MHz and 56.5-58 MHz are also allocated to the fixed and land mobile services on a secondary basis. (WRC-12)

**5.164** *Additional allocation:* in Albania, Algeria, Germany, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Côte d'Ivoire, Croatia, Denmark, Spain, Estonia, Finland, France, Gabon, Greece, Ireland, Israel, Italy, Jordan, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Morocco, Mauritania, Monaco, Montenegro, Nigeria, Norway, the Netherlands, Poland, Syrian Arab Republic, Slovakia, Czech Rep., Romania, the United Kingdom, Serbia, Slovenia, Sweden, Switzerland, Swaziland, Chad, Togo, Tunisia and Turkey, the frequency band 47-68 MHz, in South Africa the frequency band 47-50 MHz, and in Latvia the frequency band 48.5-56.5 MHz, are also allocated to the land mobile service on a primary basis. However, stations of the land mobile service in the countries mentioned in connection with each frequency band referred to in this footnote shall not cause harmful interference to, or claim protection from, existing or planned broadcasting stations of countries other than those mentioned in connection with the frequency band. (WRC-15)

**5.166**

**5.167** *Alternative allocation:* in Bangladesh, Brunei Darussalam, India, Iran (Islamic Republic of), Pakistan, Singapore and Thailand, the band 50-54 MHz is allocated to the fixed, mobile and broadcasting services on a primary basis. (WRC-07)

**5.169** *Alternative allocation:* in Botswana, Lesotho, Malawi, Namibia, the Dem. Rep. of the Congo, Rwanda, South Africa, Swaziland, Zambia and Zimbabwe, the band 50-54 MHz is allocated to the amateur service on a primary basis. In Senegal, the band 50-51 MHz is allocated to the amateur service on a primary basis. (WRC-12)

**5.171** *Additional allocation:* in Botswana, Lesotho, Malawi, Mali, Namibia, Dem. Rep. of the Congo, Rwanda, South Africa, Swaziland, Zambia and Zimbabwe, the band 54-68 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.175** *Alternative allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Moldova, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the bands 68-73 MHz and 76-87.5 MHz are allocated to the broadcasting service on a primary basis. In Latvia and Lithuania, the bands 68-73 MHz and 76-87.5 MHz are allocated to the broadcasting and mobile, except aeronautical mobile, services on a primary basis. The services to which these bands are allocated in other countries and the broadcasting service in the countries listed above are subject to agreements with the neighbouring countries concerned. (WRC-07)

**5.177** *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 73-74 MHz is also allocated to the broadcasting service on a primary basis, subject to agreement obtained under No. 9.21. (WRC-07)

**5.179** *Additional allocation:* in Armenia, Azerbaijan, Belarus, China, the Russian Federation, Georgia, Kazakhstan, Lithuania, Mongolia, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the bands 74.6-74.8 MHz and 75.2-75.4 MHz are also allocated to the aeronautical radionavigation service, on a primary basis, for ground-based transmitters only. (WRC-12)

**5.180** The frequency 75 MHz is assigned to marker beacons. Administrations shall refrain from assigning frequencies close to the limits of the guardband to stations of other services which, because of their power or geographical position, might cause harmful interference or otherwise place a constraint on marker beacons.

Every effort should be made to improve further the characteristics of airborne receivers and to limit the power of transmitting stations close to the limits 74.8 MHz and 75.2 MHz.

**5.181** *Additional allocation:* in Egypt, Israel and the Syrian Arab Republic, the band 74.8-75.2 MHz is also allocated to the mobile service on a secondary basis, subject to agreement obtained under No. **9.21**. In order to ensure that harmful interference is not caused to stations of the aeronautical radionavigation service, stations of the mobile service shall not be introduced in the band until it is no longer required for the aeronautical radionavigation service by any administration which may be identified in the application of the procedure invoked under No. **9.21**. (WRC-03)

**5.187** *Alternative allocation:* in Albania, the band 81-87.5 MHz is allocated to the broadcasting service on a primary basis and used in accordance with the decisions contained in the Final Acts of the Special Regional Conference (Geneva, 1960).

**5.190** *Additional allocation:* in Monaco, the band 87.5-88 MHz is also allocated to the land mobile service on a primary basis, subject to agreement obtained under No. **9.21**. (WRC-97)

**5.194** *Additional allocation:* in Azerbaijan, Kyrgyzstan, Somalia and Turkmenistan, the band 104-108 MHz is also allocated to the mobile, except aeronautical mobile (R), service on a secondary basis. (WRC-07)

**5.197** *Additional allocation:* in the Syrian Arab Republic, the band 108-111.975 MHz is also allocated to the mobile service on a secondary basis, subject to agreement obtained under No. **9.21**. In order to ensure that harmful interference is not caused to stations of the aeronautical radionavigation service, stations of the mobile service shall not be introduced in the band until it is no longer required for the aeronautical radionavigation service by any administration which may be identified in the application of the procedures invoked under No. **9.21**. (WRC-12)

**5.197A** *Additional allocation:* the band 108-117.975 MHz is also allocated on a primary basis to the aeronautical mobile (R) service, limited to systems operating in accordance with recognized international aeronautical standards. Such use shall be in accordance with Resolution **413 (Rev.WRC-07)**. The use of the band 108-112 MHz by the aeronautical mobile (R) service shall be limited to systems composed of ground-based transmitters and associated receivers that provide navigational information in support of air navigation functions in accordance with recognized international aeronautical standards. (WRC-07)

**5.200** In the band 117.975-137 MHz, the frequency 121.5 MHz is the aeronautical emergency frequency and, where required, the frequency 123.1 MHz is the aeronautical frequency auxiliary to 121.5 MHz. Mobile stations of the maritime mobile service may communicate on these frequencies under the conditions laid down in Article **31** for distress and safety purposes with stations of the aeronautical mobile service. (WRC-07)

**5.201** *Additional allocation:* in Armenia, Azerbaijan, Belarus, Bulgaria, Estonia, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Iraq (Republic of), Japan, Kazakhstan, Moldova, Mongolia, Mozambique, Uzbekistan, Papua New Guinea, Poland, Kyrgyzstan, Romania, Tajikistan, Turkmenistan and Ukraine, the frequency band 132-136 MHz is also allocated to the aeronautical mobile (OR) service on a primary basis. In assigning frequencies to stations of the aeronautical mobile (OR) service, the administration shall take account of the frequencies assigned to stations in the aeronautical mobile (R) service. (WRC-15)

**5.202** *Additional allocation:* in Saudi Arabia, Armenia, Azerbaijan, Belarus, Bulgaria, the United Arab Emirates, the Russian Federation, Georgia, Iran (Islamic Republic of), Jordan, Oman, Uzbekistan, Poland, the Syrian Arab Republic, Kyrgyzstan, Romania, Tajikistan, Turkmenistan and Ukraine, the frequency band 136-137 MHz is also allocated to the aeronautical mobile (OR) service on a primary basis. In assigning frequencies to stations of the aeronautical mobile (OR) service, the administration shall take account of the frequencies assigned to stations in the aeronautical mobile (R) service. (WRC-15)

**5.204** *Different category of service:* in Afghanistan, Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, China, Cuba, the United Arab Emirates, India, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Montenegro, Oman, Pakistan, the Philippines, Qatar, Serbia, Singapore, Thailand and Yemen,

the band 137-138 MHz is allocated to the fixed and mobile, except aeronautical mobile (R), services on a primary basis (see No. 5.33). (WRC-07)

**5.205** *Different category of service:* in Israel and Jordan, the allocation of the band 137-138 MHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. 5.33).

**5.206** *Different category of service:* in Armenia, Azerbaijan, Belarus, Bulgaria, Egypt, the Russian Federation, Finland, France, Georgia, Greece, Kazakhstan, Lebanon, Moldova, Mongolia, Uzbekistan, Poland, Kyrgyzstan, the Syrian Arab Republic, Slovakia, the Czech Rep., Romania, Tajikistan, Turkmenistan and Ukraine, the allocation of the band 137-138 MHz to the aeronautical mobile (OR) service is on a primary basis (see No. 5.33). (WRC-2000)

**5.208** The use of the band 137-138 MHz by the mobile-satellite service is subject to coordination under No. 9.11A. (WRC-97)

**5.208A** In making assignments to space stations in the mobile-satellite service in the bands 137-138 MHz, 387-390 MHz and 400.15-401 MHz, administrations shall take all practicable steps to protect the radio astronomy service in the bands 150.05-153 MHz, 322-328.6 MHz, 406.1-410 MHz and 608-614 MHz from harmful interference from unwanted emissions. The threshold levels of interference detrimental to the radio astronomy service are shown in the relevant ITU-R Recommendation. (WRC-07)

**5.208B\***

In the frequency bands:

137-138 MHz,

387-390 MHz,

400.15-401 MHz,

1 452-1 492 MHz,

1 525-1 610 MHz,

1 613.8-1 626.5 MHz,

2 655-2 690 MHz,

21.4-22 GHz,

Resolution 739 (Rev.WRC-15) applies. (WRC-15)

**5.209** The use of the bands 137-138 MHz, 148-150.05 MHz, 399.9-400.05 MHz, 400.15-401 MHz, 454-456 MHz and 459-460 MHz by the mobile-satellite service is limited to non-geostationary-satellite systems. (WRC-97)

**5.210** *Additional allocation:* in Italy, the Czech Rep. and the United Kingdom, the bands 138-143.6 MHz and 143.65-144 MHz are also allocated to the space research service (space-to-Earth) on a secondary basis. (WRC-07)

**5.211** *Additional allocation:* in Germany, Saudi Arabia, Austria, Bahrain, Belgium, Denmark, the United Arab Emirates, Spain, Finland, Greece, Guinea, Ireland, Israel, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lebanon, Liechtenstein, Luxembourg, Mali, Malta, Montenegro, Norway, the Netherlands, Qatar, Slovakia, the United Kingdom, Serbia, Slovenia, Somalia, Sweden,

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\* This provision was previously numbered as No. 5.347A. It was renumbered to preserve the sequential order.

Switzerland, Tanzania, Tunisia and Turkey, the frequency band 138-144 MHz is also allocated to the maritime mobile and land mobile services on a primary basis. (WRC-15)

**5.212** *Alternative allocation:* in Angola, Botswana, Cameroon, the Central African Rep., Congo (Rep. of the), Gabon, Gambia, Ghana, Guinea, Iraq, Jordan, Lesotho, Liberia, Libya, Malawi, Mozambique, Namibia, Niger, Oman, Uganda, Syrian Arab Republic, the Dem. Rep. of the Congo, Rwanda, Sierra Leone, South Africa, Swaziland, Chad, Togo, Zambia and Zimbabwe, the band 138-144 MHz is allocated to the fixed and mobile services on a primary basis. (WRC-12)

**5.214** *Additional allocation:* in Eritrea, Ethiopia, Kenya, The Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Somalia, Sudan, South Sudan and Tanzania, the band 138-144 MHz is also allocated to the fixed service on a primary basis. (WRC-12)

**5.218** *Additional allocation:* the band 148-149.9 MHz is also allocated to the space operation service (Earth-to-space) on a primary basis, subject to agreement obtained under No. 9.21. The bandwidth of any individual transmission shall not exceed □ 25 kHz.

**5.219** The use of the band 148-149.9 MHz by the mobile-satellite service is subject to coordination under No. 9.11A. The mobile-satellite service shall not constrain the development and use of the fixed, mobile and space operation services in the band 148-149.9 MHz.

**5.220** The use of the frequency bands 149.9-150.05 MHz and 399.9-400.05 MHz by the mobile-satellite service is subject to coordination under No. 9.11A. (WRC-15)

**5.221** Stations of the mobile-satellite service in the frequency band 148-149.9 MHz shall not cause harmful interference to, or claim protection from, stations of the fixed or mobile services operating in accordance with the Table of Frequency Allocations in the following countries: Albania, Algeria, Germany, Saudi Arabia, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Cameroon, China, Cyprus, Congo (Rep. of the), Korea (Rep. of), Côte d'Ivoire, Croatia, Cuba, Denmark, Djibouti, Egypt, the United Arab Emirates, Eritrea, Spain, Estonia, Ethiopia, the Russian Federation, Finland, France, Gabon, Georgia, Ghana, Greece, Guinea, Guinea Bissau, Hungary, India (Islamic Republic of), Ireland, Iceland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lesotho, Latvia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Moldova, Mongolia, Montenegro, Mozambique, Namibia, Norway, New Zealand, Oman, Uganda, Uzbekistan, Pakistan, Panama, Papua New Guinea, Paraguay, the Netherlands, the Philippines, Poland, Portugal, Qatar, the Syrian Arab Republic, Kyrgyzstan, Dem. People's Rep. of Korea, Slovakia, Romania, the United Kingdom, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, Sudan, Sri Lanka, South Africa, Sweden, Switzerland, Swaziland, Tanzania, Chad, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, Viet Nam, Yemen, Zambia and Zimbabwe. (WRC-15)

**5.225A** *Additional allocation:* in Algeria, Armenia, Azerbaijan, Belarus, China, the Russian Federation, France, Iran (Islamic Republic of), Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan, Ukraine and Viet Nam, the frequency band 154-156 MHz is also allocated to the radiolocation service on a primary basis. The usage of the frequency band 154-156 MHz by the radiolocation service shall be limited to space-object detection systems operating from terrestrial locations. The operation of stations in the radiolocation service in the frequency band 154-156 MHz shall be subject to agreement obtained under No. 9.21. For the identification of potentially affected administrations in Region 1, the instantaneous field-strength value of 12 dB(V/m) for 10% of the time produced at 10 m above ground level in the 25 kHz reference frequency band at the border of the territory of any other administration shall be used. For the identification of potentially affected administrations in Region 3, the interference-to-noise ratio ( $I/N$ ) value of 6 dB ( $N = 161$  dBW/4 kHz), or 10 dB for applications with greater protection requirements, such as public protection and disaster relief (PPDR ( $N = 161$  dBW/4 kHz)), for 1% of the time produced at 60 m above ground level at the border of the territory of any other administration shall be used. In the frequency bands 156.7625-156.8375 MHz, 156.5125-156.5375 MHz, 161.9625-161.9875 MHz, 162.0125-162.0375 MHz, out-of-

band e.i.r.p. of space surveillance radars shall not exceed 16 dBW. Frequency assignments to the radiolocation service under this allocation in Ukraine shall not be used without the agreement of Moldova. (WRC-12)

**5.226** The frequency 156.525 MHz is the international distress, safety and calling frequency for the maritime mobile VHF radiotelephone service using digital selective calling (DSC). The conditions for the use of this frequency and the band 156.4875-156.5625 MHz are contained in Articles **31** and **52**, and in Appendix **18**.

The frequency 156.8 MHz is the international distress, safety and calling frequency for the maritime mobile VHF radiotelephone service. The conditions for the use of this frequency and the band 156.7625-156.8375 MHz are contained in Article **31** and Appendix **18**.

In the bands 156-156.4875 MHz, 156.5625-156.7625 MHz, 156.8375-157.45 MHz, 160.6-160.975 MHz and 161.475-162.05 MHz, each administration shall give priority to the maritime mobile service on only such frequencies as are assigned to stations of the maritime mobile service by the administration (see Articles **31** and **52**, and Appendix **18**).

Any use of frequencies in these bands by stations of other services to which they are allocated should be avoided in areas where such use might cause harmful interference to the maritime mobile VHF radiocommunication service.

However, the frequencies 156.8 MHz and 156.525 MHz and the frequency bands in which priority is given to the maritime mobile service may be used for radiocommunications on inland waterways subject to agreement between interested and affected administrations and taking into account current frequency usage and existing agreements. (WRC-07)

**5.227** *Additional allocation:* the bands 156.4875-156.5125 MHz and 156.5375-156.5625 MHz are also allocated to the fixed and land mobile services on a primary basis. The use of these bands by the fixed and land mobile services shall not cause harmful interference to nor claim protection from the maritime mobile VHF radiocommunication service. (WRC-07)

**5.228** The use of the frequency bands 156.7625-156.7875 MHz and 156.8125-156.8375 MHz by the mobile-satellite service (Earth-to-space) is limited to the reception of automatic identification system (AIS) emissions of long range AIS broadcast messages (Message 27, see the most recent version of Recommendation ITU-R M.1371). With the exception of AIS emissions, emissions in these frequency bands by systems operating in the maritime mobile service for communications shall not exceed 1 W. (WRC-12)

**5.228A** The frequency bands 161.9625-161.9875 MHz and 162.0125-162.0375 MHz may be used by aircraft stations for the purpose of search and rescue operations and other safety-related communications. (WRC-12)

**5.228AA** The use of the frequency bands 161.9375-161.9625 MHz and 161.9875-162.0125 MHz by the maritime mobile-satellite (Earth-to-space) service is limited to the systems which operate in accordance with Appendix **18**. (WRC-15)

**5.228B** The use of the frequency bands 161.9625-161.9875 MHz and 162.0125-162.0375 MHz by the fixed and land mobile services shall not cause harmful interference to, or claim protection from, the maritime mobile service. (WRC-12)

**5.228C** The use of the frequency bands 161.9625-161.9875 MHz and 162.0125-162.0375 MHz by the maritime mobile service and the mobile-satellite (Earth-to-space) service is limited to the automatic identification system (AIS). The use of these frequency bands by the aeronautical mobile (OR) service is limited to AIS emissions from search and rescue aircraft operations. The AIS operations in these frequency bands shall not constrain the development and use of the fixed and mobile services operating in the adjacent frequency bands. (WRC-12)

**5.228D** The frequency bands 161.9625-161.9875 MHz (AIS 1) and 162.0125-162.0375 MHz (AIS 2) may continue to be used by the fixed and mobile services on a primary basis until 1

January 2025, at which time this allocation shall no longer be valid. Administrations are encouraged to make all practicable efforts to discontinue the use of these bands by the fixed and mobile services prior to the transition date. During this transition period, the maritime mobile service in these frequency bands has priority over the fixed, land mobile and aeronautical mobile services. (WRC-12)

**5.228E** The use of the automatic identification system in the frequency bands 161.9625-161.9875 MHz and 162.0125-162.0375 MHz by the aeronautical mobile (OR) service is limited to aircraft stations for the purpose of search and rescue operations and other safety-related communications. (WRC-12)

**5.228F** The use of the frequency bands 161.9625-161.9875 MHz and 162.0125-162.0375 MHz by the mobile-satellite service (Earth-to-space) is limited to the reception of automatic identification system emissions from stations operating in the maritime mobile service. (WRC-12)

**5.229** *Alternative allocation:* in Morocco, the band 162-174 MHz is allocated to the broadcasting service on a primary basis. The use of this band shall be subject to agreement with administrations having services, operating or planned, in accordance with the Table which are likely to be affected. Stations in existence on 1 January 1981, with their technical characteristics as of that date, are not affected by such agreement.

**5.235** *Additional allocation:* in Germany, Austria, Belgium, Denmark, Spain, Finland, France, Israel, Italy, Liechtenstein, Malta, Monaco, Norway, the Netherlands, the United Kingdom, Sweden and Switzerland, the band 174-223 MHz is also allocated to the land mobile service on a primary basis. However, the stations of the land mobile service shall not cause harmful interference to, or claim protection from, broadcasting stations, existing or planned, in countries other than those listed in this footnote.

**5.236** Not used.

**5.237** *Additional allocation:* in Congo (Rep. of the), Egypt, Eritrea, Ethiopia, Gambia, Guinea, Libya, Mali, Sierra Leone, Somalia and Chad, the band 174-223 MHz is also allocated to the fixed and mobile services on a secondary basis. (WRC-12)

**5.243** *Additional allocation:* in Somalia, the band 216-225 MHz is also allocated to the aeronautical radionavigation service on a primary basis, subject to not causing harmful interference to existing or planned broadcasting services in other countries.

**5.246** *Alternative allocation:* in Spain, France, Israel and Monaco, the band 223-230 MHz is allocated to the broadcasting and land mobile services on a primary basis (see No. 5.33) on the basis that, in the preparation of frequency plans, the broadcasting service shall have prior choice of frequencies; and allocated to the fixed and mobile, except land mobile, services on a secondary basis. However, the stations of the land mobile service shall not cause harmful interference to, or claim protection from, existing or planned broadcasting stations in Morocco and Algeria.

**5.247** *Additional allocation:* in Saudi Arabia, Bahrain, the United Arab Emirates, Jordan, Oman, Qatar and Syrian Arab Republic, the band 223-235 MHz is also allocated to the aeronautical radionavigation service on a primary basis.

**5.251** *Additional allocation:* in Nigeria, the band 230-235 MHz is also allocated to the aeronautical radionavigation service on a primary basis, subject to agreement obtained under No. 9.21.

**5.252** *Alternative allocation:* in Botswana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe, the bands 230-238 MHz and 246-254 MHz are allocated to the broadcasting service on a primary basis, subject to agreement obtained under No. 9.21.

**5.254** The bands 235-322 MHz and 335.4-399.9 MHz may be used by the mobile-satellite service, subject to agreement obtained under No. 9.21, on condition that stations in this service do not cause harmful interference to those of other services operating or planned to be operated in accordance

with the Table of Frequency Allocations except for the additional allocation made in footnote No. **5.256A**. (WRC-03)

**5.255** The bands 312-315 MHz (Earth-to-space) and 387-390 MHz (space-to-Earth) in the mobile-satellite service may also be used by non-geostationary-satellite systems. Such use is subject to coordination under No. **9.11A**.

**5.256** The frequency 243 MHz is the frequency in this band for use by survival craft stations and equipment used for survival purposes. (WRC-07)

**5.256A** *Additional allocation:* in China, the Russian Federation and Kazakhstan, the frequency band 258-261 MHz is also allocated to the space research service (Earth-to-space) and space operation service (Earth-to-space) on a primary basis. Stations in the space research service (Earth-to-space) and space operation service (Earth-to-space) shall not cause harmful interference to, or claim protection from, or constrain the use and development of, the mobile service systems and mobile-satellite service systems operating in the frequency band. Stations in space research service (Earth-to-space) and space operation service (Earth-to-space) shall not constrain the future development of fixed service systems of other countries. (WRC-15)

**5.257** The band 267-272 MHz may be used by administrations for space telemetry in their countries on a primary basis, subject to agreement obtained under No. **9.21**.

**5.258** The use of the band 328.6-335.4 MHz by the aeronautical radionavigation service is limited to Instrument Landing Systems (glide path).

**5.259** *Additional allocation:* in Egypt and the Syrian Arab Republic, the band 328.6-335.4 MHz is also allocated to the mobile service on a secondary basis, subject to agreement obtained under No. **9.21**. In order to ensure that harmful interference is not caused to stations of the aeronautical radionavigation service, stations of the mobile service shall not be introduced in the band until it is no longer required for the aeronautical radionavigation service by any administration which may be identified in the application of the procedure invoked under No. **9.21**. (WRC-12)

**5.261** Emissions shall be confined in a band of  $\pm$  25 kHz about the standard frequency 400.1 MHz.

**5.262** *Additional allocation:* in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Botswana, Colombia, Cuba, Egypt, the United Arab Emirates, Ecuador, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kazakhstan, Kuwait, Liberia, Malaysia, Moldova, Oman, Uzbekistan, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, Kyrgyzstan, Singapore, Somalia, Tajikistan, Chad, Turkmenistan and Ukraine, the band 400.05-401 MHz is also allocated to the fixed and mobile services on a primary basis. (WRC-12)

**5.263** The band 400.15-401 MHz is also allocated to the space research service in the space-to-space direction for communications with manned space vehicles. In this application, the space research service will not be regarded as a safety service.

**5.264** The use of the band 400.15-401 MHz by the mobile-satellite service is subject to coordination under No. **9.11A**. The power flux-density limit indicated in Annex 1 of Appendix 5 shall apply until such time as a competent world radiocommunication conference revises it.

**5.265** In the frequency band 403-410 MHz, Resolution **205 (Rev.WRC-15)** applies. (WRC-15)

**5.266** The use of the band 406-406.1 MHz by the mobile-satellite service is limited to low power satellite emergency position-indicating radiobeacons (see also Article **31**). (WRC-07)

**5.267** Any emission capable of causing harmful interference to the authorized uses of the band 406-406.1 MHz is prohibited.

**5.268** Use of the frequency band 410-420 MHz by the space research service is limited to space-to-space communication links with an orbiting, manned space vehicle. The power flux-density at the

surface of the Earth produced by emissions from transmitting stations of the space research service (space-to-space) in the frequency band 410-420 MHz shall not exceed  $-153 \text{ dB(W/m}^2\text{)}$  for  $0^\circ \leq \delta \leq 5^\circ$ ,  $-153 + 0.077(\delta - 5) \text{ dB(W/m}^2\text{)}$  for  $5^\circ \leq \delta \leq 70^\circ$  and  $-148 \text{ dB(W/m}^2\text{)}$  for  $70^\circ \leq \delta \leq 90^\circ$ , where  $\delta$  is the angle of arrival of the radio-frequency wave and the reference bandwidth is 4 kHz. In this frequency band, stations of the space research service (space-to-space) shall not claim protection from, nor constrain the use and development of, stations of the fixed and mobile services. No. 4.10<sup>14</sup> does not apply. (WRC-15)

**5.269** *Different category of service:* in Australia, the United States, India, Japan and the United Kingdom, the allocation of the bands 420-430 MHz and 440-450 MHz to the radiolocation service is on a primary basis (see No. 5.33).

**5.271** *Additional allocation:* in Belarus, China, India, Kyrgyzstan and Turkmenistan, the band 420-460 MHz is also allocated to the aeronautical radionavigation service (radio altimeters) on a secondary basis. (WRC-07)

**5.274** *Alternative allocation:* in Denmark, Norway, Sweden and Chad, the bands 430-432 MHz and 438-440 MHz are allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.275** *Additional allocation:* in Croatia, Estonia, Finland, Libya, The Former Yugoslav Republic of Macedonia, Montenegro and Serbia, the frequency bands 430-432 MHz and 438-440 MHz are also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-15)

**5.276** *Additional allocation:* in Afghanistan, Algeria, Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Burkina Faso, Djibouti, Egypt, the United Arab Emirates, Ecuador, Eritrea, Ethiopia, Greece, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Jordan, Kenya, Kuwait, Libya, Malaysia, Niger, Nigeria, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, Switzerland, Thailand, Togo, Turkey and Yemen, the frequency band 430-440 MHz is also allocated to the fixed service on a primary basis and the frequency bands 430-435 MHz and 438-440 MHz are also allocated, except in Ecuador, to the mobile, except aeronautical mobile, service on a primary basis. (WRC-15)

**5.277** *Additional allocation:* in Angola, Armenia, Azerbaijan, Belarus, Cameroon, Congo (Rep. of the), Djibouti, the Russian Federation, Georgia, Hungary, Israel, Kazakhstan, Mali, Mongolia, Uzbekistan, Poland, the Dem. Rep. of the Congo, Kyrgyzstan, Slovakia, Romania, Rwanda, Tajikistan, Chad, Turkmenistan and Ukraine, the band 430-440 MHz is also allocated to the fixed service on a primary basis. (WRC-12)

**5.279A** The use of the frequency band 432-438 MHz by sensors in the Earth exploration-satellite service (active) shall be in accordance with Recommendation ITU-R RS.1260-1. Additionally, the Earth exploration-satellite service (active) in the frequency band 432-438 MHz shall not cause harmful interference to the aeronautical radionavigation service in China. The provisions of this footnote in no way diminish the obligation of the Earth exploration-satellite service (active) to operate as a secondary service in accordance with Nos. 5.29 and 5.30. (WRC-15)

**5.280** In Germany, Austria, Bosnia and Herzegovina, Croatia, The Former Yugoslav Republic of Macedonia, Liechtenstein, Montenegro, Portugal, Serbia, Slovenia and Switzerland, the band 433.05-434.79 MHz (centre frequency 433.92 MHz) is designated for industrial, scientific and medical (ISM) applications. Radiocommunication services of these countries operating within this band must accept harmful interference which may be caused by these applications. ISM equipment operating in this band is subject to the provisions of No. 15.13. (WRC-07)

<sup>14</sup> **ii terms** of the ITU Radio Regulations, Article: 4.10 Member States recognize that the safety aspects of radionavigation and other safety services require special measures to ensure their freedom from harmful interference; it is necessary therefore to take this factor into account in the assignment and use of frequencies.

**5.281** *Additional allocation:* in the French overseas departments and communities in Region 2 and India, the band 433.75-434.25 MHz is also allocated to the space operation service (Earth-to-space) on a primary basis. In France and in Brazil, the band is allocated to the same service on a secondary basis.

**5.282** In the bands 435-438 MHz, 1 260-1 270 MHz, 2 400-2 450 MHz, 3 400-3 410 MHz (in Regions 2 and 3 only) and 5 650-5 670 MHz, the amateur-satellite service may operate subject to not causing harmful interference to other services operating in accordance with the Table (see No. **5.43**). Administrations authorizing such use shall ensure that any harmful interference caused by emissions from a station in the amateur-satellite service is immediately eliminated in accordance with the provisions of No. **25.11**. The use of the bands 1 260-1 270 MHz and 5 650-5 670 MHz by the amateur-satellite service is limited to the Earth-to-space direction.

**5.283** *Additional allocation:* in Austria, the band 438-440 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis.

**5.286** The band 449.75-450.25 MHz may be used for the space operation service (Earth-to-space) and the space research service (Earth-to-space), subject to agreement obtained under No. **9.21**.

**5.286A** The use of the bands 454-456 MHz and 459-460 MHz by the mobile-satellite service is subject to coordination under No. **9.11A**. (WRC-97)

**5.286AA** The frequency band 450-470 MHz is identified for use by administrations wishing to implement International Mobile Telecommunications (IMT). See Resolution **224 (Rev.WRC-15)**. This identification does not preclude the use of this frequency band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. (WRC-15)

**5.286B** The use of the band 454-455 MHz in the countries listed in No. **5.286D**, 455-456 MHz and 459-460 MHz in Region 2, and 454-456 MHz and 459-460 MHz in the countries listed in No. **5.286E**, by stations in the mobile-satellite service, shall not cause harmful interference to, or claim protection from, stations of the fixed or mobile services operating in accordance with the Table of Frequency Allocations. (WRC-97)

**5.286C** The use of the band 454-455 MHz in the countries listed in No. **5.286D**, 455-456 MHz and 459-460 MHz in Region 2, and 454-456 MHz and 459-460 MHz in the countries listed in No. **5.286E**, by stations in the mobile-satellite service, shall not constrain the development and use of the fixed and mobile services operating in accordance with the Table of Frequency Allocations. (WRC-97)

**5.286E** *Additional allocation:* in Cape Verde, Nepal and Nigeria, the bands 454-456 MHz and 459-460 MHz are also allocated to the mobile-satellite (Earth-to-space) service on a primary basis. (WRC-07)

**5.287** Use of the frequency bands 457.5125-457.5875 MHz and 467.5125-467.5875 MHz by the maritime mobile service is limited to on-board communication stations. The characteristics of the equipment and the channelling arrangement shall be in accordance with Recommendation ITU-R M.1174-3. The use of these frequency bands in territorial waters is subject to the national regulations of the administration concerned. (WRC-15)

**5.288** In the territorial waters of the United States and the Philippines, the preferred frequencies for use by on-board communication stations shall be 457.525 MHz, 457.550 MHz, 457.575 MHz and 457.600 MHz paired, respectively, with 467.750 MHz, 467.775 MHz, 467.800 MHz and 467.825 MHz. The characteristics of the equipment used shall conform to those specified in Recommendation ITU-R M.1174-2. (WRC-03)

**5.289** Earth exploration-satellite service applications, other than the meteorological-satellite service, may also be used in the bands 460-470 MHz and 1 690-1 710 MHz for space-to-Earth transmissions subject to not causing harmful interference to stations operating in accordance with the Table.

**5.290** *Different category of service:* in Afghanistan, Azerbaijan, Belarus, China, the Russian Federation, Japan, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 460-470 MHz to the meteorological-satellite service (space-to-Earth) is on a primary basis (see No. **5.33**), subject to agreement obtained under No. **9.21**. (WRC-12)

**5.291A** *Additional allocation:* in Germany, Austria, Denmark, Estonia, Liechtenstein, the Czech Rep., Serbia and Switzerland, the frequency band 470-494 MHz is also allocated to the radiolocation service on a secondary basis. This use is limited to the operation of wind profiler radars in accordance with Resolution **217 (WRC-97)**. (WRC-15)

**5.294** *Additional allocation:* in Saudi Arabia, Cameroon, Côte d'Ivoire, Egypt, Ethiopia, Israel, Libya, the Syrian Arab Republic, Chad and Yemen, the frequency band 470-582 MHz is also allocated to the fixed service on a secondary basis. (WRC-15)

**5.296** *Additional allocation:* in Albania, Germany, Angola, Saudi Arabia, Austria, Bahrain, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Vatican, Congo (Rep. of the), Côte d'Ivoire, Croatia, Denmark, Djibouti, Egypt, United Arab Emirates, Spain, Estonia, Finland, France, Gabon, Georgia, Ghana, Hungary, Iraq, Ireland, Iceland, Israel, Italy, Jordan, Kenya, Kuwait, Lesotho, Latvia, The Former Yugoslav Republic of Macedonia, Lebanon, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, Morocco, Mauritius, Mauritania, Moldova, Monaco, Mozambique, Namibia, Niger, Nigeria, Norway, Oman, Uganda, the Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, Slovakia, the Czech Republic, the United Kingdom, Rwanda, San Marino, Serbia, Sudan, South Africa, Sweden, Switzerland, Swaziland, Tanzania, Chad, Togo, Tunisia, Turkey, Ukraine, Zambia and Zimbabwe, the frequency band 470-694 MHz is also allocated on a secondary basis to the land mobile service, intended for applications ancillary to broadcasting and programme-making. Stations of the land mobile service in the countries listed in this footnote shall not cause harmful interference to existing or planned stations operating in accordance with the Table in countries other than those listed in this footnote. (WRC-15) **5.300** *Additional allocation:* in Saudi Arabia, Cameroon, Egypt, United Arab Emirates, Israel, Jordan, Libya, Oman, Qatar, the Syrian Arab Republic and Sudan, the frequency band 582-790 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis. (WRC-15)

**5.304** *Additional allocation:* in the African Broadcasting Area (see Nos. **5.10** to **5.13**), the band 606-614 MHz is also allocated to the radio astronomy service on a primary basis.

**5.306** *Additional allocation:* in Region 1, except in the African Broadcasting Area (see Nos. **5.10** to **5.13**), and in Region 3, the band 608-614 MHz is also allocated to the radio astronomy service on a secondary basis.

**5.311A** For the frequency band 620-790 MHz, see also Resolution **549 (WRC-07)**. (WRC-07)

**5.312** *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the frequency band 645-862 MHz, in Bulgaria the frequency bands 646-686 MHz, 726-758 MHz, 766-814 MHz and 822-862 MHz, and in Poland the frequency band 860-862 MHz until 31 December 2017, are also allocated to the aeronautical radionavigation service on a primary basis. (WRC-15)

**5.312A** In Region 1, the use of the frequency band 694-790 MHz by the mobile, except aeronautical mobile, service is subject to the provisions of Resolution **760 (WRC-15)**. See also Resolution **224 (Rev.WRC-15)**. (WRC-15)

**5.316B** In Region 1, the allocation to the mobile, except aeronautical mobile, service in the frequency band 790-862 MHz is subject to agreement obtained under No. **9.21** with respect to the aeronautical radionavigation service in countries mentioned in No. **5.312**. For countries party to the GE06 Agreement, the use of stations of the mobile service is also subject to the successful application of the procedures of that Agreement. Resolutions **224 (Rev.WRC-15)** and **749 (Rev.WRC-15)** shall apply, as appropriate. (WRC-15)

**5.317A** The parts of the frequency band 698-960 MHz in Region 2 and the frequency bands 694-790 MHz in Region 1 and 790-960 MHz in Regions 1 and 3 which are allocated to the mobile service on a primary basis are identified for use by administrations wishing to implement International Mobile Telecommunications (IMT) – see Resolutions **224 (Rev.WRC-15)**, **760 (WRC-15)** and **749 (Rev.WRC-15)**, where applicable. This identification does not preclude the use of these frequency bands by any application of the services to which they are allocated and does not establish priority in the Radio Regulations. (WRC-15) **5.319 Additional allocation:** in Belarus, the Russian Federation and Ukraine, the bands 806-840 MHz (Earth-to-space) and 856-890 MHz (space-to-Earth) are also allocated to the mobile-satellite, except aeronautical mobile-satellite (R), service. The use of these bands by this service shall not cause harmful interference to, or claim protection from, services in other countries operating in accordance with the Table of Frequency Allocations and is subject to special agreements between the administrations concerned.

**5.322** In Region 1, in the band 862-960 MHz, stations of the broadcasting service shall be operated only in the African Broadcasting Area (see Nos. **5.10** to **5.13**) excluding Algeria, Burundi, Egypt, Spain, Lesotho, Libya, Morocco, Malawi, Namibia, Nigeria, South Africa, Tanzania, Zimbabwe and Zambia, subject to agreement obtained under No. **9.21**. (WRC-12)

**5.323 Additional allocation:** in Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 862-960 MHz, in Bulgaria the bands 862-890.2 MHz and 900-935.2 MHz, in Poland the band 862-876 MHz until 31 December 2017, and in Romania the bands 862-880 MHz and 915-925 MHz, are also allocated to the aeronautical radionavigation service on a primary basis. Such use is subject to agreement obtained under No. **9.21** with administrations concerned and limited to ground-based radiobeacons in operation on 27 October 1997 until the end of their lifetime. (WRC-12)

**5.327A** The use of the frequency band 960-1 164 MHz by the aeronautical mobile (R) service is limited to systems that operate in accordance with recognized international aeronautical standards. Such use shall be in accordance with Resolution **417 (Rev.WRC-15)**. (WRC-15)

**5.328** The use of the band 960-1 215 MHz by the aeronautical radionavigation service is reserved on a worldwide basis for the operation and development of airborne electronic aids to air navigation and any directly associated ground-based facilities. (WRC-2000)

**5.328A** Stations in the radionavigation-satellite service in the band 1 164-1 215 MHz shall operate in accordance with the provisions of Resolution **609 (Rev.WRC-07)** and shall not claim protection from stations in the aeronautical radionavigation service in the band 960-1 215 MHz. No. **5.43A** does not apply. The provisions of No. **21.18** shall apply. (WRC-07)

**5.328AA** The frequency band 1 087.7-1 092.3 MHz is also allocated to the aeronautical mobile-satellite (R) service (Earth-to-space) on a primary basis, limited to the space station reception of Automatic Dependent Surveillance-Broadcast (ADS-B) emissions from aircraft transmitters that operate in accordance with recognized international aeronautical standards. Stations operating in the aeronautical mobile-satellite (R) service shall not claim protection from stations operating in the aeronautical radionavigation service. Resolution **425 (WRC-15)** shall apply. (WRC-15)

**5.328B** The use of the bands 1 164-1 300 MHz, 1 559-1 610 MHz and 5 010-5 030 MHz by systems and networks in the radionavigation-satellite service for which complete coordination or notification information, as appropriate, is received by the Radiocommunication Bureau after 1 January 2005 is subject to the application of the provisions of Nos. **9.12**, **9.12A** and **9.13**. Resolution **610 (WRC-03)** shall also apply; however, in the case of radionavigation-satellite service (space-to-space) networks and systems, Resolution **610 (WRC-03)** shall only apply to transmitting space stations. In accordance with No. **5.329A**, for systems and networks in the radionavigation-satellite service (space-to-space) in the bands 1 215-1 300 MHz and 1 559-1 610 MHz, the provisions of Nos. **9.7**, **9.12**, **9.12A** and **9.13** shall only apply with respect to other systems and networks in the radionavigation-satellite service (space-to-space). (WRC-07)

**5.329** Use of the radionavigation-satellite service in the band 1 215-1 300 MHz shall be subject to the condition that no harmful interference is caused to, and no protection is claimed from, the radionavigation service authorized under No. **5.331**. Furthermore, the use of the radionavigation-satellite service in the band 1 215-1 300 MHz shall be subject to the condition that no harmful interference is caused to the radiolocation service. No. **5.43** shall not apply in respect of the radiolocation service. Resolution **608 (WRC-03)** shall apply. (WRC-03)

**5.329A** Use of systems in the radionavigation-satellite service (space-to-space) operating in the bands 1 215-1 300 MHz and 1 559-1 610 MHz is not intended to provide safety service applications, and shall not impose any additional constraints on radionavigation-satellite service (space-to-Earth) systems or on other services operating in accordance with the Table of Frequency Allocations. (WRC-07)

**5.330** *Additional allocation:* in Angola, Saudi Arabia, Bahrain, Bangladesh, Cameroon, China, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kuwait, Nepal, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the band 1 215-1 300 MHz is also allocated to the fixed and mobile services on a primary basis. (WRC-12)

**5.331** *Additional allocation:* in Algeria, Germany, Saudi Arabia, Australia, Austria, Bahrain, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cameroon, China, Korea (Rep. of), Croatia, Denmark, Egypt, the United Arab Emirates, Estonia, the Russian Federation, Finland, France, Ghana, Greece, Guinea, Equatorial Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Jordan, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lesotho, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Mauritania, Montenegro, Nigeria, Norway, Oman, Pakistan, the Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, Dem. People's Rep. of Korea, Slovakia, the United Kingdom, Serbia, Slovenia, Somalia, Sudan, South Sudan, Sri Lanka, South Africa, Sweden, Switzerland, Thailand, Togo, Turkey, Venezuela and Viet Nam, the band 1 215-1 300 MHz is also allocated to the radionavigation service on a primary basis. In Canada and the United States, the band 1 240-1 300 MHz is also allocated to the radionavigation service, and use of the radionavigation service shall be limited to the aeronautical radionavigation service. (WRC-12)

**5.332** In the band 1 215-1 260 MHz, active spaceborne sensors in the Earth exploration-satellite and space research services shall not cause harmful interference to, claim protection from, or otherwise impose constraints on operation or development of the radiolocation service, the radionavigation-satellite service and other services allocated on a primary basis. (WRC-2000)

**5.335A** In the band 1 260-1 300 MHz, active spaceborne sensors in the Earth exploration-satellite and space research services shall not cause harmful interference to, claim protection from, or otherwise impose constraints on operation or development of the radiolocation service and other services allocated by footnotes on a primary basis. (WRC-2000)

**5.337** The use of the bands 1 300-1 350 MHz, 2 700-2 900 MHz and 9 000-9 200 MHz by the aeronautical radionavigation service is restricted to ground-based radars and to associated airborne transponders which transmit only on frequencies in these bands and only when actuated by radars operating in the same band.

**5.337A** The use of the band 1 300-1 350 MHz by earth stations in the radionavigation-satellite service and by stations in the radiolocation service shall not cause harmful interference to, nor constrain the operation and development of, the aeronautical-radionavigation service. (WRC-2000)

**5.338** In Kyrgyzstan, Slovakia and Turkmenistan, existing installations of the radionavigation service may continue to operate in the band 1 350-1 400 MHz. (WRC-12)

**5.338A** In the frequency bands 1 350-1 400 MHz, 1 427-1 452 MHz, 22.55-23.55 GHz, 30-31.3 GHz, 49.7-50.2 GHz, 50.4-50.9 GHz, 51.4-52.6 GHz, 81-86 GHz and 92-94 GHz, Resolution **750 (Rev.WRC-15)** applies. (WRC-15)

**5.339** The bands 1 370-1 400 MHz, 2 640-2 655 MHz, 4 950-4 990 MHz and 15.20-15.35 GHz are also allocated to the space research (passive) and Earth exploration-satellite (passive) services on a secondary basis.

**5.340** All emissions are prohibited in the following bands:

1 400-1 427 MHz,  
 2 690-2 700 MHz, except those provided for by No. **5.422**,  
 10.68-10.7 GHz, except those provided for by No. **5.483**,  
 15.35-15.4 GHz, except those provided for by No. **5.511**,  
 23.6-24 GHz,  
 31.3-31.5 GHz,  
 31.5-31.8 GHz, in Region 2,  
 48.94-49.04 GHz, from airborne stations  
 50.2-50.4 GHz<sup>2</sup>,  
 52.6-54.25 GHz,  
 86-92 GHz,  
 100-102 GHz,  
 109.5-111.8 GHz,  
 114.25-116 GHz,  
 148.5-151.5 GHz,  
 164-167 GHz,  
 182-185 GHz,  
 190-191.8 GHz,  
 200-209 GHz,  
 226-231.5 GHz,  
 250-252 GHz. (WRC-03)

**5.341** In the bands 1 400-1 727 MHz, 101-120 GHz and 197-220 GHz, passive research is being conducted by some countries in a programme for the search for intentional emissions of extraterrestrial origin.

**5.341A** In the frequency bands 1 350-1 400 MHz, 1 427-1 452 MHz, 22.55-23.55 GHz, 30-31.3 GHz, 49.7-50.2 GHz, 50.4-50.9 GHz, 51.4-52.6 GHz, 81-86 GHz and 92-94 GHz, Resolution 750 (Rev.WRC-15) applies. (WRC-15)

**5.342** *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Uzbekistan, Kyrgyzstan and Ukraine, the band 1 429-1 535 MHz, and in Bulgaria the band 1 525-1 535 MHz, are also allocated to the aeronautical mobile service on a primary basis exclusively for the purposes of aeronautical telemetry within the national territory. As of 1 April 2007, the use of the band 1 452-1 492 MHz is subject to agreement between the administrations concerned. (WRC-12)

**5.345** Use of the band 1 452-1 492 MHz by the broadcasting-satellite service, and by the broadcasting service, is limited to digital audio broadcasting and is subject to the provisions of Resolution **528 (WARC-92)**\*.

<sup>2</sup> **5.340.1** The allocation to the Earth exploration-satellite service (passive) and the space research service (passive) in the band 50.2-50.4 GHz should not impose undue constraints on the use of the adjacent bands by the primary allocated services in those bands. (WRC-97)

\* *Note by the Secretariat:* This Resolution was revised by WRC-03.

**5.346** In Algeria, Angola, Saudi Arabia, Bahrain, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic, Congo (Rep. of the), Côte d'Ivoire, Djibouti, Egypt, United Arab Emirates, Gabon, Gambia, Ghana Guinea, Iraq, Jordan, Kenya, Kuwait, Lesotho, Lebanon, Liberia, Madagascar, Malawi, Mali, Morocco, Mauritius, Mauritania, Mozambique, Namibia, Niger, Nigeria, Oman, Uganda, Palestine\*, Qatar, Dem. Rep. of the Congo, Rwanda, Senegal, Seychelles, Sudan, South Sudan, South Africa, Swaziland, Tanzania, Chad, Togo, Tunisia, Zambia, and Zimbabwe, the frequency band 1 452-1 492 MHz is identified for use by administrations listed above wishing to implement International Mobile Telecommunications (IMT) in accordance with Resolution **223 (Rev.WRC-15)**. This identification does not preclude the use of this frequency band by any other application of the services to which it is allocated and does not establish priority in the Radio Regulations. The use of this frequency band for the implementation of IMT is subject to agreement obtained under No. **9.21** with respect to the aeronautical mobile service used for aeronautical telemetry in accordance with No. **5.342**. See also Resolution **761 (WRC-15)**. (WRC-15)

**5.348** The use of the band 1 518-1 525 MHz by the mobile-satellite service is subject to coordination under No. **9.11A**. In the band 1 518-1 525 MHz stations in the mobile-satellite service shall not claim protection from the stations in the fixed service. No. **5.43A** does not apply. (WRC-03)

**5.348A** In the band 1 518-1 525 MHz, the coordination threshold in terms of the power flux-density levels at the surface of the Earth in application of No. **9.11A** for space stations in the mobile-satellite (space-to-Earth) service, with respect to the land mobile service use for specialized mobile radios or used in conjunction with public switched telecommunication networks (PSTN) operating within the territory of Japan, shall be  $-150$  dB(W/m<sup>2</sup>) in any 4 kHz band for all angles of arrival, instead of those given in Table 5-2 of Appendix 5. In the band 1 518-1 525 MHz stations in the mobile-satellite service shall not claim protection from stations in the mobile service in the territory of Japan. No. **5.43A** does not apply. (WRC-03)

**5.348B** In the band 1 518-1 525 MHz, stations in the mobile-satellite service shall not claim protection from aeronautical mobile telemetry stations in the mobile service in the territory of the United States (see Nos. **5.343** and **5.344**) and in the countries listed in No. **5.342**. No. **5.43A** does not apply. (WRC-03)

**5.349** *Different category of service:* in Saudi Arabia, Azerbaijan, Bahrain, Cameroon, Egypt, France, Iran (Islamic Republic of), Iraq, Israel, Kazakhstan, Kuwait, The Former Yugoslav Republic of Macedonia, Lebanon, Morocco, Qatar, Syrian Arab Republic, Kyrgyzstan, Turkmenistan and Yemen, the allocation of the band 1 525-1 530 MHz to the mobile, except aeronautical mobile, service is on a primary basis (see No. **5.33**). (WRC-07)

**5.350** *Additional allocation:* in Azerbaijan, Kyrgyzstan and Turkmenistan, the band 1 525-1 530 MHz is also allocated to the aeronautical mobile service on a primary basis. (WRC-2000)

**5.351** The bands 1 525-1 544 MHz, 1 545-1 559 MHz, 1 626.5-1 645.5 MHz and 1 646.5-1 660.5 MHz shall not be used for feeder links of any service. In exceptional circumstances, however, an earth station at a specified fixed point in any of the mobile-satellite services may be authorized by an administration to communicate via space stations using these bands.

**5.351A** For the use of the bands 1 518-1 544 MHz, 1 545-1 559 MHz, 1 610-1 645.5 MHz, 1 646.5-1 660.5 MHz, 1 668-1 675 MHz, 1 980-2 010 MHz, 2 170-2 200 MHz, 2 483.5-2 520 MHz and 2 670-2 690 MHz by the mobile-satellite service, see Resolutions **212 (Rev.WRC-07)** and **225 (Rev.WRC-07)**. (WRC-07)

**5.352A** In the frequency band 1 525-1 530 MHz, stations in the mobile-satellite service, except stations in the maritime mobile-satellite service, shall not cause harmful interference to, or claim protection from, stations of the fixed service in Algeria, Saudi Arabia, Egypt, France and French overseas communities of Region 3, Guinea, India, Israel, Italy, Jordan, Kuwait, Mali, Morocco,

Mauritania, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syrian Arab Republic, Viet Nam and Yemen notified prior to 1 April 1998. (WRC-15)

**5.353A** In applying the procedures of Section II of Article 9 to the mobile-satellite service in the bands 1 530-1 544 MHz and 1 626.5-1 645.5 MHz, priority shall be given to accommodating the spectrum requirements for distress, urgency and safety communications of the Global Maritime Distress and Safety System (GMDSS). Maritime mobile-satellite distress, urgency and safety communications shall have priority access and immediate availability over all other mobile satellite communications operating within a network. Mobile-satellite systems shall not cause unacceptable interference to, or claim protection from, distress, urgency and safety communications of the GMDSS. Account shall be taken of the priority of safety-related communications in the other mobile-satellite services. (The provisions of Resolution **222 (WRC-2000)**\* shall apply.) (WRC-2000)

**5.354** The use of the bands 1 525-1 559 MHz and 1 626.5-1 660.5 MHz by the mobile-satellite services is subject to coordination under No. **9.11A**.

**5.355** *Additional allocation:* in Bahrain, Bangladesh, Congo (Rep. of the), Djibouti, Egypt, Eritrea, Iraq, Israel, Kuwait, Qatar, Syrian Arab Republic, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the bands 1 540-1 559 MHz, 1 610-1 645.5 MHz and 1 646.5-1 660 MHz are also allocated to the fixed service on a secondary basis. (WRC-12)

**5.356** The use of the band 1 544-1 545 MHz by the mobile-satellite service (space-to-Earth) is limited to distress and safety communications (see Article **31**).

**5.357** Transmissions in the band 1 545-1 555 MHz from terrestrial aeronautical stations directly to aircraft stations, or between aircraft stations, in the aeronautical mobile (R) service are also authorized when such transmissions are used to extend or supplement the satellite-to-aircraft links.

