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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Science and Technology, Department of/ Wetenskap en Tegnologie, Departement van			
583	Astronomy Geographic Advantage Act, 2007: Notice of the Minister's decision regarding the proposed exemption of Radio Frequency Spectrum use within the declared Karoo Central Astronomy Advantages Areas.....	42399	4
583	Wet op Geografiese Astronomieoordeel (21/2007): Kennisgewing van die Minister se besluit oor die voorgestelde vrystelling van Radiofrekwensie Spektrumgebruik binne die verklaarde Karoo Sentrale Astronomieoordeelgebiede.....	42399	6

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF SCIENCE AND TECHNOLOGY**NO. 583****12 APRIL 2019**

**MINISTER
SCIENCE AND TECHNOLOGY
REPUBLIC OF SOUTH AFRICA**

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**NOTICE OF THE MINISTER'S DECISION REGARDING THE PROPOSED
EXEMPTION OF THE RADIO FREQUENCY SPECTRUM USE WITHIN THE
DECLARED KAROO CENTRAL ASTRONOMY ADVANTAGE AREAS**

In terms of Regulation 3 of Schedule A of the Regulations on the Protection of the Karoo Central Astronomy Advantage Areas, which became effective on 15 December 2018, the use of the radio frequency spectrum from 100 MHz to 25.5 GHz, and radio transmissions therein, will be prohibited within the Karoo Central Astronomy Advantage Areas from 15 December 2019, unless the spectrum to be used has been exempted from this prohibition in accordance with the provisions of Regulation 3 of Schedule B of the said