**5.357A** In applying the procedures of Section II of Article 9 to the mobile-satellite service in the frequency bands 1 545-1 555 MHz and 1 646.5-1 656.5 MHz, priority shall be given to accommodating the spectrum requirements of the aeronautical mobile-satellite (R) service providing transmission of messages with priority 1 to 6 in Article **44**. Aeronautical mobile-satellite (R) service communications with priority 1 to 6 in Article **44** shall have priority access and immediate availability, by pre-emption if necessary, over all other mobile-satellite communications operating within a network. Mobile-satellite systems shall not cause unacceptable interference to, or claim protection from, aeronautical mobile-satellite (R) service communications with priority 1 to 6 in Article **44**. Account shall be taken of the priority of safety-related communications in the other mobile-satellite services. (The provisions of Resolution **222 (WRC-12)** shall apply.) (WRC-12)

**5.359** *Additional allocation:* in Germany, Saudi Arabia, Armenia, Azerbaijan, Belarus, Benin, Cameroon, the Russian Federation, France, Georgia, Guinea, Guinea-Bissau, Jordan, Kazakhstan, Kuwait, Lithuania, Mauritania, Uganda, Uzbekistan, Pakistan, Poland, the Syrian Arab Republic, Kyrgyzstan, the Dem. People's Rep. of Korea, Romania, Tajikistan, Tunisia, Turkmenistan and Ukraine, the frequency bands 1 550-1 559 MHz, 1 610-1 645.5 MHz and 1 646.5-1 660 MHz are also allocated to the fixed service on a primary basis. Administrations are urged to make all practicable efforts to avoid the implementation of new fixed-service stations in these frequency bands. (WRC-15)

**5.364** The use of the band 1 610-1 626.5 MHz by the mobile-satellite service (Earth-to-space) and by the radiodetermination-satellite service (Earth-to-space) is subject to coordination under No. **9.11A**. A mobile earth station operating in either of the services in this band shall not produce a peak e.i.r.p. density in excess of -15 dB(W/4 kHz) in the part of the band used by systems operating in accordance with the provisions of No. **5.366** (to which No. **4.10** applies), unless otherwise agreed by the affected administrations. In the part of the band where such systems are not operating, the mean e.i.r.p. density of a mobile earth station shall not exceed -3 dB(W/4 kHz). Stations of the mobile-satellite service shall not claim protection from stations in the aeronautical radionavigation service, stations operating in accordance with the provisions of No. **5.366** and stations in the fixed service

\* *Note by the Secretariat:* This Resolution was revised by WRC-07.

operating in accordance with the provisions of No. **5.359**. Administrations responsible for the coordination of mobile-satellite networks shall make all practicable efforts to ensure protection of stations operating in accordance with the provisions of No. **5.366**.

**5.365** The use of the band 1 613.8-1 626.5 MHz by the mobile-satellite service (space-to-Earth) is subject to coordination under No. **9.11A**.

**5.366** The band 1 610-1 626.5 MHz is reserved on a worldwide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based or satellite-borne facilities. Such satellite use is subject to agreement obtained under No. **9.21**.

**5.367** *Additional allocation:* The frequency band 1 610-1 626.5 MHz is also allocated to the aeronautical mobile-satellite (R) service on a primary basis, subject to agreement obtained under No. **9.21**. (WRC-12)

**5.368** With respect to the radiodetermination-satellite and mobile-satellite services the provisions of No. **4.10** do not apply in the band 1 610-1 626.5 MHz, with the exception of the aeronautical radionavigation-satellite service.

**5.369** *Different category of service:* in Angola, Australia, China, Eritrea, Ethiopia, India, Iran (Islamic Republic of), Israel, Lebanon, Liberia, Madagascar, Mali, Pakistan, Papua New Guinea, Syrian Arab Republic, the Dem. Rep. of the Congo, Sudan, South Sudan, Togo and Zambia, the allocation of the band 1 610-1 626.5 MHz to the radiodetermination-satellite service (Earth-to-space) is on a primary basis (see No. **5.33**), subject to agreement obtained under No. **9.21** from countries not listed in this provision. (WRC-12)

**5.371** *Additional allocation:* in Region 1, the band 1 610-1 626.5 MHz (Earth-to-space) is also allocated to the radiodetermination-satellite service on a secondary basis, subject to agreement obtained under No. **9.21**. (WRC-12)

**5.372** Harmful interference shall not be caused to stations of the radio astronomy service using the band 1 610.6-1 613.8 MHz by stations of the radiodetermination-satellite and mobile-satellite services (No. **29.13** applies).

**5.374** Mobile earth stations in the mobile-satellite service operating in the bands 1 631.5-1 634.5 MHz and 1 656.5-1 660 MHz shall not cause harmful interference to stations in the fixed service operating in the countries listed in No. **5.359**. (WRC-97)

**5.375** The use of the band 1 645.5-1 646.5 MHz by the mobile-satellite service (Earth-to-space) and for inter-satellite links is limited to distress and safety communications (see Article **31**).

**5.376** Transmissions in the band 1 646.5-1 656.5 MHz from aircraft stations in the aeronautical mobile (R) service directly to terrestrial aeronautical stations, or between aircraft stations, are also authorized when such transmissions are used to extend or supplement the aircraft-to-satellite links.

**5.376A** Mobile earth stations operating in the band 1 660-1 660.5 MHz shall not cause harmful interference to stations in the radio astronomy service. (WRC-97)

**5.379** *Additional allocation:* in Bangladesh, India, Indonesia, Nigeria and Pakistan, the band 1 660.5-1 668.4 MHz is also allocated to the meteorological aids service on a secondary basis.

**5.379A** Administrations are urged to give all practicable protection in the band 1 660.5-1 668.4 MHz for future research in radio astronomy, particularly by eliminating air-to-ground transmissions in the meteorological aids service in the band 1 664.4-1 668.4 MHz as soon as practicable.

**5.379B** The use of the band 1 668-1 675 MHz by the mobile-satellite service is subject to coordination under No. **9.11A**. In the band 1 668-1 668.4 MHz, Resolution **904 (WRC-07)** shall apply. (WRC-07)

**5.379C** In order to protect the radio astronomy service in the band 1 668-1 670 MHz, the aggregate power flux-density values produced by mobile earth stations in a network of the mobile-satellite service operating in this band shall not exceed  $-181$  dB(W/m<sup>2</sup>) in 10 MHz and  $-194$  dB(W/m<sup>2</sup>) in any 20 kHz at any radio astronomy station recorded in the Master International Frequency Register, for more than 2% of integration periods of 2 000 s. (WRC-03)

**5.379D** For sharing of the band 1 668.4-1 675 MHz between the mobile-satellite service and the fixed and mobile services, Resolution **744 (Rev.WRC-07)** shall apply. (WRC-07)

**5.379E** In the band 1 668.4-1 675 MHz, stations in the mobile-satellite service shall not cause harmful interference to stations in the meteorological aids service in China, Iran (Islamic Republic of), Japan and Uzbekistan. In the band 1 668.4-1 675 MHz, administrations are urged not to implement new systems in the meteorological aids service and are encouraged to migrate existing meteorological aids service operations to other bands as soon as practicable. (WRC-03)

**5.380A** In the band 1 670-1 675 MHz, stations in the mobile-satellite service shall not cause harmful interference to, nor constrain the development of, existing earth stations in the meteorological-satellite service notified before 1 January 2004. Any new assignment to these earth stations in this band shall also be protected from harmful interference from stations in the mobile-satellite service. (WRC-07)

**5.382** *Different category of service:* in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Congo (Rep. of the), Egypt, the United Arab Emirates, Eritrea, Ethiopia, the Russian Federation, Guinea, Iraq, Israel, Jordan, Kazakhstan, Kuwait, the Former Yugoslav Republic of Macedonia, Lebanon, Mauritania, Moldova, Mongolia, Oman, Uzbekistan, Poland, Qatar, the Syrian Arab Republic, Kyrgyzstan, Somalia, Tajikistan, Turkmenistan, Ukraine and Yemen, the allocation of the frequency band 1 690-1 700 MHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. **5.33**), and in the Dem. People's Rep. of Korea, the allocation of the frequency band 1 690-1 700 MHz to the fixed service is on a primary basis (see No. **5.33**) and to the mobile, except aeronautical mobile, service on a secondary basis. (WRC-15)

**5.384A** The frequency bands 1 710-1 885 MHz, 2 300-2 400 MHz and 2 500-2 690 MHz, or portions thereof, are identified for use by administrations wishing to implement International Mobile Telecommunications (IMT) in accordance with Resolution **223 (Rev.WRC-15)**. This identification does not preclude the use of these frequency bands by any application of the services to which they are allocated and does not establish priority in the Radio Regulations. (WRC-15)

**5.385** *Additional allocation:* the band 1 718.8-1 722.2 MHz is also allocated to the radio astronomy service on a secondary basis for spectral line observations. (WRC-2000)

**5.387** *Additional allocation:* in Belarus, Georgia, Kazakhstan, Kyrgyzstan, Romania, Tajikistan and Turkmenistan, the band 1 770-1 790 MHz is also allocated to the meteorological-satellite service on a primary basis, subject to agreement obtained under No. **9.21**. (WRC-12)

**5.388** The frequency bands 1 885-2 025 MHz and 2 110-2 200 MHz are intended for use, on a worldwide basis, by administrations wishing to implement International Mobile Telecommunications (IMT). Such use does not preclude the use of these frequency bands by other services to which they are allocated. The frequency bands should be made available for IMT in accordance with Resolution **212 (Rev.WRC-15)** (see also Resolution **223 (Rev.WRC-15)**). (WRC-15)

**5.388**

**5.388A** In Regions 1 and 3, the bands 1 885-1 980 MHz, 2 010-2 025 MHz and 2 110-2 170 MHz and, in Region 2, the bands 1 885-1 980 MHz and 2 110-2 160 MHz may be used by high altitude platform stations as base stations to provide International Mobile Telecommunications-2000 (IMT-2000), in accordance with Resolution **221 (Rev.WRC-03)**\*. Their use by IMT-2000 applications using high altitude platform stations as base stations does not preclude the use of these bands by any station in the services to which they are allocated and does not establish priority in the Radio Regulations. (WRC-03)

**5.388B** In Algeria, Saudi Arabia, Bahrain, Benin, Burkina Faso, Cameroon, Comoros, Côte d'Ivoire, China, Cuba, Djibouti, Egypt, United Arab Emirates, Eritrea, Ethiopia, Gabon, Ghana, India, Iran (Islamic Republic of), Israel, Jordan, Kenya, Kuwait, Libya, Mali, Morocco, Mauritania, Nigeria, Oman, Uganda, Pakistan, Qatar, the Syrian Arab Republic, Senegal, Singapore, Sudan, South Sudan, Tanzania, Chad, Togo, Tunisia, Yemen, Zambia and Zimbabwe, for the purpose of protecting fixed and mobile services, including IMT-2000 mobile stations, in their territories from co-channel interference, a high altitude platform station (HAPS) operating as an IMT-2000 base station in neighbouring countries, in the bands referred to in No. **5.388A**, shall not exceed a co-channel power flux-density of 127 dB(W/(m<sup>2</sup> · MHz)) at the Earth's surface outside a country's borders unless explicit agreement of the affected administration is provided at the time of the notification of HAPS. (WRC-12)

**5.389** Not used.

**5.389A** The use of the bands 1 980-2 010 MHz and 2 170-2 200 MHz by the mobile-satellite service is subject to coordination under No. **9.11A** and to the provisions of Resolution **716 (Rev.WRC-2000)**. (WRC-07)

**5.389E** The use of the bands 2 010-2 025 MHz and 2 160-2 170 MHz by the mobile-satellite service in Region 2 shall not cause harmful interference to or constrain the development of the fixed and mobile services in Regions 1 and 3.

**5.389F** In Algeria, Benin, Cape Verde, Egypt, Iran (Islamic Republic of), Mali, Syrian Arab Republic and Tunisia, the use of the bands 1 980-2 010 MHz and 2 170-2 200 MHz by the mobile-satellite service shall neither cause harmful interference to the fixed and mobile services, nor hamper the development of those services prior to 1 January 2005, nor shall the former service request protection from the latter services. (WRC-2000)

**5.391** In making assignments to the mobile service in the frequency bands 2 025-2 110 MHz and 2 200-2 290 MHz, administrations shall not introduce high-density mobile systems, as described in Recommendation ITU-R SA.1154-0, and shall take that Recommendation into account for the introduction of any other type of mobile system. (WRC-15)

**5.392** Administrations are urged to take all practicable measures to ensure that space-to-space transmissions between two or more non-geostationary satellites, in the space research, space operations and Earth exploration-satellite services in the bands 2 025-2 110 MHz and 2 200-2 290 MHz, shall not impose any constraints on Earth-to-space, space-to-Earth and other space-to-space transmissions of those services and in those bands between geostationary and non-geostationary satellites.

**5.395** In France and Turkey, the use of the band 2 310-2 360 MHz by the aeronautical mobile service for telemetry has priority over other uses by the mobile service. (WRC-03)

**5.396** Space stations of the broadcasting-satellite service in the band 2 310-2 360 MHz operating in accordance with No. **5.393** that may affect the services to which this band is allocated in other countries shall be coordinated and notified in accordance with Resolution **33 (Rev.WRC-97)**\*. Complementary terrestrial broadcasting stations shall be subject to bilateral coordination with neighbouring countries prior to their bringing into use.

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\* *Note by the Secretariat:* This Resolution was revised by WRC-03.

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**5.398** In respect of the radiodetermination-satellite service in the band 2 483.5-2 500 MHz, the provisions of No. **4.10** do not apply.

**5.398A** *Different category of service:* In Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Ukraine, the band 2 483.5-2 500 MHz is allocated on a primary basis to the radiolocation service. The radiolocation stations in these countries shall not cause harmful interference to, or claim protection from, stations of the fixed, mobile and mobile-satellite services operating in accordance with the Radio Regulations in the frequency band 2 483.5-2 500 MHz. (WRC-12)

**5.399** Except for cases referred to in No. **5.401**, stations of the radiodetermination-satellite service operating in the frequency band 2 483.5-2 500 MHz for which notification information is received by the Bureau after 17 February 2012, and the service area of which includes Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Ukraine, shall not cause harmful interference to, and shall not claim protection from stations of the radiolocation service operating in these countries in accordance with No. **5.398A**. (WRC-12)

**5.401** In Angola, Australia, Bangladesh, China, Eritrea, Ethiopia, India, Iran (Islamic Republic of), Lebanon, Liberia, Libya, Madagascar, Mali, Pakistan, Papua New Guinea, Syrian Arab Republic, Dem. Rep. of the Congo, Sudan, Swaziland, Togo and Zambia, the frequency band 2 483.5-2 500 MHz was already allocated on a primary basis to the radiodetermination-satellite service before WRC-12, subject to agreement obtained under No. **9.21** from countries not listed in this provision. Systems in the radiodetermination-satellite service for which complete coordination information has been received by the Radiocommunication Bureau before 18 February 2012 will retain their regulatory status, as of the date of receipt of the coordination request information. (WRC-15)

**5.402** The use of the band 2 483.5-2 500 MHz by the mobile-satellite and the radiodetermination-satellite services is subject to the coordination under No. **9.11A**. Administrations are urged to take all practicable steps to prevent harmful interference to the radio astronomy service from emissions in the 2 483.5-2 500 MHz band, especially those caused by second-harmonic radiation that would fall into the 4 990-5 000 MHz band allocated to the radio astronomy service worldwide.

**5.403** Subject to agreement obtained under No. **9.21**, the band 2 520-2 535 MHz may also be used for the mobile-satellite (space-to-Earth), except aeronautical mobile-satellite, service for operation limited to within national boundaries. The provisions of No. **9.11A** apply. (WRC-07)

**5.407** In the band 2 500-2 520 MHz, the power flux-density at the surface of the Earth from space stations operating in the mobile-satellite (space-to-Earth) service shall not exceed  $-152$  dB(W/(m<sup>2</sup> · 4 kHz)) in Argentina, unless otherwise agreed by the administrations concerned.

**5.410** The band 2 500-2 690 MHz may be used for tropospheric scatter systems in Region 1, subject to agreement obtained under No. **9.21**. No. **9.21** does not apply to tropospheric scatter links situated entirely outside Region 1. Administrations shall make all practicable efforts to avoid developing new tropospheric scatter systems in this band. When planning new tropospheric scatter radio-relay links in this band, all possible measures shall be taken to avoid directing the antennas of these links towards the geostationary-satellite orbit. (WRC-12)

**5.412** *Alternative allocation:* in Kyrgyzstan and Turkmenistan, the band 2 500-2 690 MHz is allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-12)

**5.413** In the design of systems in the broadcasting-satellite service in the bands between 2 500 MHz and 2 690 MHz, administrations are urged to take all necessary steps to protect the radio astronomy service in the band 2 690-2 700 MHz.

**5.414** The allocation of the frequency band 2 500-2 520 MHz to the mobile-satellite service (space-to-Earth) is subject to coordination under No. **9.11A**. (WRC-07)

**5.415** The use of the bands 2 500-2 690 MHz in Region 2 and 2 500-2 535 MHz and 2 655-2 690 MHz in Region 3 by the fixed-satellite service is limited to national and regional systems, subject

to agreement obtained under No. 9.21, giving particular attention to the broadcasting-satellite service in Region 1. (WRC-07)

**5.416** The use of the band 2 520-2 670 MHz by the broadcasting-satellite service is limited to national and regional systems for community reception, subject to agreement obtained under No. 9.21. The provisions of No. 9.19 shall be applied by administrations in this band in their bilateral and multilateral negotiations. (WRC-07)

**5.418B** Use of the band 2 630-2 655 MHz by non-geostationary-satellite systems in the broadcasting-satellite service (sound), pursuant to No. 5.418, for which complete Appendix 4 coordination information, or notification information, has been received after 2 June 2000, is subject to the application of the provisions of No. 9.12. (WRC-03)

**5.418C** Use of the band 2 630-2 655 MHz by geostationary-satellite networks for which complete Appendix 4 coordination information, or notification information, has been received after 2 June 2000 is subject to the application of the provisions of No. 9.13 with respect to non-geostationary-satellite systems in the broadcasting-satellite service (sound), pursuant to No. 5.418 and No. 22.2 does not apply. (WRC-03)

**5.419** When introducing systems of the mobile-satellite service in the band 2 670-2 690 MHz, administrations shall take all necessary steps to protect the satellite systems operating in this band prior to 3 March 1992. The coordination of mobile-satellite systems in the band shall be in accordance with No. 9.11A. (WRC-07)

**5.420** The band 2 655-2 670 MHz may also be used for the mobile-satellite (Earth-to-space), except aeronautical mobile-satellite, service for operation limited to within national boundaries, subject to agreement obtained under No. 9.21. The coordination under No. 9.11A applies. (WRC-07)

**5.422** *Additional allocation:* in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Brunei Darussalam, Congo (Rep. of the), Côte d'Ivoire, Cuba, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Gabon, Georgia, Guinea, Guinea-Bissau, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Mauritania, Mongolia, Montenegro, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syrian Arab Republic, Kyrgyzstan, the Dem. Rep. of the Congo, Romania, Somalia, Tajikistan, Tunisia, Turkmenistan, Ukraine and Yemen, the band 2 690-2 700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. Such use is limited to equipment in operation by 1 January 1985. (WRC-12)

**5.423** In the band 2 700-2 900 MHz, ground-based radars used for meteorological purposes are authorized to operate on a basis of equality with stations of the aeronautical radionavigation service.

**5.424A** In the band 2 900-3 100 MHz, stations in the radiolocation service shall not cause harmful interference to, nor claim protection from, radar systems in the radionavigation service. (WRC-03)

**5.425** In the band 2 900-3 100 MHz, the use of the shipborne interrogator-transponder (SIT) system shall be confined to the sub-band 2 930 -2 950 MHz.

**5.426** The use of the band 2 900-3 100 MHz by the aeronautical radionavigation service is limited to ground-based radars.

**5.427** In the bands 2 900-3 100 MHz and 9 300-9 500 MHz, the response from radar transponders shall not be capable of being confused with the response from radar beacons (racons) and shall not cause interference to ship or aeronautical radars in the radionavigation service, having regard, however, to No. 4.9.

**5.428** *Additional allocation:* in Azerbaijan, Mongolia, Kyrgyzstan and Turkmenistan, the band 3 100-3 300 MHz is also allocated to the radionavigation service on a primary basis. (WRC-12)

**5.429** *Additional allocation:* in Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Korea (Rep. of), Côte d'Ivoire, Egypt, the United Arab Emirates,

India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Oman, Uganda, Pakistan, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, the Dem. People's Rep. of Korea and Yemen, the band 3 300-3 400 MHz is also allocated to the fixed and mobile services on a primary basis. The countries bordering the Mediterranean shall not claim protection for their fixed and mobile services from the radiolocation service. (WRC-12)

**5.429A** *Additional allocation:* in Angola, Benin, Botswana, Burkina Faso, Burundi, Ghana, Guinea, Guinea-Bissau, Lesotho, Liberia, Malawi, Mauritania, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sudan, South Sudan, South Africa, Swaziland, Tanzania, Chad, Togo, Zambia and Zimbabwe, the frequency band 3 300-3 400 MHz is allocated to the mobile, except aeronautical mobile, service on a primary basis. Stations in the mobile service operating in the frequency band 3 300-3 400 MHz shall not cause harmful interference to, or claim protection from, stations operating in the radiolocation service. (WRC-15)

**5.429B** In the following countries of Region 1 south of 30° parallel north: Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Congo (Rep. of the), Côte d'Ivoire, Egypt, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Malawi, Mauritania, Mozambique, Namibia, Niger, Nigeria, Uganda, the Dem. Rep. of the Congo, Rwanda, Sudan, South Sudan, South Africa, Swaziland, Tanzania, Chad, Togo, Zambia and Zimbabwe, the frequency band 3 300-3 400 MHz is identified for the implementation of International Mobile Telecommunications (IMT). The use of this frequency band shall be in accordance with Resolution **223 (Rev.WRC-15)**. The use of the frequency band 3 300-3 400 MHz by IMT stations in the mobile service shall not cause harmful interference to, or claim protection from, systems in the radiolocation service, and administrations wishing to implement IMT shall obtain the agreement of neighbouring countries to protect operations within the radiolocation service. This identification does not preclude the use of this frequency band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. (WRC-15)

**5.430** *Additional allocation:* in Azerbaijan, Mongolia, Kyrgyzstan and Turkmenistan, the band 3 300-3 400 MHz is also allocated to the radionavigation service on a primary basis. (WRC-12)

**5.430A** The allocation of the frequency band 3 400-3 600 MHz to the mobile, except aeronautical mobile, service is subject to agreement obtained under No. **9.21**. This frequency band is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this frequency band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. The provisions of Nos. **9.17** and **9.18** shall also apply in the coordination phase. Before an administration brings into use a (base or mobile) station of the mobile service in this frequency band, it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed  $-154.5 \text{ dB(W/(m}^2 \cdot 4 \text{ kHz))}$  for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station) and with the assistance of the Bureau if so requested. In case of disagreement, calculation and verification of the pfd shall be made by the Bureau, taking into account the information referred to above. Stations of the mobile service in the frequency band 3 400-3 600 MHz shall not claim more protection from space stations than that provided in Table **21-4** of the Radio Regulations (Edition of 2004). (WRC-15)

**5.431** *Additional allocation:* in Germany and Israel, the frequency band 3 400-3 475 MHz is also allocated to the amateur service on a secondary basis. (WRC-15)

**5.432A** In Korea (Rep. of), Japan and Pakistan, the band 3 400-3 500 MHz is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the

Radio Regulations. At the stage of coordination the provisions of Nos. 9.17 and 9.18 also apply. Before an administration brings into use a (base or mobile) station of the mobile service in this band it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed  $-154.5 \text{ dB(W/(m}^2 \cdot 4 \text{ kHz))}$  for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station), with the assistance of the Bureau if so requested. In case of disagreement, the calculation and verification of the pfd shall be made by the Bureau, taking into account the information referred to above. Stations of the mobile service in the band 3 400-3 500 MHz shall not claim more protection from space stations than that provided in Table 21-4 of the Radio Regulations (Edition of 2004). (WRC-07)

**5.433A** In Bangladesh, China, Korea (Rep. of), India, Iran (Islamic Republic of), Japan, New Zealand, Pakistan and French overseas communities in Region 3, the band 3 500-3 600 MHz is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. At the stage of coordination the provisions of Nos. 9.17 and 9.18 also apply. Before an administration brings into use a (base or mobile) station of the mobile service in this band it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed  $-154.5 \text{ dB(W/(m}^2 \cdot 4 \text{ kHz))}$  for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station), with the assistance of the Bureau if so requested. In case of disagreement, the calculation and verification of the pfd shall be made by the Bureau, taking into account the information referred to above. Stations of the mobile service in the band 3 500-3 600 MHz shall not claim more protection from space stations than that provided in Table 21-4 of the Radio Regulations (Edition of 2004). (WRC-07)

**5.436** Use of the frequency band 4 200-4 400 MHz by stations in the aeronautical mobile (R) service is reserved exclusively for wireless avionics intra-communication systems that operate in accordance with recognized international aeronautical standards. Such use shall be in accordance with Resolution 424 (WRC-15). (WRC-15)

**5.437** Passive sensing in the Earth exploration-satellite and space research services may be authorized in the frequency band 4 200-4 400 MHz on a secondary basis. (WRC-15)

**5.438** Use of the frequency band 4 200-4 400 MHz by the aeronautical radionavigation service is reserved exclusively for radio altimeters installed on board aircraft and for the associated transponders on the ground. (WRC-15)

**5.440** The standard frequency and time signal-satellite service may be authorized to use the frequency 4 202 MHz for space-to-Earth transmissions and the frequency 6 427 MHz for Earth-to-space transmissions. Such transmissions shall be confined within the limits of  $\pm 2$  MHz of these frequencies, subject to agreement obtained under No. 9.21.

**5.441** The use of the bands 4 500-4 800 MHz (space-to-Earth), 6 725-7 025 MHz (Earth-to-space) by the fixed-satellite service shall be in accordance with the provisions of Appendix 30B. The use of the bands 10.7-10.95 GHz (space-to-Earth), 11.2-11.45 GHz (space-to-Earth) and 12.75-13.25 GHz (Earth-to-space) by geostationary-satellite systems in the fixed-satellite service shall be in accordance with the provisions of Appendix 30B. The use of the bands 10.7-10.95 GHz (space-to-

Earth), 11.2-11.45 GHz (space-to-Earth) and 12.75-13.25 GHz (Earth-to-space) by a non-geostationary-satellite system in the fixed-satellite service is subject to application of the provisions of No. **9.12** for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite systems in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the fixed-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. **5.43A** does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated. (WRC-2000)

**5.442** In the frequency bands 4 825-4 835 MHz and 4 950-4 990 MHz, the allocation to the mobile service is restricted to the mobile, except aeronautical mobile, service. In Region 2 (except Brazil, Cuba, Guatemala, Mexico, Paraguay, Uruguay and Venezuela), and in Australia, the frequency band 4 825-4 835 MHz is also allocated to the aeronautical mobile service, limited to aeronautical mobile telemetry for flight testing by aircraft stations. Such use shall be in accordance with Resolution **416 (WRC-07)** and shall not cause harmful interference to the fixed service. (WRC-15)

**5.443AA** In the frequency bands 5 000-5 030 MHz and 5 091-5 150 MHz, the aeronautical mobile-satellite (R) service is subject to agreement obtained under No. **9.21**. The use of these bands by the aeronautical mobile-satellite (R) service is limited to internationally standardized aeronautical systems. (WRC-12)

**5.443B** In order not to cause harmful interference to the microwave landing system operating above 5 030 MHz, the aggregate power flux-density produced at the Earth's surface in the frequency band 5 030-5 150 MHz by all the space stations within any radionavigation-satellite service system (space-to-Earth) operating in the frequency band 5 010-5 030 MHz shall not exceed  $-124.5$  dB(W/m<sup>2</sup>) in a 150 kHz band. In order not to cause harmful interference to the radio astronomy service in the frequency band 4 990-5 000 MHz, radionavigation-satellite service systems operating in the frequency band 5 010-5 030 MHz shall comply with the limits in the frequency band 4 990-5 000 MHz defined in Resolution **741 (Rev.WRC-15)**. (WRC-15)

**5.443C** The use of the frequency band 5 030-5 091 MHz by the aeronautical mobile (R) service is limited to internationally standardized aeronautical systems. Unwanted emissions from the aeronautical mobile (R) service in the frequency band 5 030-5 091 MHz shall be limited to protect RNSS system downlinks in the adjacent 5 010-5 030 MHz band. Until such time that an appropriate value is established in a relevant ITU-R Recommendation, the e.i.r.p. density limit of 75 dBW/MHz in the frequency band 5 010-5 030 MHz for any AM(R)S station unwanted emission should be used. (WRC-12)

**5.443D** In the frequency band 5 030-5 091 MHz, the aeronautical mobile-satellite (R) service is subject to coordination under No. **9.11A**. The use of this frequency band by the aeronautical mobile-satellite (R) service is limited to internationally standardized aeronautical systems. (WRC-12)

**5.444** The frequency band 5 030-5 150 MHz is to be used for the operation of the international standard system (microwave landing system) for precision approach and landing. In the frequency band 5 030-5 091 MHz, the requirements of this system shall have priority over other uses of this frequency band. For the use of the frequency band 5 091-5 150 MHz, No. **5.444A** and Resolution **114 (Rev.WRC-15)** apply. (WRC-15)

**5.444A** The use of the allocation to the fixed-satellite service (Earth-to-space) in the frequency band 5 091-5 150 MHz is limited to feeder links of non-geostationary satellite systems in the mobile-satellite service and is subject to coordination under No. **9.11A**. The use of the frequency band 5 091-5 150 MHz by feeder links of non-geostationary satellite systems in the mobile-satellite service shall be subject to application of Resolution **114 (Rev.WRC-15)**. Moreover, to ensure that the aeronautical radionavigation service is protected from harmful interference, coordination is required for feeder-link earth stations of the non-geostationary satellite systems in the mobile-satellite service which are separated by less than 450 km from the territory of an administration operating ground stations in the aeronautical radionavigation service. (WRC-15)

**5.444B** The use of the frequency band 5 091-5 150 MHz by the aeronautical mobile service is limited to:

- systems operating in the aeronautical mobile (R) service and in accordance with international aeronautical standards, limited to surface applications at airports. Such use shall be in accordance with Resolution **748 (Rev.WRC-15)**;
- aeronautical telemetry transmissions from aircraft stations (see No. **1.83**) in accordance with Resolution **418 (Rev.WRC-15)**. (WRC-15)

**5.446** *Additional allocation:* in the countries listed in No. **5.369**, the frequency band 5 150-5 216 MHz is also allocated to the radiodetermination-satellite service (space-to-Earth) on a primary basis, subject to agreement obtained under No. **9.21**. In Region 2 (except in Mexico), the frequency band is also allocated to the radiodetermination-satellite service (space-to-Earth) on a primary basis. In Regions 1 and 3, except those countries listed in No. **5.369** and Bangladesh, the frequency band is also allocated to the radiodetermination-satellite service (space-to-Earth) on a secondary basis. The use by the radiodetermination-satellite service is limited to feeder links in conjunction with the radiodetermination-satellite service operating in the frequency bands 1 610-1 626.5 MHz and/or 2 483.5-2 500 MHz. The total power fluxdensity at the Earth's surface shall in no case exceed  $-159$  dB(W/m<sup>2</sup>) in any 4 kHz band for all angles of arrival. (WRC-15)

**5.446A** The use of the bands 5 150-5 350 MHz and 5 470-5 725 MHz by the stations in the mobile, except aeronautical mobile, service shall be in accordance with Resolution **229 (Rev.WRC-12)**. (WRC-12)

**5.446B** In the band 5 150-5 250 MHz, stations in the mobile service shall not claim protection from earth stations in the fixed-satellite service. No. **5.43A** does not apply to the mobile service with respect to fixed-satellite service earth stations. (WRC-03)

**5.446C** *Additional allocation:* in Region 1 (except in Algeria, Saudi Arabia, Bahrain, Egypt, United Arab Emirates, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Syrian Arab Republic, Sudan, South Sudan and Tunisia) and in Brazil, the band 5 150-5 250 MHz is also allocated to the aeronautical mobile service on a primary basis, limited to aeronautical telemetry transmissions from aircraft stations (see No. **1.83**), in accordance with Resolution **418 (WRC-07)**. These stations shall not claim protection from other stations operating in accordance with Article 5. No. **5.43A** does not apply. (WRC-12)

**5.447** *Additional allocation:* in Côte d'Ivoire, Egypt, Israel, Lebanon, the Syrian Arab Republic and Tunisia, the band 5 150-5 250 MHz is also allocated to the mobile service, on a primary basis, subject to agreement obtained under No. **9.21**. In this case, the provisions of Resolution **229 (Rev.WRC-12)** do not apply. (WRC-12)

**5.447A** The allocation to the fixed-satellite service (Earth-to-space) is limited to feeder links of non-geostationary-satellite systems in the mobile-satellite service and is subject to coordination under No. **9.11A**.

**5.447B** *Additional allocation:* the band 5 150-5 216 MHz is also allocated to the fixed-satellite service (space-to-Earth) on a primary basis. This allocation is limited to feeder links of non-

geostationary-satellite systems in the mobile-satellite service and is subject to provisions of No. **9.11A**. The power flux-density at the Earth's surface produced by space stations of the fixed-satellite service operating in the space-to-Earth direction in the band 5 150-5 216 MHz shall in no case exceed  $-164$  dB(W/m<sup>2</sup>) in any 4 kHz band for all angles of arrival.

**5.447C** Administrations responsible for fixed-satellite service networks in the band 5 150-5 250 MHz operated under Nos. **5.447A** and **5.447B** shall coordinate on an equal basis in accordance with No. **9.11A** with administrations responsible for non-geostationary-satellite networks operated under No. **5.446** and brought into use prior to 17 November 1995. Satellite networks operated under No. **5.446** brought into use after 17 November 1995 shall not claim protection from, and shall not cause harmful interference to, stations of the fixed-satellite service operated under Nos. **5.447A** and **5.447B**.

**5.447D** The allocation of the band 5 250-5 255 MHz to the space research service on a primary basis is limited to active spaceborne sensors. Other uses of the band by the space research service are on a secondary basis. (WRC-97)

**5.447E** In the frequency band 5 250-5 350 MHz, stations in the mobile service shall not claim protection from the radiolocation service, the Earth exploration-satellite service (active) and the space research service (active). These services shall not impose on the mobile service more stringent protection criteria, based on system characteristics and interference criteria, than those stated in Recommendations ITU-R M.1638-0 and ITU-R RS.1632-0. (WRC-15)

**5.448** *Additional allocation:* in Azerbaijan, Kyrgyzstan, Romania and Turkmenistan, the band 5 250-5 350 MHz is also allocated to the radionavigation service on a primary basis. (WRC-12)

**5.448A** The Earth exploration-satellite (active) and space research (active) services in the frequency band 5 250-5 350 MHz shall not claim protection from the radiolocation service. No. **5.43A** does not apply. (WRC-03)

**5.448B** The Earth exploration-satellite service (active) operating in the band 5 350-5 570 MHz and space research service (active) operating in the band 5 460-5 570 MHz shall not cause harmful interference to the aeronautical radionavigation service in the band 5 350-5 460 MHz, the radionavigation service in the band 5 460-5 470 MHz and the maritime radionavigation service in the band 5 470-5 570 MHz. (WRC-03)

**5.448C** The space research service (active) operating in the band 5 350-5 460 MHz shall not cause harmful interference to nor claim protection from other services to which this band is allocated. (WRC-03)

**5.448D** In the frequency band 5 350-5 470 MHz, stations in the radiolocation service shall not cause harmful interference to, nor claim protection from, radar systems in the aeronautical radionavigation service operating in accordance with No. **5.449**. (WRC-03)

**5.449** The use of the band 5 350-5 470 MHz by the aeronautical radionavigation service is limited to airborne radars and associated airborne beacons.

**5.450** *Additional allocation:* in Austria, Azerbaijan, Iran (Islamic Republic of), Kyrgyzstan, Romania, Turkmenistan and Ukraine, the band 5 470-5 650 MHz is also allocated to the aeronautical radionavigation service on a primary basis. (WRC-12)

**5.450A** In the frequency band 5 470-5 725 MHz, stations in the mobile service shall not claim protection from radiodetermination services. Radiodetermination services shall not impose on the mobile service more stringent protection criteria, based on system characteristics and interference criteria, than those stated in Recommendation ITU-R M.1638-0. (WRC-15)

**5.450B** In the frequency band 5 470-5 650 MHz, stations in the radiolocation service, except ground-based radars used for meteorological purposes in the band 5 600-5 650 MHz, shall not cause harmful interference to, nor claim protection from, radar systems in the maritime radionavigation service. (WRC-03)

**5.451** *Additional allocation:* in the United Kingdom, the band 5 470-5 850 MHz is also allocated to the land mobile service on a secondary basis. The power limits specified in Nos. **21.2**, **21.3**, **21.4** and **21.5** shall apply in the band 5 725-5 850 MHz.

**5.452** Between 5 600 MHz and 5 650 MHz, ground-based radars used for meteorological purposes are authorized to operate on a basis of equality with stations of the maritime radionavigation service.

**5.453** *Additional allocation:* in Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Korea (Rep. of), Côte d'Ivoire, Djibouti, Egypt, the United Arab Emirates, Gabon, Guinea, Equatorial Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Madagascar, Malaysia, Niger, Nigeria, Oman, Uganda, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Sri Lanka, Swaziland, Tanzania, Chad, Thailand, Togo, Viet Nam and Yemen, the band 5 650-5 850 MHz is also allocated to the fixed and mobile services on a primary basis. In this case, the provisions of Resolution **229 (Rev.WRC-12)** do not apply. (WRC-12)

**5.454** *Different category of service:* in Azerbaijan, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 5 670-5 725 MHz to the space research service is on a primary basis (see No. **5.33**). (WRC-12)

**5.455** *Additional allocation:* in Armenia, Azerbaijan, Belarus, Cuba, the Russian Federation, Georgia, Hungary, Kazakhstan, Moldova, Mongolia, Uzbekistan, Kyrgyzstan, Tajikistan, Turkmenistan and Ukraine, the band 5 670-5 850 MHz is also allocated to the fixed service on a primary basis. (WRC-07)

**5.457** In Australia, Burkina Faso, Cote d'Ivoire, Mali and Nigeria, the allocation to the fixed service in the bands 6 440-6 520 MHz (HAPS-to-ground direction) and 6 560-6 640 MHz (ground-to-HAPS direction) may also be used by gateway links for high-altitude platform stations (HAPS) within the territory of these countries. Such use is limited to operation in HAPS gateway links and shall not cause harmful interference to, and shall not claim protection from, existing services, and shall be in compliance with Resolution **150 (WRC-12)**. Existing services shall not be constrained in future development by HAPS gateway links. The use of HAPS gateway links in these bands requires explicit agreement with other administrations whose territories are located within 1 000 kilometres from the border of an administration intending to use the HAPS gateway links. (WRC-12)

**5.457A** In the frequency bands 5 925-6 425 MHz and 14-14.5 GHz, earth stations located on board vessels may communicate with space stations of the fixed-satellite service. Such use shall be in accordance with Resolution **902 (WRC-03)**. In the frequency band 5 925-6 425 MHz, earth stations located on board vessels and communicating with space stations of the fixed-satellite service may employ transmit antennas with minimum diameter of 1.2 m and operate without prior agreement of any administration if located at least 330 km away from the low-water mark as officially recognized by the coastal State. All other provisions of Resolution **902 (WRC-03)** shall apply. (WRC-15)

**5.457B** In the frequency bands 5 925-6 425 MHz and 14-14.5 GHz, earth stations located on board vessels may operate with the characteristics and under the conditions contained in Resolution **902 (WRC-03)** in Algeria, Saudi Arabia, Bahrain, Comoros, Djibouti, Egypt, United Arab Emirates, Jordan, Kuwait, Libya, Morocco, Mauritania, Oman, Qatar, the Syrian Arab Republic, Sudan, Tunisia and Yemen, in the maritime mobile-satellite service on a secondary basis. Such use shall be in accordance with Resolution **902 (WRC-03)**. (WRC-15)

**5.458** In the band 6 425-7 075 MHz, passive microwave sensor measurements are carried out over the oceans. In the band 7 075-7 250 MHz, passive microwave sensor measurements are carried out. Administrations should bear in mind the needs of the Earth exploration-satellite (passive) and space research (passive) services in their future planning of the bands 6 425-7 025 MHz and 7 075-7 250 MHz.

**5.458A** In making assignments in the band 6 700-7 075 MHz to space stations of the fixed-satellite service, administrations are urged to take all practicable steps to protect spectral line observations of the radio astronomy service in the band 6 650-6 675.2 MHz from harmful interference from unwanted emissions.

**5.458B** The space-to-Earth allocation to the fixed-satellite service in the band 6 700-7 075 MHz is limited to feeder links for non-geostationary satellite systems of the mobile-satellite service and is subject to coordination under No. **9.11A**. The use of the band 6 700-7 075 MHz (space-to-Earth) by feeder links for non-geostationary satellite systems in the mobile-satellite service is not subject to No. **22.2**.

**5.459** *Additional allocation:* in the Russian Federation, the frequency bands 7 100-7 155 MHz and 7 190-7 235 MHz are also allocated to the space operation service (Earth-to-space) on a primary basis, subject to agreement obtained under No. **9.21**. In the frequency band 7 190-7 235 MHz, with respect to the Earth exploration satellite service (Earth-to-space), No. **9.21** does not apply. (WRC-15)

**5.460** No emissions from space research service (Earth-to-space) systems intended for deep space shall be effected in the frequency band 7 190-7 235 MHz. Geostationary satellites in the space research service operating in the frequency band 7 190-7 235 MHz shall not claim protection from existing and future stations of the fixed and mobile services and No. **5.43A** does not apply. (WRC-15)

**5.460A** The use of the frequency band 7 190-7 250 MHz (Earth-to-space) by the Earth exploration-satellite service shall be limited to tracking, telemetry and command for the operation of spacecraft. Space stations operating in the Earth exploration-satellite service (Earth-to-space) in the frequency band 7 190-7 250 MHz shall not claim protection from existing and future stations in the fixed and mobile services, and No. **5.43A** does not apply. No. **9.17** applies. Additionally, to ensure protection of the existing and future deployment of fixed and mobile services, the location of earth stations supporting spacecraft in the Earth exploration-satellite service in non-geostationary orbits or geostationary orbit shall maintain a separation distance of at least 10 km and 50 km, respectively, from the respective border(s) of neighbouring countries, unless a shorter distance is otherwise agreed between the corresponding administrations. (WRC-15)

**5.461** *Additional allocation:* the bands 7 250-7 375 MHz (space-to-Earth) and 7 900-8 025 MHz (Earth-to-space) are also allocated to the mobile-satellite service on a primary basis, subject to agreement obtained under No. **9.21**.

**5.461A** The use of the band 7 450-7 550 MHz by the meteorological-satellite service (space-to-Earth) is limited to geostationary-satellite systems. Non-geostationary meteorological-satellite systems in this band notified before 30 November 1997 may continue to operate on a primary basis until the end of their lifetime. (WRC-97)

**5.461AA** The use of the frequency band 7 375-7 750 MHz by the maritime mobile-satellite service is limited to geostationary-satellite networks. (WRC-15)

**5.461AB** In the frequency band 7 375-7 750 MHz, earth stations in the maritime mobile-satellite service shall not claim protection from, nor constrain the use and development of, stations in the fixed and mobile, except aeronautical mobile, services. No. **5.43A** does not apply. (WRC-15)

**5.461B** The use of the band 7 750-7 900 MHz by the meteorological-satellite service (space-to-Earth) is limited to non-geostationary satellite systems. (WRC-12)

**5.462A** In Regions 1 and 3 (except for Japan), in the band 8 025-8 400 MHz, the Earth exploration-satellite service using geostationary satellites shall not produce a power flux-density in excess of the following values for angles of arrival ( $\theta$ ), without the consent of the affected administration:

-135 dB (W/m <sup>2</sup> ) in a 1 MHz band	for	$0^\circ \leq \theta < 5^\circ$
-135 + 0.5 ( $\theta - 5$ ) dB (W/ m <sup>2</sup> ) in a 1 MHz band	for	$5^\circ \leq \theta < 5^\circ$
-125 dB (W/ m <sup>2</sup> ) in a 1 MHz band	for	$25^\circ \leq \theta \leq 90^\circ$ (WRC-12)

**5.463** Aircraft stations are not permitted to transmit in the band 8 025-8 400 MHz. (WRC-97)

**5.465** In the space research service, the use of the band 8 400-8 450 MHz is limited to deep space.

**5.468** *Additional allocation:* in Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Burundi, Cameroon, China, Congo (Rep. of the), Costa Rica, Djibouti, Egypt, the United Arab Emirates, Gabon, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mali, Morocco, Mauritania, Nepal, Nigeria, Oman, Uganda, Pakistan, Qatar, Syrian Arab Republic, the Dem. People's Rep. of Korea, Senegal, Singapore, Somalia, Sudan, Swaziland, Tanzania, Chad, Togo, Tunisia and Yemen, the band 8 500-8 750 MHz is also allocated to the fixed and mobile services on a primary basis. (WRC-12)

**5.469** *Additional allocation:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Hungary, Lithuania, Mongolia, Uzbekistan, Poland, Kyrgyzstan, the Czech Rep., Romania, Tajikistan, Turkmenistan and Ukraine, the band 8 500-8 750 MHz is also allocated to the land mobile and radionavigation services on a primary basis. (WRC-12)

**5.469A** In the band 8 550-8 650 MHz, stations in the Earth exploration-satellite service (active) and space research service (active) shall not cause harmful interference to, or constrain the use and development of, stations of the radiolocation service. (WRC-97)

**5.470** The use of the band 8 750-8 850 MHz by the aeronautical radionavigation service is limited to airborne Doppler navigation aids on a centre frequency of 8 800 MHz.

**5.471** *Additional allocation:* in Algeria, Germany, Bahrain, Belgium, China, Egypt, the United Arab Emirates, France, Greece, Indonesia, Iran (Islamic Republic of), Libya, the Netherlands, Qatar, Sudan and South Sudan, the bands 8 825-8 850 MHz and 9 000-9 200 MHz are also allocated to the maritime radionavigation service, on a primary basis, for use by shore-based radars only. (WRC-12)

**5.472** In the bands 8 850-9 000 MHz and 9 200-9 225 MHz, the maritime radionavigation service is limited to shore-based radars.

**5.473** *Additional allocation:* in Armenia, Austria, Azerbaijan, Belarus, Cuba, the Russian Federation, Georgia, Hungary, Mongolia, Uzbekistan, Poland, Kyrgyzstan, Romania, Tajikistan, Turkmenistan and Ukraine, the bands 8 850-9 000 MHz and 9 200-9 300 MHz are also allocated to the radionavigation service on a primary basis. (WRC-07)

**5.473A** In the band 9 000-9 200 MHz, stations operating in the radiolocation service shall not cause harmful interference to, nor claim protection from, systems identified in No. **5.337** operating in the aeronautical radionavigation service, or radar systems in the maritime radionavigation service operating in this band on a primary basis in the countries listed in No. **5.471**. (WRC-07)

**5.474** In the band 9 200-9 500 MHz, search and rescue transponders (SART) may be used, having due regard to the appropriate ITU-R Recommendation (see also Article **31**).

**5.474A** The use of the frequency bands 9 200-9 300 MHz and 9 900-10 400 MHz by the Earth exploration-satellite service (active) is limited to systems requiring necessary bandwidth greater than 600 MHz that cannot be fully accommodated within the frequency band 9 300-9 900 MHz. Such use is

subject to agreement to be obtained under No. 9.21 from Algeria, Saudi Arabia, Bahrain, Egypt, Indonesia, Iran (Islamic Republic of), Lebanon and Tunisia. An administration that has not replied under No. 9.52 is considered as not having agreed to the coordination request. In this case, the notifying administration of the satellite system operating in the Earth exploration-satellite service (active) may request the assistance of the Bureau under Sub-Section IID of Article 9. (WRC-15)

**5.474B** Stations operating in the Earth exploration-satellite (active) service shall comply with Recommendation ITU-R RS.2066-0. (WRC-15)

**5.474C** Stations operating in the Earth exploration-satellite (active) service shall comply with Recommendation ITU-R RS.2065-0. (WRC-15)

**5.474D** Stations in the Earth exploration-satellite service (active) shall not cause harmful interference to, or claim protection from, stations of the maritime radionavigation and radiolocation services in the frequency band 9 200-9 300 MHz, the radionavigation and radiolocation services in the frequency band 9 900-10 000 MHz and the radiolocation service in the frequency band 10.0-10.4 GHz. (WRC-15)

**5.475** The use of the band 9 300-9 500 MHz by the aeronautical radionavigation service is limited to airborne weather radars and ground-based radars. In addition, ground-based radar beacons in the aeronautical radionavigation service are permitted in the band 9 300-9 320 MHz on condition that harmful interference is not caused to the maritime radionavigation service. (WRC-07)

**5.475A** The use of the band 9 300-9 500 MHz by the Earth exploration-satellite service (active) and the space research service (active) is limited to systems requiring necessary bandwidth greater than 300 MHz that cannot be fully accommodated within the 9 500-9 800 MHz band. (WRC-07)

**5.475B** In the band 9 300-9 500 MHz, stations operating in the radiolocation service shall not cause harmful interference to, nor claim protection from, radars operating in the radionavigation service in conformity with the Radio Regulations. Ground-based radars used for meteorological purposes have priority over other radiolocation uses. (WRC-07)

**5.476A** In the band 9 300-9 800 MHz, stations in the Earth exploration-satellite service (active) and space research service (active) shall not cause harmful interference to, nor claim protection from, stations of the radionavigation and radiolocation services. (WRC-07)

**5.477** *Different category of service:* in Algeria, Saudi Arabia, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Liberia, Malaysia, Nigeria, Oman, Uganda, Pakistan, Qatar, Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, South Sudan, Trinidad and Tobago, and Yemen, the allocation of the frequency band 9 800-10 000 MHz to the fixed service is on a primary basis (see No. 5.33). (WRC-15)

**5.478** *Additional allocation:* in Azerbaijan, Mongolia, Kyrgyzstan, Romania, Turkmenistan and Ukraine, the band 9 800-10 000 MHz is also allocated to the radionavigation service on a primary basis. (WRC-07)

**5.478A** The use of the band 9 800-9 900 MHz by the Earth exploration-satellite service (active) and the space research service (active) is limited to systems requiring necessary bandwidth greater than 500 MHz that cannot be fully accommodated within the 9 300-9 800 MHz band. (WRC-07)

**5.478B** In the band 9 800-9 900 MHz, stations in the Earth exploration-satellite service (active) and space research service (active) shall not cause harmful interference to, nor claim protection from stations of the fixed service to which this band is allocated on a secondary basis. (WRC-07)

**5.479** The band 9 975-10 025 MHz is also allocated to the meteorological-satellite service on a secondary basis for use by weather radars.

**5.481** *Additional allocation:* in Algeria, Germany, Angola, Brazil, China, Côte d'Ivoire, El Salvador, Ecuador, Spain, Guatemala, Hungary, Japan, Kenya, Morocco, Nigeria, Oman, Uzbekistan, Pakistan, Paraguay, Peru, the Dem. People's Rep. of Korea, Romania and Uruguay, the frequency band 10.45-10.5 GHz is also allocated to the fixed and mobile services on a primary basis. In Costa Rica, the frequency band 10.45-10.5 GHz is also allocated to the fixed service on a primary basis. (WRC-15)

**5.482** In the band 10.6-10.68 GHz, the power delivered to the antenna of stations of the fixed and mobile, except aeronautical mobile, services shall not exceed  $-3$  dBW. This limit may be exceeded, subject to agreement obtained under No. **9.21**. However, in Algeria, Saudi Arabia, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Egypt, United Arab Emirates, Georgia, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Libyan Arab Jamahiriya, Kazakhstan, Kuwait, Lebanon, Morocco, Mauritania, Moldova, Nigeria, Oman, Uzbekistan, Pakistan, Philippines, Qatar, Syrian Arab Republic, Kyrgyzstan, Singapore, Tajikistan, Tunisia, Turkmenistan and Viet Nam, this restriction on the fixed and mobile, except aeronautical mobile, service is not applicable. (WRC-07)

**5.482A** For sharing of the band 10.6-10.68 GHz between the Earth exploration-satellite (passive) service and the fixed and mobile, except aeronautical mobile, services, Resolution **751 (WRC-07)** applies. (WRC-07)

**5.483** *Additional allocation:* in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, China, Colombia, Korea (Rep. of), Costa Rica, Egypt, the United Arab Emirates, Georgia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kazakhstan, Kuwait, Lebanon, Mongolia, Qatar, Kyrgyzstan, the Dem. People's Rep. of Korea, Tajikistan, Turkmenistan and Yemen, the band 10.68-10.7 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. Such use is limited to equipment in operation by 1 January 1985. (WRC-12)

**5.484** In Region 1, the use of the band 10.7-11.7 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links for the broadcasting-satellite service.

**5.484A** The use of the bands 10.95-11.2 GHz (space-to-Earth), 11.45-11.7 GHz (space-to-Earth), 11.7-12.2 GHz (space-to-Earth) in Region 2, 12.2-12.75 GHz (space-to-Earth) in Region 3, 12.5-12.75 GHz (space-to-Earth) in Region 1, 13.75-14.5 GHz (Earth-to-space), 17.8-18.6 GHz (space-to-Earth), 19.7-20.2 GHz (space-to-Earth), 27.5-28.6 GHz (Earth-to-space), 29.5-30 GHz (Earth-to-space) by a non-geostationary-satellite system in the fixed-satellite service is subject to application of the provisions of No. **9.12** for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite systems in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the fixed-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. **5.43A** does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated. (WRC-2000)

**5.484B** Resolution **155 (WRC-15)** shall apply. (WRC-15)

**5.487** In the band 11.7-12.5 GHz in Regions 1 and 3, the fixed, fixed-satellite, mobile, except aeronautical mobile, and broadcasting services, in accordance with their respective allocations, shall not cause harmful interference to, or claim protection from, broadcasting-satellite stations operating in accordance with the Regions 1 and 3 Plan in Appendix **30**. (WRC-03)

**5.487A** *Additional allocation:* in Region 1, the band 11.7-12.5 GHz, in Region 2, the band 12.2-12.7 GHz and, in Region 3, the band 11.7-12.2 GHz, are also allocated to the fixed-satellite service (space-to-Earth) on a primary basis, limited to non-geostationary systems and subject to application of

the provisions of No. **9.12** for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite systems in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the broadcasting-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. **5.43A** does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated. (WRC-03)

**5.492** Assignments to stations of the broadcasting-satellite service which are in conformity with the appropriate regional Plan or included in the Regions 1 and 3 List in Appendix **30** may also be used for transmissions in the fixed-satellite service (space-to-Earth), provided that such transmissions do not cause more interference, or require more protection from interference, than the broadcasting-satellite service transmissions operating in conformity with the Plan or the List, as appropriate. (WRC-2000)

**5.494** *Additional allocation:* in Algeria, Saudi Arabia, Bahrain, Cameroon, the Central African Rep., Congo (Rep. of the), Côte d'Ivoire, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Madagascar, Mali, Morocco, Mongolia, Nigeria, Oman, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the frequency band 12.5-12.75 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. (WRC-15)

**5.495** *Additional allocation:* in France, Greece, Monaco, Montenegro, Uganda, Romania and Tunisia, the frequency band 12.5-12.75 GHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a secondary basis. (WRC-15)

**5.496** *Additional allocation:* in Austria, Azerbaijan, Kyrgyzstan and Turkmenistan, the band 12.5-12.75 GHz is also allocated to the fixed service and the mobile, except aeronautical mobile, service on a primary basis. However, stations in these services shall not cause harmful interference to fixed-satellite service earth stations of countries in Region 1 other than those listed in this footnote. Coordination of these earth stations is not required with stations of the fixed and mobile services of the countries listed in this footnote. The power flux-density limit at the Earth's surface given in Table **21-4** of Article **21**, for the fixed-satellite service shall apply on the territory of the countries listed in this footnote. (WRC-2000)

**5.497** The use of the band 13.25-13.4 GHz by the aeronautical radionavigation service is limited to Doppler navigation aids.

**5.498A** The Earth exploration-satellite (active) and space research (active) services operating in the band 13.25-13.4 GHz shall not cause harmful interference to, or constrain the use and development of, the aeronautical radionavigation service. (WRC-97)

**5.499A** The use of the frequency band 13.4-13.65 GHz by the fixed-satellite service (space-to-Earth) is limited to geostationary-satellite systems and is subject to agreement obtained under No. **9.21** with respect to satellite systems operating in the space research service (space-to-space) to relay data from space stations in the geostationary-satellite orbit to associated space stations in non-geostationary satellite orbits for which advance publication information has been received by the Bureau by 27 November 2015. (WRC-15)

**5.499B** Administrations shall not preclude the deployment and operation of transmitting earth stations in the standard frequency and time signal-satellite service (Earth-to-space) allocated on a secondary basis in the frequency band 13.4-13.65 GHz due to the primary allocation to FSS (space-to-Earth). (WRC-15)

**5.499C** The allocation of the frequency band 13.4-13.65 GHz to the space research service on a primary basis is limited to:

- satellite systems operating in the space research service (space-to-space) to relay data from space stations in the geostationary-satellite orbit to associated space stations in non-geostationary satellite orbits for which advance publication information has been received by the Bureau by 27 November 2015,
- active space borne sensors,
- satellite systems operating in the space research service (space-to-Earth) to relay data from space stations in the geostationary-satellite orbit to associated earth stations.

Other uses of the frequency band by the space research service are on a secondary basis. (WRC-15)

**5.499D** In the frequency band 13.4-13.65 GHz, satellite systems in the space research service (space-to-Earth) and/or the space research service (space-to-space) shall not cause harmful interference to, nor claim protection from stations in the fixed, mobile, radiolocation and Earth exploration-satellite (active) services. (WRC-15)

**5.499E** In the frequency band 13.4-13.65 GHz, geostationary-satellite networks in the fixed-satellite service (space-to-Earth) shall not claim protection from space stations in the Earth exploration-satellite service (active) operating in accordance with these Regulations, and No. **5.43A** does not apply. The provisions of No. **22.2** do not apply to the Earth exploration-satellite service (active) with respect to the fixed-satellite service (space-to-Earth) in this frequency band. (WRC-15)

**5.500** *Additional allocation:* in Algeria, Saudi Arabia, Bahrain, Brunei Darussalam, Cameroon, Egypt, the United Arab Emirates, Gabon, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Madagascar, Malaysia, Mali, Morocco, Mauritania, Niger, Nigeria, Oman, Qatar, the Syrian Arab Republic, Singapore, Sudan, South Sudan, Chad and Tunisia, the frequency band 13.4-14 GHz is also allocated to the fixed and mobile services on a primary basis. In Pakistan, the frequency band 13.4-13.75 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC-15)

**5.501** *Additional allocation:* in Azerbaijan, Hungary, Japan, Kyrgyzstan, Romania and Turkmenistan, the band 13.4-14 GHz is also allocated to the radionavigation service on a primary basis. (WRC-12)

**5.501A** The allocation of the frequency band 13.65-13.75 GHz to the space research service on a primary basis is limited to active spaceborne sensors. Other uses of the frequency band by the space research service are on a secondary basis. (WRC-15)

**5.501B** In the band 13.4-13.75 GHz, the Earth exploration-satellite (active) and space research (active) services shall not cause harmful interference to, or constrain the use and development of, the radiolocation service. (WRC-97)

**5.502** In the band 13.75-14 GHz, an earth station of a geostationary fixed-satellite service network shall have a minimum antenna diameter of 1.2 m and an earth station of a non-geostationary fixed-satellite service system shall have a minimum antenna diameter of 4.5 m. In addition, the e.i.r.p., averaged over one second, radiated by a station in the radiolocation or radionavigation services shall not exceed 59 dBW for elevation angles above 2° and 65 dBW at lower angles. Before an administration brings into use an earth station in a geostationary-satellite network in the fixed-satellite service in this band with an antenna diameter smaller than 4.5 m, it shall ensure that the power flux-density produced by this earth station does not exceed:

- –115 dB(W/(m<sup>2</sup> · 10 MHz)) for more than 1% of the time produced at 36 m above sea level at the low water mark, as officially recognized by the coastal State;

- $-115 \text{ dB(W/(m}^2 \cdot 10 \text{ MHz))}$  for more than 1% of the time produced 3 m above ground at the border of the territory of an administration deploying or planning to deploy land mobile radars in this band, unless prior agreement has been obtained.

For earth stations within the fixed-satellite service having an antenna diameter greater than or equal to 4.5 m, the e.i.r.p. of any emission should be at least 68 dBW and should not exceed 85 dBW. (WRC-03)

**5.503** In the band 13.75-14 GHz, geostationary space stations in the space research service for which information for advance publication has been received by the Bureau prior to 31 January 1992 shall operate on an equal basis with stations in the fixed-satellite service; after that date, new geostationary space stations in the space research service will operate on a secondary basis. Until those geostationary space stations in the space research service for which information for advance publication has been received by the Bureau prior to 31 January 1992 cease to operate in this band:

- in the band 13.77-13.78 GHz, the e.i.r.p. density of emissions from any earth station in the fixed-satellite service operating with a space station in geostationary-satellite orbit shall not exceed:
  - i)  $4.7D \square 28 \text{ dB(W/40 kHz)}$ , where  $D$  is the fixed-satellite service earth station antenna diameter (m) for antenna diameters equal to or greater than 1.2 m and less than 4.5 m;
  - ii)  $49.2 \square 20 \log(D/4.5) \text{ dB(W/40 kHz)}$ , where  $D$  is the fixed-satellite service earth station antenna diameter (m) for antenna diameters equal to or greater than 4.5 m and less than 31.9 m;
  - iii) 66.2 dB(W/40 kHz) for any fixed-satellite service earth station for antenna diameters (m) equal to or greater than 31.9 m;
  - iv) 56.2 dB(W/4 kHz) for narrow-band (less than 40 kHz of necessary bandwidth) fixed-satellite service earth station emissions from any fixed-satellite service earth station having an antenna diameter of 4.5 m or greater;
- the e.i.r.p. density of emissions from any earth station in the fixed-satellite service operating with a space station in non-geostationary-satellite orbit shall not exceed 51 dBW in the 6 MHz band from 13.772 to 13.778 GHz.

Automatic power control may be used to increase the e.i.r.p. density in these frequency ranges to compensate for rain attenuation, to the extent that the power flux-density at the fixed-satellite service space station does not exceed the value resulting from use by an earth station of an e.i.r.p. meeting the above limits in clear-sky conditions. (WRC-03)

**5.504** The use of the band 14-14.3 GHz by the radionavigation service shall be such as to provide sufficient protection to space stations of the fixed-satellite service.

**5.504A** In the band 14-14.5 GHz, aircraft earth stations in the secondary aeronautical mobile-satellite service may also communicate with space stations in the fixed-satellite service. The provisions of Nos. 5.29, 5.30 and 5.31 apply. (WRC-03)

**5.504B** Aircraft earth stations operating in the aeronautical mobile-satellite service in the frequency band 14-14.5 GHz shall comply with the provisions of Annex 1, Part C of Recommendation ITU-R M.1643-0, with respect to any radio astronomy station performing observations in the 14.47-14.5 GHz frequency band located on the territory of Spain, France, India, Italy, the United Kingdom and South Africa. (WRC-15)

**5.504C** In the frequency band 14-14.25 GHz, the power flux-density produced on the territory of the countries of Saudi Arabia, Bahrain, Botswana, Côte d'Ivoire, Egypt, Guinea, India, Iran (Islamic

Republic of), Kuwait, Nigeria, Oman, the Syrian Arab Republic and Tunisia by any aircraft earth station in the aeronautical mobile-satellite service shall not exceed the limits given in Annex 1, Part B of Recommendation ITU-R M.1643-0, unless otherwise specifically agreed by the affected administration(s). The provisions of this footnote in no way derogate the obligations of the aeronautical mobile-satellite service to operate as a secondary service in accordance with No. 5.29. (WRC-15)

**5.505** *Additional allocation:* in Algeria, Saudi Arabia, Bahrain, Botswana, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Korea (Rep. of), Djibouti, Egypt, the United Arab Emirates, Gabon, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Oman, the Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, South Sudan, Swaziland, Chad, Viet Nam and Yemen, the frequency band 14-14.3 GHz is also allocated to the fixed service on a primary basis. (WRC-15)

**5.506** The band 14-14.5 GHz may be used, within the fixed-satellite service (Earth-to-space), for feeder links for the broadcasting-satellite service, subject to coordination with other networks in the fixed-satellite service. Such use of feeder links is reserved for countries outside Europe.

**5.506A** In the band 14-14.5 GHz, ship earth stations with an e.i.r.p. greater than 21 dBW shall operate under the same conditions as earth stations located on board vessels, as provided in Resolution 902 (WRC-03). This footnote shall not apply to ship earth stations for which the complete Appendix 4 information has been received by the Bureau prior to 5 July 2003. (WRC-03)

**5.506B** Earth stations located on board vessels communicating with space stations in the fixed-satellite service may operate in the frequency band 14-14.5 GHz without the need for prior agreement from Cyprus and Malta, within the minimum distance given in Resolution 902 (WRC-03) from these countries. (WRC-15)

**5.508** *Additional allocation:* in Germany, France, Italy, Libya, The Former Yugoslav Rep. of Macedonia and the United Kingdom, the band 14.25-14.3 GHz is also allocated to the fixed service on a primary basis. (WRC-12)

**5.508A** In the frequency band 14.25-14.3 GHz, the power flux-density produced on the territory of the countries of Saudi Arabia, Bahrain, Botswana, China, Côte d'Ivoire, Egypt, France, Guinea, India, Iran (Islamic Republic of), Italy, Kuwait, Nigeria, Oman, the Syrian Arab Republic, the United Kingdom and Tunisia by any aircraft earth station in the aeronautical mobile-satellite service shall not exceed the limits given in Annex 1, Part B of Recommendation ITU-R M.1643-0, unless otherwise specifically agreed by the affected administration(s). The provisions of this footnote in no way derogate the obligations of the aeronautical mobile-satellite service to operate as a secondary service in accordance with No. 5.29. (WRC-15)

**5.509A** In the band 14.3-14.5 GHz, the power flux-density produced on the territory of the countries of Saudi Arabia, Botswana, Cameroon, China, Côte d'Ivoire, Egypt, France, Gabon, Guinea, India, Iran (Islamic Republic of), Italy, Kuwait, Morocco, Nigeria, Oman, the Syrian Arab Republic, the United Kingdom, Sri Lanka, Tunisia and Viet Nam by any aircraft earth station in the aeronautical mobile-satellite service shall not exceed the limits given in Annex 1, Part B of Recommendation ITU-R M.1643, unless otherwise specifically agreed by the affected administration(s). The provisions of this footnote in no way derogate the obligations of the aeronautical mobile-satellite service to operate as a secondary service in accordance with No. 5.29. (WRC-12)

**5.509B** The use of the frequency bands 14.5-14.75 GHz in countries listed in Resolution 163 (WRC-15) and

14.5-14.8 GHz in countries listed in Resolution **164 (WRC-15)** by the fixed-satellite service (Earth-to-space) not for feeder links for the broadcasting-satellite service is limited to geostationary-satellites. (WRC-15)

**5.509C** For the use of the frequency bands 14.5-14.75 GHz in countries listed in Resolution **163 (WRC-15)** and 14.5-14.8 GHz in countries listed in Resolution **164 (WRC-15)** by the fixed-satellite service (Earth-to-space) not for feeder links for the broadcasting-satellite service, the fixed-satellite service earth stations shall have a minimum antenna diameter of 6 m and a maximum power spectral density of  $-44.5$  dBW/Hz at the input of the antenna. The earth stations shall be notified at known locations on land. (WRC-15)

**5.509D** Before an administration brings into use an earth station in the fixed-satellite service (Earth-to-space) not for feeder links for the broadcasting-satellite service in the frequency bands 14.5-14.75 GHz (in countries listed in Resolution **163 (WRC-15)**) and 14.5-14.8 GHz (in countries listed in Resolution **164 (WRC-15)**), it shall ensure that the power flux-density produced by this earth station does not exceed  $-151.5$  dB(W/(m<sup>2</sup> · 4 kHz)) produced at all altitudes from 0 m to 19 000 m above sea level at 22 km seaward from all coasts, defined as the low-water mark, as officially recognized by each coastal State. (WRC-15)

**5.509E** In the frequency bands 14.50-14.75 GHz in countries listed in Resolution **163 (WRC-15)** and 14.50-14.8 GHz in countries listed in Resolution **164 (WRC-15)**, the location of earth stations in the fixed-satellite service (Earth-to-space) not for feeder links for the broadcasting-satellite service shall maintain a separation distance of at least 500 km from the border(s) of other countries unless shorter distances are explicitly agreed by those administrations. No. **9.17** does not apply. When applying this provision, administrations should consider the relevant parts of these Regulations and the latest relevant ITU-R Recommendations. (WRC-15)

**5.509F** In the frequency bands 14.50-14.75 GHz in countries listed in Resolution **163 (WRC-15)** and 14.50-14.8 GHz in countries listed in Resolution **164 (WRC-15)**, earth stations in the fixed-satellite service (Earth-to-space) not for feeder links for the broadcasting-satellite service shall not constrain the future deployment of the fixed and mobile services. (WRC-15)

**5.509G** The frequency band 14.5-14.8 GHz is also allocated to the space research service on a primary basis.

However, such use is limited to the satellite systems operating in the space research service (Earth-to-space) to relay data to space stations in the geostationary-satellite orbit from associated earth stations. Stations in the space research service shall not cause harmful interference to, or claim protection from, stations in the fixed and mobile services and in the fixed satellite service limited to feeder links for the broadcasting-satellite service and associated space operations functions using the guardbands under Appendix **30A** and feeder links for the broadcasting-satellite service in Region 2. Other uses of this frequency band by the space research service are on a secondary basis. (WRC-15)

**5.510** Except for use in accordance with Resolution **163 (WRC-15)** and Resolution **164 (WRC-15)**, the use of the frequency band 14.5-14.8 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links for the broadcasting-satellite service. This use is reserved for countries outside Europe. Uses other than feeder links for the broadcasting-satellite service are not authorized in Regions 1 and 2 in the frequency band 14.75-14.8 GHz. (WRC-15)

**5.511** *Additional allocation:* in Saudi Arabia, Bahrain, Cameroon, Egypt, the United Arab Emirates, Guinea, Iran (Islamic Republic of), Iraq, Israel, Kuwait, Lebanon, Oman, Pakistan, Qatar, the Syrian Arab Republic and Somalia, the band 15.35-15.4 GHz is also allocated to the fixed and mobile services on a secondary basis. (WRC-12)

**5.511A** The band 15.43-15.63 GHz is also allocated to the fixed-satellite service (space-to-Earth) on a primary basis. Use of the band 15.43-15.63 GHz by the fixed-satellite service (space-to-Earth and

Earth-to-space) is limited to feeder links of non-geostationary systems in the mobile-satellite service, subject to coordination under No. **9.11A**. The use of the frequency band 15.43-15.63 GHz by the fixed-satellite service (space-to-Earth) is limited to feeder links of non-geostationary systems in the mobile-satellite service for which advance publication information has been received by the Bureau prior to 2 June 2000. In the space-to-Earth direction, the minimum earth station elevation angle above and gain towards the local horizontal plane and the minimum coordination distances to protect an earth station from harmful interference shall be in accordance with Recommendation ITU-R S.1341. In order to protect the radio astronomy service in the band 15.35-15.4 GHz, the aggregate power flux-density radiated in the 15.35-15.4 GHz band by all the space stations within any feeder-link of a non-geostationary system in the mobile-satellite service (space-to-Earth) operating in the 15.43-15.63 GHz band shall not exceed the level of  $-156$  dB(W/m<sup>2</sup>) in a 50 MHz bandwidth, into any radio astronomy observatory site for more than 2% of the time. (WRC-2000)

**5.511C** Stations operating in the aeronautical radionavigation service shall limit the effective e.i.r.p. in accordance with Recommendation ITU-R S.1340. The minimum coordination distance required to protect the aeronautical radionavigation stations (No. **4.10** applies) from harmful interference from feeder-link earth stations and the maximum e.i.r.p. transmitted towards the local horizontal plane by a feeder-link earth station shall be in accordance with Recommendation ITU-R S.1340. (WRC-97)

**5.511E** In the frequency band 15.4-15.7 GHz, stations operating in the radiolocation service shall not cause harmful interference to, or claim protection from, stations operating in the aeronautical radionavigation service. (WRC-12)

**5.511F** In order to protect the radio astronomy service in the frequency band 15.35-15.4 GHz, radiolocation stations operating in the frequency band 15.4-15.7 GHz shall not exceed the power flux-density level of  $156$  dB(W/m<sup>2</sup>) in a 50 MHz bandwidth in the frequency band 15.35-15.4 GHz, at any radio astronomy observatory site for more than 2 per cent of the time. (WRC-12)

**5.512** *Additional allocation:* in Algeria, Saudi Arabia, Austria, Bahrain, Bangladesh, Brunei Darussalam, Cameroon, Congo (Rep. of the), Egypt, El Salvador, the United Arab Emirates, Eritrea, Finland, Guatemala, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mali, Morocco, Mauritania, Montenegro, Nepal, Nicaragua, Niger, Oman, Pakistan, Qatar, Syrian Arab Republic, the Dem. Rep. of the Congo, Singapore, Somalia, Sudan, South Sudan, Chad, Togo and Yemen, the frequency band 15.7-17.3 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC-15)

**5.513** *Additional allocation:* in Israel, the band 15.7-17.3 GHz is also allocated to the fixed and mobile services on a primary basis. These services shall not claim protection from or cause harmful interference to services operating in accordance with the Table in countries other than those included in No. **5.512**.

**5.513A** Spaceborne active sensors operating in the band 17.2-17.3 GHz shall not cause harmful interference to, or constrain the development of, the radiolocation and other services allocated on a primary basis. (WRC-97)

**5.514** *Additional allocation:* in Algeria, Saudi Arabia, Bahrain, Bangladesh, Cameroon, El Salvador, the United Arab Emirates, Guatemala, India, Iran (Islamic Republic of), Iraq, Israel, Italy, Japan, Jordan, Kuwait, Libya, Lithuania, Nepal, Nicaragua, Nigeria, Oman, Uzbekistan, Pakistan, Qatar, Kyrgyzstan, Sudan and South Sudan, the frequency band 17.3-17.7 GHz is also allocated to the fixed and mobile services on a secondary basis. The power limits given in Nos. **21.3** and **21.5** shall apply. (WRC-15)

**5.515** In the band 17.3-17.8 GHz, sharing between the fixed-satellite service (Earth-to-space) and the broadcasting-satellite service shall also be in accordance with the provisions of § 1 of Annex 4 of Appendix **30A**.

**5.516** The use of the band 17.3-18.1 GHz by geostationary-satellite systems in the fixed-satellite service (Earth-to-space) is limited to feeder links for the broadcasting-satellite service. The use of the band 17.3-17.8 GHz in Region 2 by systems in the fixed-satellite service (Earth-to-space) is limited to geostationary satellites. For the use of the band 17.3-17.8 GHz in Region 2 by feeder links for the broadcasting-satellite service in the band 12.2-12.7 GHz, see Article 11. The use of the bands 17.3-18.1 GHz (Earth-to-space) in Regions 1 and 3 and 17.8-18.1 GHz (Earth-to-space) in Region 2 by non-geostationary-satellite systems in the fixed-satellite service is subject to application of the provisions of No. 9.12 for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite systems in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the fixed-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. 5.43A does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated. (WRC-2000)

**5.516A** In the band 17.3-17.7 GHz, earth stations of the fixed-satellite service (space-to-Earth) in Region 1 shall not claim protection from the broadcasting-satellite service feeder-link earth stations operating under Appendix 30A, nor put any limitations or restrictions on the locations of the broadcasting-satellite service feeder-link earth stations anywhere within the service area of the feeder link. (WRC-03)

**5.516B** The following bands are identified for use by high-density applications in the fixed-satellite service:

17.3-17.7 GHz	(space-to-Earth) in Region 1,
18.3-19.3 GHz	(space-to-Earth) in Region 2,
19.7-20.2 GHz	(space-to-Earth) in all Regions,
39.5-40 GHz	(space-to-Earth) in Region 1,
40-40.5 GHz	(space-to-Earth) in all Regions,
40.5-42 GHz	(space-to-Earth) in Region 2,
47.5-47.9 GHz	(space-to-Earth) in Region 1,
48.2-48.54 GHz	(space-to-Earth) in Region 1,
49.44-50.2 GHz	(space-to-Earth) in Region 1,
	and
27.5-27.82 GHz	(Earth-to-space) in Region 1,
28.35-28.45 GHz	(Earth-to-space) in Region 2,
28.45-28.94 GHz	(Earth-to-space) in all Regions,
28.94-29.1 GHz	(Earth-to-space) in Region 2 and 3,
29.25-29.46 GHz	(Earth-to-space) in Region 2,
29.46-30 GHz	(Earth-to-space) in all Regions,
48.2-50.2 GHz	(Earth-to-space) in Region 2.

This identification does not preclude the use of these bands by other fixed-satellite service applications or by other services to which these bands are allocated on a co-primary basis and does not establish priority in these Radio Regulations among users of the bands. Administrations should take this into account when considering regulatory provisions in relation to these bands. See Resolution 143 (WRC-03)\*. (WRC-03)

\* *Note by the Secretariat:* This Resolution was revised by WRC-07.

**5.517** In Region 2, use of the fixed-satellite (space-to-Earth) service in the band 17.7-17.8 GHz shall not cause harmful interference to nor claim protection from assignments in the broadcasting-satellite service operating in conformity with the Radio Regulations. (WRC-07)

**5.519** *Additional allocation:* the bands 18-18.3 GHz in Region 2 and 18.1-18.4 GHz in Regions 1 and 3 are also allocated to the meteorological-satellite service (space-to-Earth) on a primary basis. Their use is limited to geostationary satellites. (WRC-07)

**5.520** The use of the band 18.1-18.4 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links of geostationary-satellite systems in the broadcasting-satellite service. (WRC-2000)

**5.521** *Alternative allocation:* in the United Arab Emirates and Greece, the frequency band 18.1-18.4 GHz is allocated to the fixed, fixed-satellite (space-to-Earth) and mobile services on a primary basis (see No. 5.33). The provisions of No. 5.519 also apply. (WRC-15)

**5.522A** The emissions of the fixed service and the fixed-satellite service in the band 18.6-18.8 GHz are limited to the values given in Nos. 21.5A and 21.16.2, respectively. (WRC-2000)

**5.522B** The use of the band 18.6-18.8 GHz by the fixed-satellite service is limited to geostationary systems and systems with an orbit of apogee greater than 20 000 km. (WRC-2000)

**5.522C** In the band 18.6-18.8 GHz, in Algeria, Saudi Arabia, Bahrain, Egypt, the United Arab Emirates, the Libyan Arab Jamahiriya, Jordan, Lebanon, Morocco, Oman, Qatar, the Syrian Arab Republic, Tunisia and Yemen, fixed-service systems in operation at the date of entry into force of the Final Acts of WRC-2000 are not subject to the limits of No. 21.5A. (WRC-2000)

**5.523A** The use of the bands 18.8-19.3 GHz (space-to-Earth) and 28.6-29.1 GHz (Earth-to-space) by geostationary and non-geostationary fixed-satellite service networks is subject to the application of the provisions of No. 9.11A and No. 22.2 does not apply. Administrations having geostationary-satellite networks under coordination prior to 18 November 1995 shall cooperate to the maximum extent possible to coordinate pursuant to No. 9.11A with non-geostationary-satellite networks for which notification information has been received by the Bureau prior to that date, with a view to reaching results acceptable to all the parties concerned. Non-geostationary-satellite networks shall not cause unacceptable interference to geostationary fixed-satellite service networks for which complete Appendix 4 notification information is considered as having been received by the Bureau prior to 18 November 1995. (WRC-97)

**5.523B** The use of the band 19.3-19.6 GHz (Earth-to-space) by the fixed-satellite service is limited to feeder links for non-geostationary-satellite systems in the mobile-satellite service. Such use is subject to the application of the provisions of No. 9.11A, and No. 22.2 does not apply.

**5.523C** No. 22.2 shall continue to apply in the bands 19.3-19.6 GHz and 29.1-29.4 GHz, between feeder links of non-geostationary mobile-satellite service networks and those fixed-satellite service networks for which complete Appendix 4 coordination information, or notification information, is considered as having been received by the Bureau prior to 18 November 1995. (WRC-97)

**5.523D** The use of the band 19.3-19.7 GHz (space-to-Earth) by geostationary fixed-satellite service systems and by feeder links for non-geostationary-satellite systems in the mobile-satellite service is subject to the application of the provisions of No. 9.11A, but not subject to the provisions of No. 22.2. The use of this band for other non-geostationary fixed-satellite service systems, or for the cases indicated in Nos. 5.523C and 5.523E, is not subject to the provisions of No. 9.11A and shall continue to be subject to Articles 9 (except No. 9.11A) and 11 procedures, and to the provisions of No. 22.2. (WRC-97)

**5.523E** No. 22.2 shall continue to apply in the bands 19.6-19.7 GHz and 29.4-29.5 GHz, between feeder links of non-geostationary mobile-satellite service networks and those fixed-satellite service

networks for which complete Appendix 4 coordination information, or notification information, is considered as having been received by the Bureau by 21 November 1997. (WRC-97)

**5.524** *Additional allocation:* in Afghanistan, Algeria, Saudi Arabia, Bahrain, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Costa Rica, Egypt, the United Arab Emirates, Gabon, Guatemala, Guinea, India, Iran (Islamic Republic of), Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Nepal, Nigeria, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, the Dem. People's Rep. of Korea, Singapore, Somalia, Sudan, South Sudan, Chad, Togo and Tunisia, the frequency band 19.7-21.2 GHz is also allocated to the fixed and mobile services on a primary basis. This additional use shall not impose any limitation on the power flux density of space stations in the fixed-satellite service in the frequency band 19.7-21.2 GHz and of space stations in the mobile-satellite service in the frequency band 19.7-20.2 GHz where the allocation to the mobile-satellite service is on a primary basis in the latter frequency band. (WRC-15)

**5.525** In order to facilitate interregional coordination between networks in the mobile-satellite and fixed-satellite services, carriers in the mobile-satellite service that are most susceptible to interference shall, to the extent practicable, be located in the higher parts of the bands 19.7-20.2 GHz and 29.5-30 GHz.

**5.526** In the bands 19.7-20.2 GHz and 29.5-30 GHz in Region 2, and in the bands 20.1-20.2 GHz and 29.9-30 GHz in Regions 1 and 3, networks which are both in the fixed-satellite service and in the mobile-satellite service may include links between earth stations at specified or unspecified points or while in motion, through one or more satellites for point-to-point and point-to-multipoint communications.

**5.527** In the bands 19.7-20.2 GHz and 29.5-30 GHz, the provisions of No. 4.10 do not apply with respect to the mobile-satellite service.

**5.527A** The operation of earth stations in motion communicating with the FSS is subject to Resolution 156 (WRC-15).

**5.528** The allocation to the mobile-satellite service is intended for use by networks which use narrow spot-beam antennas and other advanced technology at the space stations. Administrations operating systems in the mobile-satellite service in the band 19.7-20.1 GHz in Region 2 and in the band 20.1-20.2 GHz shall take all practicable steps to ensure the continued availability of these bands for administrations operating fixed and mobile systems in accordance with the provisions of No. 5.524.

**5.530A** Unless otherwise agreed between the administrations concerned, any station in the fixed or mobile services of an administration shall not produce a power flux-density in excess of  $-120.4$  dB ( $W/(m^2 \cdot MHz)$ ) at 3 m above the ground of any point of the territory of any other administration in Regions 1 and 3 for more than 20% of the time. In conducting the calculations, administrations should use the most recent version of Recommendation ITU-R P.452 (see also the most recent version of Recommendation ITU-R BO.1898). (WRC-15)

**5.530B** In the band 21.4-22 GHz, in order to facilitate the development of the broadcasting-satellite service, administrations in Regions 1 and 3 are encouraged not to deploy stations in the mobile service and are encouraged to limit the deployment of stations in the fixed service to point-to-point links. (WRC-12)

**5.530D** See Resolution 555 (WRC-12). (WRC-12)

**5.532** The use of the band 22.21-22.5 GHz by the Earth exploration-satellite (passive) and space research (passive) services shall not impose constraints upon the fixed and mobile, except aeronautical mobile, services.

**5.532A** The location of earth stations in the space research service shall maintain a separation distance of at least 54 km from the respective border(s) of neighbouring countries to protect the existing and future deployment of fixed and mobile services unless a shorter distance is otherwise agreed between the corresponding administrations. Nos. **9.17** and **9.18** do not apply. (WRC-12)

**5.532B** Use of the band 24.65-25.25 GHz in Region 1 and the band 24.65-24.75 GHz in Region 3 by the fixed-satellite service (Earth-to-space) is limited to earth stations using a minimum antenna diameter of 4.5 m. (WRC-12)

**5.533** The inter-satellite service shall not claim protection from harmful interference from airport surface detection equipment stations of the radionavigation service.

**5.535** In the band 24.75-25.25 GHz, feeder links to stations of the broadcasting-satellite service shall have priority over other uses in the fixed-satellite service (Earth-to-space). Such other uses shall protect and shall not claim protection from existing and future operating feeder-link networks to such broadcasting satellite stations.

**5.535A** The use of the band 29.1-29.5 GHz (Earth-to-space) by the fixed-satellite service is limited to geostationary-satellite systems and feeder links to non-geostationary-satellite systems in the mobile-satellite service. Such use is subject to the application of the provisions of No. **9.11A**, but not subject to the provisions of No. **22.2**, except as indicated in Nos. **5.523C** and **5.523E** where such use is not subject to the provisions of No. **9.11A** and shall continue to be subject to Articles **9** (except No. **9.11A**) and **11** procedures, and to the provisions of No. **22.2**. (WRC-97)

**5.536** Use of the 25.25-27.5 GHz band by the inter-satellite service is limited to space research and Earth exploration-satellite applications, and also transmissions of data originating from industrial and medical activities in space.

**5.536A** Administrations operating earth stations in the Earth exploration-satellite service or the space research service shall not claim protection from stations in the fixed and mobile services operated by other administrations. In addition, earth stations in the Earth exploration-satellite service or in the space research service should be operated taking into account the most recent version of Recommendation ITU-R SA.1862. (WRC-12)

**5.536B** In Saudi Arabia, Austria, Bahrain, Belgium, Brazil, China, Korea (Rep. of), Denmark, Egypt, United Arab Emirates, Estonia, Finland, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Jordan, Kenya, Kuwait, Lebanon, Libya, Lithuania, Moldova, Norway, Oman, Uganda, Pakistan, the Philippines, Poland, Portugal, the Syrian Arab Republic, Dem. People's Rep. of Korea, Slovakia, the Czech Rep., Romania, the United Kingdom, Singapore, Sweden, Tanzania, Turkey, Viet Nam and Zimbabwe, earth stations operating in the Earth exploration-satellite service in the frequency band 25.5-27 GHz shall not claim protection from, or constrain the use and deployment of, stations of the fixed and mobile services. (WRC-15)

**5.536C** In Algeria, Saudi Arabia, Bahrain, Botswana, Brazil, Cameroon, Comoros, Cuba, Djibouti, Egypt, United Arab Emirates, Estonia, Finland, Iran (Islamic Republic of), Israel, Jordan, Kenya, Kuwait, Lithuania, Malaysia, Morocco, Nigeria, Oman, Qatar, Syrian Arab Republic, Somalia, Sudan, South Sudan, Tanzania, Tunisia, Uruguay, Zambia and Zimbabwe, earth stations operating in the space research service in the band 25.5-27 GHz shall not claim protection from, or constrain the use and deployment of, stations of the fixed and mobile services. (WRC-12)

**5.537** Space services using non-geostationary satellites operating in the inter-satellite service in the band 27-27.5 GHz are exempt from the provisions of No. **22.2**.

**5.537A** In Bhutan, Cameroon, Korea (Rep. of), the Russian Federation, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Malaysia, Maldives, Mongolia, Myanmar, Uzbekistan, Pakistan, the Philippines, Kyrgyzstan, the Dem. People's Rep. of Korea, Sudan, Sri Lanka, Thailand and Viet Nam, the allocation to the fixed service in the band 27.9-28.2 GHz may also be used by high altitude platform stations (HAPS) within the territory of these countries. Such use of 300 MHz of the fixed-service allocation by HAPS in the above countries is further limited to operation in the HAPS-to-ground direction and shall not cause harmful interference to, nor claim protection from, other types of fixed-service systems or other co-primary services. Furthermore, the development of these other services shall not be constrained by HAPS. See Resolution **145 (Rev.WRC-12)**. (WRC-12)

**5.538** *Additional allocation:* the bands 27.500-27.501 GHz and 29.999-30.000 GHz are also allocated to the fixed-satellite service (space-to-Earth) on a primary basis for the beacon transmissions intended for up-link power control. Such space-to-Earth transmissions shall not exceed an equivalent isotropically radiated power (e.i.r.p.) of +10 dBW in the direction of adjacent satellites on the geostationary-satellite orbit. (WRC-07)

**5.539** The band 27.5-30 GHz may be used by the fixed-satellite service (Earth-to-space) for the provision of feeder links for the broadcasting-satellite service.

**5.540** *Additional allocation:* the band 27.501-29.999 GHz is also allocated to the fixed-satellite service (space-to-Earth) on a secondary basis for beacon transmissions intended for up-link power control.

**5.541** In the band 28.5-30 GHz, the earth exploration-satellite service is limited to the transfer of data between stations and not to the primary collection of information by means of active or passive sensors.

**5.541A** Feeder links of non-geostationary networks in the mobile-satellite service and geostationary networks in the fixed-satellite service operating in the band 29.1-29.5 GHz (Earth-to-space) shall employ uplink adaptive power control or other methods of fade compensation, such that the earth station transmissions shall be conducted at the power level required to meet the desired link performance while reducing the level of mutual interference between both networks. These methods shall apply to networks for which Appendix 4 coordination information is considered as having been received by the Bureau after 17 May 1996 and until they are changed by a future competent world radiocommunication conference. Administrations submitting Appendix 4 information for coordination before this date are encouraged to utilize these techniques to the extent practicable. (WRC-2000)

**5.542** *Additional allocation:* in Algeria, Saudi Arabia, Bahrain, Brunei Darussalam, Cameroon, China, Congo (Rep. of the), Egypt, the United Arab Emirates, Eritrea, Ethiopia, Guinea, India, Iran (Islamic Republic of), Iraq, Japan, Jordan, Kuwait, Lebanon, Malaysia, Mali, Morocco, Mauritania, Nepal, Oman, Pakistan, Philippines, Qatar, the Syrian Arab Republic, the Dem. People's Rep. of Korea, Somalia, Sudan, South Sudan, Sri Lanka and Chad, the band 29.5-31 GHz is also allocated to the fixed and mobile services on a secondary basis. The power limits specified in Nos. **21.3** and **21.5** shall apply. (WRC-12)

**5.543** The band 29.95-30 GHz may be used for space-to-space links in the Earth exploration-satellite service for telemetry, tracking, and control purposes, on a secondary basis.

**5.543A** In Bhutan, Cameroon, Korea (Rep. of), the Russian Federation, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Malaysia, Maldives, Mongolia, Myanmar, Uzbekistan, Pakistan, the Philippines, Kyrgyzstan, the Dem. People's Rep. of Korea, Sudan, Sri Lanka, Thailand and Viet Nam, the allocation to the fixed service in the band 31-31.3 GHz may also be used by systems using high altitude platform stations (HAPS) in the ground-to-HAPS direction. The use of the band 31-31.3 GHz by systems using HAPS is limited to the territory of the countries listed above and shall not cause harmful interference to, nor claim protection from, other types of fixed service systems, systems in the mobile service and systems operated under No. **5.545**. Furthermore, the development of these services shall not be constrained by HAPS. Systems using HAPS in the band 31-31.3 GHz shall not cause harmful interference to the radio astronomy service having a primary allocation in the band 31.3-

31.8 GHz, taking into account the protection criterion as given in Recommendation ITU-R RA.769. In order to ensure the protection of satellite passive services, the level of unwanted power density into a HAPS ground station antenna in the band 31.3-31.8 GHz shall be limited to 106 dB(W/MHz) under clear-sky conditions, and may be increased up to 100 dB(W/MHz) under rainy conditions to mitigate fading due to rain, provided the effective impact on the passive satellite does not exceed the impact under clear-sky conditions. See Resolution **145 (Rev.WRC-12)**. (WRC-12)

**5.544** In the band 31-31.3 GHz the power flux-density limits specified in Article **21**, Table **21-4** shall apply to the space research service.

**5.545** *Different category of service:* in Armenia, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 31-31.3 GHz to the space research service is on a primary basis (see No. **5.33**). (WRC-12)

**5.546** *Different category of service:* in Saudi Arabia, Armenia, Azerbaijan, Belarus, Egypt, the United Arab Emirates, Spain, Estonia, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Israel, Jordan, Lebanon, Moldova, Mongolia, Oman, Uzbekistan, Poland, the Syrian Arab Republic, Kyrgyzstan, Romania, the United Kingdom, South Africa, Tajikistan, Turkmenistan and Turkey, the allocation of the band 31.5-31.8 GHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. **5.33**). (WRC-12)

**5.547** The bands 31.8-33.4 GHz, 37-40 GHz, 40.5-43.5 GHz, 51.4-52.6 GHz, 55.78-59 GHz and 64-66 GHz are available for high-density applications in the fixed service (see Resolution **75 (WRC-2000)**). Administrations should take this into account when considering regulatory provisions in relation to these bands. Because of the potential deployment of high-density applications in the fixed-satellite service in the bands 39.5-40 GHz and 40.5-42 GHz (see No. **5.516B**), administrations should further take into account potential constraints to high-density applications in the fixed service, as appropriate. (WRC-07)

**5.547A** Administrations should take practical measures to minimize the potential interference between stations in the fixed service and airborne stations in the radionavigation service in the 31.8-33.4 GHz band, taking into account the operational needs of the airborne radar systems. (WRC-2000)

**5.548** In designing systems for the inter-satellite service in the band 32.3-33 GHz, for the radionavigation service in the band 32-33 GHz, and for the space research service (deep space) in the band 31.8-32.3 GHz, administrations shall take all necessary measures to prevent harmful interference between these services, bearing in mind the safety aspects of the radionavigation service (see Recommendation **707**). (WRC-03)

**5.549** *Additional allocation:* in Saudi Arabia, Bahrain, Bangladesh, Egypt, the United Arab Emirates, Gabon, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Morocco, Mauritania, Nepal, Nigeria, Oman, Pakistan, the Philippines, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, Singapore, Somalia, Sudan, South Sudan, Sri Lanka, Togo, Tunisia and Yemen, the band 33.4-36 GHz is also allocated to the fixed and mobile services on a primary basis. (WRC-12)

**5.549A** In the band 35.5-36.0 GHz, the mean power flux-density at the Earth's surface, generated by any spaceborne sensor in the Earth exploration-satellite service (active) or space research service (active), for any angle greater than 0.8° from the beam centre shall not exceed -73.3 dB(W/m<sup>2</sup>) in this band. (WRC-03)

**5.550** *Different category of service:* in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 34.7-35.2 GHz to the space research service is on a primary basis (see No. **5.33**). (WRC-12)

**5.550A** For sharing of the band 36-37 GHz between the Earth exploration-satellite (passive) service and the fixed and mobile services, Resolution **752 (WRC-07)** shall apply. (WRC-07)

**5.551H** The equivalent power flux-density (epfd) produced in the frequency band 42.5-43.5 GHz by all space stations in any non-geostationary-satellite system in the fixed-satellite service (space-to-Earth), or in the broadcasting satellite service operating in the frequency band 42-42.5 GHz, shall not exceed the following values at the site of any radio astronomy station for more than 2% of the time:

- 230 dB(W/ m<sup>2</sup>) in 1 GHz and –246 dB(W/ m<sup>2</sup>) in any 500 kHz of the frequency band 42.5-43.5 GHz at the site of any radio astronomy station registered as a single-dish telescope; and
- 209 dB(W/ m<sup>2</sup>) in any 500 kHz of the frequency band 42.5-43.5 GHz at the site of any radio astronomy station registered as a very long baseline interferometry station.

These epfd values shall be evaluated using the methodology given in Recommendation ITU-R S.1586-1 and the reference antenna pattern and the maximum gain of an antenna in the radio astronomy service given in Recommendation ITU-R RA.1631-0 and shall apply over the whole sky and for elevation angles higher than the minimum operating angle  $\theta_{min}$  of the radiotelescope (for which a default value of 5° should be adopted in the absence of notified information).

These values shall apply at any radio astronomy station that either:

- was in operation prior to 5 July 2003 and has been notified to the Bureau before 4 January 2004;

Or

- was notified before the date of receipt of the complete Appendix 4 information for coordination or notification, as appropriate, for the space station to which the limits apply.

Other radio astronomy stations notified after these dates may seek an agreement with administrations that have authorized the space stations. In Region 2, Resolution **743 (WRC-03)** shall apply. The limits in this footnote may be exceeded at the site of a radio astronomy station of any country whose administration so agreed. (WRC-15)

**5.551I** The power flux-density in the band 42.5-43.5 GHz produced by any geostationary space station in the fixed-satellite service (space-to-Earth), or the broadcasting-satellite service operating in the 42-42.5 GHz band, shall not exceed the following values at the site of any radio astronomy station:

- 137 dB(W/m<sup>2</sup>) in 1 GHz and –153 dB(W/m<sup>2</sup>) in any 500 kHz of the 42.5-43.5 GHz band at the site of any radio astronomy station registered as a single-dish telescope; and

- 116 dB(W/m<sup>2</sup>) in any 500 kHz of the 42.5-43.5 GHz band at the site of any radio astronomy station registered as a very long baseline interferometry station.

These values shall apply at the site of any radio astronomy station that either:

- was in operation prior to 5 July 2003 and has been notified to the Bureau before 4 January 2004; or

- was notified before the date of receipt of the complete Appendix 4 information for coordination or notification, as appropriate, for the space station to which the limits apply.

Other radio astronomy stations notified after these dates may seek an agreement with administrations that have authorized the space stations. In Region 2, Resolution **743 (WRC-03)** shall apply. The limits in this footnote may be exceeded at the site of a radio astronomy station of any country whose administration so agreed. (WRC-03)

**5.552** The allocation of the spectrum for the fixed-satellite service in the bands 42.5-43.5 GHz and 47.2-50.2 GHz for Earth-to-space transmission is greater than that in the band 37.5-39.5 GHz for space-to-Earth transmission in order to accommodate feeder links to broadcasting satellites.

Administrations are urged to take all practicable steps to reserve the band 47.2-49.2 GHz for feeder links for the broadcasting-satellite service operating in the band 40.5-42.5 GHz.

**5.552A** The allocation to the fixed service in the bands 47.2-47.5 GHz and 47.9-48.2 GHz is designated for use by high altitude platform stations. The use of the bands 47.2-47.5 GHz and 47.9-48.2 GHz is subject to the provisions of Resolution **122 (Rev.WRC-07)**. (WRC-07)

**5.553** In the bands 43.5-47 GHz and 66-71 GHz, stations in the land mobile service may be operated subject to not causing harmful interference to the space radiocommunication services to which these bands are allocated (see No. **5.43**). (WRC-2000)

**5.554** In the bands 43.5-47 GHz, 66-71 GHz, 95-100 GHz, 123-130 GHz, 191.8-200 GHz and 252-265 GHz, satellite links connecting land stations at specified fixed points are also authorized when used in conjunction with the mobile-satellite service or the radionavigation-satellite service. (WRC-2000)

**5.554A** The use of the bands 47.5-47.9 GHz, 48.2-48.54 GHz and 49.44-50.2 GHz by the fixed-satellite service (space-to-Earth) is limited to geostationary satellites. (WRC-03)

**5.555** *Additional allocation:* the band 48.94-49.04 GHz is also allocated to the radio astronomy service on a primary basis. (WRC-2000)

**5.555B** The power flux-density in the band 48.94-49.04 GHz produced by any geostationary space station in the fixed-satellite service (space-to-Earth) operating in the bands 48.2-48.54 GHz and 49.44-50.2 GHz shall not exceed  $-151.8$  dB(W/m<sup>2</sup>) in any 500 kHz band at the site of any radio astronomy station. (WRC-03)

**5.556** In the bands 51.4-54.25 GHz, 58.2-59 GHz and 64-65 GHz, radio astronomy observations may be carried out under national arrangements. (WRC-2000)

**5.556A** Use of the bands 54.25-56.9 GHz, 57-58.2 GHz and 59-59.3 GHz by the inter-satellite service is limited to satellites in the geostationary-satellite orbit. The single-entry power flux-density at all altitudes from 0 km to 1 000 km above the Earth's surface produced by a station in the inter-satellite service, for all conditions and for all methods of modulation, shall not exceed  $-147$  dB(W/(m<sup>2</sup> · 100 MHz)) for all angles of arrival. (WRC-97)

**5.557A** In the band 55.78-56.26 GHz, in order to protect stations in the Earth exploration-satellite service (passive), the maximum power density delivered by a transmitter to the antenna of a fixed service station is limited to  $-26$  dB(W/MHz). (WRC-2000)

**5.558** In the bands 55.78-58.2 GHz, 59-64 GHz, 66-71 GHz, 122.25-123 GHz, 130-134 GHz, 167-174.8 GHz and 191.8-200 GHz, stations in the aeronautical mobile service may be operated subject to not causing harmful interference to the inter-satellite service (see No. **5.43**). (WRC-2000)

**5.558A** Use of the band 56.9-57 GHz by inter-satellite systems is limited to links between satellites in geostationary-satellite orbit and to transmissions from non-geostationary satellites in high-Earth orbit to those in low-Earth orbit. For links between satellites in the geostationary-satellite orbit, the single entry power flux-density at all altitudes from 0 km to 1 000 km above the Earth's surface, for all conditions and for all methods of modulation, shall not exceed  $-147$  dB(W/(m<sup>2</sup> · 100 MHz)) for all angles of arrival. (WRC-97)

**5.559** In the band 59-64 GHz, airborne radars in the radiolocation service may be operated subject to not causing harmful interference to the inter-satellite service (see No. **5.43**). (WRC-2000)

**5.559B** The use of the frequency band 77.5-78 GHz by the radiolocation service shall be limited to short-range radar for ground-based applications, including automotive radars. The technical characteristics of these radars are provided in the most recent version of Recommendation ITU-R M.2057. The provisions of No. **4.10** do not apply. (WRC-15)**5.560** In the band 78-79 GHz radars located on space stations may be operated on a primary basis in the Earth exploration-satellite service and in the space research service.

**5.561** In the band 74-76 GHz, stations in the fixed, mobile and broadcasting services shall not cause harmful interference to stations of the fixed-satellite service or stations of the broadcasting-satellite service operating in accordance with the decisions of the appropriate frequency assignment planning conference for the broadcasting-satellite service. (WRC-2000)

**5.561A** The 81-81.5 GHz band is also allocated to the amateur and amateur-satellite services on a secondary basis. (WRC-2000)

**5.562** The use of the band 94-94.1 GHz by the Earth exploration-satellite (active) and space research (active) services is limited to spaceborne cloud radars. (WRC-97)

**5.562A** In the bands 94-94.1 GHz and 130-134 GHz, transmissions from space stations of the Earth exploration-satellite service (active) that are directed into the main beam of a radio astronomy antenna have the potential to damage some radio astronomy receivers. Space agencies operating the transmitters and the radio astronomy stations concerned should mutually plan their operations so as to avoid such occurrences to the maximum extent possible. (WRC-2000)

**5.562B** In the bands 105-109.5 GHz, 111.8-114.25 GHz, 155.5-158.5 GHz and 217-226 GHz, the use of this allocation is limited to space-based radio astronomy only. (WRC-2000)

**5.562C** Use of the band 116-122.25 GHz by the inter-satellite service is limited to satellites in the geostationary-satellite orbit. The single-entry power flux-density produced by a station in the inter-satellite service, for all conditions and for all methods of modulation, at all altitudes from 0 km to 1 000 km above the Earth's surface and in the vicinity of all geostationary orbital positions occupied by passive sensors, shall not exceed  $-148 \text{ dB(W/(m}^2 \cdot \text{MHz))}$  for all angles of arrival. (WRC-2000)

**5.562E** The allocation to the Earth exploration-satellite service (active) is limited to the band 133.5-134 GHz. (WRC-2000)

**5.562F** In the band 155.5-158.5 GHz, the allocation to the Earth exploration-satellite (passive) and space research (passive) services shall terminate on 1 January 2018. (WRC-2000)

**5.562G** The date of entry into force of the allocation to the fixed and mobile services in the band 155.5-158.5 GHz shall be 1 January 2018. (WRC-2000)

**5.562H** Use of the bands 174.8-182 GHz and 185-190 GHz by the inter-satellite service is limited to satellites in the geostationary-satellite orbit. The single-entry power flux-density produced by a station in the inter-satellite service, for all conditions and for all methods of modulation, at all altitudes from 0 to 1 000 km above the Earth's surface and in the vicinity of all geostationary orbital positions occupied by passive sensors, shall not exceed  $-144 \text{ dB(W/(m}^2 \cdot \text{MHz))}$  for all angles of arrival. (WRC-2000)

**5.563A** In the bands 200-209 GHz, 235-238 GHz, 250-252 GHz and 265-275 GHz, ground-based passive atmospheric sensing is carried out to monitor atmospheric constituents. (WRC-2000)

**5.563B** The band 237.9-238 GHz is also allocated to the Earth exploration-satellite service (active) and the space research service (active) for spaceborne cloud radars only. (WRC-2000)

**5.565** The following frequency bands in the range 275-1 000 GHz are identified for use by administrations for passive service applications:

- radio astronomy service: 275-323 GHz, 327-371 GHz, 388-424 GHz, 426-442 GHz, 453-510 GHz, 623-711 GHz, 795-909 GHz and 926-945 GHz;
- Earth exploration-satellite service (passive) and space research service (passive): 275-286 GHz, 296-306 GHz, 313-356 GHz, 361-365 GHz, 369-392 GHz, 397-399 GHz, 409-411 GHz, 416-434 GHz, 439-467 GHz, 477-502 GHz, 523-527 GHz, 538-581 GHz, 611-630 GHz, 634-654 GHz, 657-692 GHz, 713-718 GHz, 729-733 GHz, 750-754 GHz, 771-776 GHz, 823-846 GHz, 850-854 GHz, 857-862 GHz, 866-882 GHz, 905-928 GHz, 951-956 GHz, 968-973 GHz and 985-990 GHz.

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The use of the range 275-1 000 GHz by the passive services does not preclude use of this range by active services. Administrations wishing to make frequencies in the 275-1 000 GHz range available for active service applications are urged to take all practicable steps to protect these passive services from harmful interference until the date when the Table of Frequency Allocations is established in the above-mentioned 275-1 000 GHz frequency range.

All frequencies in the range 1 000-3 000 GHz may be used by both active and passive services. (WRC-12)

## 7 List of frequency bands used for Maritime services

Frequency Band	Frequency Used	Services
505-526.5 kHz	518 kHz	[Transmission of Maritime Safety Information (Appendix 15 of ITU RR)] <sup>15</sup> [Meteorological, navigational and other urgent information)
2 173.5-2 190.5 kHz	2 182 kHz	[Distress, Urgency and Safety communications (traffic) by radio telephony (voice) (Appendix 15 of ITU RR)]
	2 187, kHz	DSC Watchkeeping (Article 31) (Appendix 15 of ITU RR)
4 063-4 438 kHz		(Appendix 17) <sup>16</sup>
		(Appendix 17)
	4 125 kHz	[Distress, Urgency and Safety communications (traffic) by radio telephony (voice) (Appendix 15 of ITU RR)]
	4 207.5 kHz	DSC watchkeeping (Article 31) (Appendix 15 of ITU RR)
	4 369 kHz	(Appendix 17)
	4 375 kHz	Transmission of meteorological bulletins; notices to navigators; (Appendix 17)
6 200-6 525 kHz	4 417 kHz	Coast Station duplex transmission of Channel 421.
	6 203 kHz	(Appendix 17)
	6 215 kHz	[Distress, Urgency and Safety communications (traffic) by radio telephony (voice) (Appendix 15 of ITU RR)]
	6 312 kHz	DSC watchkeeping (Article 31) (Appendix 15 of ITU RR)
8 195-8 815 kHz	6 504 kHz	(Appendix 17)
	8 207 kHz	(Appendix 17)
	8 216 kHz	(Appendix 17)
	8 255 kHz	(Appendix 17)
	8 291 kHz	[Distress, Urgency and Safety communications (traffic) by radio telephony (voice) (Appendix 15 of ITU RR)]
	8 731 kHz	(Appendix 17)
	8 740 kHz	Transmission of meteorological bulletins; notices to navigators; (Appendix 17)
	8 779 kHz	(Appendix 17)
12 230-13 200 kHz	8 414.5 kHz	DSC watchkeeping (Article 31)
	12 254 kHz	(Appendix 17)

<sup>15</sup> Only distress and safety communications are provided, with MSI and Medical Assistance at sea. All MF/HF public correspondence ceased as it was no longer commercially viable and sustainable. Other technologies accommodate this type of communications. (Satellite, GSM, Trunked radio networks, etc.).

<sup>16</sup> Public Correspondence facilities with effect from 1 September 2014 has been discontinued.

Frequency Band	Frequency Used	Services
	12 290 kHz	(Appendix 17)
	12 299 kHz	(Appendix 17)
	12 359 kHz	(Appendix 17)
	12 577 kHz	DSC watchkeeping (Article 31) (Appendix 15 of ITU RR)
	13 101 kHz	(Appendix 17)
	13 146 kHz	Transmission of meteorological bulletins; notices to navigators; (Appendix 17)
16 360-17 410 kHz	16 381 kHz	(Appendix 17)
	16 420 kHz	Distress, Urgency and Safety communications (traffic) by radio telephony (voice) (Appendix 15 of ITU RR)
	16 456 kHz	(Appendix 17)
	16 537 kHz	(Appendix 17)
	16 804.5 kHz	DSC watchkeeping (Appendix 15 of ITU RR)
	17 263 kHz	(Appendix 17)
	17 338 kHz	(Appendix 17)

Frequency Band as per draft NRRP	Frequency Used	Services
22 000-22 855 kHz	22 009 kHz	ITU Appendix 17
	22 015 kHz	(Appendix 17)
	22 060 kHz	(Appendix 17)
	22 705 kHz	(Appendix 17)
	22 711 kHz	(Appendix 17)
	22 756 kHz	(Appendix 17)
154-156.4875 MHz	Several channels used within this range in accordance with Appendix 18 of the ITU RR	(Appendix 17)
156.7875-156.8125 MHz	Channel 16 in accordance with Appendix 18 of the ITU RR	(Appendix 17)
156.8375-161.9625 MHz	Several channels used within this range in accordance with Appendix 18 of the ITU RR	Transmission of meteorological bulletins; Notices to navigators; (Appendix 17)
161.9875-162.0125 MHz	Channel 28 in accordance with Appendix 18 of the ITU RR	Transmission of meteorological bulletins; Notices to navigators

**DEPARTMENT OF LABOUR**  
**NOTICE 862 OF 2016**  
**NOTICE OF NOVEMBER 2016**

PLEASE FIND SET OUT BELOW A LIST OF BARGAINING COUNCILS THAT HAVE BEEN ACCREDITED BY THE CCMA IN TERMS OF THE PROVISIONS OF THE LABOUR RELATIONS ACT 66 OF 1995 (AS AMENDED) FOR CONCILIATIONS AND/ OR ARBITRATIONS AND/ OR INQUIRY BY ARBITRATOR, WITH THE TERMS OF ACCREDITATION ATTACHED FOR THE PERIOD 01 NOVEMBER 2016 TO THE 31 DECEMBER 2018.

**BARGAINING COUNCILS ACCREDITED TO CONDUCT CONCILIATIONS AND ARBITRATIONS,**  
**SUBJECT TO CONDITIONS WHERE APPLICABLE**

Name of Council	Accredited Functions
<b><u>PRIVATE SECTOR BARGAINING COUNCILS</u></b>	
<b>Transnet Bargaining Council</b>	To be accredited for conciliations and arbitrations (which includes Inquiry by Arbitrator) from <b>01 December 2016</b> until <b>30 November 2017</b> on condition that the settlement rate is improved, late awards are monitored on a monthly basis and sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on sections 198 and its insertions.
<b>National Bargaining Council for the Wood and Paper Sector</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) for party-party disputes from <b>01 January 2017</b> until <b>31 December 2018</b> on condition that sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.

<b>Bargaining Council for the Laundry, Cleaning and Dyeing (Cape)</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) from <b>01 January 2017</b> until <b>31 December 2018</b> on condition that sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.
<b>National Bargaining Council for the Hairdressing, Cosmetology, Beauty and Skincare Industry</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) from <b>01 December 2016</b> until <b>31 December 2018</b> on condition that the Collective Agreement is extended to non-parties, and that sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.
<b>Bargaining Council for the Food Retail, Restaurant, Catering and Allied Trades</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) from <b>01 January 2017</b> until <b>31 December 2017</b> on condition that the Collective Agreement is extended to non-parties, settlement rate is improved and that sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.
<b>Bargaining Council for the New Tyre Manufacturing Industry</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) for party-party disputes from <b>01 November 2016</b> until <b>31 October 2017</b> on condition that all performance efficiencies are adhered to and that all sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.

<b>Building Industry Bargaining Council (North and West Boland)</b>	To be accredited for conciliations only from <b>01 January 2016</b> until <b>31 December 2017</b> on condition that the Collective Agreement is extended to non-parties.
<b>National Bargaining Council for the Electrical Industry of South Africa</b>	To be accredited for conciliations only from <b>01 December 2016</b> until <b>30 November 2017</b> on condition that the Collective Agreement is extended to non-parties, and that the settlement rate is improved upon.
<b><u>PUBLIC SECTOR BARGAINING COUNCILS</u></b>	
<b>General Public Service Sectoral Bargaining Council</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) from <b>01 December 2016</b> until <b>30 June 2017</b> on condition that all performance efficiencies are monitored on a monthly basis and that all sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.
<b>South African Local Government Bargaining Council</b>	To be accredited for conciliations and arbitrations (including Inquiry by Arbitrator) for party-party disputes from <b>01 December 2016</b> until <b>31 November 2017</b> on condition that all performance efficiencies, specifically late awards and turnaround times for arbitrations are monitored and that all sections 198 and 198A to 198C-matters are allocated to only those part-time Commissioners who have been successfully trained by the CCMA on section 198 and its insertions.

**TERMS OF ACCREDITATION FOR CONCILIATION, ARBITRATION AND INQUIRY BY ARBITRATOR**

**1. SCOPE OF ACCREDITATION:**

Herewith categories of disputes for which Councils are eligible to apply for accreditation.

**COUNCILS ARE ACCREDITED TO PERFORM THE FOLLOWING DISPUTE RESOLUTIONS FUNCTIONS:**

<b>Unfair dismissal disputes</b>	<b>- Section 191</b>
<b>Unfair Labour practice</b>	<b>- Section 191</b>
<b>Mutual Interest disputes</b>	<b>- Section 64</b>
<b>Interpretation of Collective Agreement disputes</b>	<b>- Section 24 (1)</b>
<b>Essential Services disputes</b>	<b>- Section 74</b>
<b>Inquiry by Arbitrator</b>	<b>- Section 188A</b>
<b>Temporary Employment Service</b>	<b>- Section 198, 198A, 198B, 198C and 198D</b>
<b>Disputes about Interpretation and Application of Chapter 2</b>	<b>- Section 9</b>

COUNCILS MAY NOT SEEK ACCREDITATION FOR THE FOLLOWING DISPUTE RESOLUTION FUNCTIONS REGARDING DISPUTES OVER THE FOLLOWING (see FOOTNOTE 11 of SECTION 51):

Organisational rights (sections 16, 21 and 22);

Collective Agreements where the agreement does not provide for a dispute resolution procedure or the procedure is inoperative or any party frustrates the resolution of disputes (section 24(2) to (5));

Agency shops and closed shops (section 24(6) and (7) and section 26(11));

Determinations made by the Minister in respect of proposals made by a Statutory Council (section 45);

The interpretation and application of Collective Agreements of a Council whose registration has been cancelled (section 61(5) to (8));

Demarcation of sectors and areas of Councils (section 62);

The Interpretation or application of Part C (Bargaining Councils), Part D (Bargaining Councils in the Public Service), Part E (Statutory Councils) and Part F (General Provisions concerning Councils) (Section 63);

Picketing (section 69(8) to 10);

Proposals which are the subject of joint-decision making in a workplace forum (section 86);

Disclosure of information to workplace forums (section 89);

Interpretation or Application of the provisions of Chapter 5 of the LRA which deals with workplace forums (section 94);

Enforcement of the Collective Agreements by Bargaining Councils (section 33A) and;

Enforcement of arbitration awards in terms of section 143. Only the Director of the CCMA, unless the power has been delegated to a CCMA Senior Commissioner may certify awards as if it were an order of the Labour Court;

Facilitating mass retrenchment disputes section 189(A).

## **2. POWERS OF ACCREDITATION:**

Only those persons who are accredited by the CCMA, or are part-time Commissioners appointed by the Governing Body of the Commission in the terms of section 117 (2) of the Labour Relations Act, may perform the accreditation functions of the council for the Council.

The following provisions of the LRA, as amended apply to Councils accredited for conciliation and arbitration:

- (a) For the purpose of this paragraph any reference in Part C of Chapter VII of the LRA to:
  - “Commission” must be read as a reference to the Council;
  - “Commissioner” must be read as a reference to a conciliator or arbitrator appointed by the Council.
  - “Director” must be read as a reference to the Secretary of the Council.
  
- (b) The provisions of the sections contained in Part C of Chapter VII (section 127(6)) of the LRA shall apply to the Council in the performance of its accredited functions subject to the Council's Constitution and/or Collective Agreements. For the purpose of this sub-paragraph the following applies:
  - (i) The provisions of section 133 to 136;
  - (ii) The provisions of section 138 to 142, S142A, S143, S144 and S145;
  - (iii) The provisions of section 146 unless the Collective Agreement of the Council provides that the Arbitration Act, Act 42 of 1965 applies to any arbitration conducted under its accredited function and which Collective Agreement is binding on the parties to the disputes; and
  - (iv) The provisions of section 148.

## **3. EXTENSION OF ACCREDITATION:**

Despite the expiry of the period of accreditation as stated in the Certificate of Accreditation, the Council may continue to perform its accredited functions in respect of any dispute referred to it during the period of accreditation, but not yet resolved by the time the period expires, until the dispute is resolved either through conciliation or arbitration.

## **4. TRANSGRESSION OF TERMS OF ACCREDITATION:**

If the accredited Council fails to comply with the terms of accreditation, the Governing Body of the CCMA may revoke accreditation. In terms of section 130 of the LRA, as amended the Governing Body of the CCMA may withdraw accreditation after having given reasonable notice of withdrawal.

## **5. AMENDMENT OF ACCREDITATION:**

An Accredited Council may apply to the Governing Body of the CCMA in terms of section 129 of the LRA to amend its accreditation.

DEPARTMENT OF LABOUR  
NOTICE 863 OF 2016

## LABOUR RELATIONS ACT, 1995

## INVITATION TO MAKE REPRESENTATIONS

NOTICE IN TERMS OF SECTION 32(2) READ WITH SECTION 32(5)(c) OF THE LABOUR  
RELATIONS ACT, 1995: THE MAIN COLLECTIVE AGREEMENT OF THE NATIONAL TEXTILE  
BARGAINING COUNCIL

- 1 I, **Mildred Nelisiwe Oliphant**, Minister of Labour, do hereby in terms of section 32(2) read with section 32(5)(c) of the Labour Relations Act, 1995, publish a notice in accordance with the provisions of subsection 32(5)(c) inviting representations from the public in response to the **National Textile Bargaining Council's** application for extension to non parties regarding its Main Collective Agreement which was submitted to the Department of Labour on **11 October 2016**.
- 2 Representations must reach the Department of Labour not later than 21 days from the date of publication of this Notice.
- 3 A copy of this Application may be inspected or obtained c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Representations should be submitted to the following addresses:

**By Post or Fax:**

Department of Labour  
Directorate: Collective Bargaining  
Attention: Ms MM Ngwetjana  
Postal Address: Private Bag X117  
PRETORIA, 0001  
Fax: 012 309 4156/4848

**Hand Deliveries:**

Department of Labour  
Laboria House  
Room 122/133  
215 Francis Baard Street  
PRETORIA

**By e-mail:**

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)  
[tabogelo.mahlangu@labour.gov.za](mailto:tabogelo.mahlangu@labour.gov.za)



MN OLIPHANT, MP  
MINISTER OF LABOUR

23/11/2016

**UMNYANGO WEZABASEBENZI****UMTHETHO WEZOBUDLELWANO KWEZABASEBENZI , 1995****ISIMEMO SOKULETHWA KWEZIKHALO****ISAZISO NGOKWESIGABA 32(2) SIFUNDWA NESIGABA 32(5)(c) SOMTHETHO WEZOBUDLELWANO KWEZABASEBENZI KA 1995: ISIVUMELWANO ESIYINGQIKITHI WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI EMBONINI YE NATIONAL TEXTILE BARGAINING COUNCIL**

- 1 Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe WezabaSebenzi, lapha ngokwesigaba-32(2) sifundwa nesigaba 32(5)(c) soMthetho Wezobudlelwano Kwezabasebenzi, ka 1995, ngikhipha isaziso ngokwezihlinzeko zesigatshana 32(5)(c) sokumema izikhalo zomphakathi mayelana nesicelo soMkhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Ye **National Textile Bargaining Council** sokwelulwa Kwesivumelwano Sabaqashi Nabasebenzi esiyingqikithi selulelwa kulabo abangeyona ingxenye yaso esalethwa eMnyangweni Wezabasebenzi mhlaka **11 kuMfumfu 2016**.
- 2 Izikhalo kumele zifike eMnyangweni Wezabasebenzi zingakapheli izinsuku ezingu 21 kusukela osukwini lokukhiswa kwalesiSaziso.
- 3 Ikhophi yalesisicelo ingahlolwa noma itholakale ku c/o Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Izikhalo Kanye/noma imibuzo mayelana namakhopi alesisicelo kumele zilethwe kulelikheli elilandelayo:

**Ngeposi noma ngefeksi:**

Umnyango Wezabasebenzi

Umqondisi: Wezokuxoxisana kwabaqashi nabasebenzi

Iqondiswe ku: Mary Ngwetjana

Postal address: Private Bag X117

PRETORIA, 0001

Fax 012 309 4156/4848

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)  
[tabogelo.mahlangu@labour.gov.za](mailto:tabogelo.mahlangu@labour.gov.za)

**Okulethwa ngezandla:**

Ihhovisi 122/133

Laboria House

215 Francis Baard Street

PRETORIA



MN OLIPHANT, MP  
UNGQONGOSHE WEZABASEBENZI

23/11/2016

**NON-GOVERNMENTAL ORGANIZATION  
NOTICE 864 OF 2016**

**SOUTH AFRICAN DENTAL TECHNICIANS COUNCIL**

**INVITATION TO COMMENT ON THE DENTAL TECHNOLOGY  
PROFESSIONS DRAFT BILL: DEADLINE FOR COMMENT 15 APRIL  
2017**

1. The draft Dental Technology Professions Bill (hereinafter referred to as “the Bill”) aims to-

- provide a legislative framework for the transformation and restructuring of the dental technology profession into a profession which is broadly representative of the Republic's demographics;
- ensure that the values underpinning the Constitution are embraced and that the rule of law is upheld;
- ensure that dental technology services are accessible by inter alia introducing the practice of clinical dental technology;
- regulate the dental technology profession;
- regulate the import and export manufacturing, sale or distribution of goods or dental technology specific equipment required, used, manufactured and repaired for use in the practice of dental technology and to regulate persons possessing, trading in, exporting, importing or carrying of unmounted artificial teeth or any dental or oral prosthesis or part or component thereof;
- to repeal the South African Dental Technicians Act, 1979; and
- provide for matters connected therewith.

2. The Bill is available for download on the website of the South African Dental Technicians Council at the following address: <http://www.sadtc.org.za>, alternatively, a copy of the Bill will be made available on request, which request should be directed to the person referred to in paragraph 4 below.

3. Any person wishing to comment on the Bill is invited to submit written comments to the South African Dental Technicians Council on or before **15 April 2017**.

Comments should be marked for the attention of The Registrar: Ms P Nkuna:

(a) if they are forwarded by post, be addressed to -

**The South African Dental Technicians Council  
P.O. Box 14617,  
Hatfield,  
PRETORIA  
0028;**

(b) if delivered by hand, be delivered at –

South African Dental Technicians Council  
954 Cnr Hill & Arcadia Street, Arcadia, Pretoria;

(c) if they are delivered by e-mail, they can be sent to registrar@sadtc.org.za; or

(d) if it is faxed, they can be faxed to **012 342 4134/4469**.

4. For further information, please contact Ms P Nkuna at **012 342 4134**.

## DRAFT BILL

To repeal the South African Dental Technicians Act, 1979 and to provide for the control and regulation of the dental technology profession within the Republic of South Africa, to provide for the establishment of the South African Dental Technology Professions Council as a juristic person, to provide for the registration of members of the dental technology profession, to create a new oral health category of clinical dental technologist, to provide for the recognition and accreditation of certain persons by the Council, to provide for specialist dental technology training, the control over education and training and accreditation of educational institutions where dental technology training and education is provided, to provide for measures designed to protect the public from unethical practices, to provide for the control over training and conduct of dental technology practitioners, to regulate dental technology laboratories, dental traders and the import, export and carrying of any unmounted artificial teeth, any dental and oral prostheses and any custom made components used in dental technology practice or a dental laboratory, to provide for the inspection and monitoring of dental technologists, dental laboratories, dental traders and training and accreditation of educational institutions where dental technology training and education is provided, to provide for measures in order to maintain a high standard of professional conduct and integrity by members of the dental technology profession, to provide for the establishment of independent disciplinary mechanisms by the establishment of a disciplinary and appeal committees, and to provide for matters connected therewith.

### Preamble

**WHEREAS** section 22 of the Bill of Rights of the Constitution establishes the right to freedom of trade, occupation and profession, and provides that the practice of a trade, occupation or profession may be regulated by law;

### AND IN ORDER TO-

- provide a legislative framework for the transformation and restructuring of the dental technology profession into a profession which is broadly representative of the Republic's demographics;
- ensure that the values underpinning the Constitution are embraced and that the rule of law is upheld;
- ensure that dental technology services are accessible;
- regulate the dental technology profession in the public interest;

**BE IT ENACTED** by the Parliament of the Republic of South Africa as follows:-

## **ARRANGEMENT OF SECTIONS**

### **CHAPTER 1**

#### **Definitions, application and objects of the Act**

1. Definitions
2. Application of Act
3. Objects of Act

### **CHAPTER 2**

#### **Part 1**

#### **Establishment, objects, powers, functions and responsibilities of the South African Dental Technology Professions Council**

4. Continued existence and change of name of the South African Dental Technicians Council
5. Objects of the Council
6. Powers of the Council
7. Functions of Council
8. Responsibilities of Council
9. Restriction on use of name

### **CHAPTER 2**

#### **Part 2**

#### **Composition of Council, disqualification, vacation, termination and removal of office of members of Council**

10. Composition of Council
11. President and vice-president of Council
12. Disqualification and vacation of office
13. Removal of members of Council
14. Vacancies in Council and filling thereof
15. Dissolution of Council

### **CHAPTER 2**

#### **Part 3**

#### **Conflict of interest, liability of Council members, validation of irregular acts by Minister and annual report**

16. Conflict of interest of members of Council
17. Code of Conduct

18. Liability of Council members
19. Remuneration of members of Council
20. Validation of irregular acts by Minister
21. Annual report

## CHAPTER 2

### Part 4

#### Meetings of Council, committees of Council, delegation of powers and dissolution of Council

22. Meetings of Council
23. Quorum and procedure at meetings of Council
24. Establishment of executive committee and other committees of Council
25. Committees of Council
26. Delegation of powers of Council
27. Dissolution of Council and attachment of records or information system of Council

## CHAPTER 3

### Part 1

#### Appointment of Registrar and staff of council

28. Appointment of Registrar
29. Duties of Registrar
30. Responsibilities of Registrar
31. Powers of Registrar
32. Delegation of powers, duties and responsibilities of Registrar
33. Appointment of acting Registrar
34. Consultation
35. Performance
36. Council and Registrar must enter into agreement about the performance by the Registrar of his or her functions, duties and responsibilities
37. Conflict of interest
38. Correction of errors by Registrar
39. Staff of Council
40. Limitation of liability
41. Duty of confidentiality
42. Security of confidential information held by Council

**CHAPTER 3****Part 2****Funding and finances of Council and powers and responsibilities of accounting officer of Council**

43. Funding of Council
44. Registrar accounting officer of Council
45. Powers of accounting officer for funds of Council
46. Responsibilities of accounting officer
47. Accounting officer's responsibilities relating to budgetary control
48. Duties of accounting officer in relation to bookkeeping and auditing of funds of Council
49. Fiduciary responsibilities of accounting officer
50. Delegation of powers by accounting officer
51. Acting accounting officer

**CHAPTER 3****Part 3****Unauthorised, irregular or fruitless and wasteful expenditure, procurement management policy, prohibition on contracts and interference with members of Council and staff**

52. Unauthorised, irregular or fruitless and wasteful expenditure
53. Implementation of procurement management policy
54. Prohibition on contracts
55. Interference

**CHAPTER 4****Part 1****Registration of members of the dental technology profession and annual fees**

56. Registration a prerequisite for practising
57. Categories of registration
58. Registration requirements and scope of practice
59. Registration subject to restrictions
60. Removal from register and restoration of registration to register
61. Cancellation of registration by Council
62. Return of certificates of registration on withdrawal of registration
63. Issue of duplicate registration certificate
64. Annual fees payable to Council

**CHAPTER 4****Part 2**

**Restriction in or suspension from practice of registered person, exemption for equivalent or substantially equivalent qualifications, restricted registration of informally trained persons and Acts which may be performed only by members of the dental technology profession**

- 65. Restriction in or suspension from practice of registered person
- 66. Exemption for equivalent or substantial equivalent qualifications
- 67. Restricted registration of informally trained persons
- 68. Acts which may be performed only by members of the dental technology profession

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**Keeping of registers, custody and publication of registers, receipt as proof, receipt as proof and register as proof**

- 69. Keeping of registers
- 70. Custody and publication of registers
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- 73. Council may determine qualifications for registration
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**CHAPTER 6**

**Registration of dental laboratories, Council may refuse to register a dental laboratory, cancellation of registration of dental laboratory by Council, change of ownership of dental laboratory, continuation of business of dental laboratory registered in terms of the Act by executor, trustee, liquidator, business rescue practitioner, curator or judgment creditor, register of dental laboratories, return of registration certificate, dental laboratory assistants, persons who may supervise dental laboratories and prohibition on the operation of a dental laboratory from a private dwelling**

77. Registration of dental laboratories
78. Council may refuse registration
79. Cancellation of registration by Council
80. Change of ownership of dental laboratory
81. Continuation of business of dental laboratory registered in terms of the Act by executor, trustee, liquidator, business rescue practitioner or curator
82. Register of dental laboratories
83. Return of registration certificate
84. Issue of duplicate registration certificate in respect of dental laboratory
85. Dental laboratory assistants
86. Persons who may be owners of dental laboratories or who may conduct or supervise dental laboratories
87. Prohibition on the operation of a dental laboratory from a private dwelling

## CHAPTER 7

### Part 1

**Registration a prerequisite for practice as clinical dental technologist, registration requirements and scope of practice, removal from register and restoration of registration to register, cancellation of registration by Council, issue of certificates and annual fees**

88. Registration a prerequisite for practising as clinical dental technologist
89. Registration requirements and scope of practice
90. Removal from register and restoration of registration to register
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92. Return of certificates of registration on removal of name from register or cancellation of registration
93. Issue of duplicate registration certificate
94. Annual fees payable to Council

## CHAPTER 7

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**Prohibition on ownership of denture clinic and supervision of such denture clinic, operation of denture clinic from private dwelling prohibited and general prohibitions in respect to members of the clinical dental technology profession**

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98. Prohibition on the import, export or transit of unmounted artificial teeth or any dental and oral prostheses custom made components used in dental technology practice or a dental laboratory
99. Application for trading, import, export and transit authorisation
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105. Defaced, lost or stolen authorisation
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107. Prohibition on manufacture, trade or distribution certain goods and equipment by dental traders
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#### **Monitoring of regulatory compliance by Council, compliance notices and enforcement of regulatory compliance by Council**

113. Appointment of inspectors
114. Monitoring of regulatory compliance
115. Compliance notices
116. Enforcement of regulatory compliance

**CHAPTER 10****Part 1**

**Code of conduct and code of ethics, investigation of charge of misconduct, procedure for dealing with complaints of misconduct, procedure to be followed in disciplinary hearing, proceedings after disciplinary hearing and sanctions, appeal against conduct or finding of disciplinary committee, cognizance by disciplinary committee of conduct of registered persons under certain circumstances, penalty for false evidence at inquiry and administrative work of disciplinary committee**

117. Code of conduct and code of ethics
118. Investigation of charge of misconduct
119. Procedure for dealing with complaints of misconduct
120. Procedure to be followed in disciplinary hearing
121. Proceedings after disciplinary hearing and sanctions
122. Appeal against conduct or finding of disciplinary committee
123. Cognizance by disciplinary committee of conduct of registered persons under certain circumstances
124. Penalty for false evidence at inquiry
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**Extra-territorial jurisdiction, presumptions, forfeiture, liability of registered person or entity, advertising by registered persons, dental laboratories and denture clinics, cognisance by Council of conduct under certain circumstances**

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- 136. Presumptions
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- 140. Cognisance by Council of conduct under certain circumstances

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**Billing of patients and medical aid scheme, carrying on business of dental technology as juristic person and recognition and accreditation of certain persons, associations or organisations**

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- 144. Offences and penalties
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152. Matters pending under previous Act
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Code of Conduct for Councillors

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Amount of Administrative Non-Compliance Penalty

## CHAPTER 1

### Definitions, application and objects of the Act

#### 1. Definitions

In this Act, unless the context otherwise indicates—

**'administrative non-compliance penalty'** or **'penalty'** means a penalty imposed by the Council under section 146 of this Act;

**'appeal committee'** means an appeal committee established under section 129;

**'approved'** means approved by the Council under this Act;

**'approved institution'** means a training institution approved by the Council under section 74;

**'authorised holder'** means a person or juristic person to whom an authorisation has been issued under section 99 of this Act;

**'authorisation'** means any authorisation issued under Part 1 of Chapter 8 of this Act;

**'beneficial interest'**, when used in relation to a dental laboratory or denture clinic, means the right or entitlement of a person, through ownership, agreement, relationship or otherwise, alone or together with another person to receive or participate in any distribution in respect of the shareholding, membership or as beneficiary in such dental laboratory or denture clinic's business;

'**business name**' means a name under which a registered practitioner carries on a practice or under which the business of a dental laboratory or denture clinic is carried on;

'**business rescue practitioner**' means a person appointed, or two or more persons appointed jointly, in terms of Chapter 6 of the Companies Act, 2008 (Act 71 of 2008) to oversee a company during business rescue proceedings in terms of that Act;

'**clinical dental technologist**' means a person who is registered clinical dental technologist under section 89 of this Act;

'**Code of Conduct**' means the Code of Conduct contemplated in Schedule 1 which is applicable to members of the Council;

'**code of ethics**' means a written code, setting out rules and standards relating to ethics, ethical conduct and practice which will be applicable to the dental technology profession and its enforcement through the Council and its structures as determined by rule;

'**company**' means a juristic person incorporated in terms of the Companies Act, 2008 (Act 71 of 2008), or a juristic person that, immediately before 1 May 2011-

(a) was registered in terms of the-

(i) Companies Act, 1973 (Act 61 of 1973); or

(ii) Close Corporations Act, 1984 (Act 69 of 1984), if it has subsequently been converted in terms of Schedule 2 of the Companies Act, 2008 (Act 71 of 2008);

(b) was in existence and recognised as an existing company in terms of the Companies Act, 1973 (Act 61 of 1973); or

(c) was deregistered in terms of the Companies Act, 1973 (Act 61 of 1973), and has subsequently been re-registered in terms of Companies Act, 2008 (Act 71 of 2008);

'**Constitution**' means the Constitution of the Republic of South Africa;

'**controlled item**' means controlled items specified in a notice published by the Council in the *Gazette* in terms of section 149(3) of this Act;

'**Council**' means the South African Dental Technology Professions Council;

'**dental laboratory**' means any place where artificial dentures or other dental appliances are made, repaired, altered or worked upon, or where any apparatus or milling device for the creation, making, repair or alteration of or the working upon such dentures or appliances has been installed or where the design, milling or making in full or in part of dental and oral prostheses or related appliance are undertaken;

**'dental laboratory assistant'** means any person regulated under section 85;

**'dental technician'** means a person who is registered as dental technician under section 57 of this Act;

**'dental technology'** means the discipline which is concerned with the design or creation of dental and oral prostheses and includes the make, repair or alteration of artificial dentures or other dental appliances;

**'dental technology profession'** means the collective of practitioners registered under section 57 of this Act;

**'dental technologist'** means a person who is registered as a dental technologist under section 57 of this Act;

**'dental technological services'** means the services rendered by the dental technology profession as contemplated in paragraph (a), (b) or (c) of subsection (1) of section 68 of this Act;

**'dental technologist with restricted registration'** means a person registered under section 59 of this Act;

**'dental trader'** means a person, company, juristic person or intermediary registered under section 108 of this Act;

**'dentist'** means a person registered as such under the Health Professions Act, 1974 (Act 56 of 1974);

**'denture clinic'** means the practice facility of a clinical dental technologist including the area in which clinical work and laboratory work are performed by such clinical dental technologist;

**'Department'** means the national Department of Health;

**'Director-General'** means the Director-General: Department of Health;

**'disciplinary committee'** means the committee established under section 118;

**'export'** means transporting, taking, sending or removing goods out of the Republic or to take or send goods required, used, or repaired in full or in part for use in the practice of dental technology from the Republic to a state or territory outside the Republic or to cause such goods to be so taken or sent out of the Republic;

**'exporter'** means in relation to goods required, used or repaired in full or in part for use in the practice of dental technology exported or to be exported from the Republic, the person or juristic person who exported, is in the process of exporting or intends to export those goods from the Republic and includes—

(a) a person who at the time when the goods are exported or in the process of being exported from or to the Republic—

(i) is the owner of the goods;

(ii) carries the risk in respect of the goods; or  
(iii) is beneficially interested in the goods in any way whatsoever;

(b) a person who actually transports or attempts to transport the goods out of the Republic;

**'first or second incidence'** means a first or second incidence of non-compliance under section 146(2), (3) or (4) in a period of 36 months;

**'foreigner'** means a person who is not a South African citizen;

**'goods'** means any wares, supplies, merchandise, articles, products, commodities, substances required, used, manufactured or repaired for use in the practice of dental technology in the Republic but does not include any medical device as defined in the Medicines and Related Substances Amendment Act, 2015;

**'information system'** means a system for generating, sending, receiving, storing, displaying or otherwise processing of data messages;

**'import'** means transporting, sending or bringing goods required, used or repaired in full or in part for use in the practice of dental technology from outside the Republic into the Republic or to cause such goods to be brought into the Republic;

**'importer'**, in relation to any particular goods required, used or repaired in full or in part for use in the practice of dental technology, means a person or juristic person who brings those goods, or causes them to be brought, from outside the Republic into the Republic, with the intention of making them available for supply in the ordinary course of business to the dental technology profession;

**'import and export tax'** means-

(a) an export or import duty imposed in terms of the Customs Duty Act, 2014 (Act 30 of 214) on goods exported or imported from or to the Republic; or

(b) any other tax, levy or duty on goods exported or imported from or to the Republic in terms of any legislation;

**'inquiry'** means an inquiry as contemplated under section 118 of this Act;

**'inspector'** means an inspector appointed under section 113 of this Act ;

**'intermediary'** means a person or juristic person who, in the ordinary course of business and for remuneration or gain, engages in the business of-

(a) representing another person or juristic person with respect to the actual or potential supply of any goods or services

required, used, manufactured, repaired for use in the practice of dental technology;

(b) accepting possession of any goods from a person or juristic person for the purpose of offering the goods for sale to the dental technology profession; or

(c) offering to sell to a consumer, soliciting offers for or selling to a consumer any goods required, used, manufactured, repaired for use in the practice of dental technology that belongs to a third person, or service to be supplied by a third person, but does not include a person whose activities as an intermediary are regulated in terms of any other national legislation;

**'juristic person'** includes—

(a) a company or close corporation registered in terms of legislation whether in the Republic or elsewhere;

(b) a partnership or an association; or

(c) a trust as defined in the Trust Property Control Act, 1988 (Act 57 of 1988);

**'manufacture'** includes produce, assemble, alter, modify, adapt, convert or process for use in the practice of dental technology in the Republic;

**'milling'** means the machining process used in the making or creation of any artificial denture or other dental appliance, dental or oral prostheses or any workpiece used in dental technology whether manually, by automated machine tools or by computer numerical control;

**'Minister'** means the Minister of Health;

**'police officer'** means a member of the South African Police Service established in terms of the South African Police Service Act, 1995 (Act 68 of 1995);

**'practise'** means full time practise as a member of the dental technology profession and includes—

(a) any person attached to a university or educational institution at which students are educated and trained in dental technology and who is employed in the education and training of such students at such university or educational institution; or

(b) a consultant who from time to time furnishes advice to other practitioners or acts as *locum tenens* for such practitioners from time to time;

**'practitioner'** means a person who practises as a member of the dental technology profession and who is registered under section 57 in a particular category and a 'member of the dental technology profession' shall have a corresponding meaning;

**'practitioner in community service'** means a person registered as a practitioner under community service under section 57 of this Act;

**'premises'** means any site, property, building, structure or any part of a site, property, building or structure;

**'private dwelling'** means any part of a structure that is occupied partly as a residence or used wholly for the purposes of a residence;

**'prescribed'** means prescribed by regulation;

**'president'** means the president of the Council;

**'qualification'** means any degree, diploma, certificate or any other qualification approved by Council, awarded after examination of a person's proficiency in a particular subject;

**'re-export'** means to export imported goods as contemplated under section 104 of this Act;

**'records'** means any information contained in a register kept in accordance with the provisions of this Act-

(a) regardless of form or medium, including any of the following:

(i) information produced, recorded or stored by means of any computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored; or

(ii) information recorded in any file, book or register;

(b) in the possession or under the control of the Council; and

(c) regardless of when it came into existence;

**'register'**, when used as a verb, means to enter in a register, the words 'registered', 'registerable', 'registration' and all other words formed with or derived from the word 'register' having a corresponding meaning;

**'register'** when used as a noun, means a register kept in accordance with the provisions of this Act, and when used in relation to any registration category or a member of any such category of persons in respect of which a register is kept, means the register kept for that category;

**'Registrar'** means the Registrar appointed under section 28 of this Act;

**'regulation'** means a regulation made under section 150 of this Act;

**'rule'** means a rule made under section 149 of this Act;

**'specialist dental technologist'** means a person registered as a specialist dental technologist under section 57 of this Act;

**'spouse'**, shall mean a person who is-

(a) a lawful husband or wife; or

- (b) a life partner (including same sex life partner); or
- (c) a husband or wife in terms of the Recognition of Customary Marriages Act, 1998 or the tenets of any religion;

**'student clinical dental technologist'** means any person who is studying advanced specialist clinical dental technology at an approved training or educational institution or is undergoing theoretical, practical training or Work Integrated Learning in one form or another in an approved dental laboratory or denture clinic and who has been registered as such under section 57 of this Act;

**'student dental technician'** means any person who is studying dental technology at an approved university or training or educational institution or is undergoing theoretical, practical training or Work Integrated Learning in one form or another in an approved dental laboratory and who has been registered as such under section 57 of this Act;

**'student dental technologist'** means any person who is studying dental technology at an approved training or educational institution or is undergoing theoretical, practical training or Work Integrated Learning in one form or another in an approved dental laboratory and who has been registered as such under section 57 of this Act;

**'student specialist dental technologist'** means any person who is studying advanced specialist dental technology at an approved training or educational institution or is undergoing theoretical, practical training or Work Integrated Learning in one form or another in an approved dental laboratory, and who has been registered as such under section 57 of this Act;

**'supplementary course'** means specialized or advanced training in any aspect of the work of a dental technologist or clinical dental technologist;

**'this Act'** includes the regulations;

**'training institution'** means an institution approved by Council where persons are educated and trained for the dental technology profession;

**'transit'** means the conveyance of goods required, used or repaired in full or in part for use in the practice of dental technology in the Republic;

**'unmounted artificial teeth'** means artificial teeth which have not been fitted in any denture or dental appliance for the use of a particular person, or artificial teeth which were so fitted but have thereafter again been removed from any such denture or dental appliance and includes any sample of such teeth, denture or

dental appliance supplied or issued to a registered practitioner or dentist;

'vice-president' means the vice-president of the Council.

## 2. Application of Act

This Act is applicable to-

- (a) all members of the dental technology profession registered in terms of this Act;
- (b) the operation and ownership of dental laboratories and denture clinics registered in terms of this Act;
- (c) persons possessing, trading in, exporting, importing or carrying of unmounted artificial teeth or any dental or oral prostheses or part or component thereof;
- (d) dental traders involved in the import, export, manufacturing, sale or distribution of goods or dental technology-specific equipment required, used, manufactured and repaired for use in the practice of dental technology; and
- (e) education and training institutions where dental technology education and training is provided for by such institutions.

## 3. Objects of Act

The object of this Act is to provide a legislative framework for the dental technology profession that embraces the values underpinning the Constitution in order to broaden access to the dental technology profession and to protect and promote the public interest.

## CHAPTER 2

### Part 1

#### Establishment, objects, powers, functions and responsibilities of the South African Dental Technology Professions Council

## 4. Continued existence and change of name of the South African Dental Technicians Council

(1) The South African Dental Technicians Council established by section 2 of the Dental Technicians Act, 1979 (Act 19 of 1979), continues to exist as a juristic person under the name of the South African Dental Technology Professions Council, notwithstanding the repeal of that Act by this Act.

(2) The head office of the Council shall be situated in Pretoria.

## 5. Objects of the Council

The objects of the Council shall be—

- (a) to regulate the practice and continued professional development of the dental technology profession, the operation of dental laboratories, denture clinics and the operation of the business of dental traders registered in terms of this Act;
- (b) to facilitate the realisation of the goal of a transformed and restructured dental technology profession that is accountable, efficient and independent;
- (c) to exercise oversight over the dental technology profession in the Republic;
- (d) to enhance and maintain the integrity and future of the dental technology profession in the Republic;
- (e) to determine, enhance and maintain appropriate standards of professional practise and ethical conduct of the members of the dental technology profession in the Republic;
- (f) to control and promote high standards of education and training of professional practise in the dental technology profession and the approval of training institutions;
- (g) to promote access to the dental technology profession;
- (h) to promote and pursue a dental technology profession that broadly reflects the demographics of the Republic;
- (i) to control all matters relating to the education and training of the members of the dental technology profession;
- (j) to promote good relations between members of the dental technology profession and other oral healthcare services personnel;
- (k) to exercise effective control over the dental technology profession, dental laboratories, denture clinics, dental traders and all such persons who are registered or regulated in terms of this Act;
- (l) to determine the norms of professional conduct and ethics in respect of persons practising the dental technology profession;
- (m) to advise the Minister on any matter falling within the scope of this Act; and
- (n) to communicate to the Minister information on matters of public importance acquired by the Council in the course of the performance of its functions under this Act.

## 6. Powers of the Council

- (1) The Council may, in order to achieve its objects,—

- (a) open and maintain at least one bank account in the name of the Council;
- (b) acquire or hire movable or immovable property;
- (c) develop, mortgage, let, sell or otherwise dispose of or burden movable or immovable property of the Council;
- (d) accept, draw, endorse, issue, make, pay or perform any other act in respect of negotiable instruments;
- (e) make donations and grants in support of projects related to its objects;
- (f) institute or defend legal proceedings on behalf of the Council;
- (g) spend and invest funds of the Council;
- (h) enter into contracts in the furtherance of the objects of the Council;
- (i) impose administrative non-compliance penalties;
- (j) invest Council funds;
- (k) borrow or raise money;
- (l) accept any donation or grant;
- (m) insure against any risk;
- (n) exercise or perform any power or function conferred or imposed upon it by or under this Act or any other law;
- (o) consider any matter affecting the dental technology profession and make representations or take such action in connection therewith as the Council may deem necessary;
- (p) conduct, arrange or oversee courses for the supplementary training of members of the dental technology profession and render financial assistance in respect of such courses;
- (q) conduct, arrange or oversee courses for the continuing professional development of members of the dental technology profession and accredit any service provider to conduct such courses;
- (r) establish and administer a bursary scheme to provide equal opportunities for all aspirant entrants to the dental technology profession in order to have a profession that broadly reflects the demographics of the Republic;
- (s) take steps in the furtherance of the dental technology profession which is consistent with national health policy as determined by the Minister;
- (t) make rules on all matters provided for in this Act or which the Council considers necessary or expedient in order that the objects of this Act may be achieved;
- (u) perform such other functions as may be prescribed, and do all such things as the Council deems necessary or expedient to

achieve the objects of this Act within the framework of national health policy determined by the Minister; and

(v) to perform such other functions as may be prescribed, and may generally do all such things as it may deem necessary or expedient for the purpose of achieving the objects of this Act and in the furtherance of the dental technology profession.

(2) The Council may, with regard to education in the dental technology profession—

(a) conduct accreditation visits to any educational institution which conducts training and education in dental technology;

(b) either conditionally or unconditionally grant, refuse or withdraw accreditation in respect of any educational institution and their educational programmes with regard to dental technology;

(c) consult with the Council on Higher Education established in terms of the Higher Education Act, 1997 (Act 101 of 1997) regarding matters relevant to education in dental technology;

(d) consult with the South African Qualifications Authority established by the South African Qualifications Authority Act, 1995 (Act 58 of 1995), or any body established by it and any association accredited in terms of this Act to determine competency standards for the purpose of registration related to the education and training of members of the dental technology profession;

(e) establish mechanisms for registered persons to gain recognition of their qualifications and professional status in other countries;

(f) enter into an agreement with any person or body of persons, within or outside the Republic, with regard to the recognition of any examination or qualification for the purposes of this Act;

(g) enter into an agreement with any professional body outside the Republic with regard to the reciprocal recognition of any other council or professional body regulating the dental technology profession in that country;

(h) give advice or render assistance to any educational institution, accredited association or examining body with regard to educational facilities for and the training and education of registered persons and prospective entrants to the dental technology profession;

(i) determine, after consultation with registered persons, accredited associations and other stakeholders in the dental technology profession or oral healthcare profession, conditions relating to and the nature and extent of continuous

professional development and training of members of the dental technology profession;

(3) (a) The Council may establish such juristic person as it deems necessary in order to acquire or hire movable or immovable property;

(b) designate such members of Council to act as members, directors or trustees in respect of any juristic person or trust established by the Council or established by any other person or accredited association in order to further enhance, promote and pursue the objects of the Council in respect of the dental technology profession.

## 7. Functions of Council

The functions of the Council are to—

(a) regulate the dental technology profession so as to promote and protect the interests of the public;

(b) register practitioners, dental laboratories, denture clinics, authorised holders and dental traders in terms of this Act;

(c) institute and enforce disciplinary action against registered persons contravening the provisions of this Act or the code of conduct and the code of ethics applicable to the dental technology profession;

(d) take appropriate steps to prohibit persons or juristic persons from unregistered practice, unregistered operation of dental laboratories, denture clinics, dental traders or authorised holders in the Republic;

(e) support the functioning of disciplinary and appeal structures established under this Act;

(f) ensure and promote a high standard of education and training in the dental technology profession;

(g) to provide strategic direction on corporate governance of the Council in order to attain the objects referred to in section 5 of this Act;

(h) advise the Minister on any matter referred to it by the Minister or on any matter it considers necessary to achieve the objects of this Act;

(i) to exercise its powers and discharge its responsibilities in the best interest of the public and in accordance with the national health policy as determined by the Minister;

(j) to be transparent and accountable to the dental technology profession and the public in achieving its objectives when performing its functions and exercising its powers;

- (k) to uphold and maintain professional and ethical standards within the dental technology profession;
- (l) to ensure that persons registered in terms of this Act behave towards users of dental health services in a manner that respects their constitutional rights to equality and dignity in accordance with the Constitution; and
- (m) to submit to the Minister an annual report within three months after the approval of the financial statements of the Council which report must include details as to how the Council has fulfilled its objectives under this Act.

## 8. The responsibilities of Council

- (1) The Council has the following responsibilities–
  - (a) to determine, oversee and revise the corporate governance structures within the Council;
  - (b) to determine, oversee and revise the human resources policies and human resources strategies of the Council;
  - (c) to oversee the determination and compilation of the corporate governance plan in respect of the Council;
  - (d) to determine the policy for conditions of employment and remuneration, allowances, subsidies and other service benefits of employees of the Council.
- (2) The Council must, within six months from the close of each financial year or such other period as may be agreed to by the Minister, after a request by the Council, submit the audited financial statements to the Minister.
- (3) The Council must apply due care and diligence when investing any money or incurring any expenditure from the funds of the Council.
- (4) The Council must determine its financial year.

## 9 Restriction on use of name

No person may under a name containing the words 'South African Dental Technicians Council', or 'South African Dental Technology Professions Council' or the acronyms 'SADTC', 'SADTPC', 'DTPCSA' or the translation thereof in any other official language–

- (a) conduct his, her or its affairs or business or carry on his, her or its occupation or trade;
- (b) be registered or licensed under any law; or
- (c) falsely claim to be acting on behalf of the Council.

**CHAPTER 2****Part 2****Composition of Council, disqualification, vacation, termination and removal of office of members of Council****10. Composition of Council**

(1) From the date referred to in subsection (10) of section 151 the Council shall consist of the following members, namely-

(a) a representative of the Department appointed by the Minister;

(b) three persons appointed by the Minister, of whom-

(i) one shall be attached to an approved academic institution at which students are educated and trained in dental technology;

(ii) one shall be a member of the public who shall be appointed after calling through the media for nominations by the public and who is not registered in terms of this Act or the Health Professions Act, 1974 (Act 56 of 1974); and

(iii) one shall be a member of the public who shall be appointed after calling through the media for nominations by the public and who are not registered in terms of this Act or the Health Professions Act, 1974 (Act 56 of 1974), and who shall be appointed on account of his or her knowledge of the law, who is in good standing and enrolled on the roll of legal practitioners under section 30 of the Legal Practice Act, 2014 (Act 28 of 2014); and

(c) five practitioners of which two must be dental technicians, two dental technologists and one a clinical dental technologist who are nominated and elected by the respective members of the dental technology profession of that particular category.

(2) Subject to the provisions of section 13 a member of the Council shall hold office for a period of five years and shall be eligible for re-appointment or re-election, as the case may be, for one further period of five years.

(3) A member may only be re-appointed or re-elected as a member of the Council after the expiry of a further period of five years after such members' re-appointment or re-election as contemplated under in subsection (2).

(4) If the persons referred to in paragraph (c) of subsection (1), as the case may be, fail to elect a member under those paragraphs, the Minister must appoint a person from such category as set out in paragraph (c) of subsection (1) as a member of the Council, and a person or persons so appointed

shall be deemed to have been elected in terms of the paragraph in question.

(5) The procedure for the nomination and election of members of the Council are as prescribed.

(6) The Minister shall notify the Registrar in writing of the names of the members appointed in terms of subsection (1) or (3) of this section.

(7) The Registrar shall make known by notice in the *Gazette* the appointment or election of any member of the Council, the date of such appointment or election and the period for which the member has been appointed or elected.

## 11. President and vice-president of Council

(1) At the first meeting of the newly constituted Council, the members of the Council must elect and appoint a president and vice-president from their number.

(2) The president and vice-president hold office for a period of five years from the date of their election and may be re-elected and re-appointed for one further term, unless such president or vice-president resigns or ceases to be a member of the Council.

(3) The vice-president must, if the president is absent or is for any reason unable to act as president, perform all the functions and exercise all the powers of the president.

(4) If both the president and vice-president are absent from any meeting, the members present must elect a person from among themselves to preside at that meeting and the person so presiding must, during that meeting and until the president and vice-president resumes duty, perform all the functions and exercise all the powers of the president.

(5) If both the president and vice-president have been given leave of absence, the members of the Council must elect a person from among themselves to act as president until the president and vice-president resumes duty or is removed from office in terms of section 13.

(6) If the office of president or vice-president becomes vacant, the members of the Council must, at the first meeting or as soon as possible thereafter, elect from among themselves a new president and vice-president and such president or vice-president shall hold office for the remainder of the term of the Council.

(7) The president or vice-president may vacate his or her office as such, without relinquishing his or her membership of the

Council, unless his or her membership has been terminated in accordance with section 13.

(8) The member appointed under subparagraph (a) of subsection (1) of section 10 may not be appointed as president or vice-president of the Council.

## 12. Disqualification and vacation of office

(1) No person shall be elected or appointed as a member of the Council if he or she—

(a) is an unrehabilitated insolvent;

(b) has not acquired South African citizenship in terms of Chapter 2 of the South African Citizenship Act, 1995 (Act 88 of 1995);

(c) who is not in good standing with the Council;

(d) has been removed from any office of trust on account of misconduct;

(e) has been convicted of—

(i) an offence for which he or she was sentenced to imprisonment without the option of a fine; or

(ii) theft, fraud, forgery or uttering a forged document, perjury, an offence under the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004), an offence under the Prevention of Organised Crime Act, 1998 (Act 121 of 1998) or any other offence involving dishonesty;

(f) holds any office as a political office bearer or is a member of the executive of an accredited association or any dental technology stakeholder association; or

(g) has been permanently admitted to a health establishment for care, treatment and rehabilitation services as a mental health care user as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002), or is a State patient as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002);

(2) A member of the Council shall forthwith vacate his or her office if—

(a) he or she becomes subject to any disqualification referred to in subsection (1);

(b) he or she ceases to hold any qualification necessary for his or her appointment;

(c) (i) being an elected member, he or she tenders his or her resignation in writing to the president; or

- (ii) being a member appointed by the Minister, he or she tenders his or her resignation in writing to the Minister and the Minister accepts his or her resignation;
- (d) he or she, having been elected under section 10 is no longer in full time practice as a member of the dental technology profession;
- (e) becomes a political office bearer or is elected to the executive of any accredited association or dental technology stakeholder association during his or her term of office; or
- (f) the Minister in the public interest terminates his or her membership.

### 13. Removal of members of Council

(1) The Minister may remove a member of the Council so appointed by the Minister from office on account of-

(a) an adverse finding by the Council in respect of any transgression of the Code of Conduct applicable to Council members on the part of such Council member;

(b) incapacity or incompetency which, in the opinion of the Minister, debars such member from serving as a member of the Council;

(c) absence from three consecutive meetings of the Council without the permission of the president and approval by the Council, except on good cause shown;

(2) The Minister may suspend a member of the Council so appointed by the Minister from office in anticipation of the institution of proceedings for the removal of a member which proceedings have to be instituted within 30 days following such suspension.

(3) A member so appointed by the Minister who is suspended from office may not perform or exercise any of the powers or functions of that office or receive any allowances.

(4) The Minister must follow due process of law if he or she intends to remove or suspend a member from office.

(5) The Council may remove an elected member of the Council from office on account of-

(a) an adverse finding by a disciplinary committee in respect of any transgression of the code of conduct and code of ethics applicable to the members elected under paragraph (c) of subsection (1) of section 10;

(b) an adverse finding by the Council in respect of any transgression of the Code of Conduct applicable to Council members on the part of such Council member; or

(c) a request by the body who elected that member in terms of paragraph (c) of subsection (1) of section 10, on good cause shown by the body in question.

#### **14. Vacancies in Council and filling thereof**

(1) A vacancy in the Council occurs when—

(a) the term of office of a member expires or terminates as contemplated in section 10 or 12;

(b) a member dies;

(c) a member is removed from office as contemplated in section 13; or

(d) the resignation of a member takes effect.

(2) A vacancy must be filled as soon as practicably possible.

(3) Any vacancy on the Council arising from a circumstance referred to in subsection (1) shall be filled by appointment or election, as the case may be, by the Minister or body by whom and in the manner in which the vacating member was required to be appointed or elected, and every member so appointed or elected shall hold office for the unexpired portion of the period of office of the vacating member.

#### **15. Dissolution of Council**

(1) If the Minister loses confidence in the ability of the Council to perform its functions effectively and efficiently, the Minister must—

(a) provide the Council with his or her reasons for holding such view;

(b) give the Council a reasonable opportunity to respond to those reasons; and

(c) afford the Council a hearing prior to any decision to be taken by the Minister.

(2) If, after taking the steps provided for in subsection (1), the Minister still does not have confidence in the ability of the Council to perform its functions effectively and efficiently, he or she must institute an independent investigation into the ability of the Council to perform its functions effectively and efficiently in order to make recommendations to him or her.

(3) The Department may recover from the Council the reasonable and necessary costs incurred as a result of an investigation as contemplated in subsection (2).

(4) If, after receiving the recommendations such investigation as contemplated in subsection (2), the Minister still has concerns in

the ability of the Council to perform its functions effectively and efficiently, and the Minister is of the view that it is in the best interests of the administration of justice that the Council be dissolved, he or she must, in order to do so, approach the High Court with an application for an order dissolving the Council, together with any terms or conditions that the court deems appropriate.

(5) (a) If the Council is dissolved pursuant to a court order contemplated in subsection (4), the Minister must, having regard to the provisions of section 10, appoint at least seven persons as members of the interim Council and give effect to any conditions or terms contained in the court order.

(b) The interim Council must be appointed within 21 days after the dissolution of the Council and must be appointed for a period determined by the Minister or the court, which period may not exceed twelve months.

(6) (a) The Minister must from among the members of the interim Council designate a president of the interim Council who holds office as president for such period as the Minister may determine.

(b) The interim Council must elect a vice-president from among its members and the vice-president holds office as vice-president for such period as the interim Council may determine at the time of his or her appointment.

(7) The president of the interim Council may, at any time of his or her own accord, or must, at the written request of not fewer than four members, convene a special meeting of the interim Council.

(8) Four members of the interim Council form a quorum for a meeting of the interim Council.

(9) Sections 10, 11, 12 and 13 apply with the necessary changes required by the context in respect of the interim Council.

## CHAPTER 2

### Part 3

#### Conflict of interest, liability of Council members, validation of irregular acts by Minister and annual report

#### 16. Conflict of interest of members of Council

(1) A member of the Council may not be present during, or take part in, the discussion of, or the taking of a decision on, any matter before the Council in which that member or his or her

spouse, family member, business partner or associate or employer has a direct or indirect financial interest.

(2) Upon appointment or election of a person as a member of the Council, that person must submit to the president of the Council a written statement in which he or she declares whether or not he or she has any interest as contemplated in subsection (1).

(3) If any of the Council members acquires or contemplates acquiring an interest which could possibly be an interest contemplated in subsection (1), he or she must immediately in writing declare that fact to the president.

(4) If an organisation or enterprise in which the Council member has an interest contemplated in section (1) is requested to offer its services to the Council, the Council member must immediately, in writing, declare his or her interest to the president.

(5) Subsections (1), (2), (3) and (4) apply in respect to any interim Council as contemplated in paragraph (a) of subsection (5) of section 15.

## **17. Code of Conduct**

The Code of Conduct contained in Schedule 1 applies to every member of the Council.

## **18. Liability of Council members**

(1) A member of Council is not personally liable in respect of anything reflected in any report submitted by the Council to the Minister.

(2) A member of Council is not personally liable in respect of anything done or omitted in good faith in the exercise or the performance of a duty in terms of or by virtue of this Act, or in respect of anything that may result therefrom.

## **19. Remuneration of members of Council**

A member of the Council or interim Council is paid the remuneration and allowances approved by the Minister, after consultation with the Council or interim Council, as the case may be, as well as all the necessary and reasonable expenditure incurred in the performance of the functions of the Council of such member.

## 20. Validation of irregular acts by Minister

If anything required to be done under this Act in connection with the appointment or election of any member of the Council is omitted or is not done within the time or in the manner required by this Act or the rules the Minister may order the taking of steps required to be taken in order to rectify the omission or error, or may validate anything done in an irregular manner, in order to give effect to the objects of this Act.

## 21. Annual report

(1) The Council must submit an annual report on its activities to the Minister within three months after the financial statements of the Council has been approved by the Council.

(2) The Council shall cause the annual report referred to in subsection (1) to be published on the website of the Council.

## CHAPTER 2

### Part 4

## Meetings of Council, committees of Council, delegation of powers and dissolution of Council

## 22. Meetings of Council

(1) The Registrar must convene the first meeting of the newly constituted Council within 30 days after the appointment and election of its members.

(2) The Council must hold at least three meetings a year at venues which may be determined by the Council from time to time.

(3) The Council may, in addition to the meetings contemplated in subsection (2), hold further meetings at any venue as the Council may determine from time to time.

(4) Decisions of the Council may be taken on a round-robin basis as and when necessary.

(5) The president may, at any time of his or her own accord, or must, at the written request of not fewer than five members, convene a special meeting of the Council.

(6) The Registrar must attend all meetings of the Council.

(7) The Registrar is responsible for the administrative and secretarial work incidental to the performance of the functions of the Council.

### 23. Quorum and procedure at meetings of Council

- (1) The majority of the members of the Council constitute a quorum at any meeting of the Council.
- (2) The Council must in the rules determine a procedure for convening meetings and the procedure for the conduct of meetings.
- (3) The Council must keep a record of its proceedings and decisions.
- (4) A decision of the majority of the members present of the Council constitutes a decision of the Council.
- (5) In the event of a deadlock in the voting the president has a casting vote in addition to a deliberative vote.

### 24. Establishment of executive committee and other committees of Council

- (1) The Council must at its first meeting establish an executive committee and all such permanent committees as contemplated under section 24 and determine such committees' powers and functions.
- (2) The executive committee consists of-
  - (a) the president and vice-president; and
  - (b) two other members of the Council appointed by the Council.
- (3) The Registrar shall *ex officio* be a member of the executive committee.
- (4) The member appointed under subparagraph (a) of subsection (1) of section 10 may not be appointed as a member of the executive committee.
- (5) The executive committee is responsible for the day to day performance of the powers, functions and responsibilities of the Council in between meetings of the Council.
- (6) The executive committee shall not have the power to set aside or amend any decision of the Council, and any act performed or decision taken by the executive committee shall be of force and effect unless it is set aside or amended by the Council at its next ensuing meeting.
- (7) The Council may direct the executive committee to perform such tasks as the Council considers appropriate.
- (8) A member of the executive committee holds office for so long as he or she is a member of the Council, unless he or she is removed as a member of the executive committee by the Council,

or until his or her membership of the Council terminates in terms of this Act.

(9) (a) The president is *ex officio* chairperson of the executive committee for his or her term as member of Council.

(b) The vice-president is *ex officio* deputy chairperson of the executive committee for his or her term as member of the Council.

(10) A member appointed under paragraph (b) of subsection (2) shall serve as member of the executive committee for one year whereafter he or she may be re-appointed for a further term of one year.

(11) The executive committee may meet as often as it deems necessary and dispose of its business in the manner it considers appropriate.

(12) (a) The majority of the members appointed in terms of paragraph (a) or (b) of subsection (2) constitutes a quorum at any of its meetings.

(b) The executive committee must determine a procedure for convening meetings and the procedure for the conduct of meetings.

(c) The executive committee must keep a record of its proceedings and decisions.

(d) A decision of the majority of the members present at a meeting constitutes the decision of the executive committee.

(e) In the event of a deadlock in the voting the chairperson has a casting vote in addition to a deliberative vote.

(f) The Registrar shall not have any voting rights in respect to decisions taken by the executive committee.

## 25. Committees of Council

(1) The Council must establish the following permanent committees each consisting of so many persons, appointed by the Council-

- (a) an audit, quality and risk committee;
- (b) an education and training committee;
- (c) a continuous professional development committee;
- (d) a legal and professional conduct committee; and
- (e) a fees and coding committee.

(2) Subject to subsection (3), a member of any committee established under subsection (1) shall serve as a member of such committee and such appointment may be renewed annually.

(3) Save for a committee established under paragraph (a) of subsection (1) the member of Council appointed to a committee

established under subsection (1) is the chairperson of such committee for the term appointed as member of Council.

(4) The committee established under paragraph (b) of subsection (1) must include at least one member of each approved training institution.

(5) The Council may establish any other *ad hoc* committee as it may deem necessary, each consisting of so many persons, appointed by the Council from the dental technology profession or such other persons as the Council may decide from time to time.

(6) The Council-

(a) must determine the terms of reference, powers and functions and constitution of a committee established in terms of subsection (1) or (5);

(b) must appoint a member of a committee as chairperson of such committee;

(c) may, on good cause shown and after complying with due process of law, remove a member of such committee at any time; and

(d) may determine such committees' procedure; and

(e) may at any time dissolve and reconstitute any such committee.

(7) The Council must, in the rules, determine the procedure for the conduct of meetings of such committee established under subsection (1) or (5).

(8) When constituting any committee of the Council the following factors must, as far as practicable, be taken into account-

(a) the racial and gender composition of South Africa;

(b) the objects of the committee in question; and

(c) representation of persons with disabilities.

## 26. Delegation of powers of Council

(1) The Council may resolve to delegate any of its powers to the executive committee.

(2) A delegation in terms of subsection (1)-

(a) is subject to any conditions and directions as the Council may impose; and

(b) does not divest the Council of the responsibility for the exercise of the power or the performance of the power.

(3) The Council may confirm, vary or revoke any decision taken in consequence of a delegation, but no variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

**27. Dissolution of Council and attachment of records or information system of Council**

(1) The Council may only be dissolved in terms of an Act of Parliament.

(2) The records or information system of the Council may not be attached in execution by any judgement creditor pursuant to any judgment against the Council.

**CHAPTER 3**

**Part 1**

**Appointment of Registrar and staff of Council**

**28. Appointment of Registrar**

(1) The Council must, after consultation with the Minister, appoint a Registrar.

(2) The Registrar may be appointed only after-

(a) the Council has by notice in the *Gazette* and the media invited interested parties to apply, or be nominated for appointment;

(b) the Council has compiled a shortlist of suitable persons nominated or who have applied, in terms of subparagraph (a), who are eligible to be appointed as Registrar, and published such list in the *Gazette* for public comment for a period of not less than 30 days.

(3) After receipt of the comments referred to in paragraph of subsection (2), and the evaluation of the persons referred to in that subsection, and subject to subsection (1), the Council must appoint the Registrar.

(4) When appointing the Registrar in terms of subsection (1) the Council must take into account the following factors:

(a) such person's management experience;

(b) such person's relevant technical knowledge or experience of the dental technician profession; and

(c) such person's suitability and competence for the efficient discharge of the Registrar's powers and duties under this Act.

(5) The Registrar is appointed on such conditions as may be agreed upon by the Council and the Registrar, including conditions providing for remuneration and allowances as the Council may determine.

(6) A person may not be appointed as Registrar if he or she-

(a) is an unrehabilitated insolvent;

(b) has not acquired South African citizenship in terms of Chapter 2 of the South African Citizenship Act, 1995 (Act 88 of 1995);

(c) has been removed from an office of trust on account of misconduct;

(d) has been convicted of-

(i) an offence for which he or she was sentenced to imprisonment without the option of a fine; or

(ii) theft, fraud, forgery or uttering a forged document, perjury, an offence under the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004), an offence under the Prevention of Organised Crime Act, 1998 (Act 121 of 1998) or any other offence involving dishonesty;

(e) has previously been a member of the Council;

(f) is a member of the current Council;

(g) is a political office bearer or appointed to the executive of any accredited association or dental technology stakeholder association;

(h) has been dismissed for misconduct from any employment or office of trust.

(7) The Registrar holds office on a full-time basis.

(8) The Registrar may not engage in any other paid employment and may not participate in any activity in respect of which he or she is in any way remunerated or receives any benefits or allowances without prior written approval of the Council.

(9) The Council may, in consultation with the Minister, at any time, discharge the Registrar from office-

(a) if he or she repeatedly fails to perform the duties of office efficiently;

(b) if he or she materially fails to comply with the conditions of the performance agreement entered into as contemplated in section 35;

(c) if, he or she, due to any physical illness, mental illness or any other cause becomes incapable of performing the functions of the office of Registrar or performs them inefficiently; or

(d) for misconduct; or

(e) becomes a political office bearer; or

(f) becomes a member of the executive of any accredited association or stakeholder group in the dental technology profession.

(10) The Registrar vacates his or her office immediately if he or she-

(a) is convicted-

(i) whether in the Republic or elsewhere of murder, robbery, theft, fraud, forgery or uttering a forged document, perjury or any offence involving dishonesty; or

(ii) of any offence in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004), the Companies Act, 1973 (Act 61 of 1973), Prevention of Organised Crime Act, 1998 (Act 121 of 1998), or is convicted of contravening this Act;

(b) is convicted of an offence during his or her term of office and sentenced to a period of imprisonment without the option of a fine;

(c) becomes a political office bearer;

(d) becomes a member of the executive of any accredited association or stakeholder group in the dental technology profession; or

(e) has been permanently admitted in a health establishment for care, treatment and rehabilitation services as a mental health care user as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002), or is a State patient as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002).

(11) The Registrar may not delegate to any member of the Council or any committee of the Council any power, duty or responsibility assigned to him or her in terms of this Act.

## 29. Duties of Registrar

(1) The Registrar is the head of the Council's administration and manages the day to day functioning and management of the Council.

(2) The Registrar must perform the powers, duties and responsibilities conferred or imposed upon him or her by this Act and such powers that may be delegated to him or her by the Council.

(3) In the exercise of the powers and performance of duties referred to in this Act, the Registrar is accountable solely and directly to the Council.

## 30. Responsibilities of Registrar

(1) The Registrar—

(a) may take any decision in the exercise of his or her powers;

(b) is responsible for the submission to the Council of an annual report concerning the activities of the Council; and

(c) is responsible to exercise all powers granted to and duties imposed on the Registrar in terms of this Act.

(2) The Registrar, subject to the directions of the Council, is responsible for-

- (a) the appointment of staff of the Council;
- (b) the organisation and management of the staff of the Council;
- (c) the formation and development of an efficient administration;
- (d) the establishment and maintenance of a register of all persons and institutions who are subject to registration under this Act;
- (e) the maintenance of discipline in respect of staff of the Council;
- (f) the effective utilisation of staff of the Council to achieve maximum operational results; and
- (g) such other responsibilities assigned by Council from time to time.

### **31. Powers of Registrar**

(1) The Registrar must appoint inspectors in order to monitor and enforce regulatory compliance with the Act.

(2) The Registrar may on behalf of the Council, in the prescribed manner, issue any certificate, registration or authorisation required in terms of this Act.

### **32. Delegation of powers, duties and responsibilities of Registrar**

(1) The Registrar may-

- (a) delegate in writing management or other duties to employees with appropriate skills to assist the Registrar in the management and the control over the functioning of the Council;
- (b) delegate in writing any of the Registrar's powers or responsibilities in terms of this Act to an employee of the Council; or
- (c) instruct in writing an employee of the Council to perform any of the Registrar's duties or responsibilities in terms of this Act.

(2) A delegation under subsection (1)-

- (a) may be issued subject to any conditions the Registrar may impose; and
- (b) does not divest the Registrar of the power to exercise the powers and perform the duties and responsibilities personally.

### **33. Appointment of acting Registrar**

(1) When the Registrar is absent from the Republic or otherwise unable to fulfil the duties of the Registrar, he or she must, appoint a suitably experienced member of the staff of the Council to act as Registrar.

(2) The period of appointment of an acting Registrar in subsection (1) may not exceed 30 days.

(3) The Council must appoint an acting Registrar—

(a) during a vacancy in the office of Registrar;

(b) during any period of absence of the Registrar exceeding 30 days in terms of subsection (1); or

(c) for any other reason when the Registrar is unable to perform the functions of the office of Registrar.

(4) A person appointed in subsection (3) must not continue to act as Registrar for more than 12 months.

(5) A person appointed as acting Registrar as contemplated in subsection (1) or (3) has the responsibilities, powers and functions of the Registrar.

(6) A person appointed as acting Registrar as contemplated in subsection (3) for a period longer than 30 consecutive days must be paid such remuneration and allowances as the Council determines.

### **34. Consultation**

The Registrar must in the performance of his or her functions and responsibilities consult with registered accredited associations, registered persons, bodies, forums or stakeholder organisations or committees engaged in the dental technology profession to attain the objects contemplated in section 5 of this Act.

### **35. Performance**

During the term of office of the Registrar, he or she must not carry on any activity inconsistent with the performance of the Registrar's duties and obligations under this Act.

### **36. Council and Registrar must enter into agreement about the performance by the Registrar of his or her functions, duties and responsibilities**

- (1) The Council and the Registrar must in consultation enter into an agreement or agreements about the performance of the Registrar's functions in terms of this Act.
- (2) The agreements contemplated in subsection (1) must be in writing and relate to—
  - (a) the Council's requirements in respect of the Council's scope of business, efficiency and financial performance, and achievement of objectives;
  - (b) the principles to be followed by the Council for the purposes of business planning;
  - (c) such measures as may be necessary to protect the financial soundness of the Council;
  - (d) the principles to be followed at the end of a financial year in respect of any surplus in the accounts of the Council; and
  - (e) any other matter relating to the review of his or her duties and responsibilities and the attainment of the objectives as agreed to in the performance agreement.
- (3) A copy of the performance agreement must be open to inspection by the public at the head office of the Council during business hours.

### **37. Conflict of interest**

- (1) The Registrar, or a member of staff of the Council, must—
  - (a) perform his or her or their duties with honesty, care and diligence; and
  - (b) disclose any conflict of interest.
- (2) The Registrar, or a member of staff of the Council, must not—
  - (a) engage in any activity that may undermine the integrity of the Council;
  - (b) make private use of, or profit from, any confidential information obtained as a result of his or her appointment as Registrar or member of staff of the Council; or
  - (c) divulge any information referred to in paragraph (b) to any third party, except as required as part of his or her official functions within the Council as contemplated in the Act.
- (3) The Registrar, or a member of staff of the Council must, on appointment, submit to the Council a written statement in which it is declared whether or not that member has any direct or indirect interest, financially or otherwise, which—
  - (a) may constitute a conflict of interest in respect of his or her functions as a member of staff of the Council; or
  - (b) could reasonably be expected to compromise the Council in the performance of its functions.

(4) If the Registrar or any member of staff of the Council acquires an interest contemplated in subsection (3), he or she must immediately in writing declare that fact to the Registrar in the case of any staff member of Council and to the Council in the case of the Registrar.

(5) The Registrar or a member of staff of the Council may not be present at, or take part in, the discussion of or the taking of a decision on any matter in which the Registrar or that member has an interest contemplated in subsection (3).

(6) The Registrar must keep a register of the interests of members of staff disclosed in terms of subsection (3) and must update that register from time to time.

(7) The register contemplated in subsection (6) must be open to inspection by the public at the head office of the Council during business hours.

### **38. Correction of errors by Registrar**

(1) The Registrar may authorize—

(a) the correction of any clerical error or error in translation appearing in any document submitted or issued in terms of this Act, or in a register kept in terms of this Act;

(b) the amendment of any document for the amendment of which no express provision is made in this Act;

(c) the condonation or correction of any irregularity in procedure in any proceedings before him or her, if such condonation or correction is not detrimental to the interests of any person or the functioning of its office.

(2) The Registrar may exercise the authority under subsection (1) of his or her own accord or upon request in writing.

(3) Where the Registrar intends exercising his or her authority under subsection (1) of his or her own accord, he or she shall give notice of his or her intention to any person who in his or her opinion has an interest in the matter, and shall give such person an opportunity of being heard before exercising his or her authority.

(4) The Registrar must keep a register of such corrections made under subsection (1) and must report such corrections to the executive committee.

### **39. Staff of Council**

(1) The Registrar in consultation with the Council may appoint such other employees as are necessary to enable the Council to properly carry out its functions.

(2) The Council pays its employees out of its funds such remuneration, allowances, subsidies and other benefits as determined and directed by the Council's remuneration policy.

#### **40. Limitation of liability**

No employee of the Council is liable in respect of anything done or omitted in good faith in the exercise of a power or the performance of a duty in terms of or by virtue of this Act, or in respect of anything that may result therefrom.

#### **41. Duty of confidentiality**

A person acting on behalf or under the direction of the Council, must, both during or after his or her term of office or employment, treat as confidential the personal information of members of the dental technology profession which comes to his or her knowledge in the course of the performance of his or her official duties, except if the communication of such information is required by law or in the proper performance of his or her duties.

#### **42. Security of confidential information held by Council**

(1) Subject to the Promotion of Access to Information Act, 2000 (Act 2 of 2000) and the Protection of Personal Information Act, 2013 (Act 4 of 2013) and other relevant legislation, no employee of the Council may disclose information submitted to the Council in connection with any registered person, registered laboratory or denture clinic, unless—

- (a) he or she is ordered to do so by a court of law; or
- (b) the person who made such application or give such instruction consents thereto in writing;
- (c) such person of necessity requires it for the performance of his or her functions in terms of this Act;
- (d) he or she is a person who of necessity supplies it in the performance of his or her functions in terms of this Act;
- (e) such disclosure is made for purposes of monitoring, evaluating, investigating or considering activity relating to the Council, or a member of staff of the Council; or

(f) such information is disclosed to a competent authority which requires it for the institution, or an investigation with a view to the institution, of any criminal prosecution.

(2) No person may disclose information kept in any register in terms of this Act unless such disclosure is made in accordance with paragraph (a)–(f) of subsection (1).

(3) Where a disclosure contemplated in subsection (2) is to be made, the person concerned must be informed thereof timeously.

## CHAPTER 3

### Part 2

#### Funding and finances of Council and powers and responsibilities of accounting officer of Council

#### 43. Funding of Council

(1) The Council is funded from–

- (a) fees, including fees in respect of–
  - (i) continuous professional development;
  - (ii) special projects;
  - (iii) registration fees for all categories which requires registration in terms of the Act;
  - (iv) inspection fees;
  - (v) annual fees;
  - (vi) penalty fees;
  - (vii) exit level examination fees;
  - (viii) accreditation fees;
  - (ix) fees payable by authorised holders, dental traders, any person or juristic person required to register in terms of this Act; and
  - (x) regulatory monitoring and compliance fees; or
  - (xi) any other fees prescribed from time to time which is payable by any person or juristic person under this Act;
- (b) interest on invested cash balances;
- (c) loans granted in terms of subsection (2);
- (d) money lawfully accruing from any other source;
- (e) any cost orders made in respect of disciplinary proceedings under Chapter 10 of this Act;
- (f) fines paid or recovered in respect of an offence under this Act;
- (g) administrative non-compliance penalty; and
- (h) monies appropriated by Parliament.

(2) The Council may raise money by way of loans.

(3) (a) The Council may accept money or other goods donated or bequeathed to the Council, provided that no donation or bequest

may be accepted if such donation or bequest is in conflict with any of the functions, powers, duties and responsibilities of Council, conflicts with the fundamental values as enshrined in the Constitution or require the Council to render a countervailing performance as a requirement for the granting of such donation or bequest.

(b) Subject to the provisions of paragraph (a) of subsection (4) the Council must utilize any donations or bequests contemplated in paragraph (a) subsection (3) in accordance with the conditions (if any) imposed by the donor, testator or contributor in question.

(c) Details of any such donation or bequest shall be specified in the relevant annual report of the Council.

(5) All fees payable under this Act, shall be paid to the Council and shall constitute its funds, and the Council shall utilize its funds for defraying expenses incurred in connection with the performance of its functions.

(6) The Minister may, with the concurrence of the Minister of Finance, grant to the Council, out of money appropriated by Parliament, such amounts as he or she considers necessary in order to enable the Council to carry out its functions.

(7) The Council may invest any moneys not required for immediate use and may establish such reserve funds, and deposit therein such amounts, as it may deem necessary or expedient.

#### **44. Registrar accounting officer of Council**

(1) The Registrar is the accounting officer of the Council.

(2) As accounting officer the Registrar is responsible to administer –

(a) all income and expenditure of the Council;

(b) all revenue collected by the Council;

(c) all assets and the discharge of all liabilities of the Council;  
and

(d) oversee the proper and diligent implementation and adherence to sound financial management principles.

#### **45. Powers of accounting officer for funds of Council**

(1) The Registrar–

(a) must deposit all monies received by the Council with a bank approved by the Council;

(b) may invest any monies of the Council which are not required for immediate use with a bank approved by the Council

or in such other manner as the Council may determine in the rules;

(c) is charged with the responsibility of accounting for money received or paid out for or on account of the Council; and

(d) must cause the necessary accounting and other related records to be kept, including proper records of all the assets and liabilities of the Council.

#### 46. Responsibilities of accounting officer

(1) The Registrar as accounting officer must-

(a) keep full and proper records of all moneys received and expenses incurred by, and of all assets, liabilities and financial transactions of, the Council; and

(b) ensure that the Council has and maintains-

(i) effective, efficient and transparent systems of financial and risk management and internal control;

(ii) an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive and cost-effective;

(iii) a system for properly evaluating all projects involving expenditure of capital prior to a final decision on the project;

(c) take effective and appropriate steps to-

(i) collect all moneys due to the Council;

(ii) prevent unauthorised, irregular or fruitless and wasteful expenditure and losses resulting from criminal conduct; and

(iii) manage available working capital efficiently and economically;

(d) take into account all relevant financial considerations, including issues of propriety, regularity and value for money, when policy proposals affecting the Registrar's responsibilities are considered and, when necessary, bring those considerations to the attention of the Council;

(e) be responsible for the management, including the safeguarding and the maintenance, of the assets and for the management of the liabilities of the Council;

(f) settle all contractual obligations and pay all moneys owing by the Council within 30 days of the due date or within a period to which the relevant creditor has agreed;

(g) ensure that expenditure of the Council is in accordance with the budget and decisions of the Council;

(h) keep full and proper records of the financial affairs of the Council in accordance with any prescribed norms and standards;

(i) submit the financial statements of the Council within two months after the end of the financial year to an auditor for auditing;

(j) submit within four months after the end of a financial year to the Council-

(i) an annual report on the activities of the Council during that financial year;

(ii) the financial statements for that financial year after those financial statements have been audited; and

(iii) an independent auditor's report on those financial statements.

#### **47. Accounting officer's responsibilities relating to budgetary control**

(1) The accounting officer is responsible for ensuring that-

(a) expenditure of the Council is in accordance with the budget of the Council; and

(b) effective and appropriate steps are taken to prevent unauthorised expenditure.

(2) The accounting officer, for the purposes of subsection (1), must-

(a) take effective and appropriate steps to prevent any overspending of the budget of the Council;

(b) report to the Council any impending-

(i) under collection of revenue due;

(ii) shortfalls in budgeted revenue; and

(iii) overspending of the Council's budget; and

(c) comply with any remedial measures imposed by the Council to prevent overspending of the budget.

(3) The accounting officer of the Council may utilise a saving in the amount appropriated under one budget item towards the defrayment of excess expenditure under another budget, unless the Council directs otherwise.

#### **48. Duties of accounting officer in relation to bookkeeping and auditing of funds of Council**

(1) The accounting officer shall cause proper records to be kept of all moneys received or expended by it, of all its assets and liabilities and of all financial transactions entered into by it, and shall as soon as possible after the end of each financial year cause statements of account and a balance sheet to be prepared showing, with all appropriate particulars, the moneys received

and the expenditure incurred by it during, and its assets and liabilities at the end of, that financial year.

(2) (a) The records, statements of account and balance sheet of the Council shall be audited by a person registered as an accountant and auditor under the Auditing Profession Act, 2005 (Act 26 of 2005), and appointed by the Council.

(b) Copies of such documents so audited shall be open for inspection at the office of the Council during office hours by persons who are registered in terms of this Act.

#### **49. Fiduciary responsibilities of accounting officer**

(1) The accounting officer and other officials with responsibility under this Chapter must—

(a) act with fidelity, honesty, integrity and in the best interests of the Council in managing its financial affairs;

(b) disclose all material facts which are available to that person or reasonably discoverable, and which in any way might influence any decision or action in terms of this Act; and

(c) seek to prevent any prejudice to the financial interests and good reputation of the Council.

(2) For the purposes of paragraph (b) of subsection (1), any disclosure must be made—

(a) in the case of the accounting officer to the Council; and

(b) in the case of any other person, to the accounting officer.

(3) No person having any responsibility under this Act—

(a) may act in a way that is inconsistent with the Act; or

(b) may use their position or any confidential information obtained in the exercise of their responsibilities for personal gain or to benefit improperly themselves or any other person.

#### **50. Delegation of powers by accounting officer**

(1) The accounting officer may—

(a) in writing delegate any of his or her powers as accounting officer to a suitably experienced member of staff of the Council; or

(b) instruct any member of staff of the Council to perform any of the duties assigned to the accounting officer in terms of this Act.

(2) A delegation or instruction to a member of staff of the Council in terms of subsection (1)—

(a) is subject to any limitations and conditions prescribed in terms of this Act or as the Council may impose;

(b) is subject to any limitations and conditions the accounting officer may impose;

(c) may either be to a specific individual or to the holder of a specific post in the relevant department of the Council; and

(d) does not divest the accounting officer of the responsibility concerning the exercise of the delegated power or the performance of the assigned duty.

(3) The accounting officer may confirm, vary or revoke any decision taken by a member of staff of the Council as a result of a delegation or instruction in terms of subsection (1), subject to any rights that may have become vested as a consequence of the decision.

#### **51. Acting accounting officer**

If the post of Registrar is vacant, or if the Registrar is unable to perform the functions of the post, the acting Registrar shall be the accounting officer of the Council for the period of his or her appointment as acting Registrar.

### **CHAPTER 3**

#### **Part 3**

#### **Unauthorised, irregular or fruitless and wasteful expenditure, procurement management policy, prohibition on contracts and interference with members of Council and staff**

#### **52. Unauthorised, irregular or fruitless and wasteful expenditure**

(1) Without limiting liability in terms of common law or other legislation-

(a) a member of the Council is liable for unauthorised expenditure if that member knowingly or after having been advised by the Registrar that the expenditure is likely to result in unauthorised expenditure instructed an official of the Council to incur such expenditure;

(b) the Registrar is liable for unauthorised expenditure deliberately or negligently incurred by him or her, subject to subsection (3);

(c) any member of the Council who deliberately or negligently made or authorised an irregular expenditure is liable for that expenditure; or

(d) any member of the Council who deliberately or negligently made or authorised a fruitless and wasteful expenditure is liable for that expenditure.

(2) The Council must recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure, unless the expenditure—

(a) in the case of unauthorised expenditure, is—

(i) authorised in an adjustments budget; or

(ii) certified by the Council, after investigation by a Council committee, as irrecoverable and written off by the Council; and

(b) in the case of irregular or fruitless and wasteful expenditure, is, after investigation by a Council committee, certified by the Council as irrecoverable and written off by the Council.

(3) If the Registrar becomes aware that the Council, or the executive committee, as the case may be, has taken a decision which, if implemented, is likely to result in unauthorised, irregular or fruitless and wasteful expenditure, the Registrar is not liable for any ensuing unauthorised, irregular or fruitless and wasteful expenditure, provided that the Registrar has informed the Council or the executive committee, in writing, that the expenditure is likely to be unauthorised, irregular or fruitless and wasteful expenditure.

(4) The Registrar must promptly inform the president in writing—

(a) of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Council;

(b) whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure; and

(c) of the steps that have been taken—

(i) to recover or rectify such expenditure; and

(ii) to prevent a recurrence of such expenditure.

(5) Disciplinary proceedings must be instituted against a person charged with the commission of an offence relating to unauthorised, irregular or fruitless and wasteful expenditure whether or not it is written off in terms of subsection (2).

(6) The Registrar must report to the South African Police Service all cases of alleged—

(a) irregular expenditure that constitute a criminal offence; and

(b) theft and fraud that occur in the Council.

(7) The Council must take all reasonable steps to ensure that all cases referred to in subsection (6) are reported to the South African Police Service if—

(a) the charge is against the Registrar; or

(b) the Registrar fails to comply with subsection (6).

**53. Implementation of procurement management policy**

The accounting officer must—

- (a) implement the procurement management policy;
- (b) take all reasonable steps to ensure that proper mechanisms are in place to prevent dishonesty, favouritism and unfair and irregular practices;
- (c) ensure that contracts concluded for the supply of services and goods are properly enforced;
- (d) monitor the performance of contractors; and
- (e) regularly report to the Council on—
  - (i) the management of contracts and the performance of contractors; and
  - (ii) the implementation of the procurement management policy.

**54. Prohibition on contracts**

No contract to provide goods or services to the Council may be awarded to—

- (a) a member of the Council;
- (b) a spouse of a member of the Council;
- (c) a member of staff of the Council;
- (d) a spouse of a member of staff;
- (e) the Registrar or his or her spouse;
- (f) a person in the employ of the State or a spouse of such person;
- (g) a family member of a person mentioned in paragraph (a) to (f); or
- (h) any entity in which a person mentioned in paragraphs (a) to (f) is a director or has a controlling or other financial interest.

**55. Interference**

(1) No person may—

- (a) impede, interfere with, or improperly influence, members of the Council; or
- (b) impede, interfere with, or improperly influence any member of staff in fulfilling their responsibilities in terms of this Act.

**CHAPTER 4****Part 1****Registration of members of the dental technology profession****56. Registration a prerequisite for practising**

No person shall be entitled to practise as a member of the dental technology profession within the Republic unless he or she is registered in terms of this Act.

**57. Categories of registration**

(1) The categories in which a person may register in the dental technology profession are—

- (a) student dental technician;
- (b) student dental technologist;
- (c) student clinical dental technologist;
- (d) student specialist dental technologist;
- (e) practitioner in community service;
- (f) dental technician;
- (g) dental technologist;
- (h) clinical dental technologist;
- (i) specialist dental technologist.

(2) A person registered under subsection (1) shall pay the prescribed fee for registration in such category so registered.

**58. Registration requirements and scope of practice**

(1) (a) Any person who wishes to register in any category under section 57 must apply to the Council in the form as determined by rule.

(b) An application contemplated in paragraph (a) must be accompanied by—

- (i) proof that the applicant has acquired South African citizenship in terms of Chapter 2 of the South African Citizenship Act, 1995 (Act 88 of 1995) or in the case of a foreigner such information that the Council may consider necessary in addition to the requirements required in subparagraph (ii), (iii) and (iv);
- (ii) proof of the applicant's qualifications;
- (iii) the prescribed registration fee; and
- (iv) any further information relating to the application that the Council may consider necessary or as determined by rule.

(2) If the Council is not satisfied that the information and documentation submitted in support of an application for registration meet the requirements of this Act, he or she may refuse to issue a registration certificate to the applicant.

(3) If the Registrar is satisfied that the person requiring registration comply with the requirements of this Act, the Registrar shall, upon payment of the prescribed fee, cause the necessary entry to be made in the register and the Registrar shall thereupon issue a registration certificate authorising the applicant, subject to the provisions of this Act or any other law, to practise in the category so registered.

(4) (a) The Council may refuse to register or to restore the name of any person to a register if an applicant—

(i) has been convicted of an offence and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;

(ii) if the applicant has been convicted of an offence in a foreign country and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;

(iii) has been permanently admitted in a health establishment for care, treatment and rehabilitation services as a mental health care user as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002), or is a State patient as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002);

(iv) if the applicant is declared by the High Court to be of unsound mind requiring a curator bonis to be appointed;

(v) for as long as the applicant is disqualified from registration as a result of any punishment imposed on him or her under this Act;

(vi) if the applicant is an unrehabilitated insolvent whose insolvency was caused by his or her negligence or incompetence in performing work falling within the scope of the category in respect of which he or she is applying for registration.

(b) For the purposes of paragraph (a) (ii), the Council must take cognisance of the prevailing circumstances in a foreign country relating to a conviction.

(c) The Council must prior to making a decision referred to in paragraph (a) of subsection 4 afford the applicant the opportunity to make representations prior to a decision to issue the applicant with a notice of a refusal referred to in paragraph (a) of subsection (4) of this Act.

(5) The person in charge of an approved institution shall forthwith notify the Council of the termination of the education and training of a student dental technician, student dental technologist, student clinical dental technologist or specialist student dental technologist at such institution, whether by reason of the abandonment or completion of education and training or the transfer of such student to another such institution or for any other reason.

(6) Any entry which is proved to the satisfaction of the Council to have been made in error or through misrepresentation or in circumstances not authorised by this Act must be removed from the register and-

(a) a record of the reason for every such removal must be made in the register;

(b) the person in respect of whom such removal has been made must be notified thereof; and

(c) any certificate issued in respect of such registration is deemed to have been cancelled as from the date on which notice has so been given.

(7) The scope of practice in respect of each category of registration under section 57 must be determined by rule.

## 59. Registration subject to restrictions

(1) The Council may, subject to the provisions of subsections (2) and (3), register a member of the dental technology profession or a foreigner in any particular category, if such person has acquired a qualification or underwent training outside the Republic if such qualification or training entitled the person to practise dental technology in the country or state in which he or she acquired the qualification or underwent the training and such education and training is of an equivalent standard and duration as in the Republic.

(2) A person registered in terms of subsection (1) as a member of the dental technology profession in any particular category shall be entitled to practise as such, only-

(a) for the period or periods determined by the Council, during which he or she shall satisfy the Council that-

(i) he or she possesses professional knowledge and ability of a standard not lower than that prescribed in respect of any member of the dental technology profession in any particular category in the Republic; and

(ii) he or she is conversant with the laws of the Republic regarding the dental technology profession as determined by the Council from time to time;

(b) in the area or areas determined by the Council; and

(c) subject to any further conditions determined by rule by the Council.

(3) The Council may, for the purposes of subparagraph (i) of paragraph (a) of subsection (2), and shall, for the purposes of subparagraph (ii) of paragraph (a) of subsection (2), require the person concerned to sit for an examination (whether oral, written or practical or two or more such examinations) before examiners appointed by the Council and such examination must comply with the registered statements of desired education and training outcomes and their associated assessment criteria as determined under the South African Qualifications Act, 1995 (Act 58 of 1995).

(4) The Council may extend, amend or vary any registration restrictions required for registration under subsection (1) on such conditions as the Council may deem appropriate.

(5) If the Council is satisfied that an applicant referred to in subsection (1) complies with the requirements of this Act, it shall exempt such applicant from all restrictions imposed in respect of him or her in terms of subsection (2), and if the Council is not so satisfied, it shall remove such person's name from the register.

#### **60. Removal from register and restoration of registration to register**

(1) The Registrar must remove from the relevant register the name of any person registered in any particular category under section 57-

(a) who has died;

(b) who has ceased to be a citizen of the Republic or is a foreigner and has permanently left the Republic;

(c) who has been absent from the Republic for a continuous period of more than one year without notifying the Council;

(d) who has failed to pay any relevant prescribed fee;

(e) who has failed to notify the Registrar of any change in residential or the physical address of his or her practice within 30 days after any such change;

(f) who has requested that his or her name be removed from the register, in which case such practitioner may be required to lodge with the Registrar an affidavit or affirmation to the effect that no disciplinary or criminal proceedings are pending or are likely to be instituted against him or her;

(g) who has been found guilty of misconduct and such disciplinary committee or appeal committee has resolved to remove such practitioner;

(h) who has been registered through error or fraud;

(i) who has failed to furnish the Registrar, within a period to be determined by the Council, with such information as the Registrar may require under this Act;

(j) whose registration is proved to the satisfaction of the Council to have been made in error or through fraudulent misrepresentation or concealment of material facts or information or in circumstances not authorised by this Act.

(2) The Registrar must give notice of the removal of a person's name from the register in terms of paragraph (b), (c), (d), (e), (f), (g), (h) and (j) of subsection (1) by registered mail or electronic mail addressed to such person at the address of such person as it appears in the register.

(3) From the date on which the notice contemplated in subsection (2) was given—

(a) any registration certificate issued under this Act to the person concerned is considered to have been cancelled; and

(b) a person whose name has been removed from the register must cease to practise as a member of the dental technology profession and is precluded from performing any act which he or she, in his or her capacity as a registered person, was entitled to perform, until such time as his or her name is restored to the register.

(4) The Registrar must restore the name of a person whose name has in terms of this section been removed from the register if the person concerned—

(a) applies on the prescribed form for restoration of his or her name to the Registrar;

(b) pays the prescribed fee, if any;

(c) complies with such other requirements as the Council may, from time to time, determine by rule; and

(d) is otherwise eligible for registration.

(5) Any removal of registration as contemplated in subsection (1) must be done in accordance with due process of law.

## 61. Cancellation of registration by Council

(1) (a) The Council may cancel the registration of a registered person if he or she—

(i) becomes disqualified from registration as contemplated in subsection (4) of section 58;

(ii) has erroneously been registered, or has been registered on information subsequently proved to be false; or

(iii) fails to pay the prescribed annual fee or portion thereof, within 60 days from it becoming due or within such further period as the Council may allow, either before or after the expiry of the 60 days.

(b) The Council must provide the registered person with a notice of a cancellation referred to in paragraph (a) of subsection (1) of this Act.

(2) If a person who is registered as a student dental technologist, student dental technician, student clinical dental technologist or student specialist dental technologist and qualifies to be registered in any other category under section 57, such application for registration must be made within thirty days after so qualifying and the Council must cancel his or her registration as a student dental technologist, student clinical dental technologist, student dental technician or student specialist dental technologist.

(3) The Council must at the written request of any registered person cancel his or her registration, but where an investigation into alleged misconduct by that person is in progress or is to be held, the registration may not be cancelled until the investigation has been concluded.

(4) Despite the cancellation of the registration of a registered person in terms of this section, that person remains liable for any fee, arrears or penalty imposed by the Council for the period that he or she was registered.

(5) If-

(a) it appears to a presiding officer when acting in terms of the Mental Health Act, 2002 (Act 17 of 2002), or from the documents submitted to him or her under Rule 57 of the Uniform Rules of Court, or it is brought to the notice of such presiding officer in any other manner, that the person has been declared of unsound mind or a curator bonis has been appointed for such person or such a person has been classified as a State patient in terms of the Mental Health Act, 2002 (Act 17 of 2002); or

(b) the court makes a finding in terms of section 78(6) of the Criminal Procedure Act, 1977 (Act 51 of 1977) and it is brought to the notice of a court that an accused person appearing before it is registered in terms of this Act, the court shall direct that a copy of the order made in subparagraph (a) or (b), as the case may be, be transmitted to the Registrar, and the Registrar shall on receipt of the copy cancel the registration of such person.

(6) Whenever it appears to the Council that a person registered in terms of the Act is or may be incapacitated as a result of disability or is or may be impaired, whether mentally or otherwise, to such an extent that—

(a) it would be detrimental to the public interest to allow him or her to continue to practise;

(b) he or she is unable to practise the profession of dental technology with reasonable skill and safety; or

(c) in the case of a student dental technician, student dental technologist, student clinical dental technologist or student specialist dental technologist has become unfit to continue with his or her educational programme, the Council must appoint a committee to conduct an inquiry in the manner determined by rule.

(7) If the Council after holding an inquiry finds the person registered in terms of the Act incapacitated or impaired as referred to in subsection (6), the Council may—

(a) allow that person to continue practising the profession and in the case of a student dental technician, student clinical dental technologist, student dental technologist or student specialist dental technologist to continue with the education programme under such conditions as it may think fit; or

(b) suspend that person for a specified period or stop that person from practising and, in the case of a student dental technician, student clinical dental technologist, student dental technologist or student specialist dental technologist, from continuing with his or her education and training programme.

(8) If a person referred to in subsection (7) applies for reinstatement, the Council must evaluate the person's ability to continue practising and may extend or withdraw the period of operation of the suspension.

(9) A practitioner suspended or whose name is removed from the register in terms of this section is disqualified from practising the profession of dental technology and his or her registration certificate is withdrawn until the period of suspension has expired or until his or her name is restored to the register.

(10) A practitioner registered under this Act who fails to comply with such conditions referred to in paragraph (a) of subsection (7) or contravenes the provisions of paragraph (b) of subsection (7) is guilty of an offence.

(11) The committee referred to in paragraph (c) of subsection (1) may appoint persons with relevant expertise and experience as assessors to advise such committee.

(12) For the purposes of this section 'impairment' refers to a condition which renders a practitioner incapable of practising the dental technology profession with reasonable skill and safety.

(13) A person whose registration has been cancelled in terms of subsection (1) may be restored if he or she:

(a) applies in the prescribed form for such restoration and pays the prescribed fees including any outstanding fees;

(b) satisfies the Council that he or she has maintained an adequate connection with, and recent practice in the category registration is required since qualifying for, or obtaining registration having regard to:

(i) the practitioner's registration history;

(ii) the period of absence from the profession;

(iii) activities relating to the practice in the profession of dental technology undertaken in the previous five years;

(iv) history of continued professional development completed; and

(v) any additional study undertaken or qualifications obtained during the period of absence from practice.

(14) (a) A person whose registration has been cancelled in terms of subsection (5) may be restored if he or she submits proof to the satisfaction of the Council of his or her discharge from curatorship or unconditional discharge as as a State Patient as contemplated in paragraph (c) of subsection (6) of section 47 of the Mental Health Care Act, 2002 (Act 17 of 2002), from the institution at which he or she was detained; and

(b) complies with such other requirements as the Council may determine by rule.

(15) Recent practice in paragraph (b) of subsection (13) means-

(a) having recently practised in one's intended scope of practice; or

(b) is deemed by Council to be:

(i) compliant in respect of continuing professional development; or

(ii) having an adequate connection in respect of the practice of dental technology within such period as the Council may determine by rule.

## **62. Return of certificates of registration on removal of name from register or cancellation of registration**

(1) Whenever the registration of any person under section 57 is withdrawn or such person applies for registration in any other

category such person shall forthwith return to the Council the certificate of registration issued to him or her under section 58.

(2) If the person cannot return the certificate as required, he or she must, by way of an affidavit, provide satisfactory reasons for the inability to return the certificate.

(3) The provisions of subsection (1) is not applicable to practitioners registered in terms of subsection (6) of section 58.

### **63. Issue of duplicate registration certificate**

(1) If the Registrar is satisfied—

(a) on proof submitted by the registered person concerned that a registration certificate has been destroyed; or

(b) by virtue of an affidavit submitted by the registered person concerned, that a registration certificate has been lost, the Registrar may issue a duplicate registration certificate to that person upon payment of the prescribed fee.

(2) The Registrar may, upon payment of the prescribed fee, issue to any registered person a certificate of status containing particulars relating to such person's registration as well as a statement to the effect that the said person is not disqualified from practising his or her profession and that no disciplinary steps are pending against him or her in terms of this Act.

(3) The Registrar may issue a certified extract from the register or a certificate under his or her hand to a person upon payment of the prescribed fee.

(4) A certificate may be issued subject to certain conditions imposed by the Council and such conditions must be indicated on the certificate.

### **64. Annual fees payable to Council**

(1) (a) The Minister may on the recommendation of the Council at any time by notice in the *Gazette* fix a fee to be paid annually to the Council by every member of the dental technology profession.

(b) Different fees may be fixed in respect of different categories of registered practitioners.

(2) If any person liable to pay any annual fee fixed in terms of subsection (1), fails to pay such fee within the period specified in the notice in question, the Council may recover such fee by action in a competent court and, cancel the registration of such person.

(3) If a person's name has been removed from the register in terms of this section such person's name shall not be restored to the register unless he or she has paid any annual fees or outstanding fees which may be payable by him or her and has complied with the requirements of registration as contemplated in section 58.

(4) The Council may by resolution grant postponement on such terms as the Council may determine to any member of the dental technology profession specified in the resolution from payment of any annual fee prescribed in terms of subsection (1).

(5) Any cancellation of registration as contemplated in subsection (2) must be done in accordance with due process of law.

## CHAPTER 4

### Part 2

#### **Restriction in or suspension from practice of registered person, exemption for equivalent or substantially equivalent qualifications, restricted registration of informally trained persons and Acts which may be performed only by members of the dental technology profession**

#### **65. Restriction in or suspension from practice of registered person**

(1) Whenever it appears to the Council from evidence under oath that any registered person—

(a) has become mentally or physically disabled to such an extent that it would be detrimental to the public interest to allow him or her to continue to practise; or

(b) has become addicted to the use of any scheduled substance, the Council shall cause the matter to be investigated and may, if it deems it necessary, hold an inquiry, *mutatis mutandis* in accordance with the provisions of section 118 in respect of such a person.

(2) If the Council, after holding an inquiry under subsection (1), finds that any circumstance contemplated in subsection (1) exists in respect of the person concerned, it may by order—

(a) suspend such person for a specified period from practising his or her profession or performing any act specially pertaining to his or her profession; or

(b) impose such conditions as it may deem fit subject to which such person shall be entitled to continue practising his or her profession.

(3) The Council may extend for any period the period of operation of any order made under subsection (2), or withdraw or in any other manner amend such order.

(4) The provisions of subsection (9) of section 61 shall *mutatis mutandis* apply in respect of any person who has been suspended in terms of any provision of subsection (2).

(5) Any person who fails to comply with any order made under subsection (2) shall be guilty of an offence.

(6) Any order made as contemplated in subsection (2) must be done in accordance with due process of law.

#### **66. Exemption for equivalent or substantially equivalent qualifications**

(1) Notwithstanding anything to the contrary in any other law contained, the Council may, on recommendation of the educational committee, unconditionally or on such conditions as it may in each case determine exempt an applicant from certain requirements for registration who has practised the profession of dental technology in another country from complying with the provisions of this Act by virtue of examinations conducted in another country.

(2) Exemption under subsection (1) shall only be granted to an applicant if the Council is satisfied that—

(a) (i) the applicant has lawfully and permanently returned to the Republic or declared his or her intention to so return to the Republic within a reasonable time; and

(b) the applicant is proficient in at least the English language; and

(c) the applicant referred to in subsection (1) has indeed practised as a dental technologist or any equivalent category in another country or is entitled to practise as such on account of his or her academic qualifications, and practical training or examinations, whether or not such practical training or examinations were a prerequisite for the completion of the academic qualifications concerned.

(d) the academic qualifications, practical training or examinations as contemplated in subparagraph (c) of subsection (2) shall be of an equivalent standard and duration as in the Republic;

(e) the Council is satisfied that he or she possesses professional knowledge and ability of a standard not lower than that prescribed in respect of any member of the dental technology profession in any particular category in the Republic; and

(f) he or she is conversant with the laws of the Republic that are applicable to the practice of the profession of dental

technology in the Republic as determined by rule by the Council from time to time.

(3) The Council may grant an applicant referred to in subsection (1) restricted registration subject to the successful completion of studies in the laws applicable to the practice of the profession of dental technology and the successful completion of any final exam and summative practical assessment conducted at an approved training institution as the Council may determine from time to time.

**67. Restricted registration of informally trained persons**

The Council may determine by rule—

- (a) the requirements for registration of informally trained persons;
- (b) the fees payable for registration of informally trained persons;
- (c) the scope of practice of informally trained persons; and
- (d) such other matters which the Council considers necessary or expedient to determine in respect of informally trained persons.

**68. Acts which may be performed only by members of the dental technology profession**

(1) No person other than a registered member of the dental technology profession shall—

- (a) supply or undertake to supply or make any artificial denture or other dental appliance to or for any person;
- (b) be concerned with the design, making or creation of dental and oral prostheses;

(c) repair, alter, work upon, or undertake to make, repair, alter or work upon, any artificial denture, dental and oral prostheses or other dental appliance, unless the denture or appliance, or the impression, model or other direction for making, repairing or altering of or the working upon the denture or appliance, has been or is to be delivered to him or her by a dentist or clinical dental technologist and the denture or appliance is to be returned or delivered, as the case may be, by him or her to the dentist or clinical dental technologist.

(2) The provision of paragraph (c) of subsection (1) is not applicable in respect of any repair, alteration or work performed on such artificial denture, dental and oral prostheses or other dental appliance and such repair, alteration or work performed

that does not involve the taking of any impression: Provided that no additional clinical costs may be levied by such practitioner.

(3) No person other than a member of the dental technology profession shall—

(a) pretend or hold himself or herself out to be entitled or prepared to supply, make, repair, alter or work upon any artificial denture, dental and oral prostheses or other dental appliance otherwise than in accordance with the provisions of subsection (1); or

(b) solicit or accept, for execution by any person in contravention of subsection (1), any order for the supply, making, repair or alteration of or the working upon any artificial denture, dental and oral prostheses or other dental appliance.

(4) No person who is not registered under section 57 shall hold himself or herself out to be a member of the dental technology profession or use any name, title, description or symbol indicating or calculated to lead persons to infer that he or she is registered under section 57 of this Act.

(5) (a) No person registered as a dental technician under section 57 shall for his or her own account practise in the category of registered dental technician or shall be a member of a partnership or an association of persons which practises in the category of registered dental technician or shall be a member of a juristic person which carries on a business in which is performed any act specially pertaining to the dental technician profession, unless he or she has, after having been registered as contemplated in section 57 performed the work of a dental technician or supervised a dental laboratory and has acquired a qualification as determined by the Council by rule from time to time.

(b) The provisions of paragraph (a) shall not apply to any person who at the commencement of the Dental Technicians Act, 1979 (Act 19 of 1979) so practised that profession or was then such member or then had the right to practise that profession or to be such a member.

(6) The provisions of subsection (1) shall not imply that any person who solicits, or allows any person to solicit on his or her behalf, any service or order referred to in that subsection, or accepts any such order so solicited, is not guilty of misconduct, or that an inquiry under Chapter 10 of this Act may not be instituted against any such person.

(7) No person shall employ any other person to perform the work of a member of any category of registration under section 57 unless such other person is registered in terms of section 57.

(8) The prohibition in subsection (1) shall not apply in respect of-

(a) (i) a dentist when such dentist supplies or undertakes the work as contemplated in paragraph (a), (b) or (c) of subsection (1) for patients of such dentists' own practice or the partnership, association or juristic person of which that dentist is a member;

(ii) a dentist when he or she operates a dental laboratory registered with the Council in terms of the provisions of Chapter 6 of this Act;

(b) a student dental technician or a student dental technologist, if the act in question is performed for purposes of his or her training in dental technology;

(c) a person registered in terms of section 59, provided he or she observes the restrictions in respect of such registration; and

(d) a dental laboratory assistant in the employment of a dental laboratory who performs any act in accordance with such dental laboratory assistant's scope of practice.

## CHAPTER 4

### Part 3

#### Keeping of registers, custody and publication of registers, receipt as proof, receipt as proof and register as proof

#### 69. Keeping of registers, custody and publication of registers

(1) The Council shall keep separate registers in respect of each category of practice as contemplated in section 57, and shall enter in the appropriate register the prescribed particulars of every person whose application for registration is granted.

(2) The Council shall keep the registers correctly and in accordance with the provisions of this Act, and shall effect the necessary alterations in the names and addresses or qualifications of such registered persons in the appropriate register.

(3) Any registered person who changes his or her name or name under which he or she practices or residential or employment address shall in writing notify the Registrar thereof within thirty days after such change.

(4) No qualification shall be entered in the register in respect of any person if the Council is satisfied that such person does not hold such qualification.

## 70. Custody and publication of registers

Subject to the provisions of the Protection of Personal Information Act, 2013 (Act 4 of 2013) the registers shall be kept at the office of the Council, and the Registrar shall, at intervals to be determined by rule by the Council and in accordance with the directions of the Council, cause copies of the registers and of any supplementary lists showing any alterations, additions, revisions and deletions made since the last publication of the complete registers, to be printed and published.

## 71. Receipt as proof

A receipt purporting to be issued by or on behalf of the Council in respect of the payment of annual fees shall be prima facie proof in proceedings in a court of law that such person is registered under the provisions of this Act: Provided that in the case of any person whose name—

(a) appears in such register, but who is unable to produce such receipt, a certificate purporting to be signed by the Registrar shall be proof that such person is registered under the provisions of this Act;

(b) has been removed from the register since the date of issue of such receipt and has not been restored to the register, a certificate purporting to be signed by the Registrar and stating that the name of such person has been removed from the register, shall be proof that such person is not registered under the provisions of this Act.

## 72. Register as proof

(1) The register referred to in subsection (3) of section 58 serves as evidence of all matters which, in terms of this Act, are required or authorised to be noted therein.

(2) A certificate purporting to be signed by the Registrar to the effect that an entry has or has not been made in the register or that any other function authorised by this Act to be performed, has or has not been performed, is evidence of the matters specified in that certificate.

(3) A copy of an entry in the register or of a document in the custody of the Registrar or an extract from the register or from any such document, purporting to be certified by the Registrar, may be admitted in evidence in all courts without further proof or production of the original.

**CHAPTER 5****Council may determine qualifications for registration, control of education and training, community service and conditions relating to continuing professional development****73. Council may determine qualifications for registration**

The Council may from time to time determine the qualifications obtained by virtue of examinations conducted by an approved institution which shall, if possessed alone or together with another qualification, entitle the possessor thereof to registration as a member of the dental technology profession in terms of this Act, if he or she complies, before or in connection with or after the acquisition of the qualification in question, with the conditions or requirements so determined.

**74. Control of education and training**

(1) Notwithstanding anything to the contrary in any law contained, no person or institution, including a university established by or under an Act of Parliament, may offer or provide any education or training which is intended to qualify any person to practise the dental technology profession, unless such education and training have been approved by the Council.

(2) Any person or institution wishing to offer or to provide the education and training referred to in subsection (1) shall, before offering or providing the education and training, apply to the Council in writing for its approval of the education and training and shall furnish such particulars regarding the education and training as the Council may require.

(3) The Council may approve or refuse any application made in terms of subsection (2) and may, where it approves the application, determine any condition or requirements it deems fit, to which the education or training shall be subject.

**75. Community service**

(1) A person who is intending to register for the first time to practise in a category under paragraph (f), (g) or (h) of subsection (1) of section 57 must perform remunerated community service for a period of one year at a public health facility or such other facility as the Minister, in consultation with the Council, may designate from time to time.

(2) A person referred to in subsection (1) must be registered in the category practitioner in community service.

(3) The Minister may, after consultation with the Council, make regulations concerning the performance of the service contemplated in subsection (1), including but not limited to-

- (a) the place at which such service is to be performed;
- (b) the conditions of employment pertaining to persons who perform such service; and
- (c) the fees payable to Council in respect of such registration as contemplated in subsection (2).

#### **76. Conditions relating to continuing professional development**

The Council may determine-

- (a) conditions relating to continuing professional development to be undergone by the dental technology profession in order to retain such registration;
- (b) the nature and extent of continuing professional development to be undergone by practitioners; and
- (c) the criteria for recognition by the Council of continuing professional development activities and accredited institutions, accredited associations or such other bodies or structures offering such activities.

### **CHAPTER 6**

**Registration of dental laboratories, Council may refuse to register a dental laboratory, cancellation of registration of dental laboratory by Council, change of ownership of dental laboratory continuation of business of dental laboratory registered in terms of the Act by executor, trustee, liquidator, business rescue practitioner, curator or judgment creditor, register of dental laboratories, return of registration certificate, dental laboratory assistants, persons who may supervise dental laboratories and prohibition on the operation of a dental laboratory from a private dwelling**

#### **77. Registration of dental laboratories**

- (1) The provisions of this Chapter shall apply to-
  - (a) dental laboratories conducted or operated by the State;
  - (b) dental laboratories conducted or operated by any provincial government;
  - (c) dental laboratories conducted or operated by a university having a dental faculty or educational institution;

(d) dental laboratories conducted or operated at an approved institution at which students are educated and trained in dental technology; and

(e) a dentist when such dentist employs one or more dental technicians or dental technologists in the supply or undertaking of the services as contemplated in paragraph (a), (b) or (c) of subsection (1) of section 68.

(2) No person shall operate or conduct a dental laboratory unless such dental laboratory has been registered in terms of this Chapter.

(3) A dentist registered under the Health Professions Act, 1974 (Act 56 of 1974) may not perform the services as contemplated in paragraph (a), (b) or (c) of subsection (1) of section 68 for other dentists.

(4) Any person who desires that a dental laboratory be registered in terms of subsection (2) shall apply to the Council for such registration in the form as determined by rule.

(5) On completion of the registration as contemplated in subsection (1), the Registrar must issue a registration certificate in respect such dental laboratory in the form as determined by rule.

(6) The certificate contemplated in subsection (5) must contain the particulars entered in the register in respect of such dental laboratory and any other matter that may be determined by rule.

#### **78. Council may refuse to register a dental laboratory**

The Council shall not register a dental laboratory in terms of section 77 unless—

(a) the dental laboratory is owned by a person or persons who in terms of section 77 is authorised to be the owner thereof and all fees of such owner or owners have been paid;

(b) the prescribed fees have been paid;

(c) the dental laboratory complies with the conditions and requirements for registration determined rule by the Council from time to time;

(d) the Council is satisfied that the dental laboratory will be supervised and conducted by a person or persons who are in terms of section 86 entitled to do so; and

(e) the Council is satisfied that the provisions of any other relevant legislation including provincial legislation, ordinances, bye-laws or any town planning scheme that may be a requirement or applicable to the the operation of a dental laboratory has been complied with.

## 79. Cancellation of registration of dental laboratory by Council

(1) The Registrar may cancel the registration of a dental laboratory-

(a) if such dental laboratory has failed to comply with the provisions of this Act;

(b) if such laboratory was erroneously registered;

(c) if such dental laboratory was registered on the basis of incorrect information;

(d) if the Council is satisfied that the laboratory no longer complies with the conditions and requirements referred to in section 78: Provided that the Council shall, in the case of a dental laboratory registered before the date of publication of the relevant condition or requirement, allow the owner of such laboratory a reasonable period to comply with such conditions and requirements;

(e) if the owner or owners of such dental laboratory fails to pay any amount owing to the Council on the due date or any extended date; or

(f) if the owner or owners of such dental laboratory fails, without good reason, to comply with any rule made by Council in respect of dental laboratories.

(2) The Registrar must notify the owner or owners of such dental laboratory in writing of its intention to cancel such dental laboratories' registration and request the person to submit written representations, within a specified reasonable time, indicating the reasons why the registration should not be cancelled.

(3) If the Registrar is satisfied that no reasonable grounds exist for such dental laboratories' registration to continue, the registration must be cancelled and the registered owner or owners, as the case may be, must be notified accordingly.

(4) The Registrar must, at the written request of any registered dental laboratory, remove such dental laboratories' name from the register, but if an investigation into alleged misconduct by the registered owner or owners, as the case may be, of such dental laboratory is in progress or is to be held, such removal must not be made until any resultant misconduct proceedings have been concluded.

(5) A dental laboratory who was previously registered in terms of section 77 may apply for re-registration, if all the requirements of this Chapter applicable to the registration of dental laboratories have been complied with.

(6) Any cancellation of registration of a dental laboratory as contemplated in subsection (1) must be done in accordance with due process of law.

**80. Change of ownership of dental laboratory**

(1) An owner or owners of a dental laboratory shall forthwith notify the Council of any change in ownership or beneficial interest in a dental laboratory.

(2) Any person acquiring a dental laboratory as contemplated in subsection (1) may only operate or conduct such dental laboratory after such change in ownership or beneficial interest in that dental laboratory has been registered under section 77.

(3) If the ownership of any dental laboratory registered in terms of this Act is transferred or alienated in contravention of subsection (2) the registration of such dental laboratory shall lapse.

(4) Change of ownership in a dental laboratory in this section includes the transfer or abandonment of rights to ownership of a dental laboratory, and includes a sale, lease, assignment mortgage, pledge, delivery, payment, release, compromise, donation or any contract for the change of ownership or beneficial interest whether temporarily or permanently.

**81. Continuation of business of dental laboratory registered in terms of the Act by executor, trustee, liquidator, business rescue practitioner or curator**

(1) Notwithstanding anything to the contrary in this Act contained—

(a) the person responsible for reporting the estate of a person who owns a dental laboratory and registered in terms of this Act to the Master, or the executor of the deceased estate of such person who owns a dental laboratory may, subject to the laws relating to the administration of estates, for a period not exceeding 12 months after the death of such person who owns a dental laboratory, and for an additional period not exceeding 12 months, continue the dental laboratory business of the deceased, and such dental laboratory business shall be conducted under the continuous personal supervision of a member of the dental technology profession excluding a student dental technician, student dental technologist, dental technician or practitioner in community service;

(b) the executor shall, within 30 days of his or her appointment, inform the Council by hand, registered mail or electronic mail of his or her appointment and of the name and registration number of the deceased and the name and registration number of the dental laboratory and the name of the member who shall be responsible to the Council in respect of the dental laboratory business referred to in paragraph (a);

(c) the trustee in the insolvent estate of a dental laboratory registered in terms of this Act or the liquidator of a body corporate is entitled to carry on the business as a dental laboratory and may, subject to applicable laws, for a period not exceeding 12 months after such a final sequestration order or final liquidation order, and for such additional period as the Council may allow, continue the business of such a dental laboratory or body corporate, and such business shall be conducted under the continuous personal supervision of a member of the dental technology profession excluding a student dental technician, student dental technologist, dental technician or practitioner in community service;

(d) the trustee or liquidator shall, within 30 days of his or her appointment, deliver by hand, electronic mail or registered mail, to the Council the sequestration or liquidation order, as the case may be, referred to in paragraph (c), and the trustee or the liquidator shall inform the Council, in writing, of the name and registration number of the member who shall be responsible to the Council in respect of the business referred to in paragraph (c);

(e) the curator of the estate of a person who is carrying on business as a dental laboratory but who has been declared incapable of managing his or her affairs by an order of court, may, subject to applicable laws, for a period not exceeding 12 months after the order has been given and for such additional period as the Council may allow, continue such dental laboratory business, and such dental laboratory business shall be conducted under the continuous personal supervision of a member of the dental technology profession excluding a student dental technician, student dental technologist, dental technician or practitioner in community service;

(f) the curator referred to in paragraph (e) shall, within 30 days from the date on which the order was made, deliver by hand, electronic mail or registered mail, such order to the Council, and the curator shall inform the Council, in writing, of the name and registration number of the member who shall be

responsible to the Council in respect of the business referred to in paragraph (e);

(g) the business rescue practitioner of a body corporate carrying on business as a dental laboratory may, subject to applicable laws, for a period not exceeding the period of business rescue proceedings, subject to conditions determined by the Council, continue such dental laboratory business, and such dental laboratory business shall be conducted under the continuous personal supervision of a member of the dental technology profession excluding a student dental technician, dental technician, student dental technologist or practitioner in community service;

(h) the business rescue practitioner referred to in paragraph (g) shall, within 30 days of the granting or discharge of the order, deliver by hand, electronic mail or registered mail, such order to the Council, and such business rescue practitioner shall inform the Council, in writing, of the name and registration number of the member who shall be responsible to the Council in respect of the dental laboratory business referred to in paragraph (e).

(2) The reference to 'dental technician' in this section does not refer to a person as contemplated in paragraph (b) of subsection (5) of section 68.

## **82. Register of dental laboratories**

(1) The Council shall keep a register in which shall be entered—

(a) the registered name of such dental laboratory;

(b) the name under which such dental laboratory is registered by the Council;

(c) the physical address at which such dental laboratory is conducted;

(d) the name and address, including postal and electronic address, of the owner or owners of such laboratory; and

(e) such other particulars relating to such dental laboratory or owner or owners as the Council may determine from time to time.

(2) Subject to the provisions of the Protection of Personal Information Act, 2013 (Act 4 of 2013) the register kept by Council in terms of subsection (1) must be open for inspection by the public at the head office of the Council during business hours.

(3) The register referred to in subsection (1) serves as evidence of all matters which, in terms of this Act, are required or permitted to be noted therein.

(4) A certificate purporting to be signed by the Registrar to the effect that an entry has or has not been made in the register or that any other function authorised by this Act to be performed, has or has not been performed, is evidence of the matters specified in that certificate.

(5) A copy of an entry in the register or of a document in the custody of the Registrar or an extract from the register or from any such document, purporting to be certified by the Registrar, may be admitted in evidence in all courts without further proof or production of the original.

### **83. Return of registration certificate**

(1) Any dental laboratory whose registration has been cancelled must return its certificate of registration to the Registrar within 30 days from the date upon which he or she is directed by the Registrar in writing to do so and furnish the Registrar with proof of such return.

(2) If such dental laboratory cannot return the certificate as required, the registered owner or owners, as the case may be, must, by way of an affidavit, provide satisfactory reasons for the inability to return the certificate of registration.

### **84. Issue of duplicate registration certificate in respect of dental laboratory**

(1) If the Registrar is satisfied—

(a) on proof submitted by the registered owner or owners of a dental laboratory that a registration certificate has been destroyed; or

(b) by virtue of an affidavit submitted by the registered person concerned, that a registration certificate has been lost, the Registrar may issue a duplicate registration certificate to that person upon payment of the prescribed fee.

(2) The Registrar may, upon payment of the prescribed fee, issue to any registered person a certificate of status containing particulars relating to such dental laboratories' registration.

(3) The Registrar may issue a certified extract from the register or a certificate under his or her hand to a person upon payment of the prescribed fee.

(4) A certificate may be issued subject to certain conditions imposed by the Council and such conditions must be indicated on the certificate.

**85. Dental laboratory assistants**

The Council may determine by rule—

- (a) the requirements for registration of dental laboratory assistants;
- (b) the fees payable for registration of dental laboratory assistants;
- (c) the scope of practice of dental laboratory assistants; and
- (d) such other matters which the Council considers necessary or expedient to determine in respect of dental laboratory assistants.

**86. Persons who may supervise dental laboratories**

(1) Subject to the provisions of subsection (2), no person except the following persons shall supervise a dental laboratory, namely—

- (a) a person referred to in subparagraph (i) of paragraph (a) of subsection (8) of section 68; and
- (b) a dental technologist registered under section 57.

(2) From a date determined by the Minister by notice in the *Gazette*, no person who has not acquired an approved and accredited qualification shall supervise any dental laboratory unless he or she supervised a dental laboratory on or before the date so specified or had the right to exercise such supervision.

(3) No person shall conduct a dental laboratory otherwise than under the continuous personal supervision of a person referred to in subsection (1) or, from the date determined in terms of subsection (2), otherwise than under the continuous personal supervision of the holder of approved and accredited qualification referred to in that subsection, or of a person who supervised a dental laboratory on or before that date or had the right to exercise such supervision.

(4) A dental laboratory referred to in this Chapter excludes the denture clinic owned and operated by a clinical dental technologist under Chapter 7 of the Act.

**87. Prohibition on the operation of a dental laboratory from a private dwelling**

No dental laboratory may be conducted or operated from—

- (a) a private dwelling; or
- (b) any building or outbuilding on property where a private dwelling is located and to which private dwelling access may be gained from such dental laboratory; or

- (c) from any premises on property—
  - (i) for which the local authority has not granted consent use rights; or
  - (ii) which has not been zoned for such use by the local authority.

## CHAPTER 7

### Part 1

#### Prohibition of practice as clinical dental technologist, registration requirements, removal of registration and restoration of registration to register, cancellation of registration by Council and annual fees

#### 88. Registration a prerequisite for practising as clinical dental technologist

No person shall be entitled to practise as a clinical dental technologist within the Republic unless he or she is so registered in terms of this Act.

#### 89. Registration requirements and scope of practice

(1) (a) Any person who wishes to register as a clinical dental technologist must apply to the Council in the form as determined by rule.

(b) An application contemplated in paragraph (a) must be accompanied by—

- (i) proof that the applicant has acquired South African citizenship in terms of Chapter 2 of the South African Citizenship Act, 1995 (Act 88 of 1995) or in the event of foreigner such information that the Council may consider necessary;

- (ii) proof of the applicant's qualifications;

- (iii) the prescribed registration fee; and

- (iv) any further information relating to the application that the Council may consider necessary.

(2) If the Council is not satisfied that the information and documentation submitted in support of an application for registration meet the requirements of this Act, he or she may refuse to issue a registration certificate to the applicant.

(3) If the Registrar is satisfied that the person requiring registration comply with the requirements of this Act, the Registrar shall, upon payment of the prescribed fee, cause the necessary entry to be made in the register and the Registrar shall thereupon issue a registration certificate authorising the

applicant, subject to the provisions of this Act or any other law, to practise as clinical dental technologist.

(4) (a) The Council may refuse to register or to restore the name of any person to a register if an applicant—

(i) has been convicted of an offence and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;

(ii) if the applicant has been convicted of an offence in a foreign country and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;

(iii) has been permanently admitted in a health establishment for care, treatment and rehabilitation services as a mental health care user as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002), or is a State patient as defined in section 1 of the Mental Health Care Act, 2002 (Act 17 of 2002);

(iv) if the applicant is declared by the High Court to be of unsound mind requiring a curator bonis to be appointed;

(v) for as long as the applicant is disqualified from registration as a result of any punishment imposed on him or her under this Act;

(vi) if the applicant is an unrehabilitated insolvent whose insolvency was caused by his or her negligence or incompetence in performing work falling within the scope of the category in respect of which he or she is applying for registration.

(b) For the purposes of paragraph (a) (ii), the Council must take cognisance of the prevailing circumstances in a foreign country relating to a conviction.

(5) The Council must provide the applicant with a notice of refusal referred to in paragraph (a) of subsection (4).

(6) Any refusal of registration as contemplated in subsection (4) must be done in accordance with due process of law.

(7) Any entry which is proved to the satisfaction of the Council to have been made in error or through misrepresentation or in circumstances not authorised by this Act must be removed from the register and—

(a) a record of the reason for every such removal must be made in the register;

(b) the person in respect of whom such removal has been made must be notified thereof; and

(c) any certificate issued in respect of such registration is deemed to have been cancelled as from the date on which notice has so been given.

## 90. Removal from register and restoration of registration to register

(1) The Registrar must remove from the relevant register the name of any person registered as clinical dental technologist registered under section 89–

(a) who has died;

(b) who has ceased to be a citizen of the Republic or is a foreigner and has permanently left the Republic;

(c) who has been absent from the Republic for a continuous period of more than one year without notifying the Council;

(d) who has failed to pay any relevant prescribed fee;

(e) who has failed to notify the Registrar of any change in residential or the physical address of his or her practice within 30 days after any such change;

(f) who has requested that his or her name be removed from the register, in which case such practitioner may be required to lodge with the Registrar an affidavit or affirmation to the effect that no disciplinary or criminal proceedings are pending or are likely to be instituted against him or her;

(g) who has been found guilty of misconduct and such disciplinary committee or appeal committee has resolved to remove such practitioner;

(h) who has been registered through error or fraud;

(i) who has failed to furnish the Registrar, within a period to be determined by the Council, with such information as the Registrar may require under this Act;

(j) whose registration is proved to the satisfaction of the Council to have been made in error or through fraudulent misrepresentation or concealment of material facts or information or in circumstances not authorised by this Act.

(2) The Registrar must give notice of the removal of a person's name from the register in terms of paragraph (b), (c), (d), (e), (f), (g), (h) and (j) of subsection (1) by registered mail or electronic mail addressed to such person at the address of such person as it appears in the register.

(3) From the date on which the notice contemplated in subsection (2) was given–

(a) any registration certificate issued under this Act to the person concerned is considered to have been cancelled; and

(b) a person whose name has been removed from the register must cease to practise as a clinical dental technologist and is precluded from performing any act which he or she, in his or her capacity as a registered person, was entitled to perform, until such time as his or her name is restored to the register.

(4) The Registrar must restore the name of a person whose name has in terms of this section been removed from the register if the person concerned—

(a) applies on the prescribed form for restoration of his or her name to the Registrar;

(b) pays the prescribed fee, if any;

(c) complies with such other requirements as the Council may, from time to time, determine; and

(d) is otherwise eligible for registration.

(5) Any removal of registration as contemplated in subsection (1) must be done in accordance with due process of law.

## 91. Cancellation of registration by Council

(1) (a) The Council may cancel the registration of a clinical dental technologist if he or she—

(i) becomes disqualified from registration as contemplated in section 89;

(ii) has erroneously been registered, or has been registered on information subsequently proved to be false; or

(iii) fails to pay the prescribed annual fee or portion thereof, within 60 days from it becoming due or within such further period as the Council may allow, either before or after the expiry of the 60 days.

(b) The Council must provide the clinical dental technologist with a notice of a cancellation referred to in paragraph (a) of subsection (1).

(2) The Council must at the written request of any registered clinical dental technologist cancel his or her registration, but where an investigation into alleged misconduct by such clinical dental technologist is in progress or is to be held, the registration may not be cancelled until the investigation has been concluded.

(3) Despite the cancellation of the registration of a clinical dental technologist in terms of this section, that clinical dental technologist remains liable for any fee, arrears or penalty imposed by the Council for the period that he or she was registered.

(4) If—

(a) it appears to a presiding officer when acting in terms of the Mental Health Act, 2002 (Act 17 of 2002), or from the documents submitted to him or her under Rule 57 of the Uniform Rules of Court, or it is brought to the notice of such presiding officer in any other manner, that a clinical dental technologist has

been declared of unsound mind or a curator bonis has been appointed for such clinical dental technologist or such clinical dental technologist has been classified as a State patient in terms of the Mental Health Act, 2002 (Act 17 of 2002) ; or

(b) the court makes a finding in terms of section 78(6) of the Criminal Procedure Act, 1977 (Act 51 of 1977) and it is brought to the notice of a court that an accused person appearing before it is registered in terms of this Act,

the court shall direct that a copy of the order made in subparagraph (a) or (b), as the case may be, be transmitted to the Registrar, and the Registrar shall on receipt of the copy cancel the registration of such clinical dental technologist.

(5) Whenever it appears to the Council that a clinical dental technologist registered in terms of the Act is or may be incapacitated as a result of disability or is or may be impaired, whether mentally or otherwise, to such an extent that-

(a) it would be detrimental to the public interest to allow him or her to continue to practise; or

(b) he or she is unable to practise as a clinical dental technologist with reasonable skill and safety, the Council must appoint a committee to conduct an inquiry in the manner as determined by rule.

(6) If the Council after holding an inquiry finds the clinical dental technologist registered in terms of the Act incapacitated or impaired as referred to in subsection (5), the Council may-

(a) allow that clinical dental technologist to continue practising the clinical dental technology profession under such conditions as it may think fit; or

(b) suspend that clinical dental technologist for a specified period or stop that clinical dental technologist from practising.

(7) If a clinical dental technologist referred to in subsection (6) applies for re-instatement, the Council must evaluate the clinical dental technologist's ability to continue practising and may extend or withdraw the period of operation of the suspension.

(8) A clinical dental technologist suspended or whose name is removed from the register in terms of this section is disqualified from practising the profession of clinical dental technology and his or her registration certificate is withdrawn until the period of suspension has expired or until his or her name is restored to the register.

(9) A clinical dental technologist registered under this Act who fails to comply with the conditions referred to in paragraph (a) of subsection (7) or contravenes the provisions of paragraph (b) of subsection (7) is guilty of an offence.

(10) The committee referred to in paragraph (c) of subsection (1) may appoint persons with relevant expertise and experience as assessors to advise such committee.

(11) For the purposes of this section 'impairment' refers to a condition which renders a clinical dental technologist incapable of practising the clinical dental technology profession with reasonable skill and safety.

(12) A clinical dental technologist whose registration has been cancelled in terms of this subsection (1) may be restored if he or she:

(a) applies in the prescribed form for such restoration and pays the prescribed fees including any outstanding fees;

(b) satisfies the Council that he or she has maintained an adequate connection with, and recent practice in the category registration is required since qualifying for, or obtaining registration having regard to-

(i) the clinical dental technologist's registration history;

(ii) the period of absence from the profession;

(iii) activities relating to the practice in the clinical dental technology profession undertaken in the previous five years;

(iv) history of continued professional development completed; and

(v) any additional study undertaken or qualifications obtained during the period of absence from practice.

(13) (a) A clinical dental technologist whose registration has been cancelled in terms of subsection (4) may be restored if he or she submits proof to the satisfaction of the Council of his or her discharge from curatorship or unconditional discharge as a State Patient as contemplated in paragraph (c) of subsection (6) of section 47 of the Mental Health Care Act, 2002 (Act 17 of 2002), from the institution at which he or she was detained; and

(b) complies with such other requirements as the Council may determine.

(14) Recent practice in paragraph (b) of subsection (12) means-

(a) having recently practised in one's intended scope of practice; or

(b) is deemed by Council to be-

(i) compliant in respect of continuing professional development; or

(ii) having an adequate connection in respect of the practice of clinical dental technology within such period as the Council may determine by rule.

**92. Return of certificates of registration on removal of name from register or cancellation of registration**

(1) Whenever the registration of a clinical dental technologist is withdrawn or such clinical dental technologist applies for registration in any other category such clinical dental technologist shall forthwith return to the Council the certificate of registration issued to him or her under section 89.

(2) If the clinical dental technologist cannot return the certificate as required, he or she must, by way of an affidavit, provide satisfactory reasons for the inability to return the certificate.

**93. Issue of duplicate registration certificate**

(1) If the Registrar is satisfied—

(a) on proof submitted by a registered clinical dental technologist that a registration certificate has been destroyed; or

(b) by virtue of an affidavit submitted by the clinical dental technologist concerned, that a registration certificate has been lost,

the Registrar may issue a duplicate registration certificate to that clinical dental technologist upon payment of the prescribed fee.

(2) The Registrar may, upon payment of the prescribed fee, issue to any registered clinical dental technologist a certificate of status containing particulars relating to such clinical dental technologist's registration as well as a statement to the effect that the said clinical dental technologist is not disqualified from practising his or her profession and that no disciplinary steps are pending against him or her in terms of this Act.

(3) The Registrar may issue a certified extract from the register or a certificate under his or her hand to a clinical dental technologist upon payment of the prescribed fee.

(4) A certificate may be issued subject to certain conditions imposed by the Council and such conditions must be indicated on the certificate.

**94. Annual fees payable to Council**

(1) The Minister may, on the recommendation of the Council, at any time by notice in the *Gazette* fix a fee to be paid annually to the Council by every member of the clinical dental technology profession.

(2) If any clinical dental technologist liable to pay any annual fee fixed in terms of subsection (1), fails to pay such fee within the period specified in the notice in question, the Council may recover such fee by action in a competent court and, cancel the registration of such clinical dental technologist.

(3) If a clinical dental technologist's name has been removed from the register in terms of this section such clinical dental technologist's name shall not be restored to the register unless he or she has paid any annual fees or outstanding fees which may be payable by him or her and has complied with the requirements of registration as contemplated in section 89.

(4) The Council may by resolution grant postponement on such terms as the Council may determine to any clinical dental technologist specified in the resolution from payment of any annual fee prescribed in terms of subsection (1).

(5) Any cancellation of registration as contemplated in subsection (2) must be done in accordance with due process of law.

## CHAPTER 7

### Part 2

#### **Prohibition on ownership of denture clinic and supervision of such denture clinic, operation of denture clinic from private dwelling prohibited and general prohibitions in respect to members of the clinical dental technology profession**

#### **95. Prohibition on ownership of denture clinic and supervision of such denture clinic and carrying on of denture clinic by clinical dental technologist**

(1) No clinical dental technologist—

(a) shall be the owner of a denture clinic in which work is performed for any person who is not a patient of that clinical dental technologist;

(b) shall supervise or conduct any denture clinic in which work is performed for any person who is not a patient of that clinical dental technologist or the partnership, association or juristic person of which that clinical dental technologist is a member.

(2) Subject to subsection (3) no clinical dental technologist shall perform work for any other denture clinic in respect of any person who is not a patient of that clinical dental technologist.

(3) A clinical dental technologist may sub-contract another clinical dental technologist or dental laboratory when specialised equipment and facilities are required in respect to the creation or

making of dental and oral prostheses for a patient of that clinical dental technologist.

(4) Subject to subsection (5) the practice of clinical dental technology may be carried on as a sole proprietorship, partnership, association, as an incorporated company or a close corporation.

(5) (a) All members of such partnership or association shall be registered in terms of this Act as clinical dental technologists.

(b) The performance of any act specially pertaining to the scope of practice of a clinical dental technologist, as the case may be, may be carried on in association: Provided that—

(i) written proof of the formation of the association, including the names of all associates, shall be submitted to the Council;

(ii) the associates shall annually before 31 March submit an affidavit to the Council confirming the continued existence of the association and re-stating the names of all associates;

(iii) in the case of an association, incorporated company or close corporation only work for the patients of that association, incorporated company or close corporation shall be done in that denture clinic;

(iv) one or more or all the associates practise their profession and operate the denture clinic on the same premises: Provided further that all members of such association shall be clinical dental technologists.

(c) An incorporated company or close corporation may carry on any business involving the performance of any act specially pertaining to the clinical dental technology as long as all the members, directors and shareholders of such juristic person are registered clinical dental technologists.

(6) Subject to the provisions of the Health Professions Act, 1974 (Act 56 of 1974), the Council may grant permission to a clinical dental technologist to practice in partnership, association or otherwise with a member or members of the Dental Therapy & Oral Hygiene profession who are registered under the provisions of the Health Professions Act, 1974 (Act 56 of 1974) under such conditions as the Council may determine from time to time.

## **96. Operation of denture clinic from private dwelling prohibited**

(1) No denture clinic may be conducted or operated from—

(a) a private dwelling;

(b) any building or outbuilding on property where a private dwelling is located and to which private dwelling access may be gained from such denture clinic; or

(c) from any premises on property—

(i) for which the local authority has not granted consent use rights; or

(ii) which has not been zoned for such use by the local authority.

(2) A clinical dental technologist may operate a mobile denture clinic on such conditions as the Council may determine by rule.

**97. General prohibitions in respect to members of the clinical dental technology profession**

(1) A registered clinical dental technologist may not—

(a) accept, request or insist on any commission, remuneration, pecuniary or otherwise, from a dentist or dental trader or manufacturer, wholesaler or retailer of any equipment, apparatus, instruments, appliances or material used in the course of his or her practice;

(b) pay, give or accept any commission or remuneration, pecuniary or otherwise, to any person for the recommendation of patients; or

(c) share any fees charged for a service with any dentist or dental trader.

(2) Subject to subsection (6) of section 95 a clinical dental technologist may not share the use a denture clinic with a person not registered in terms of this Act.

(3) No clinical dental technologist may practice in partnership, association or otherwise with a dentist, a student dental technician or student technologist.

(4) No clinical dental technologist who is registered in terms of this Act shall perform an act which prevents or is calculated to prevent the Council, Registrar or any inspector from carrying out any duty granted by or imposed under this Act.

## CHAPTER 8

### Part 1

#### **Prohibition on the import, export or transit of unmounted artificial teeth or any dental and oral prostheses, custom made components used in dental technology practice or a dental laboratory and issuance of authorisations**

**98. Prohibition on the import, export or transit of unmounted artificial teeth or any dental and oral prostheses custom made components used in dental technology practice or a dental laboratory**

(1) No person, juristic person or intermediary may import into or export from or re-export from South Africa-

- (a) any unmounted artificial teeth;
- (b) any dental and oral prostheses;
- (c) any custom made components used in dental technology practice, dental laboratory or denture clinic; or
- (d) any controlled item,

unless the person importing or exporting or re-exporting the unmounted artificial teeth or any dental and oral prostheses, custom made components used in dental technology practice, dental laboratory or denture clinic-

(i) is a registered dental technologist, registered dental laboratory or registered denture clinic under this Act; or

(ii) is registered under the Health Professions Act, 1974 (Act 56 of 1974);

(iii) is registered in terms of this Chapter as a dental trader; and

(iv) the Registrar has issued an authorisation in respect of the import into or export from or re-export from South Africa of any artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic as contemplated in subsection (1).

(2) No person, juristic person or intermediary may carry or be in possession on behalf of any person, juristic person or intermediary through the Republic of any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic without a transit authorisation issued by the Registrar in terms of section 99.

(3) The prohibition in subsection (1) and subsection (2) does not apply to a member of the dental technology profession or dentist who imports into or exports from the Republic any unmounted artificial teeth or any dental and oral prostheses custom made components used in dental technology practice, dental laboratory, for such member of the dental technology profession or dentist' own use in the Republic.

(4) Subject to subsection (3), any person, juristic entity or intermediary who contravenes subsection (1) or (2) is guilty of an offence.

## 99. Application for import, export and transit authorisation

(1) An application for an import, export or re-export authorisation from or to the Republic of any unmounted artificial teeth or any dental and oral prostheses custom made components used in dental technology practice, dental laboratory or denture clinic must be made to the Registrar —

(a) in the form and format and against payment of the fee as may be prescribed;

(b) contain the information as may be determined by rule;

(c) be signed by the applicant; and

(d) be accompanied or supported by such documents or information as may be determined by rule.

(2) An application for an authorisation to transit any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic shall be made to the Registrar —

(a) in the form and format determined by rule and against payment of the fee as prescribed;

(b) contain the information as may be determined by rule;

(c) be signed by the applicant; and

(d) be accompanied or supported by such documents or information as may be determined by rule.

(3) In considering any application for the registration of a person, juristic entity or intermediary as an importer or exporter of unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic in terms of subsection (1) or the issuance of an authorisation in terms of subsection (2) the Registrar—

(a) may request the applicant to submit any additional information before considering the application; and

(b) must consider the application if all application requirements have been complied with, and may—

(i) grant the application; or

(ii) refuse the application.

(4) The Registrar must—

(a) notify the applicant of his or her decision; and

(b) in the notification—

(i) give reasons for the decision to the applicant, if the application has been refused;

(ii) set out any special conditions subject to which the registration or authorisation is to be issued, if the application has been granted; and

(iii) draw the attention of the applicant to the fact that an appeal may in terms of Chapter 10 be lodged against the refusal of the application.

(5) If the Registrar grants an application for the registration of a person, juristic person or intermediary under subsection (1) and decides to grant an authorisation under subsection (2) the Registrar must register such person, juristic person or intermediary and issue the authorisation to such person, juristic or intermediary.

(6) The authorisation must be-

(a) handed to the applicant; or

(b) sent by registered post or secured electronic means to the applicant.

(7) An authorisation issued under subsection (2) must state at least-

(a) the name of the authorisation holder;

(b) the name of the person responsible for the transit of the unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic;

(c) the address of the premises from and to which the unmounted artificial teeth or any dental and oral prostheses is intended to be transported;

(d) the name of the transporter; and

(e) any special conditions as determined by rule subject to which the authorisation is issued;

(f) the date from which the authorisation takes effect;

(g) the date on which the authorisation lapses;

(h) any other relevant information as determined by the Registrar.

(8) Unless the Registrar directs otherwise in writing, no import, export or transit authorisation may be issued in respect of any any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic which does not bear the prescribed identification marks.

(9) An authorisation granted under subsection (2) may only be issued upon proof that such import and export taxes that may be applicable to the import or export of any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic have been paid by the importer, exporter, the registered person, juristic entity or intermediary as the case may be.

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(10) Any person, juristic entity or intermediary who contravenes a condition of this section is guilty of an offence.

#### **100. Duties of holder of authorisation**

(1) The holder of an authorisation issued in terms of this Chapter, must at the request of any police official or inspector produce for inspection—

(a) any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic in his or her possession or under his or her control;

(b) his or her authorisation; and

(c) any other document or certificate as may be determined by rule from time to time.

(2) The Registrar may direct the holder of an authorisation issued in terms of this Chapter to keep and maintain registers containing such information as he or she may direct.

#### **101. Suspension of import, export or transit authorisation**

(1) The Registrar may suspend an import, export or transit authorisation if the Registrar has information under oath that the holder of the authorisation has committed an offence in terms of this Act or has contravened any condition of such import, export or transit authorisation.

(2) An authorisation may be suspended for not more than seven days without affording the holder of the authorisation a hearing.

(3) A suspension may endure for a period longer than seven days if the—

(a) holder has been afforded an opportunity to make written representations to the Registrar;

(b) Registrar has given due consideration to the representations;

(c) Registrar deems it necessary in order to achieve the objects of this Act; and

(d) the suspension has been confirmed by a court.

(4) A holder of an authorisation may not import or export any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic or carry any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory

or denture clinic in transit for such period as the authorisation is suspended.

## 102. Termination of trading, import, export or transit authorisation

- (1) An import, export or transit authorisation terminates—
- (a) on the date specified in the authorisation;
  - (b) if surrendered by the holder of the authorisation to the Registrar;
  - (c) if cancelled in terms of this Act; or
  - (d) the registration of the authorisation holder as dental trader is cancelled or withdrawn by the Council.
- (2) The Registrar may, by written notice, cancel an import, export or transit authorisation if the authorisation holder—
- (a) no longer qualifies to hold the authorisation; or
  - (b) has contravened or failed to comply with any provision of this Act or any condition specified in the authorisation.
- (3) A notice contemplated in subsection (2) may only be issued if the Registrar has—
- (a) given the holder 30 days' notice in writing to submit written representations as to why the authorisation should not be cancelled; and
  - (b) duly considered any representations received and all the facts pertaining to the matter.
- (4) If a notice contemplated in subsection (2) is issued, the former holder of a authorisation must dispose of any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic in his or her possession in such manner as the Registrar may determine.

## 103. Lapsing of authorisation

Where—

- (a) an authorisation has been granted for the proposed import, export or transit of any any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic; and
- (b) after the grant of the authorisation contemplated in paragraph (a) but before the import or export, as the case may be, of the any unmounted artificial teeth or any dental or oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic such

unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic become prohibited from being imported or exported for whatsoever reason the authorisation originally granted for such import or export shall lapse and a new authorisation shall be required for that proposed import, export or transit of such unmounted artificial teeth or any dental or oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic.

**104. Re-export of imported unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice or a dental laboratory**

(1) Where any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic have been imported by an unregistered person, unregistered juristic entity or unregistered intermediary, such unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic shall be re-exported or disposed of within such time and in a manner determined by the Registrar.

(2) Where any unmounted artificial teeth or any dental and oral prostheses or custom made components used in dental technology practice, dental laboratory or denture clinic are required to be re-exported under subsection (1), the importer shall re-export the goods within the period specified by the Registrar and satisfactory evidence of such re-export shall be produced to the Registrar within 7 days of such re-export.

**105. Defaced, lost or stolen authorisation**

(1) If an import, export or transit authorisation is lost or stolen, the holder of an authorisation must inform the Registrar by way of affidavit setting out the reasons for such defacement, loss or the circumstances of the theft of the authorisation within 24 hours of the discovery of defacement, loss or theft.

(2) If an import, export or transit authorisation is defaced, lost or stolen, the holder of the authorisation must within seven days of the discovery of the defacement, loss or theft apply to the Registrar in the manner determined by rule for a copy of the authorisation.

**106. Council to keep register of authorisations issued**

- (1) The Council shall keep a register in which shall be entered—
- (a) the registered name of such person, juristic entity or intermediary to whom an authorisation has been issued;
  - (b) the name under which such person, juristic entity or intermediary is registered by the Council;
  - (c) the address or place at which such person, juristic entity or intermediary conducts its business;
  - (d) the name and address of the owner or owners of such person, juristic entity or intermediary; and
  - (e) such other particulars relating to such person, juristic entity or intermediary as the Council may determine from time to time.
- (2) Subject to the Protection of Personal Information Act, 2013 (Act 4 of 2013) the register kept by Council in terms of subsection (1) must be open for inspection by the public at the head office of the Council during business hours or by way of electronic access on the website of the Council.
- (3) The register referred to in subsection (1) serves as evidence of all matters which, in terms of this Act, are required or permitted to be noted therein.
- (4) A certificate purporting to be signed by the Registrar to the effect that an entry has or has not been made in the register or that any other function authorised by this Act to be performed, has or has not been performed, is evidence of the matters specified in that certificate.
- (5) A copy of an entry in the register or of a document in the custody of the Registrar or an extract from the register or from any such document, purporting to be certified by the Registrar, may be admitted in evidence in all courts without further proof or production of the original.

**CHAPTER 8****Part 2****Prohibition on manufacture, trade or distribution by dental traders and registration of dental traders****107. Prohibition on manufacture, trade or distribution of certain goods and equipment by dental traders**

- (1) No person, juristic entity or intermediary may manufacture, trade, offer, advertise, distribute, keep, display, transmit, consign, convey or deliver for sale, or exchange, or dispose of to

any person in any manner, whether for a consideration or otherwise, in the Republic of-

(a) any goods;

(b) computer equipment used in computer-aided design, computer aided manufacturing or rapid proto printing or similar technology which is used in respect of the manufacturing of dental or oral prosthesis or any custom made dental or oral prosthesis used in the practice of dental technology by a dental technologist, clinical dental technologist or dentist; or

(c) any other equipment used used in the practice of dental technology as determined by rule by the Council, unless such person, juristic person or intermediary, as the case may be, is registered as a dental trader in terms of this Act.

(2) Any person, juristic entity or intermediary who contravenes a condition of this section is guilty of an offence.

#### **108. Application and register of dental traders**

(1) An application for the registration as a dental trader must be made to the Registrar-

(a) in the form and format and against payment of the fee as may be prescribed by rule;

(b) contain the information as may be required by rule;

(c) be signed by the applicant; and

(d) be accompanied or supported by such other documents or information as may be determined by rule.

(2) The Council shall keep a register in which shall be entered:

(a) the registered name of such dental trader;

(b) the name under which such dental trader is registered by the Council;

(c) the address or place at which such dental trader conducts its business as dental trader;

(d) the name and address of the owner or owners of such dental trader;

(e) the name and address of the recipient to which such dental trader has supplied such goods, computer equipment or any other equipment as contemplated under subparagraph (a), (b) or (c) of subsection (1) of section 107; and

(f) such other particulars relating to such dental trader as the Council may determine by rule from time to time.

(3) Subject to the Protection of Personal Information Act, 2013 (Act 4 of 2013) the register kept by the Council in terms of subsection (2) must be open for inspection by the public at the head office of the Council during business hours.

(4) The register referred to in subsection (2) serves as evidence of all matters which, in terms of this Act, are required or permitted to be noted therein.

(5) A certificate purporting to be signed by the Registrar to the effect that an entry has or has not been made in the register or that any other function authorised by this Act to be performed, has or has not been performed, is evidence of the matters specified in that certificate.

(6) A copy of an entry in the register or of a document in the custody of the Registrar or an extract from the register or from any such document, purporting to be certified by the Registrar, may be admitted in evidence in all courts without further proof or production of the original.

#### **109. Cancellation of registration of dental traders by Council**

(1) The Registrar may cancel the registration of a dental trader—

(a) if such dental trader has failed to comply with the provisions of this Act;

(b) if such dental trader fails, without good reason and in the absence of an arrangement for deferred payment, to pay any amount owing to the Council on the due date or any extended date;

(c) was erroneously registered; or

(d) was registered on the basis of incorrect information.

(2) The Registrar must notify such dental trader in writing of its intention to cancel such dental traders' registration and request that such dental trader to submit written representations, within a specified reasonable time, indicating the reasons why the registration should not be cancelled.

(3) If the Registrar is satisfied that no reasonable grounds exist for such dental traders' registration to continue, the registration must be cancelled and the dental trader concerned must be notified accordingly.

(4) The Registrar must, at the written request of any registered dental trader, remove such dental traders' name from the register.

(5) A dental trader who was previously registered in terms of section 108 may apply for re-registration, if all the requirements of this Chapter applicable to the registration of dental traders have been complied with.

(6) Any cancellation of registration of a dental trader as contemplated in subsection (1) must be done in accordance with due process of law.

**110. Return of registration certificate**

(1) Any person whose registration as dental trader has been cancelled must return his or her certificate of registration to the Registrar within 30 days from the date upon which he or she is directed by the Registrar in writing to do so.

(2) If the person cannot return the certificate as required, he or she must, by way of an affidavit, provide satisfactory reasons for the inability to return the certificate.

**111. Issue of duplicate registration certificate**

The Registrar may, on application by a dental trader, issue a duplicate certificate of registration if the applicant—

(a) provides proof of his or her identity to the satisfaction of the Registrar;

(b) provides an affidavit in which he or she or it confirms that the certificate of registration has been lost, defaced or destroyed; and

(c) pays the prescribed fee.

**112. Annual fees payable by registered dental traders**

(1) The fees for the annual registration as a dental trader shall be prescribed.

(2) If any person liable to pay any annual fee fixed in terms of subsection (1), fails to pay such fee within the period specified in the notice in question, the Council may recover such fee by action in a competent court.

(3) If a person's name has been removed from the register in terms of the provisions of subsection (4) of section 109, such person's name shall not be restored to the register unless he or she has paid any annual fees which may be payable by him or her.

**CHAPTER 9****Monitoring of regulatory compliance by Council, compliance notices and enforcement of regulatory compliance by Council****113. Appointment of inspectors**

(1) The Registrar must appoint one or more persons as inspectors in order to monitor and enforce regulatory compliance with this Act.

(2) The Registrar must sign and issue to each inspector appointed by the Minister, a document which must state the full name and contain a photograph of such inspector and contain a statement indicating that—

(a) such inspector has been appointed in terms of subsection (1); and

(b) such inspector is empowered to exercise the powers entrusted to him or her in terms of this Act.

(3) The Registrar may limit the powers of inspectors when appointing such inspector in terms of paragraph (a) of subsection (1).

(4) The qualifications and requirements for persons appointed in terms of subsection (1) must be as prescribed.

#### **114. Monitoring of regulatory compliance**

(1) In order to monitor compliance with this Act and, subject to the conditions of his or her appointment, an inspector may at any reasonable time during office hours and on reasonable notice –

(a) enter into any laboratory, place or premises where a person or juristic person registered in terms of this Act conducts his or her or its profession or business;

(b) inspect such laboratory, place or premises;

(c) examine any object, make copies of extracts from any book or document found at such laboratory or on such place or premises that the inspector believes on reasonable grounds contains any information relevant to the administration of, and in compliance with this Act;

(d) require any person to furnish the inspector with such information or documents, returns or other particulars as may be necessary for the proper administration of this Act;

(e) while on the premises, or at any time thereafter, question any person who is or was on the premises, either alone or in the presence of any other person on any matter to which this Act relates;

(f) order any person who has control over or custody of any book, document or thing on or in those premises to produce to him forthwith, or at such time and place as may be determined by him, such book, document or thing; or

(g) at any time and place order any person who has the possession or custody of or is in the control of a book, document or thing relating to the business of an employer, to produce forthwith or at such time and place as may be determined by him, such book, document or thing.

(2) A person executing the inspection as contemplated in subsection (1) must show his or her authorisation to any person requesting it and may be accompanied by any other person reasonably required to assist him or her in conducting the inspection.

(3) No information obtained during the inspection contemplated in subsection (1) which is of a confidential, personal, commercially sensitive or proprietary nature may be made public or otherwise disclosed to any person without the permission of the person to whom that information relates or used for purposes of prosecution of such person.

### 115. Compliance notices

(1) Any person conducting an inspection as contemplated in section 114, may issue a compliance notice in the prescribed manner to the person in charge of the premises or to the person determined to be responsible to take appropriate corrective action in order to remove or rectify such condition if any provision of this Act has not been complied with.

(2) A compliance notice remains in force until the relevant provision of the Act has been complied with and the person conducting an inspection as contemplated in subsection 114, has issued a compliance certificate as prescribed in respect of that notice.

(3) A compliance notice issued in terms of subsection (1) must set out—

- (a) details of the conduct constituting non-compliance;
- (b) any steps the person must take and the period within which those steps must be taken;
- (c) anything which the person may not do, and the period during which the person may not do; and
- (d) the procedure to be followed in lodging an appeal against the compliance notice with the Registrar.

(4) Any person issuing a compliance notice may, on good cause shown, vary or cancel a compliance notice or extend the period within which the person must comply with the notice.

(5) If a person fails to comply with a compliance notice issued in terms of subsection (1) such person is guilty of an offence.

(6) A compliance notice issued under subsection (1) is subject to appeal to an appeal committee as contemplated in section 127.

(7) The provisions of section 127 to 132 shall *mutatis mutandis* apply to an appeal lodged under this section.

(8) An appeal lodged against the issuance of a compliance notice in terms of subsection (1) does not suspend the operation of such compliance notice pending the outcome of the appeal.

#### 116. Enforcement of regulatory compliance

(1) Any inspector furnished with inspection authority in terms of this Act may conduct an investigation to determine whether the provisions of the Act are being or have been complied with and may, for that purpose, without giving prior notice, at all reasonable times —

(a) enter any place except a private residence in respect of which he has reason to believe that —

(i) any person there is performing an act in contravention of this Act or is connected with an act performed by a member of the dental technology profession;

(ii) there are books, records or documents to which the provisions of this Act are applicable;

(b) order any practitioner or the manager, employee or agent of any such practitioner —

(i) to produce to him the such person or laboratories' registration certificate issued under the provisions of this Act;

(ii) to produce to him any book, record or other document in the possession or under the control of such person, manager, employee or agent;

(iii) to furnish him, at such place and in such manner as he may reasonably specify, with such information in respect of that registration certificate, book, record or other document as he may desire;

(c) examine or make extracts from or copies of any such registration certificate, book, record or other document;

(d) seize and retain any such registration certificate, book, record or other document to which any prosecution or charge of conduct deserving sanction under this Act may relate: Provided that the person from whose possession or custody any registration certificate, book, record or other document was taken, shall at his request be allowed to make, at his own expense and under the supervision of the inspector concerned, copies thereof or extracts therefrom.

(2)(a) Where the inspector be suspects that a criminal offence has been or is being committed by the person who is the subject of the search, or where it seeks to search premises that are a private residence, an inspector in terms of subsection (1) may

conduct a search only on the authority of a warrant issued by a magistrate or judge.

(b) A magistrate or judge may issue a warrant only on written application by an inspector setting out under oath or affirmation the grounds why it is necessary for an inspector to gain access to the relevant premises or to conduct the search in question.

(c) The magistrate or judge may issue the warrant if it appears from information on oath or affirmation that —

(i) there are reasonable grounds for suspecting that a contravention of the Act has occurred or is occurring;

(ii) a search of the premises is likely to yield information pertaining to the contravention; and

(iii) the search is reasonably necessary for the purposes of the Act.

(3) The warrant contemplated in paragraph (a) of subsection (2) must specify the parameters within which the person executing such warrant may perform an entry, search or seizure.

(4) A warrant may be issued on any day and shall be in force until—

(a) it has been executed;

(b) it is cancelled by the person who issued it, or, if such person is not available, by any person with similar authority; or

(c) the expiry of one month from the date of its issue.

(5) Any person who acts on the authority of a warrant may use such force as may be reasonably necessary to overcome any resistance against the entry and search, including the breaking of any door or window, but such person must first audibly demand admission and state the purpose for which he or she seeks entry.

(6) Any person executing a warrant in terms of this section must immediately before commencing with the execution—

(a) identify himself or herself to the owner or person in control of the premises, if such person is present, and hand to such person a copy of the warrant or, if such person is not present, affix such copy in a prominent place on the premises;

(b) supply such person at his or her request with particulars regarding his or her authority to execute such warrant; and

(c) must conduct the entry and inspection with strict regard for decency and order, and with regard to each person's right to dignity, freedom and privacy.

(7) Any person executing a warrant in terms of this section who removes anything from premises being searched must—

(a) issue a receipt for it to the owner or person in control of the premises; and

(b) return it as soon as practicable after it has served the purpose for which it was removed.

(8) Any person executing a warrant in terms of this section may be accompanied and assisted by a police officer and interpreter.

(9) No person is entitled to compensation for any loss or damage arising out of any *bona fide* action by an inspector or police official referred to in subsection (8) of this section.

(10) During any search under this section, only a female investigation officer or police officer may search a female person, and only a male investigation officer or police officer may search a male person.

## CHAPTER 10

### Part 1

**Code of conduct, investigation of charge of misconduct, procedure for dealing with complaints of misconduct, procedure to be followed in disciplinary hearing, proceedings after disciplinary hearing and sanctions, appeal against conduct or finding of disciplinary committee, cognizance by disciplinary committee of conduct of registered persons under certain circumstances, penalty for false evidence at inquiry and administrative work of disciplinary committee**

#### 117. Code of conduct and code of ethics

(1) The Council must develop a code of conduct including a code of ethics that applies to all members of the dental technology profession and may review and amend such code of conduct and code of ethics from time to time.

(2) The code of conduct and code of ethics serves as the prevailing standard of conduct, which members of the dental technology profession must adhere to, and failure to do so will constitute misconduct.

(3) The Council must take all reasonable steps to—

(a) publicise the existence of the code of conduct and code of ethics;

(b) inform members of the public of the contents of the code of conduct and code of ethics, including its enforcement procedures; and

(c) inform members of the public of how and where to obtain a copy thereof.

(4) The code of conduct and code of ethics and every subsequent amendment must be published in the *Gazette*.

(5) Before the Council publishes a conduct and code and code of ethics or any amendment thereof under this section, the Council

must publish a draft of the proposed code of conduct and code of ethics in the *Gazette* together with a notice, calling on interested persons to comment in writing within a period stated in the notice, which may not be less than 30 days from the date of publication of the notice.

## 118. Investigation of charge of misconduct

(1) (a) The Council must, when necessary, establish one or more investigating committees, consisting of a person or persons appointed by the Council to conduct investigations of all complaints of misconduct against a practitioner.

(b) The provisions of subsection (4) is applicable to the appointment of a person or persons as contemplated in subsection (1).

(2) (a) An investigating committee may, for the purposes of conducting an investigation contemplated in subsection (1), direct any practitioner or an employee of that practitioner to produce for inspection any book, document or article which is in the possession, custody or under the control of that practitioner or employee which relates to the complaint in question: Provided that the investigating committee may make copies of such book, document or article and remove the copies from the premises of that practitioner.

(b) The practitioner referred to in paragraph (a) or employee in question may not, subject to the provisions of any other law, refuse to produce the book, document or article, even though he or she is of the opinion that it contains confidential information belonging to or concerning his or her client.

(c) Any person who performs any function under this subsection, may not disclose any information which he or she obtained in the performance of such a function, except—

(i) for the purposes of the investigation or a hearing by a disciplinary committee;

(ii) to any person authorised thereto by the Council, who of necessity, requires it for the performance of his or her functions under this Act;

(iii) if he or she is a person who, of necessity, supplies it in the performance of his or her functions under this Act; or

(iv) when required to do so by order of a court of law.

(3) An investigating committee must, after investigating a complaint, if it is satisfied that—

(a) the practitioner concerned may, on the basis of available *prima facie* evidence, be guilty of misconduct that, in terms of the

code of conduct and code of ethics, warrants misconduct proceedings, refer the matter to the Council for adjudication by a disciplinary committee; or

(b) the complaint should be dismissed on the grounds that the conduct in question does not warrant misconduct proceedings, as set out in the code of conduct and code of ethics, it must dismiss the complaint, inform the Council, the complainant and the practitioner of its finding and the reasons for it, whereafter the complainant may appeal in terms of paragraph (b) of subsection (1) of section 122, if the complainant is aggrieved by-

(i) the manner in which the investigating committee conducted its investigation; or

(ii) the outcome of the investigation of the investigating committee.

(4) The Council must, when necessary, establish one or more disciplinary committees, consisting of one legally qualified person with not less than seven years' experience as an attorney or advocate as presiding officer who must adjudicate complaints against a practitioner or practitioners referred to it in terms of paragraph (a) of subsection (3).

(5) The person or persons contemplated in subsection (4) may be appointed only after-

(a) the Counsel has by notice in the media invited interested parties who are eligible for appointment to apply; and

(b) the Council is satisfied that the applicants contemplated in paragraph (a) have suitable experience or possess the qualifications as referred to in subsection (4).

(6) When establishing disciplinary committees the following factors must, as far as is practicable, be taken into account-

(a) the racial and gender composition of South Africa;

(b) the ease of access by persons necessary for the finalisation of the matters in question;

(c) the need to promote the efficient resolution of complaints made in terms of this Act;

(d) national and provincial demographics; and

(e) the need to provide a cost-effective disciplinary system.

## **119. Procedure for dealing with complaints of misconduct**

(1) The Council must make rules to determine the procedure to be followed by investigation committees established under section 118 for dealing with all complaints of misconduct relating to practitioners.

(2) Particulars of all disciplinary hearings, including the particulars of-

- (a) the allegations of misconduct being dealt with;
- (b) the members of the disciplinary committees in question;
- (c) the practitioners involved in the dispute; and
- (d) the outcome thereof and any sanction imposed in terms of section 121, if applicable, must, subject to paragraph (a) of subsection (4) of section 120, be-
  - (i) published on the website of the Council;
  - (ii) updated, at least, once every month by the Council; and
  - (iii) available for inspection by members of the public during business hours of the Council.

## 120. Procedure to be followed in disciplinary hearing

(1) A disciplinary committee must conduct disciplinary hearings subject to the provisions of this section.

(2) (a) A disciplinary committee may, for the purposes of this section, with prior approval of the Council, appoint a person to assist as assessor in the performance of its functions.

(b) The person appointed by the disciplinary committee under paragraph (a) of subsection (2) shall act assessor in respect of any matter relating to the practice of the profession of dental technology and such assessor shall not have a voice in any decision of the disciplinary committee.

(c) The person appointed by the disciplinary committee under paragraph (a) of subsection (2) shall be appointed from a list, compiled yearly by the Council consisting of members of the dental technology profession who have consented to such appointment and on such terms as the Council may determine by rule.

(3) (a) A disciplinary committee may, for the purposes of a hearing, subpoena any person who-

(i) in its opinion may be able to give material information concerning the subject of the hearing; or

(ii) it suspects or believes has in his or her possession or custody or under his or her control any book, document or object which has any bearing on the subject of the hearing, to appear before it at the time and place specified in the subpoena, to be questioned or to produce a book, document or object.

(b) A subpoena issued in terms of paragraph (a), must be-

(i) in the form determined in the rules;

(ii) signed by the chairperson of a disciplinary committee or, in his or her absence, any member of that committee; and

(iii) served on the person concerned as determined in the rules.

(4) (a) The proceedings of all disciplinary hearings are open to the public, unless the presiding officer of a disciplinary committee directs otherwise, on good cause shown, on application by a person having an interest in the matter, whereafter the provisions of section 154 (1) to (5) of the Criminal Procedure Act, 1977 (Act 51 of 1977), apply with the necessary changes required by the context.

(b) The complainant in the matter is entitled to be present during all proceedings in a disciplinary hearing relating to his or her complaint in the same manner as a complainant in criminal proceedings.

(5) A disciplinary committee may retain a book, document or object produced in terms of subsection (3) for the duration of the hearing.

(6) The presiding officer of a disciplinary committee may call upon and administer an oath to, or take an affirmation from, any witness at the hearing who was subpoenaed in terms of subsection (3).

(7) At a hearing the person charged-

(a) (i) may be present at the hearing of the proceedings;

(ii) may be assisted or represented by another person or a legal practitioner in conducting his or her defence proceedings;

(iii) has the right to be heard;

(iv) may call witnesses;

(v) may cross-examine any person called as a witness in support of the charge; and

(vi) may have access to any book, document or object produced in evidence; and

(b) (i) may admit at any time before conviction that he or she is guilty of the charge; and

(ii) may, in the case where he or she makes an admission in terms of subparagraph (i), be deemed to be guilty of misconduct as charged.

(8) (a) A witness who has been subpoenaed may not-

(i) without sufficient cause, fail to attend the hearing at the time and place specified in the subpoena;

(ii) refuse to be sworn in or to be affirmed as a witness;

(iii) without sufficient cause, fail to answer fully and satisfactorily to the best of his or her knowledge all questions lawfully put to him or her; or

(iv) fail to produce any book, document or object in his or her possession or custody or under his or her control which he or she has been required to produce.

(b) A witness who has been subpoenaed must remain in attendance until excused by the chairman of the disciplinary committee from further attendance.

(c) A witness who has been subpoenaed may request that the names of the members of the disciplinary committee be made available to him or her.

(d) The law relating to privilege, as applicable to a witness subpoenaed to give evidence or to produce a book, document or object in a civil trial before a court of law applies, with the necessary changes, in relation to the examination of, or the production of any book, document or object, to any person called in terms of this section as a witness.

(e) A witness may not, after having been sworn in or having been affirmed as a witness, give a false statement on any matter, knowing that answer or statement to be false.

(f) A person may not prevent another person from complying with a subpoena or from giving evidence or producing a book, document or object which he or she is in terms of this section required to give or produce.

(9) If the misconduct with which the practitioner is charged amounts to an offence of which he or she has been convicted by a court of law, a certified copy of the record of the trial and conviction by that court is, on the identification of the practitioner as the accused person referred to in the record, sufficient proof of the commission by him or her of that offence, unless the conviction has been set aside by a competent court.

## 121. Proceedings after disciplinary hearing and sanctions

(1) (a) After the conclusion of a hearing a disciplinary committee must, within 30 days, decide whether or not the practitioner is guilty of misconduct.

(b) If a disciplinary committee finds that the practitioner is guilty of misconduct it must—

(i) inform the practitioner or his representative of the finding; and

(ii) inform the the practitioner or his representative of the right of appeal as provided for in terms of section 122.

(2) A practitioner found guilty of misconduct in terms of this section may—

(a) address a disciplinary committee in mitigation of sentence; and

(b) call witnesses to give evidence on his or her behalf in mitigation of sentence.

(3) If found guilty of misconduct, the disciplinary committee concerned may call witnesses to give evidence in aggravation of sentence and may—

(a) in the case of a practitioner—

(i) order him or her to pay compensation, with or without interest to the complainant, which order is subject to confirmation by an order of any court having jurisdiction in the circumstances in the prescribed manner, on application by the Council;

(ii) impose upon him or her a fine, payable to the Council, not exceeding the amount determined from time to time by the Minister by notice in the *Gazette*, on the advice of the Council;

(iii) temporarily suspend him or her from practising or from engaging in any particular aspect of the practice of the dental technology profession, pending the finalisation of an application referred to in subparagraph (iv) (bb);

(iv) advise the Council to apply to the High Court for—

(aa) an order cancelling the registration of his or her name from the register;

(bb) an order suspending him or her from practice; or

(cc) any other appropriate relief;

(v) warn him or her against certain conduct and order that such warning be endorsed against his or her registration; or

(vi) caution or reprimand him or her;

(b) in the case of a dental laboratory —

(i) order it to pay compensation, with or without interest, to the complainant, which order is subject to confirmation by an order of any court having jurisdiction in the circumstances in the prescribed manner on application by the Council;

(ii) impose upon it a fine, payable to the Council, not exceeding the amount determined from time to time by the Minister by notice in the *Gazette*, on the advice of the Council;

(iii) warn it against certain conduct;

(iv) advise the Council to apply to the High Court for the winding up of the dental laboratory; or

(v) caution or reprimand it; or

(4) (a) A disciplinary committee may—

(i) impose any combination of the sanctions in either subsection (3) (a) or (b); and

(ii) postpone the taking of any steps or suspend the imposition of any sanction on conditions as it may determine.

(b) In addition to the sanctions referred to in subsection (3), a disciplinary committee may order the practitioner or dental laboratory, as the case may, be to pay the cost occasioned by the investigation and the disciplinary hearing.

(5) (a) If the taking of any steps or the imposition of any sanction has been postponed or suspended for a particular period, and if at the end of that period the disciplinary committee is satisfied that the practitioner or dental laboratory concerned has substantially observed all the relevant conditions, the disciplinary committee must indicate in writing that no further steps will be taken or that the sanction will not be imposed.

(b) If a practitioner or dental laboratory fails to comply with any conditions determined in terms of this section, the disciplinary committee may impose a sanction for non-compliance or execute the sanction originally imposed, unless the practitioner or dental laboratory satisfies the disciplinary committee that the non-compliance was due to circumstances beyond his or her or its control, in which case the disciplinary committee may set further conditions as it deems fit.

(6) Any court with civil jurisdiction may, on the application of Council, grant an order for the recovery from the practitioner or dental laboratory concerned of any amount such practitioner or dental laboratory failed to pay in accordance with a sanction imposed in terms of this section, together with any interest thereon, after which the order so granted has the effect of a civil judgment of that court and must be executed in accordance with the law applicable in that court.

(7) (a) At the conclusion of a disciplinary hearing a disciplinary committee must notify the complainant, the Council in writing of the outcome of the hearing.

(b) If a disciplinary committee finds that the practitioner is not guilty of misconduct it must inform the complainant of the right of appeal as provided for in terms of section 122.

(8) The Council must give effect to the advice and decision of a disciplinary committee.

## **122. Appeal against conduct or finding of disciplinary committee**

(1) (a) A practitioner may within 30 days of being informed of the decision by a disciplinary committee, lodge an appeal with an

appeal committee established in terms of section 127 against a finding of misconduct by the disciplinary committee or against the sanction imposed, or both.

(b) A complainant who is aggrieved by—

(i) the manner in which an investigating committee conducted its investigation or the outcome of the investigating committee as referred to in section 118(3)(b)(i) and (i); or

(ii) the outcome of a disciplinary hearing referred to in section 120, may, as determined in the rules and within 30 days of being informed of the decision by the investigating committee or the disciplinary committee, as the case may be, lodge an appeal with an appeal committee established in terms of section 127 against any conduct or finding of the investigating committee or disciplinary committee, as the case may be.

(2) If a practitioner who has been found guilty of misconduct lodges an appeal in terms of subsection (1), the decision of the disciplinary committee may not be enforced before the appeal committee has decided the appeal.

(3) The provisions of subsection (2) of section 119 are applicable with the changes required by the context in respect of appeal committees.

(4) Any person who submits an appeal provided for in this Chapter must submit such appeal in accordance with the requirements determined by rule and payment of the fees determined by rule.

### **123. Cognizance by disciplinary committee of conduct of registered persons under certain circumstances**

(1) Every registered person who, either before or after registration, has been convicted of any offence by a court of law may be dealt with by the disciplinary committee in terms of the provisions of this Chapter if the disciplinary committee is of the opinion that such offence constitutes misconduct, and shall be liable on proof of the conviction to one or other of the penalties referred to in section 144: Provided that, before imposition of any penalty, such person shall be afforded an opportunity of tendering an explanation to the disciplinary committee in extenuation of the conduct in question.

(2) Whenever in the course of any proceedings before any court of law it appears to the court that there is prima facie proof of unprofessional conduct on the part of a registered person, or of conduct which, when regard is had to such person's profession, is unprofessional, the court shall direct that a copy of the record

of such proceedings, or such portion thereof as is material to the issue, shall be transmitted to the Council.

#### **124. Penalty for false evidence at inquiry**

Any person who gives false evidence on oath at any inquiry held under this Chapter, knowing such evidence to be false, shall be guilty of an offence and liable on conviction to the penalties prescribed by law for the crime of perjury.

#### **125. Administrative work of disciplinary committee**

The administrative work of the disciplinary committee must be performed by employees of the Council.

### **CHAPTER 10**

#### **Part 2**

**Review of decisions of Council and Registrar, composition of appeal committee, quorum and meeting of appeal committee, decisions of appeal committee and appeal against decision of appeal committee, general provisions regarding appeal committee, appeal against decision of appeal committee, limitation of liability and administrative work of appeal committee**

#### **126. Review of decisions of Council or Registrar**

(1) The Registrar or Council, as the case may be, must within 14 days after receipt of a written request for the review of a decision of the Registrar or Council, as the case may be, furnish such person with written reasons for such decision taken by the Registrar or Council.

(2) After receipt of the written reasons as contemplated in subsection (1) any person aggrieved by a decision of the Council or the Registrar, as the case may be, apply in writing for a review of that decision by the Council within 30 days of the date of furnishing such person with the reasons for the decision of the Council.

(3) In considering the request for the review of the decision of the Registrar or Council the Registrar or Council, as the case may be, may afford the aggrieved person the opportunity to appear in person and afford such person a reasonable opportunity to make further representations.

(4) Any person aggrieved by a decision of the Registrar or the Council not to review the decision as contemplated in subsection

(1) may within the period and in the manner as determined by rule appeal against such decision to an appeal committee contemplated in section 127.

## 127. Composition of appeal committee

(1) The Council must establish one or more appeal committees to consider and decide appeals.

(2) (a) An appeal committee must consist of two legal practitioners with not less than ten years' experience as an attorney or advocate appointed by the Council, one of whom the Council must designate as chairperson thereof.

(b) A decision of the majority of the members present at any proceedings of an appeal committee constitutes the decision of the appeal committee.

(c) In the event of a deadlock in the voting, the chairperson of the appeal committee has a casting vote, in addition to a deliberative vote.

(3) The members contemplated in paragraph (a) of subsection (2) may be appointed only after-

(a) the Council has by notice in the media invited interested parties who are eligible for appointment to apply; and

(b) the Council is satisfied that the applicants contemplated in paragraph (a) have suitable experience or possess the qualifications as referred to in subsection (2).

(4) An appellant, a person employed by the appellant, the Registrar, an employee of the Council, a member of the disciplinary committee or a civil servant may not be appointed as a member of an appeal committee.

(5) A person appointed under subsection (2) may be disqualified as a member of an appeal committee if he or she has any direct or indirect personal interest in the outcome of that appeal.

(6) The Council may, if the performance of an appeal committee is unsatisfactory, terminate the period of office of all the members of that appeal committee.

(7) In the event of the termination of office of all the members of an appeal committee the Council must forthwith appoint competent persons in terms of subsection (2).

(8) The Council must, subject to subsection (2), appoint a temporary replacement member for an appeal committee if, before or during an appeal, it transpires that any member of the appeal committee-

(a) has any direct or indirect personal interest in the outcome of that appeal; or

(b) will, due to illness, absence from the Republic or for any other good reason be unable to participate or continue to participate in that appeal.

(9) The Council is responsible for the remuneration and allowances of members of an appeal committee.

#### **128. Quorum and meetings of appeal committee**

(1) All the members of an appeal committee constitute a quorum for any meeting of the appeal committee.

(2) An appeal must take place on the date and at the place and time fixed by the appeal committee.

(3) The procedure at the appeal is determined by the chairperson of the appeal committee.

(4) The chairperson may for the purposes of the hearing of an appeal-

(a) summon any person who may give material information concerning the subject of the hearing or who has in his or her possession or custody or under his or her control any document which has any bearing upon the subject of the hearing, to appear before him or her at a time and place specified in the summons, to be interrogated or to produce that document, and the chairperson may retain for examination any document so produced;

(b) administer an oath to or accept an affirmation from any person called as a witness at the hearing; and

(c) call any person present at the hearing as a witness and interrogate him or her and require him or her to produce any document in his or her possession or custody or under his or her control.

#### **129. Conditions of service, remuneration, allowances of members of disciplinary committee and appeal committee and resignation of members of disciplinary committee and appeal committee**

(1) The conditions of office, remuneration and allowances of members of disciplinary committees or members of appeal committees must be determined by rule.

(2) A member of a disciplinary committee or an appeal committee may resign by notice in writing to the Council.

### 130. Decisions of appeal committee

An appeal committee may—

- (a) dismiss the appeal against the finding of a disciplinary committee and confirm the finding or sanction or both; or
- (b) uphold the appeal against the decision of a disciplinary committee wholly or in part and set aside or vary the finding or sanction or both.

### 131. General provisions regarding appeal committee

(1) Appeal committees may admit evidence of facts not before the Council or Registrar when such decision was made and which is the subject of the appeal only if—

(a) there is a reasonable explanation for the failure to timeously inform the Council or Registrar of the facts; and

(b) the Council or Registrar has had sufficient opportunity to verify the facts and to present any evidence to the appeal committee in this regard.

(2) A decision of an appeal committee contemplated in section 127 must be made in writing within 21 days of the hearing of the appeal and a copy must be furnished to the Council and the appellant.

(3) Any decision signed by the chairperson of an appeal committee is a decision of that appeal committee.

(4) The chairperson of an appeal committee must maintain a record of the proceedings.

(5) No person is excused from complying with this Act on the ground that an appeal is pending in terms of this section.

(6) An appeal lodged in terms of this section does not suspend any decision of the Council or Registrar pending the outcome of this appeal.

(7) If, during the hearing of an appeal, the chairperson or a member of an appeal committee dies or becomes unable to act as chairperson or member—

(a) the hearing may, with the consent of the appellant, proceed before another chairperson and members; or

(b) the hearing shall start from the beginning if such consent is not given.

(8) The appellant is entitled to be represented at an appeal before an appeal committee by an advocate or an attorney.

**132. Appeal against decision of appeal committee**

(1) Any person affected by a decision of an appeal committee may appeal to any provincial or local division of the High Court having jurisdiction.

(2) An appeal contemplated in subsection (1) must be noted and prosecuted as if it were an appeal against a judgment of a magistrate's court in a civil case and all court rules applicable to such an appeal apply to an appeal lodged in terms of subsection (1).

**133. Limitation of liability of members of disciplinary committee and appeal committee**

Save as is provided in this Act, the disciplinary committee or appeal committee or any member thereof shall not be liable in respect of any act done in good faith or duty performed in accordance with this Chapter.

**134. Administrative work of appeal committee**

The administrative work of an appeal committee must be performed by employees of the Council.

**CHAPTER 11****Extra-territorial jurisdiction, presumptions, forfeiture, liability of registered person or entity, advertising by registered persons, dental laboratories and denture clinics, cognisance by Council of conduct under certain circumstances****135. Extra-territorial jurisdiction**

(1) If a member of the dental technology profession commits an offence under this Act and such offence occurred outside the Republic, a court of the Republic, whether or not the act constitutes an offence at the place of its commission, has, subject to subsections (4) and (5), jurisdiction in respect of that offence if the person to be charged-

(a) is a citizen of the Republic;

(b) is ordinarily resident in the Republic;

(c) was arrested in the territory of the Republic, or in its territorial waters or on board a ship or aircraft registered or required to be registered in the Republic at the time the offence was committed;

(d) is a company, incorporated or registered as such under any law, in the Republic; or

(e) any body of persons, corporate or unincorporated, in the Republic.

(2) Any offence committed in a country outside the Republic as contemplated in subsection (1), is, for purposes of determining the jurisdiction of a court to try the offence, deemed to have been committed-

(a) at the place where the complainant is ordinarily resident; or

(b) at the accused person's principal place of business.

(3) No prosecution may be instituted against a person in terms of this section with respect to conduct which formed the basis of an offence under this Act in respect of which such person has already been convicted or acquitted by a court of another jurisdiction.

(4) The institution of a prosecution in terms of this section must be authorised in writing by the National Director of Public Prosecutions.

### 136. Presumptions

(1) In any criminal proceedings against any person appearing upon a charge of having performed any act which constitutes an offence under this Act if performed by a person who is not registered or who is not in possession of any document specified in the charge, the accused shall be deemed not to have been registered or not to have been in possession of such document at the time of the commission of the alleged offence unless the accused proves the contrary.

(2) In any criminal proceedings against any person appearing upon a charge of having performed an act which constitutes an offence under this Act, if performed by him or her for gain, such person shall be deemed to have performed such act for gain if he or she has accepted any valuable consideration in respect of such act.

### 137. Forfeiture

(1) The court convicting any person of a contravention of section 98 or 107 or of a failure to comply with the conditions of an authorisation issued under section 99, may declare-

(a) any dental and oral prostheses;

(b) any custom-made components used in the practice of dental technology, dental laboratory or denture clinic;

(c) any goods;

(d) computer equipment used in computer-aided design, computer aided manufacturing or rapid proto printing or similar technology which is used in respect of the creation of dental or oral prosthesis or any custom made dental or oral prosthesis used in the practice of dental technology; or

(e) any other equipment as determined by rule from time to time and used in the practice of dental technology, dental laboratory or denture clinic as contemplated in section 98 and 107 in connection with which the contravention has taken place to be forfeited to the Council.

(2) Artificial teeth and any controlled goods as contemplated in section 98 and 107 must be forfeited to the State and destroyed.

### 138. Liability of registered person

(1) A person registered in terms of this Act who, in the public interest informs the Council or other appropriate authority of an act or omission performed by any other registered person or juristic person, which act or omission endangers or is likely to endanger the safety or health of the public or fellow employees, is not liable in respect of the disclosure of such information.

(2) Any person who was registered in terms of this Act and whose registration was cancelled is liable for any action taken by him or her while he or she was registered.

### 139. Advertising by registered persons, dental laboratories or denture clinics

(1) In this section-

“*advertise*” means to advertise a dental technology practice, dental laboratory, denture clinic or to advertise a person as being a particular member of the dental technology profession, by—

(a) distributing a newsletter or circular; or

(b) placing an advertisement in a newspaper, magazine or journal, website or by way of electronic mail; or

(c) placing an entry in a directory; or

(d) displaying a sign; or

(e) using printed stationery; or

(f) doing any other thing.

(2) The following are permissible advertising matters for a dental technology practice, dental laboratory or denture clinic—

- (a) the name of the practice;
- (b) the following particulars for each practitioner owner or owners, as the case may be, who works in the dental technology practice, dental laboratory or denture clinic—
  - (i) name;
  - (ii) qualifications;
  - (iii) the name of any approved accredited association of which such practitioner, dental laboratory or denture clinic is a member;
- (c) the business address of the practice;
- (d) the places where the practice is carried on;
- (e) the telephone numbers of the practice (including any after hours number);
- (f) the type of practice, dental laboratory or denture clinic;
- (g) the days and hours that the dental technology practice, dental laboratory or denture clinic is attended;
- (h) an approved logo for the dental technology practice, dental laboratory or denture clinic;
- (i) a matter required to be included in an advertisement by another law to appear on the practice's, dental laboratories' or denture clinics' stationery;
- (j) for a practice in dental technology, dental laboratory or denture clinic work performed by the practice, dental laboratory or denture clinic and the materials used in performing the work or in providing the services.

(3) A practitioner, dental laboratory or denture clinic must not advertise in a way that—

- (a) is false, misleading or deceptive; or
- (b) is vulgar or sensational in a way that is likely to adversely affect the standing of the dental technology profession; or
- (c) implies superiority of the practice over other practices, dental laboratories or denture clinics; or
- (d) relates to anything other than the practice of dental technology profession or the business of a dental laboratory or denture clinic;
- (e) create any impression, unsupported by fact, of superior skills or qualifications.

(4) Every practitioner practicing the dental technology profession or operating a dental laboratory or denture clinic registered under this Act under a registered name or trade name

or a partnership or of a juristic person shall cause his or her name of practice or that of such dental laboratory or denture clinic to be conspicuously displayed and kept so displayed in a conspicuous place at the entrance of the place where the practice or dental laboratory or denture clinic is conducted.

#### **140. Cognisance by Council of conduct under certain circumstances**

- (1) A registered person who—
  - (a) has been convicted of any offence by a court of law; and
  - (b) where the Council is of the opinion that such offence constitutes misconduct as contemplated in section 117, may be dealt with by the Council in terms of Chapter 10 of this Act.
- (2) Whenever in the course of any proceedings before any court of law it appears to the court that there is prima facie proof of unprofessional conduct on the part of a person registered in terms of this Act, the court must direct that a copy of the record of such proceedings or such portion thereof as is material to the issue to be transmitted to the Council.

### **CHAPTER 12**

#### **Billing of patients and medical aid scheme, carrying on business of dental technology as juristic person and recognition and accreditation of certain persons, associations or organisations**

#### **141. Billing of patients and medical aid scheme**

- (1) Every person registered under this Act (in this section referred to as the practitioner) shall, unless the circumstances render it impossible for him or her to do so, before rendering any professional services, inform the person to whom the services are to be rendered or any person responsible for the maintenance of such person, of the fee which he or she intends to charge for such services when so requested by the person concerned.
- (2) Any practitioner who in respect of any professional services rendered by him or her claims payment from any patient or medical aid scheme must furnish such patient or medical aid scheme of such patient with a detailed account within a reasonable period.
- (3) No practitioner shall, prior or after the rendition of the professional services as contemplated in paragraph (a), (b) and (c) of subsection (2) of section 66 of this Act, make or attempt to

make or to recover, or enter into any agreement or associate himself in any way with any other person for the purpose of making or fixing, excessive charges for any article or professional services supplied or to be supplied by him in his capacity as a practitioner.

(4) Any practitioner who contravenes any provision of subsection (3) shall be guilty of misconduct as contemplated in section 117 and the Council shall take cognizance of and deal with such conduct in terms of the provisions of Chapter 10.

#### **142. Carrying on business of dental technology as juristic person**

(1) Subject to subsection (2) the practice of dental technology may be carried on as a sole proprietorship, partnership, association, as an incorporated company or a close corporation.

(2) (a) All members of such partnership or association shall be registered in terms of this Act as dental technologists.

(b) The performance of any act specially pertaining to the scope of practice of a dental technologist, as the case may be, may be carried on in association: Provided that—

(i) written proof of the formation of the association, including the names of all associates, shall be submitted to the Council together with the application for registration of the dental laboratory;

(ii) the associates shall annually before 31 March submit an affidavit to the Council confirming the continued existence of the association and re-stating the names of all associates;

(iii) in the case of an association, incorporated company or close corporation only work for the patients of that association shall be done in that laboratory;

(iv) one or more or all the associates practise their profession and operate the laboratory on the same premises:

Provided further that all members of such association shall be dental technologists.

(c) An incorporated company or close corporation may carry on any business involving the performance of any act specially pertaining to the dental technology profession as long as all the members, directors and shareholders of such juristic person are registered dental technologists.

(3) No member of the dental technology profession may practice in partnership, association or otherwise with a dentist or a student dental technician or student dental technologist or any person who is not registered in terms of this Act.

(4) The provisions of this section are not applicable to clinical dental technologists registered under Chapter 7.

**143. Recognition and accreditation of certain persons, associations or organisations**

(1) Any association, organisation, institute, institution or other body of registered persons which has as its main object the promotion and protection of the interests of its members as members of the dental technology profession may apply to the Council to be recognised as an accredited association.

(2) An application in terms of subsection (1) must be accompanied by the prescribed fee.

(3) The Council must, within 90 days from its first meeting, make rules in respect of the requirements and procedures for the recognition of such associations as contemplated in subsection (1).

(4) Any association, organisation, institute, institution or other body of registered persons seeking accreditation must apply in accordance with the procedures as determined by rule.

(5) The Council must—

(a) evaluate every application for accreditation in accordance with its procedures;

(b) issue a certificate of accreditation to applicants that meet required criteria specifying conditions applicable to such accreditation.

(6) The Council is the only institution which may accredit the association, organisation, institute, institution or other body of registered persons as contemplated in subsection (5).

(7) If the association, organisation, institute, institution or other body of registered persons comply with the requirements for accreditation the Council must issue such association, organisation, institute, institution or other body of registered persons with a certificate of accreditation.

(8) A certificate of accreditation is valid for a period of five years from the date of issue on condition that the association, organisation, institute, institution or other body of registered persons so accredited continues to comply with the relevant rules.

(9) An accredited association, organisation, institute, institution or other body of registered persons must, at least three months prior to the expiry of its certificate of accreditation, apply to the Council for the renewal thereof in the manner determined in the

rules and the application must be accompanied by the prescribed fee.

(10) An association, organisation, institute, institution or other body of registered persons whose certificate of accreditation has lapsed must, on the written request of the Registrar, return the certificate to the Council within 30 days from the date upon which it is directed by the Registrar to do so, unless it provides, by way of an affidavit, satisfactory reasons for not returning the certificate.

## CHAPTER 13

### Offences and penalties and administrative non-compliance penalty

#### 144. Offences and penalties

(1) Any person who-

(a) makes any unauthorized entry or addition or alteration in or removal from a register which is kept in terms of this Act, or an extract therefrom, or any certificate, receipt, authorisation, approval or other document issued under this Act;

(b) wilfully destroys or damages or renders illegible any entry in a register kept in terms of this Act or, without the permission of the holder thereof, a certificate, receipt, authorisation, approval or other document issued under this Act;

(c) forges or, knowing it to be forged, utters any document purporting to be a certificate, receipt, authorisation, approval or other document issued in terms of this Act;

(d) impersonates any person registered or deemed to be registered in terms of this Act;

(e) having appeared as a witness at an inquiry in terms of Chapter 10, refuses or fails without lawful cause to be sworn or to make an affirmation or to answer any question or to produce any book, document or record which he or she may lawfully be required to answer or to produce;

(f) having been duly summoned to appear at an inquiry in terms of Chapter 10, refuses or fails without lawful cause so to appear;

(h) obstructs or hinders a member of the Council or of the executive committee or of any other committee of the council or the Registrar, in the exercise of his or her or its powers or the performance of his or her or its functions under this Act;

(i) contravenes section 9, 41, 55(1), 56, 61(7)(a) or (b), 68(1),(3),(4),(5) or (7), 87(1), 88(1), 95(1), 96(1), 98(1) or (2) or fails to comply with the provisions of section 65(5), 74, 77, 80,

81, 97, 99, 107, 115(5), 116, 142 or 148 or fails to comply with any requirement under section 12(2), 28(10), 52, 62(1), 74, 75, 83, 86, 92(1), 95(6)(b), 100(1), 102(4), 105(1), 108(1), 110(1), 116, 141(1) or (2) or 142(2)(b)– shall be guilty of an offence and–

(i) on a first conviction of a contravention referred to in paragraph (a), (b), (c), (d), (e), (f), (g), (h) or (i) be liable to a fine or to imprisonment for a period not exceeding three years, or to both a fine and such imprisonment.

(ii) on a second or subsequent conviction of any contravention referred to in paragraph (i), whether the same or any other contravention referred to in that paragraph, be liable to a fine or to imprisonment for a period not exceeding fifteen years, or to both a fine and such imprisonment.

(2) Any fine paid or recovered in respect of an offence under this Act shall be paid over to the Council.

(3) A magistrate's court shall have jurisdiction to impose any penalty provided for by this section.

#### **145. Penalty for false representation inducing registration and declaration in respect of election**

Any person who–

(a) procures for himself or herself or any other person registration under this Act, or any certificate, authorisation or receipt referred to in this Act, by means of a false representation, whether verbally or in writing; or

(b) makes a false declaration on any identification envelope issued in connection with an election contemplated in section 5 (1) (c), (d) or (e),

shall be guilty of an offence and–

(i) on a first conviction of a contravention of this section be liable to a fine or to imprisonment for a period not exceeding three years, or to both a fine and such imprisonment.

(ii) on a second or subsequent conviction of any contravention referred to in paragraph (i) be liable to a fine or to imprisonment for a period not exceeding fifteen years, or to both a fine and such imprisonment.

#### **146. Administrative non-compliance penalty**

(1) The purpose of this section is to ensure–

(a) the widest possible compliance with the provisions of this Act and the effective administration of this Act; and

(b) that an administrative non-compliance penalty is imposed consistently to the seriousness and duration of the non-compliance.

(2) In respect to the first or second incidence of any person, juristic person, dental trader failing to register in accordance with the provisions of this Act where so required the Council must impose the appropriate penalty in accordance with the amounts contained in Schedule 2.

(3) In respect to the first or second incidence of any person failing to apply for an authorisation for the importation or exportation of unmounted artificial teeth or any dental and oral prostheses, custom made components used in the practice of dental technology, dental laboratory or denture clinic in accordance with the provisions of this Act where so required the Council must impose the appropriate penalty in accordance with the amounts contained in Schedule 2.

(4) In respect to the first or second incidence of any person, juristic person, dental trader or authorisation holder failing to pay the annual fee for registration or the payment of any fee in respect of an import, export or transit authorisation in accordance with the provisions of this Act where so required the Council must impose the appropriate penalty in accordance with the amounts contained in Schedule 2.

(5) In respect to the imposition of any penalty under subsection (2), (3) or (4) the Registrar must cause to be delivered by hand or electronic mail to that person (hereinafter referred to as 'the infringer') an infringement notice which must contain the particulars contemplated in subsection (6).

(6) A notice referred to in subsection (5) must-

(a) specify the name and address of the infringer;

(b) specify the particulars of the alleged offence;

(c) specify the amount of the penalty payable;

(d) inform the infringer that, not later than 30 days after the date of delivery of the infringement notice as contemplated in subsection (5), the infringer may-

(i) pay the penalty;

(ii) make arrangements with the Registrar to pay the penalty in instalments; or

(iii) elect to be tried in court on a charge of having committed the alleged offence; and

(e) state that a failure to comply with the requirements of the notice within the time permitted, will result in the penalty becoming recoverable as contemplated in subsection (8).

(7) If an infringer elects to be tried in court on a charge of having committed the alleged contravention or failure, the Registrar must hand the matter over to the prosecuting authority and inform the infringer accordingly.

(8) If an infringer fails to comply with the requirements of a notice issued under this section, the Registrar may file with the clerk or Registrar of any competent court a statement certified by him or her as correct, setting forth the amount of the penalty payable by the infringer, and such statement thereupon has all the effects of a civil judgment lawfully given in that court in favour of the Council for a liquid debt in the amount specified in the statement.

(9) The Registrar may not impose a penalty contemplated in this section if the person concerned has been charged with a criminal offence in respect of the same set of facts or where such infringement amounts to a third or further incidence of non-compliance under subsection (2), (3) or (4) within a period of 36 months of the first incidence of non-compliance irrespective of the kind of non-compliance.

(10) No prosecution may be instituted against a person if the person concerned has paid a penalty in terms of this section in respect of the same set of facts.

(11) A penalty payable in terms of this section must be paid to the Council.

(12) The amount of the penalty in Schedule 2 will increase automatically by the same amount for each month, or part thereof, that the person fails to remedy the non-compliance within one month after receipt of the infringement notice.

(13) If a penalty has been imposed in respect of a first incidence of non-compliance and the duration of the non-compliance is less than five business days, the Registrar may, remit a portion of the penalty up to an amount of R2 000 if the Registrar is satisfied that-

(a) reasonable grounds for the non-compliance exist; and

(b) the non-compliance in issue has been remedied.

(14) The Registrar must, upon receipt of a remittance request, supported by proof of such circumstances, remit the penalty if the Registrar is satisfied that one or more of the circumstances referred to in subsection (15) rendered the person on whom the penalty was imposed incapable of complying with the relevant obligation under this Act.

(15) The circumstances referred to in subsection (14) are limited to-

(a) a natural disaster;

(b) a civil disturbance or disruption in services; or

(c) a serious illness or accident.

(16) A decision by the Registrar not to remit a penalty under subsection (14) is subject to review or appeal, as the case may be, under Chapter 10.

(17) The Minister may, from time to time and after consultation with the Council, by notice in the *Gazette*, adjust the penalty amounts referred to in Schedule 2 in accordance with the average of the consumer price index, as published from time to time in the *Gazette*, for the immediately preceding period of 12 months multiplied by the number of years that the amount referred to in the Schedule has remained the same.

#### **147. General prohibitions in respect to certain members of the dental technology profession**

(1) A registered practitioner may not—

(a) accept, request or insist on any commission, remuneration, pecuniary or otherwise, from a dentist or dental trader or manufacturer, wholesaler or retailer of any equipment, apparatus, instruments, appliances or material used in the course of his or her practice;

(b) pay, give or accept any commission or remuneration, pecuniary or otherwise, to any person for the recommendation of patients; or

(c) share any fees charged for a service rendered under paragraph (a), (b) or (c) of subsection (1) of section 68 with any dentist or dental trader or other person registered in terms of the Health Practitioners Act, 1957 Act 56 of 1957).

(2) A person who is registered under this Act may not share or permit the use of a dental laboratory with a person not registered in terms of this Act.

(3) No person who is registered in terms of this Act shall perform an act which prevents or is calculated to prevent the Council, Registrar or any inspector from carrying out any duty granted by or imposed under this Act.

(4) The provisions of this section do not apply to a registered clinical dental technologist.

#### **148. Restrictions on business names**

(1) Subject to the provisions of subsections (3) and (4), no person shall carry on business as a practitioner, dental laboratory or

denture clinic under any name, title or description which name, title or description—

(a) which is vulgar or sensational in a way that is likely to adversely affect the standing of the dental technology profession;

(b) which is not be confusingly similar or bears the same name as any other practitioner, dental laboratory or denture clinic; or

(c) which does not falsely imply or suggest, or be such as would reasonably mislead a person to believe incorrectly, that the business—

(i) is part of, or associated with, any other person who is not a member of the dental technology profession;

(ii) is operated, sponsored, supported or endorsed by the State or by any organ of state or other person not being a member of the dental technology profession;

(iii) is owned, managed or conducted by a person or persons having any particular educational designation or who is a regulated person or entity;

(iv) is owned, operated, sponsored, supported or endorsed by, or enjoys the patronage of, any—

(aa) medical aid scheme; or

(bb) any association not accredited in terms of this Act or any international dental technology stakeholder organisation.

(2) The Council may, in respect to any person, dental laboratory or denture clinic who registers in terms of this Act, refuse to register the name or trading name of such person, dental laboratory or denture clinic if such name or trading name:

(a) may cause confusion with any other name or trading name of a registered person, dental laboratory or denture clinic;

(b) is false, misleading or deceptive;

(c) or contravenes the provisions of subsection (1).

(3) The provisions of subsection (1) shall not prohibit—

(a) the inclusion in the name, title or description of any business of a practitioner, dental laboratory or denture clinic of the surname of an owner thereof;

(b) the use in respect of any business of a practitioner, dental laboratory or denture clinic business of any name, title or description under which that business has lawfully been carried on immediately prior to the commencement of this Act.

## CHAPTER 14

### Rules and notices and regulations

#### 149. Rules and notices

(1) The Council may make rules or adopt policies not inconsistent with the Act relating to-

(a) Standards-

(i) competency standards for the dental technology profession;

(ii) professional practice standards for the dental technology profession;

(iii) technical standards applicable to the dental technology profession;

(iv) quality assurance standards for the for the dental technology profession;

(v) standard statements in respect of dental laboratories and denture clinics;

(vi) standard statements in respect of records and recordkeeping by members of the dental technology profession;

(b) accredited courses in respect of continuing professional development for the dental technology profession-

(c) dental laboratories or denture clinics-

(i) design requirements for dental laboratories;

(ii) infection control;

(iii) Occupational Health and Safety Standards for laboratories;

(iv) records and recordkeeping;

(v) standard statements in respect of hazardous substances.

(d) accreditation of stakeholder associations-

(i) application for accreditation of stakeholder recognition;

(ii) requirements for accreditation of stakeholder associations;

(iii) retention of accreditation of stakeholder associations; and

(iv) termination of accreditation of stakeholder associations;

(e) the meetings and conduct of Council-

(i) the conduct of the business, and the procedure at meetings, of the Council and committees of the Council and the manner in which minutes of such meetings shall be kept;

(ii) the conduct of the business and the procedure at meetings of the Council and committees of the Council and the manner in which minutes of such meetings shall be kept; and

(iii) the manner in which contracts shall be entered into on behalf of the Council;

(f) code of conduct and code of ethics for staff members of Council;

(g) the procurement of goods and services by the Council;

(h) the scope of practice of any practitioner registered under section 57 of this Act;

(i) (i) the minimum requirements of the curricula and the standards of specialized education required for registration as practitioner under section 57 of this Act;

(ii) the institutions and facilities at which studies in clinical dental technology may be taken or undergone and any other requirements in connection with such education or training;

(iii) the appointment and remuneration of moderators and examiners, as well as any other person required to assist in the examination of student clinical dental technologists;

(iv) the issue of certificates by the Council and any other matter incidental to such examinations or the issue of such certificates;

(v) any other matter incidental to the training of any person who may be registered under section 57 of this Act.

(h) practice protocols for clinical dental technologists in respect of-

(i) referral for invasive procedures and oral pathology;

(ii) practice management;

(iii) clinical practice;

(iv) denture laboratory practice;

(v) ethical and safety issues;

(vi) protecting the interests of patients;

(vii) treatment options education;

(viii) treatment planning and informed consent;

(ix) billing and accounting of patients and medical aid funds;

(x) clinical treatment of patients;

(xi) hygiene and sterilization of clinical equipment;

(xii) infection control;

(xiii) complaints management;

(xiv) maintaining patient confidentiality;

(xv) dealing with gender and racial issues;

(xvi) a patient charter;

(xvii) dealing with vulnerable and geriatric patients; and

(xviii) any such other protocols or statement standards that the Council considers necessary in respect to the practice of the clinical dental technology profession.

(i) practice protocols for dental technicians and dental technologists in respect of-

- (i) practice management;
- (ii) denture laboratory practice;
- (iii) ethical and safety issues;
- (iv) protecting the interests of patients;
- (v) treatment options education;
- (vi) treatment planning;
- (vii) billing and accounting of patients and medical aid funds;
- (viii) hygiene and sterilization of clinical equipment;
- (ix) infection control;
- (x) complaints management;
- (xi) maintaining patient confidentiality;
- (xiii) dealing with gender and racial issues;
- (xiv) a patient charter; and
- (xv) any such other protocols or statement standards that

the Council considers necessary in respect to the practice of the dental technology profession.

(j) generally, all matters which the Council considers necessary in respect to the practice of the dental technology profession in order that the objects of this Act may be achieved, and the generality of this provision shall not be limited by the preceding paragraphs of this subsection.

(j) any matter which in terms of this Act is required to be or may be determined as rules.

(2) The Council shall, after consultation with dental technology stakeholders, not less than three months before any rule is made in terms of this Act, cause the text of such rule to be published in the *Gazette* together with a notice declaring the Council's intention to make such rule and inviting interested persons to furnish the Council with any comments thereon or any representations they may wish to make in regard thereto.

(3) The Council may publish a notice containing a list of controlled items to which this Act is applicable, including any component, equipment, system, processes and technology of whatever nature capable of being used in the design, development or creation of unmounted artificial teeth or any dental and oral prostheses, custom made components used in the practice of dental technology, a dental laboratory or denture clinic.

(4) Different rules may be made in terms of subsection (1) in respect of different categories of persons registered in terms of this Act.

(5) No rule or notice made in terms of this section or any amendment or withdrawal thereof shall be of force and effect until approved by the Minister and published in the *Gazette*.

## 150. Regulations

(1) The Minister may, on the recommendation of the Council, make regulations relating to—

(a) (i) the election of members of the Council who shall be elected in terms of paragraph (c), (d) or (e) of subsection (1) of section 5 of this Act;

(ii) the requirements with which a nomination of a candidate for election as a member of the Council shall comply;

(b) the allowance which may be paid to members of the Council and of committees of the Council when occupied with the affairs of the Council: Provided that—

(i) the allowance which may be paid to any such member who is in the full-time service of the State shall not exceed the allowances to which he or she would be entitled in terms of the laws governing the public service;

(ii) no such member shall be required to pay into the State Revenue Fund any such allowances;

(c) any fees payable in terms of this Act, which may include—

(i) registration fees in respect to any person or juristic person who must register in terms of the Act;

(ii) annual fees in respect of any member of the dental technology profession provided for in this Act;

(iii) annual fees of dental traders, dental laboratories, denture clinics and importers and exporters of unmounted artificial teeth or any dental and oral prostheses;

(iv) fees payable for restoration of—

(aa) a name to a register from which it had been removed and such fees may vary according to the reason for the removal thereof and the period for which it was so removed;

(bb) a person who may be registered in terms of this Act;

(v) fees payable for the issuing of registration certificates and authorisations;

(vi) fees payable for examinations conducted by or on behalf of Council; and

(vii) fees payable for registration and accreditation of educational institutions, training facilities or activities for continuing professional development;

(d) the determination and payment of annual fees payable by the owner of a dental laboratory or denture clinic and any other prescribed fees in respect of dental laboratories or denture clinics;

(e)(i) the registration by the Council of students in dental technology who are studying at an approved institution, the fees payable in respect of such registration and the removal from the relevant registers by the Council of the names of such students so registered;

(ii) the standards of general education required of such students as a prerequisite for such registration;

(iii) the duration of the curricula to be followed by such students at such institutions;

(iv) the minimum requirements of the curricula and the standards of education and examinations in dental technology which shall be maintained at any institution approved by the Council for training in dental technology in order to obtain recognition under this Act of the qualifications in dental technology obtained at such institution;

(f)(i) the nature and duration of the training to be undergone by any person who has obtained a qualification in dental technology who has not yet been registered as a member of the dental technology profession, as the case may be, the examination which the Council may conduct in order to determine the competence of such a person and the period within which such a person shall pass the examination before he or she may be registered as a dental technician or a dental technologist, as the case may be;

(ii) the registration by the Council of persons undergoing such training and the fees payable in respect of such registration;

(iii) the fees payable by candidates for such examinations;

(iv) the appointment and remuneration of examiners for such examinations;

(v) the issue of certificates by the Council, and any other matter connected with such examinations or the issue of such certificates;

(g) the forms of the registers to be kept in terms of this Act and of all certificates or authorisations which may be issued under this Act and the manner in which alterations may be effected in such registers;

(h) the forms to be completed and the documents to be submitted by applicants for registration or for restoration to the register;

(i) the returns and information to be furnished by any person registered in terms of this Act;

(j)(i) the registers to be kept, and the authorisations and certificates that may be issued in terms of this Act the particulars which shall be recorded in the registers and the manner in which alterations may be effected in the registers;

(ii) the conditions on which extracts from the registers and duplicate registration certificates may be made, including the payment of fees in respect thereof;

(iii) the particulars to be furnished to the Council to enable it to keep the registers;

(iv) the form of the registers to be kept and or the certificates or authorisations which may be issued under this Act and the employees of the Council who may issue such certificates or authorisations on instructions of the Council;

(v) the forms to be completed and the documents to be submitted by applicants for registration or for restoration to the relevant register;

(k)(i) the approval by the Council of registered dental laboratories or denture clinics where persons may undergo practical training in dental technology and the accommodation, facilities, equipment and materials to be provided in such laboratories;

(ii) the information to be rendered to the Council by the person in control of such dental laboratories or denture clinics in respect of persons being trained at such dental laboratories or denture clinics who have completed or abandoned such training;

(l)(i) the qualifications required of candidates for supplementary courses or any other courses and examinations conducted or arranged by the Council;

(ii) the conditions subject to which candidates may be permitted to such courses or examinations, the fees payable by candidates, the appointment and remuneration of lecturers and examiners and any other matter incidental to such courses or examinations;

(m)(i) conditions relating to continuing professional development to be undergone by practitioners in order to retain such registration;

(ii) the nature and extent of continuing professional development to be undergone by practitioners;

(iii) the criteria for recognition by the Council of continuing professional development activities and of providers offering such activities;

(n)(i) the form in which and the conditions subject to which authorisations may be issued under Chapter 8 of this Act and the fees payable for such authorisations;

(ii) the form in which the register referred to in section 108 shall be kept in respect of dental traders and the particulars which shall be entered in such register;

(o) occupational health conditions concerning harmful practices occurring, and the use of hazardous substances, in all dental laboratories or dental clinics;

(p) community service in respect of members of the dental technology profession;

(q) dental traders and persons who import or export or trade in unmounted artificial teeth or any dental and oral prostheses;

(r) generally, any matter which in terms of this Act is required to be, or may be, prescribed or which the Minister considers necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

(2) The Minister may, after consultation with the executive committee of the Council, if the Minister deems it in the public interest, after consultation with the Council, make regulations relating to any of the matters referred to in subsection (1), or amend or repeal any regulation made in terms of that subsection.

(3) Any regulation made under this section may prescribe penalties for any contravention thereof or failure to comply therewith, not exceeding a fine of R5 000.

(4) Any notice issued or order made under this Act may from time to time be amended or revoked by the authority which issued or made it.

## CHAPTER 15

### Transitional provisions, matters pending under previous Act and repeal of South African Dental Technicians Act, 1979 (Act 19 of 1979), application of the Act in respect of the State and short title and commencement

#### 151. Transitional provisions

(1) Any proclamation and regulation made under the Dental Technicians Act, 1979 (Act 19 of 1979) shall remain in force until

replaced by an Act of Parliament, or regulation made under this Act, as the case may be.

(2) Any authorisation, certificate, permission or registration issued in terms of the Dental Technicians Act, 1979 (Act 19 of 1979) which was valid immediately before the commencement of this Act, remains valid for the period specified in the authorisation, certificate, permission, registration or determination, as the case may be, unless terminated, cancelled or suspended in terms of this Act.

(3) Any person who occupied a post or served in a particular capacity in terms of the Dental Technicians Act, 1979 (Act 19 of 1979) immediately prior to the commencement of this Act continues to occupy or to serve in the corresponding post or capacity designated in this Act.

(4) A reference in the Dental Technicians Act, 1979 (Act 19 of 1979) to the Registrar appointed under section 13 of the Dental Technicians Act, 1979 (Act 19 of 1979) shall be construed as a reference to the Registrar in this Act.

(5) A reference in the Council appointed under section 5 of the Dental Technicians Act, 1979 (Act 19 of 1979) shall be construed as a reference to the Council in this Act.

(6) Any person who received any allowance, remuneration or other benefit or privilege by virtue of a post or capacity contemplated in subsection (3) must continue to receive such allowance, remuneration or other benefit or privilege from the same source and in the same manner after the commencement of this Act.

(7) Any person who received any allowance, remuneration, any leave, pension or other benefits which have accrued in any person's favour or other benefit or privilege by virtue of a post or capacity held by such person in terms of the Dental Technicians Act, 1979 (Act 19 of 1979) immediately prior to the commencement of this Act is regarded as having been accrued in the person's favour.

(8) Any power exercised or duty performed by the Registrar or the Council by virtue of a provision of Dental Technicians Act, 1979 (Act 19 of 1979) immediately before the commencement of this Act, must be considered as having been exercised or performed by the Registrar or Council as the case may be.

(9) On the date of commencement of this Act—

(a) all assets, liabilities, rights and obligations of the South African Dental Technician Council, as it existed immediately prior to the commencement of this Act, pass to the Council established by this Act; and

(b) subject to this Act, anything done by or on behalf of the South African Dental Technicians Council is deemed to have been done by the Council.

(10) The Council which is in office at the time of the promulgation of this Act will be deemed to be the South African Dental Technology Professions Council established in terms of section 2 of the this Act and will dissolve at the end of the financial year following the commencement of this Act or a date determined by the Minister.

(11) Any rule, requirement, directive or decision made, put or issued or other thing done under or in terms of the Dental Technicians Act, 1979 (Act 19 of 1979) as it was in force immediately prior to the commencement of this Act, shall be deemed to have been made, put, issued or done under or in terms of the corresponding provision of this Act.

(12) If on the date of commencement of this Act a different date is fixed for the commencement of Chapter 7 the reference to a clinical dental technologist in paragraph (c) of subsection (1) of section 10 shall be read to mean a dental technologist elected by dental technologists in the prescribed manner and such dental technologist shall hold office until Chapter 7 comes into operation whereafter a clinical dental technologist must be elected by clinical dental technologists in the prescribed manner.

(13) The clinical dental technologist elected after the commencement of Chapter 7 shall hold office for the unexpired portion of the period of office of the dental technologist referred to in subsection (12).

## 152. Matters pending under previous Act

(1) The promulgation of this Act does not affect any proceedings instituted in terms of the Dental Technicians Act, 1979 (Act 19 of 1979) administered by the Council which were pending in a court of law immediately before the date of commencement of this Act, and such proceedings must be disposed of in the court in question as if this Act had not been passed.

(2) Criminal proceedings contemplated in subsection (1) must be regarded as having been pending if the person concerned had pleaded to the charge in question.

(3) Any administrative investigation or inquiry instituted in terms of the Dental Technicians Act, 1979 (Act 19 of 1979) which was pending must be disposed of as if this Act had not been passed.

(4) No proceedings may continue against any person in respect of any contravention of a provision of the Dental Technicians

Act, 1979 (Act 19 of 1979) if the alleged act or omission constituting the offence would not have constituted an offence if this Act had been in force at the time when the act or omission took place.

(5) (a) Despite the repeal of the Dental Technicians Act, 1979 (Act 19 of 1979), any person who, before such repeal, committed an act or omission which constituted an offence under that Act and which constitutes an offence under this Act, may after this Act takes effect be prosecuted under the relevant provisions of this Act.

(b) Despite the retrospective application of this Act as contemplated in paragraph (a), any penalty imposed in terms of this Act in respect of an act or omission which took place before this Act came into operation may not exceed the maximum penalty which could have been imposed on the date when the act or omission took place.

(6) All disciplinary proceedings which immediately before the commencement of this Act were underway or pending must be concluded as if this Act had not been passed.

(7) All appeal processes which immediately before the commencement of this Act were underway or pending must proceed as if this Act had not been passed.

#### **153. Repeal of Dental Technicians Act, 1979**

The Dental Technicians Act, 1979 (Act 19 of 1979) is hereby repealed.

#### **154. Application of the Act in respect of the State**

Chapter 6 shall bind the State.

#### **155. Short title and commencement**

(1) This Act shall be called the South African Dental Technology Professions Act, 2016, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may be fixed under subsection (1) in respect of different provisions of this Act.

### **Schedule 1 Code of Conduct for Councillors**

#### **Preamble**

In order to ensure that Councillors fulfil their obligations and support the achievement by the Council of its objectives set out in section 5 of the Dental Technology Professions Act, 2016, the following Code of Conduct is hereby established.

## 1 Definitions

In this Schedule—

**‘Council’** means the South African Dental Technology Professions Council established under section 4 of the Act;

**‘Councillors’** means the collective of appointed and elected members of the Council;

**‘dental technology profession’** means the members of the dental technology profession as a collective;

**‘Minister’** shall mean the Minister of Health;

**‘spouse’**, shall mean the following:

A person who is—

(a) a lawful husband or wife; or

(b) a life partner (including same sex life partner); or

(c) a husband or wife in terms of the Recognition of Customary Marriages Act, 1998 or the tenets of any religion; and

**‘the Act’** means the Dental Technology Professions Act, 2016.

## 2 General conduct of Councillors

A Councillor must—

(a) perform the functions of office in good faith, honestly and a transparent manner; and

(b) at all times act in the best interest of the Council and in such a way that the credibility and integrity of the Council are not compromised.

## 3 Voting at meetings

A Councillor may not vote in favour of or agree to a resolution which is before the Council or a committee of the Council which conflicts with any legislation or conflicts with the objects of the Act, the powers and responsibilities of the Council.

## 4 Attendance at meetings

A Councillor must attend each meeting of the Council and of a committee of which that Councillor is a member, except when—

(a) leave of absence is granted to him or her by the president or chairperson, as the case may be, or as determined by the rules of the Council; or

(b) that Councillor is required in terms of this Code of Conduct to withdraw from the meeting.

## 5 Disclosure of interests

(1) A Councillor must—

(a) disclose to the Council, or to any committee of which that Councillor is a member, any direct or indirect personal or private business interest that that Councillor, or any spouse, business associate or family member of that Councillor may have in any matter before the Council or the committee; and

(b) withdraw from the proceedings of the Council or committee when that matter is considered by the Council or committee, unless the Council or committee decides that the Councillor's direct or indirect interest in the matter is trivial or irrelevant.

(2) A Councillor who, or whose spouse, business associate or family member, acquired or stands to acquire any direct benefit from a contract concluded with the Council must disclose full particulars of the benefit of which the Councillor is aware at the first meeting of the Council at which it is possible for the Councillor to make the disclosure.

## 6 Personal gain

(1) A Councillor may not use the position or privileges of a Councillor, or confidential information obtained as a Councillor, for private gain or to improperly benefit another person.

(2) No Councillor may be a party to or beneficiary under a contract for the provision of goods or services to the Council.

## 7 Declaration of interests

(1) When elected or appointed, a Councillor must declare in writing to the Council the following financial interests held by that Councillor:

- (a) shares and securities in any company;
- (b) membership of any close corporation;
- (c) interest in any trust as trustee or beneficiary of such trust;
- (d) directorships;
- (e) other financial interests in any business undertaking;
- (f) employment and remuneration;
- (g) interest in property; and
- (j) subsidies, grants and sponsorships by any organisation.

(2) Any change in the nature or detail of the financial interests of a Councillor must be declared in writing to the Council annually.

## **8 Rewards, gifts and favours**

A Councillor may not request, solicit or accept any reward, gift or favour for—

- (a) voting or not voting in a particular manner on any matter before the Council or before a committee of which that Councillor is a member;
- (b) persuading the Council or any committee in regard to the exercise of any power, function or duty;
- (c) making a representation to the Council or any committee of the Council; or
- (d) disclosing privileged or confidential information.

## **9 Unauthorised disclosure of information**

(1) A Councillor may not without the permission of the president or the chairperson of a committee disclose any privileged or confidential information of the Council or committee to any unauthorised person.

(2) For the purpose of this item 'privileged or confidential information' includes any information—

- (a) determined by the Council or committee to be privileged or confidential;
- (b) discussed in closed session by the Council or committee;
- (c) disclosure of which would violate a person's right to privacy; or
- (d) declared to be privileged, confidential or secret in terms of any legislation.

(3) This item does not derogate from the right of any person to access information in terms of national legislation.

## **10 Intervention in administration**

A Councillor may not, except as provided by law—

- (a) interfere in the management or administration of the day to day business of the Council unless mandated by Council;
- (b) give or purport to give any instruction to any employee of the Council except when authorised to do so;
- (c) obstruct or attempt to obstruct the implementation of any decision of the Council or a committee; or
- (d) encourage or participate in any conduct which would cause or contribute to maladministration in the Council.

## 11 Bringing the Council or profession into disrepute

A Councillor must at all time act in an exemplary manner and refrain from any conduct that is likely to bring the Council or the dental technology profession into disrepute.

## 12 Council property

A Councillor may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the Council to which that Councillor has no right.

## 13 Duty of president

(1) If the president of the Council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the president must—

(a) authorise an investigation of the facts and circumstances of the alleged breach in accordance with the provisions of item 14;

(b) give the Councillor a reasonable opportunity to reply in writing regarding the alleged breach; and

(c) report the matter to a meeting of the full Council after paragraphs (a) and (b) have been complied with.

(2) The president must, in the event of such Councillors appointed by the Minister, report the outcome of the investigation to the Minister.

(3) The president must ensure that each Councillor when taking office is given a copy of this Code of Conduct and that a copy of the Code of Conduct is available in every room or place where the Council meets.

## 14 Breaches of Code

(1) The Council may—

(a) investigate and make a finding on any alleged breach of a provision of this Code of Conduct; or

(b) establish a special committee—

(i) to investigate and make a finding on any alleged breach of this Code of Conduct; and

(ii) to make appropriate recommendations to the Council.

(2) If the Council or a special committee finds that a Councillor has breached a provision of this Code of Conduct, the Council may—

(a) reprimand the Councillor;

(b) institute disciplinary proceedings against such Councillor in the event that such councillor is a member of the dental technology profession elected under section 10 of this Act; and

(c) request the Minister to remove the Councillor from office in terms of section 13 of the Act if such Councillor is appointed under section 10 of this Act as a member of the Council.

(3) The Minister may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation as to the appropriate sanction in terms of sub-item (2) if the Council does not conduct an investigation contemplated in sub-item (1) and the Minister considers it necessary.

(4) If the Minister is of the opinion that an appointed Councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the Minister may—

(a) suspend the Councillor for a period and on conditions determined by the Minister; or

(b) remove the Councillor from office.

## 15 Investigations under the Code of Conduct

Any investigation in terms of this Code of Conduct must be conducted in accordance with the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000).

### Schedule 2

#### Amount of Administrative Non-Compliance Penalty

First incidence under section 146 (2), (3) or (4)	R 5000.
Second incidence under section 146 (2), (3) or (4)	R15000.

**DEPARTMENT OF PUBLIC WORKS  
NOTICE 865 OF 2016**

**FINDINGS AND SANCTIONS OF THE INVESTIGATING COMMITTEE PUBLISHED IN  
TERMS OF THE CONSTRUCTION INDUSTRY DEVELOPMENT REGULATIONS, 2004  
(AS AMENDED)**

The Construction Industry Development Board hereby publishes in terms of regulation 29(26) of the Construction Industry Development Regulations the details of the findings and sanctions of the investigating committee as set out in the **Schedule**.

Contractor Name	CRS Number	Company/ Corporation Registration Number	Nature of Complaint
JM Mncwango Trading CC	CRS 121747	2011/115673/07	The Respondent submitted payments into a bank account of an ex - employee of the cidb (Pema)
<b>Sanction imposed by CIDB</b>			
Effective date: 22 July 2016			
The Board orders that:			
a. A fine of R30 000.00 be imposed on the Respondent, due and payable on 30 November 2016;			
b. The sanction has no impact on any pending tenders during the period of payment;			
c. A probation be placed on any new applications and upgrades until the fine has been paid in full;			
d. The registration of the Respondent be suspended, if the fine is not paid, upon the expiry of the 3 months until payment is effected in full;			
e. The Respondent be prohibited from participating in the public sector construction works procurements for a period of 2 years, which order is suspended for a period of 2 years on condition that the Respondent is not found guilty of a similar offence.			

Contractor Name	CRS Number	Company/ Corporation	Nature of Complaint
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		<b>Registration Number</b>	
Peace and Unity	10064333	2010/045080/23	The Respondent is charged with sub-contracting construction work to Tirhisano without being registered on the cidb;
<b>Sanction imposed by CIDB</b>			
Effective date: 22 July 2016			
The Board orders that:			
<ul style="list-style-type: none"> <li>a. A fine of R30, 000.00 be imposed on the Respondent, due and payable before 30 November 2016;</li> <li>b. The sanction has no impact on any pending tenders during the period of payment;</li> <li>c. A probation be placed on any new applications and upgrades until the fine has been paid in full;</li> <li>d. If at the end of the 3 months payment period the Respondent has not settled the fine in full, the Respondents registration be suspended until the fine has been paid in full;</li> <li>e. The Respondent is prohibited from participating in the public sector construction works procurements for a period of 2 years, which order is suspended for a period of 2 years on condition that the Respondent is not found guilty of a similar offence.</li> </ul>			

<b>Contractor Name</b>	<b>CRS Number</b>	<b>Company/ Corporation Registration Number</b>	<b>Nature of Complaint</b>
Mashishing Distributors CC	216507	2005/003200/23	The Respondent a, in his capacity as a cidb employee, was involved in the application of the Respondent, in that he activated grade 1GB of the Respondent in the CCC Mpumalanga on 11 October 2009.
<b>Sanction imposed by CIDB</b>			
Effective date: 25 July 2016			
The Board orders that:			
<ul style="list-style-type: none"> <li>a. A fine of R45, 000.00 be imposed on the Respondent, to be paid over a period of three (3) months from date of issue of the sanction;</li> <li>b. The sanction has no impact on any pending tenders during the period of payment;</li> </ul>			

- c. A probation be placed on any new applications and upgrades until the fine has been paid in full;
- d. If at the end of the 3 months payment period the Respondent has not settled the fine in full, the Respondents registration be suspended until the fine has been paid in full;
- e. The Respondent is prohibited from participating in the public sector construction works procurements for a period of 3 years, which order is suspended for a period of 4 years on condition that the respondent is not found guilty of a similar offence."

<b>Contractor Name</b>	<b>CRS Number</b>	<b>Company/ Corporation Registration Number</b>	<b>Nature of Complaint</b>
Nelson Mandela Bay Municipality	500056		<p>Charge 1: The Respondent failed to register those projects awarded;</p> <p>Charge 2: The Respondent failed to publish the invitations to tender;</p> <p>Charge 3: The Respondent contravened the CIDB code of conduct.</p>
<b>Sanction imposed by CIBD</b>			
Effective date: 20 September 2016			
The Board orders that:			
<p>a. A fine of R70,000.00 be imposed on the Respondent; wholly suspended for a period of 2 years on condition that the Respondent is not found guilty of a similar offence committed during the period of suspension;</p> <p>b. The Respondent to pay a cost order of R30, 000.00, payable within 60 days.</p>			

<b>Contractor Name</b>	<b>CRS Number</b>	<b>Company/ Corporation Registration Number</b>	<b>Nature of Complaint</b>
Kotlolo Engineering CC	227095	2009/004268/23	The Respondent is charged with the submission of false appointment letters, false completion certificates, and false progress payment report, in contravention of the code of conduct

**Sanction imposed by CIDB**

Effective date: 11 October 2016

The Board orders that:

- a. The Respondent is guilty of the charge;
- b. The Respondent's application of 1 April 2016, be regarded as non-compliant, and be disregarded by the cidb;
- c. A fine of R30 000.00 be imposed on the Respondent, payable by the Respondent within 3 (three) months, failing which, cancellation of the registration of the Respondent, should be effected by the cidb;
- d. The following of the Respondent's current grading designations be downgraded by one grade, namely 5CE to 4CE and 6GB to 5GB;
- e. The Respondent pay the reasonable costs incurred by the cidb in respect of the formal inquiry, inclusive of the foregoing investigation.

Contractor Name	CRS Number	Company/ Corporation Registration Number	Nature of Complaint
Amafuto Constructing and Trading	262256	2011/114286/07	The Respondent is charged with the submission of a false appointment acceptance letter, false completion certificates, and false remittance advice, in contravention of the code of conduct.

**Sanction imposed by CIDB**

Effective date: 11 October 2016

The Board orders that:

- a. The Respondent is guilty of the charge;
- b. The Respondent's application of 12 March 2014, be regarded as non-compliant, and be disregarded by the cidb;
- c. The Respondent's current grading designation be removed from the register, namely the 3CE PE grading and that the previous grading of 1GB PE be restored;
- d. A fine of R20 000.00 be imposed on the Respondent, payable by the Respondent within 3 (three) months; failing which, cancellation of the registration of the Respondent, should be effected by the cidb;
- e. The Respondent pay the reasonable costs incurred by the cidb in respect of the formal inquiry, inclusive of the foregoing investigation.

Contractor Name	CRS Number	Company/ Corporation Registration Number	Nature of Complaint
Tsakelane Construction Enterprise CC [CRS 163829	163829	2011/114286/07	The Respondent is charged is submission of a false appointment letters, false completion certificate, false payment advice, and false FNB bank statements, in contravention of the code of conduct.
<b>Sanction imposed by CIDB</b>			
<p>Effective date: 11 October 2016</p> <p>The Board orders that:</p> <ol style="list-style-type: none"> <li>a. The Respondent is guilty of the charges;</li> <li>b. The Respondent's application of 15 September 2015, be regarded as non-compliant, and be disregarded by the cidb;</li> <li>c. A fine of R60 000.00 be imposed on the Respondent, payable by the Respondent within 3 (three) months, failing which, cancellation of the registration of the Respondent, should be effected by the cidb;</li> <li>d. The Respondent pay the reasonable costs incurred by the cidb in respect of the formal inquiry, inclusive of the a foregoing investigation.</li> </ol>			

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 866 OF 2016**

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, No 22 of 1994 (AS AMENDED)**

Notice is hereby given in terms of Section 10(4), in conjunction with section 16, of the Restitution of Land Rights Act, No. 22 of 1994 as amended, that the Chief Land Claims Commissioner in consultation with the Minister of Rural Development and Land Reform compiled and issued the Election Rules annexed herewith, pertaining to the investigation of the following claims:

Claim Reference No. F284 [KRK 6/2/2/A/1/0/0/1] & F462 [KRK 6/2/3/A/41/241/0/18]

Claimant: Christo Frantz [on behalf of the Saron Gemeenskap; Gemeenskap/Rhenish Missionary Society of Saron]

Description of properties: F462 – Foot of the Cape, Twenty Four Rivers (the portion from Vier-en-Twintig Riviere until Groot Berg River in the west, and in the south until the origins of Klein Berg River) including De Hoek Estates no. 35

F284 – (a) Leeuwenhoek (b) Saron (c) Diepkloof (d) Arnim (e) Arnem (f) Morrison (g) Halfmanshof (h) Septemberskraal (i) 24 Riviere and (j) Portion of La Gratitude

Extent of properties: Approximately 70 000 hectares

Owners: Various + SanLucar De Hoek (Pty) Ltd.

Date Submitted: 11 August 1998 & 28 December 1998

These Rules prescribe;

The steps which may be taken to give public notice of claims and notice to persons who have an interest in the matter under investigation by the Commission.

The manner of giving notices to parties to attend meetings for the purpose of determination of the lawful individual members of the claimant Communities and their lawful representative(s) in the continuation and conclusion of the aforementioned land claims.

Generally, notices with regard to any other matter which she considers it necessary or expedient to prescribe in order to achieve or promote the object of this Act.

Any party who may have an interest in the above mentioned land claim is hereby invited to submit, within 30 days from the publication of this notice, any comments information to:

Office of the Regional Land Claims Commissioner: Western Cape

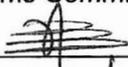
14 Long Street- 1<sup>ST</sup> & 2<sup>ND</sup> Floors

CAPE TOWN, 8000

Tel: 021 4090300

Fax: 021 418 0205

  
\_\_\_\_\_  
L.H Maphutha  
Regional Land Claims Commissioner

APPROVED:  \_\_\_\_\_

DATE: 2016/11/29 \_\_\_\_\_

CHECKED: \_\_\_\_\_

DATE: \_\_\_\_\_

## ELECTION RULES

In relation to the Land Claims **F284** and **F462** (*the Land Claims*), instituted on behalf of respectively, the Claimant Community of Saron, and the Saron Sendingstasie, (collectively "*the Claimant Communities*"), the Chief Land Claims Commissioner, in consultation with the Minister of Rural Development and Land Reform and/or his duly appointed representative have compiled and hereby issue the following Rules in terms of sections 10 (4), in conjunction with section 16, of Restitution of Land Rights Act 22 of 1994:

1. **RULES** ("*the Rules*") for the determination of the lawful individual members of *the Claimant Communities* and their lawful representative(s) in the continuation and conclusion of the aforementioned Land Claims, pursuant to Court Directive issued thereanent by the Honourable Mr Justice Bertelsman on 13 November 2015 under **Case numbers 122 & 129 /2012** in relation to the said Land Claims.

### 2. **THE PURPOSE OF THE RULES**:-

In as much as a dispute has arisen in the adjudication of the said Land Claims concerning the mandate of Christo Fantz ("*the Applicant*") to lawfully act on behalf of all the members of *the Claimant Communities*, the objectives of these rules are:-

- 2.1. To determine the identity, address and personal details of the individual members of *the Claimant Communities* and to draw up a list of such members.
- 2.2. To elect the lawful representative(s) authorised to act on behalf of *the Claimant Communities* in the continuation and conclusion of the said Land Claims.
- 2.3. To put in place procedures for meetings and notices which may be necessary to assist in the determination of the individual members of *the Claimant Communities* and their authorised representative(s)?

### 3. **PROCEDURES**

- 3.1. The Chief Land Claims Commissioner shall appoint a genealogical researcher, and if required, additional researchers, to assist with the determination of the current members of *the Claimant Communities*, bearing in mind the dynamic nature of communities and the fact that they can change over time, in order to guide the process of drawing up the list of the names of the members of *the Claimant Communities*.
- 3.2. Any meetings convened and held in terms of these Rules shall take place under chairmanship of a representative ("*the Chairperson*") appointed thereto by the Chief Land Claims Commissioner or his authorised representative.
- 3.3. The Chairperson shall determine the time, date and location of any meeting to be held and give notice thereof as provided in *the Rules*.

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- 3.4. Save as provided hereinafter the agenda of any meeting to be held shall be determined by the Chairperson in consultation with the Applicant and any other member(s) of the *Claimant Communities* with whom the Chairperson in his sole discretion may wish to consult. In the event of any dispute as to the time, date, place and the agenda, the Chairperson's decision thereon shall be final.
- 3.5. The Chairperson shall commence these procedures by convening an inaugural meeting with the Applicant and a representative(s) of the Church Council or like controlling bodies of the following congregations:-
- 3.5.1. The *Verenigde Gereformeerde Kerk Gemeente of Saron*
- 3.5.2. The *Apostoliese Kerk*
- 3.5.3. The *Nuwe Apostoliese Kerk*
- 3.5.4. The Baptist Church.
- 3.5.5. The Seventh Day Adventist Church
- 3.6. The agenda of the initial meeting, subject to supplementation thereof in the sole discretion of the Chairperson, shall be to:-
- 3.6.1. Obtain a list of names and details of current congregation members, including their telephone and mobile contact numbers, physical addresses and emails (where available).
- 3.6.2. Inform the inhabitants of Saron and others who may contend that they are members of the *Claimant Communities*, of the nature of the proceedings in the Land Claims Court in the aforementioned claims, the nature of the relief claimed and the dispute referred to in Rule 2 above.
- 3.6.3. Obtain further input in relation to the cultural values of the *Claimant Communities*.
- 3.6.4. Determine the criteria to be applied in deciding whether any person of the age of 18 or older qualifies as a member of the *Claimant Communities*.
- 3.6.5. Determine the criteria to be applied in deciding which of the Community members referred to in the previous subparagraph, are entitled to vote for a representative(s) of the *Claimant Communities* to continue and conclude the said Land Claims.
- 3.6.6. Determine whether the aforesaid voting process will be directed towards voting for a single representative or a committee of representatives, not being of even number.

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- 3.7. The Chairperson shall:-
- 3.7.1. Compile a list of the individual members of the *Claimant Communities* who qualify to vote as such (hereafter "*the list of voters*"), given the aforementioned criteria and bearing in mind the cultural values of the *Claimant Communities* as appears from the input referred to in Rule 3.6.3 and having regard to the research conducted in respect of the *Claimant Communities* referred to in Rule 3.1 here above.
- 3.7.2. Determine, bearing in mind the aforementioned criteria and input, whether the voting process will be directed towards electing a single representative or a committee of representatives, and in the case of the latter, determine the number of committee members (not being of even number) which stand to be so elected.
- 3.7.3. Consult with the Independent Electoral Commission with a view of obtaining the commission's assistance, if possible, in order to accomplish a free, fair, effective and transparent election as envisaged in these Rules.
- 3.7.4. Apart from the inaugural meeting aforementioned, in his sole discretion, convene any further meeting to give effect to these Rules.
- 3.7.5. Convene a final and concluding meeting(s) to which all the individuals whose names appear on *the list of voters* are invited, through the notification process prescribed in Rule 5 here below, in order to:
- (a) Finalise *the list of voters*;
  - (b) Compile a list containing the names and identificatory details, including the physical addresses, and where available email addresses, of the nominees and candidates to be elected as provided for hereinabove as representative(s) of the *Claimant Communities*;
  - (c) Receive nominations of the prospective candidates to be elected as the authorised representative(s) of the *Claimant Communities*;
  - (d) Determine the time, date and location(s) of the voting points for the election of the said representatives;
  - (e) Determine arrangements to be put in place for the conveyance and assistance of the disabled and aged members of the *Claimant Communities* to reach the voting points.

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- 4.15 Any completed ballot paper which does not accord with the prerequisites contained in these Rules shall not be counted as a vote in the election.
- 4.16 Any dispute relating to the validity or otherwise of any completed ballot paper shall be determined by the Chairperson, whose decision thereon shall be final.
- 4.17 The outcome of the election shall be recorded by the Chairperson and the resultant list reflecting the representative(s) shall be furnished to the Court in his/her report to the Court.

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#### **NOTICES**

- 5.1 These Rules shall be published within 10 calendar days after being issued by the Commissioner and Minister as mentioned in Rule 1, as follows:-
- 5.1.1 In the Government Gazette in Afrikaans and English,
- 5.1.2 In the Afrikaans and English languages in newspapers circulating in the areas of residence of the members of the *Claimant Communities*.
- 5.1.3 In both languages by handing true copies of the Rules to the Applicant and to the preachers of each of the churches mentioned in Rule 3.5.
- 5.1.4 In both languages by displaying true copies of the Rules on the notice boards of the appropriate municipality, schools and the said churches.
- 5.1.5 Posted in Afrikaans and English on, and through, the social media platforms such as *facebook* and *twitter*.
- 5.2 The Chairperson shall give written notice of all proposed meetings at least 5 calendar days before such meeting in both the said languages in which the time, date and place and agenda of the meeting is reflected, in the following manner:
- 5.2.1 By furnishing adequate quantities of leaflet copies of such notice to the Applicant, schools, church congregations, municipality as well as the local clinic in both Afrikaans and English for dispersal amongst congregation members, parents, visitors and attendees.
- 5.2.2 By displaying copies of the notification of such meeting(s) on the notice boards of the appropriate municipality, schools and the said churches.
- 5.2.3 By posting in Afrikaans and English on, and through, the social media platforms such as *facebook* and *twitter* referred to in Rule 3.7.7.
- 5.2.4 By emailing such notices to the persons whose email addresses have been obtained in terms of Rule 3.6.1.

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- 3.7.6 Attend to the appointment of skilled personnel to create social media discussion groups and information platforms on *Facebook* and *Twitter* through which the inhabitants of Saron and others who may have an interest in the instant Land Claims may be informed of, the *Land Claims*, the dispute (referred to in paragraph 2), the Rules, the dates, times, agenda and subject matter of, meetings, the election, and ultimately, the results thereof.
- 3.7.7 Report to the Court, the action taken in discharge of his/her obligations under the Rules.
- 3.7.8 Have the power in his sole discretion to take any step and make any decision concerning any matter that may arise which is not provided for in these Rules and which he may consider necessary or expedient to achieve the objectives of the election Rules.

#### **CONDUCT OF THE ELECTORAL PROCESS**

- 4.7 The members of the *Claimant Communities* referred to in Rule 3.7.1 above shall be entitled to cast a vote during the said elections (hereafter, *the voting members*).
- 4.8 Only such adult *voting members* shall be entitled to nominate or be nominated as a representative(s) of the said communities.
- 4.9 The election shall take place between the hours of 07h00 and 18h00.
- 4.10 Ballot papers shall be made available at the voting points to enable the said voting members to cast their vote by making the appropriate endorsement against the name of the nominated member of their choice.
- 4.11 The vote thus cast by a member shall be confidential.
- 4.12 The votes shall be counted and recorded by the Chairperson and four other members of the *Claimant Communities* appointed by the Chairperson in consultation with the nominated representative(s).
- 4.13 The result of the election shall be announced by the Chairperson as soon as practicable and published in the manner provided for in Rule 5 hereinbelow.
- 4.14 The ballot papers shall reflect the names of all the nominees and make provision for each member of the relevant *Claimant Communities* to exercise his/her choice of representative(s) among the nominees by indicating such choice by placing the letter "X" against the name of the said nominee(s) of his/her choice.

**DEPARTMENT OF TRADE AND INDUSTRY**  
**NOTICE 867 OF 2016**

**STANDARDS ACT, 2008**  
**STANDARDS MATTERS**

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

**SCHEDULE 1: ISSUE OF NEW STANDARDS**

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 1605:2016/ ISO 10393:2013	<i>Consumer product recall – Guidelines for suppliers.</i> Provides practical guidance to suppliers on consumer product recalls and other corrective actions after the product has left the manufacturing facility. .
SANS 10377:2016/ ISO 10377:2013	<i>Consumer product safety – Guidelines for suppliers.</i> Provides practical guidance to suppliers on assessing and managing the safety of consumer products, including effective documentation of risk assessment and risk management to meet applicable requirements.
SANS 14452:2016/ ISO 14452:2012	<i>Network services billing – Requirements.</i> Serves as a framework for utility services to ensure customers will receive clear, comprehensible, accurate, timely and complete bills.
SANS 22514-1:2016/ ISO 22514-1:2012	<i>Statistical methods in process management – Capability and performance – Part 1: General principles and concepts.</i> Describes the fundamental principles of capability and performance of manufacturing processes.
SATS 38501:2016/ ISO/IEC TS 38501:2015	<i>Information technology – Governance of IT – Implementation guide.</i> Provides guidance on how to implement arrangements for effective governance of IT within an organization.
SANS 60034-27-3:2016/ IEC 60034-27-3:2015	<i>Rotating electrical machines – Part 27-3: Dielectric dissipation factor measurement on stator winding insulation of rotating electrical machines.</i> Provides guidelines for the test procedures and the interpretation of test results for dielectric dissipation factor measurements on the stator winding insulation of rotating electrical machines.
SANS 60931-1:2016/ IEC 60931-1:1996	<i>Shunt power capacitors of the non-self-healing type for a.c. systems having a rated voltage up to and including 1000 V – Part 1: General – Performance, testing and rating – Safety requirements – Guide for installation and operation.</i> Applies to both capacitor units and capacitor banks intended to be used, particularly, for power-factor correction of a.c. power systems having a rated voltage up to and including 1 000 V and frequencies 15 Hz to 60 Hz.
SANS 61427-2:2016/ IEC 61427-2:2015	<i>Secondary cells and batteries for renewable energy storage – General requirements and methods of test – Part 2: On-grid application.</i> Relates to secondary batteries used in on-grid Electrical Energy Storage (EES) applications and provides the associated methods of test for the verification of their endurance, properties and electrical performance in such applications.
SANS 61642:2016/ IEC 61642:1997	<i>Industrial a.c. networks affected by harmonics – Application of filters and shunt capacitors.</i> Gives guidance for the use of passive a.c. harmonic filters and shunt capacitors for the limitation of harmonics and power factor correction intended to be used in industrial applications, at low and high voltages.
SATS 38501:2016/ ISO/IEC TS 38501:2015	<i>Information technology – Governance of IT – Implementation guide.</i> Provides guidance on how to implement arrangements for effective governance of IT within an organization.

**SCHEDULE 2: AMENDMENT OF EXISTING STANDARDS**

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
ARP 0150:2016/ ISO/IEC Guide 50:2014 (E.d 2)	<i>Safety aspects – Guidelines for child safety in standards and other specifications.</i> Provides guidance to experts who develop and revise standards, specifications and similar publications.
SANS 105-E01:2016/ ISO 105-E01:2013 (E.d 3)	<i>Textiles – Tests for colour fastness – Part E01: Colour fastness to water.</i> Specifies a method for determining the resistance of the colour of textiles of all kinds and in all forms to immersion in water.
SANS 105-E02:2016/ ISO 105-E02:2013 (E.d 2)	<i>Textiles – Tests for colour fastness – Part E02: Colour fastness to sea water.</i> Specifies a method for determining the resistance of the colour of textiles of all kinds and in all forms to immersion in sea water.

SANS 105-E04:2016/ ISO 105-E04:2013 (E.d 3)	<i>Textiles – Tests for colour fastness – Part E04: Colour fastness to perspiration.</i> Specifies a method for determining the resistance of the colour of textiles of all kinds and in all forms to the action of human perspiration.
SANS 1524-9:2016/ (Ed. 1.1)	<i>Electricity payment systems – Part 9: Implementing electricity vending systems. Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 1524-9/NRS 009-9" to read "SANS 1524-9", to update referenced standards, to move reference to a national body to the foreword, to delete the note in the table on vending functional checklist (future proofing), and to update the annex on prepayment industry stakeholders.
SANS 1718-2:2016 (E.d 4)	<i>Gambling equipment – Part 2: Limited payout machines.</i> Specifies the general hardware and software requirements and the list of significant events required by the South African Provincial Licensing Authority (PLA) for gaming equipment to be used in venues holding site licenses for limited payout machines (LPMs).
SANS 3759:2016/ ISO 3759:2011 (E.d 3)	<i>Textiles – Preparation, marking and measuring of fabric specimens and garments in tests for determination of dimensional change.</i> Specifies a method for the preparation, marking and measuring of textile fabrics, garments and fabric assemblies for use in tests for assessing dimensional change after specified treatment, for example washing, dry cleaning, soaking in water and steaming. Applicable to woven and knitted fabrics and to made-up textile articles
SANS 10407:2016/ (Ed. 2.1)	<i>Thatched roof construction. Consolidated edition incorporating amendment No. 1.</i> Amended to modify the design requirements for poles.
SANS 10965:2016/ ISO 10965:2011 (E.d 2)	<i>Textile floor coverings – Determination of electrical resistance.</i> Describes a laboratory method for the determination of the electrical resistance of textile floor coverings. Includes both horizontal and vertical measurements.
SANS 19119:2016/ ISO 19119:2016 (E.d 2)	<i>Geographic information – Services.</i> Defines requirements for how platform neutral and platform specific specification of services shall be created, in order to allow for one service to be specified independently of one or more underlying distributed computing platforms.
SANS 20346:2016/ ISO 2346:2004 (E.d 2)	<i>Personal protective equipment – Protective footwear.</i> Specifies basic and additional (optional) requirements for protective footwear used for general purpose. Includes, for example, mechanical risks, slip resistance, thermal risks, ergonomic behaviour.
SANS 54511-3:2016/ EN 14511-3:2013 (E.d 2)	<i>Air conditioners, liquid chilling packages and heat pumps with electrically driven compressors for space heating and cooling – Part 3: Test methods.</i> Specifies test methods for the rating and performance of air conditioners, liquid chilling packages and heat pumps using either air, water or brine as heat transfer media, with electrically driven compressors when used for space heating and cooling.
SANS 60076-10:2016/ IEC 60076-10:2016 (E.d 2)	<i>Power transformers – Part 10: Determination of sound levels.</i> Defines sound pressure and sound intensity measurement methods from which sound power levels of transformers, reactors and their associated cooling devices are determined.
SANS 60079-28:2016/ IEC 60079-28:2015 (E.d 2)	<i>Explosive atmospheres – Part 28: Protection of equipment and transmission systems using optical radiation.</i> Specifies the requirements, testing and marking of equipment emitting optical radiation intended for use in explosive atmospheres.
SANS 60909-0:2016/ IEC 60909-0:2016 (E.d 2)	<i>Short-circuit currents in three-phase a.c. systems – Part 0: Calculation of currents.</i> Applies to the calculation of short circuit currents in low-voltage three-phase AC systems and in high-voltage three phase systems operating at a nominal frequency of 50 Hz or 60 Hz.
SANS 60974-2:2016/ IEC 60974-2:2013 (E.d 2)	<i>Arc welding equipment – Part 2: Liquid cooling systems.</i> Specifies safety and construction requirements for industrial and professional liquid cooling systems used in arc welding and allied processes to cool torches.
SANS 61995-1:2016/ IEC 61995-1:2016 (E.d 1.1)	<i>Devices for the connection of luminaires for household and similar purposes – Part 1: General requirements. Consolidated edition incorporating IEC amendment No. 1.</i> Amended to update the scope and definitions, and to add requirements on marking, provision for earthing, terminals and terminations, construction of DCL outlets and force necessary to insert and withdraw the plug.
SANS 61995-2:2016/ IEC 61995-2:2016 (E.d 1.1)	<i>Devices for the connection of luminaires for household and similar purposes – Part 2: Consolidated edition incorporating IEC amendment No. 1. Standard sheets for DCL.</i> Amended to update the requirements and tests, and standard sheets.
SANS 62532:2016/ IEC 62532:2016 (Ed. 1.1)	<i>Fluorescent induction lamps – Safety specifications. Consolidated edition incorporating IEC amendment No. 1.</i> Amended to include requirements for photobiology safety and information on water contact.
SANS 20346:2016/ ISO 2346:2004 (E.d 2)	<i>Personal protective equipment - Protective footwear.</i> Specifies basic and additional (optional) requirements for protective footwear used for general purpose. Includes, for example, mechanical risks, slip resistance, thermal risks, ergonomic behaviour.

**SCHEDULE 3: WITHDRAWAL OF STANDARDS**

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title

**SCHEDULE 4: ESTABLISHMENT OR DISBANDMENT OF TECHNICAL COMMITTEES**

In terms of section 4(2) (l) the SABS has established the following technical committees:

Technical Committee No.:	Title	Scope

If your organization is interested in participating in these committees, please send an e-mail to [rose.masha@sabs.co.za](mailto:rose.masha@sabs.co.za) for more information.

**SCHEDULE 5: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS**

In terms of section 24(5) of the Standards Act, the following documents have being considered withdrawn.

NONE

**SCHEDULE 6: ADDRESSES OF SABS OFFICES**

The addresses of offices of the South African Bureau of Standards where copies of standards mentioned in this notice can be obtained, are as follows:

1. Gauteng head office, 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.
2. Western Cape Regional Office, SABS, Liesbeek Park Way, Rosebank, PO Box 615, Rondebosch 7701.
3. Eastern Cape Regional Office, SABS, 30 Kipling Road, cor. Diaz and Kipling Roads, Port Elizabeth, PO Box 3013, North End 6056.
4. KwaZulu-Natal Regional Office, SABS, 15 Garth Road, Waterfall Park, Durban, PO Box 30087, Mayville 4058.

**DEPARTMENT OF TRANSPORT****NOTICE 868 OF 2016****AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990)  
APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR  
SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No.115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

**APPENDIX I**

(A) Full name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

**(A) Jan Harm Thomas Wessels; Skyed (Pty) Ltd.** (B) 38 Pinehurst Drive, White River, 1240. (C) Class III. (D) Type G4. (E) Category H1.

**(A) Purple Turtle Aviation CC.** (B) 2 Elizabeth Road, Seaview, 6070, Port Elizabeth. (C) Class III. (D) Type G3, G4, G10 & G16 (RPAS Operations). (E) Category A4, H1 & H2.

**APPENDIX II**

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14 (2) (b) to I.

**(A) Loutzavia Charters (Pty) Ltd; Loutzavia Charters.** (B) Main Terminal Building, Office 29, Ground Floor, Wonderboom Airport, 0017. (C) Class II; N856D. (D) Type N1 & N2, (E) Category A3 & A4. **Changes to the Management Plan:** M. E. Hartwig replaces M. Loutzis as the Chief Executive Officer & **changes to the Shareholding Voting Rights:** M. J. Armstrong – 16.6%, A. M. H. Alsumait – 16.6%, M. E. Hartwig – 16.6%, M. C. Tshivase – 16.6%, M. Loutzis – 16.6% & H. J. Miles – 16.6%.

**(A) Overberg Aviation Services (Pty) Ltd; Overberg Aviation.** (B) 2 Douglas Road, General Aviation Area, Cape Town International Airport, 7525. (Class II & III; N1075D & G1076D. (D) Type N1, N2, G2, G3, G4 & G10. (E) Category A3, A4 & H2. **Changes to the Management Plan:**

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**BOARD NOTICES • RAADSKENNISGEWINGS**

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**BOARD NOTICE 187 OF 2016****FOR IMPLEMENTATION****EFFECTIVE AS OF 09 DECEMBER 2016****PROCEDURE FOR THE NOMINATION OF COUNCIL  
MEMBERS****Revision 1****FOR THE  
SOUTH AFRICAN COUNCIL FOR THE  
LANDSCAPE ARCHITECTURAL PROFESSION  
(SACLAP)**

The South African Council for the Landscape Architectural Profession, has in terms of sections 36(2)(a) of the Landscape Architectural Profession Act, 2000 (Act No. 45 of 2000) (the Act) made the following Rules in order to undertake the Nomination Procedure as per Section 4 of the Act.

**Postal Address**

SACLAP  
The Registrar  
P O Box 868  
Ferndale  
2160

**Physical Address**

SACLAP  
c/o Van der Walt & Company (Pty) Ltd  
4 Karen Street  
Bryanston, Sandton  
Johannesburg  
2021

Tel: 011 061 5000

[www.saclap.org.za](http://www.saclap.org.za)

Email: [registrar@saclap.org.za](mailto:registrar@saclap.org.za)

**BOARD NOTICE 188 OF 2016****AMENDMENTS TO THE CODE OF PROFESSIONAL CONDUCT FOR REGISTERED AUDITORS RESPONDING TO NON-COMPLIANCE WITH LAWS AND REGULATIONS**

In accordance with the provisions of Section 10(1)(a) of the Auditing Profession Act, 2005 (Act 26 of 2005), the Independent Regulatory Board for Auditors (IRBA) hereby publishes amendments to the IRBA Code of Professional Conduct for Registered Auditors (IRBA Code) relating to the following:

**1. NON-COMPLIANCE WITH LAWS AND REGULATIONS**

Please be advised that the amendments to the IRBA Code responding to non-compliance with laws and regulations are available and may be downloaded from the IRBA website at <https://www.irba.co.za/guidance-to-ras/technical-guidance-for-auditors/ethics:-the-rules-and-the-code/the-rules-and-the-code>.

These amendments will be effective as of 15 July 2017. Early adoption is permitted.

For further assistance, enquires may be directed to Mr I Vanker, Director: Standards at the IRBA. Alternatively, please send an email to [standards@irba.co.za](mailto:standards@irba.co.za).



Bernard Peter Agulhas  
Chief Executive Officer

**BOARD NOTICE 189 OF 2016**

The South African Council for the Project and Construction Management Professions

**This notice supersedes Board Notice 75 of 2012 published in the Government Gazette No 35294 published on the 26<sup>th</sup> April 2012**

**CALLS FOR COMMENT****AMENDED CONTINUING PROFESSIONAL DEVELOPMENT (CPD) POLICY  
In terms of Section 13(k) (Act No. 48 of 2000)**

The South African Council for Project and Construction Management Professions (SACPCMP) is a statutory body established in terms of the Project and Construction Management Professions Act (Act No. 48 of 2000). In terms of Section 13(k) of the SACPCMP Act No. 48 of 2000, the Council is empowered to determine the conditions relating to the Continuing Professional Development (CPD) of registered persons relating to Construction Management, Construction Project Management Construction Health and Safety (CHS) in order to protect public interest and advance project and construction management and construction health and safety education.

The amended Continuing Professional Development (CPD) policy can be downloaded at [www.sacpcmp.org.za](http://www.sacpcmp.org.za)

**Closing Date for Comments: 17 February 2017**

**Via Post**

The Registrar: Ms. N. Rakolote  
SACPCMP  
P O Box 6286  
Halfway House  
1685

**Hand Delivery Address**

First Floor Gateway Creek  
International Business Gateway Park  
Corner New and 6<sup>th</sup> Roads  
Midrand  
1685

Tel: 011 318 3402/ 3 / 4  
Attention: Ms. Nothando Siziba  
Fax: 086 622 9234  
Email: [cpd@sacpcmp.org.za](mailto:cpd@sacpcmp.org.za)





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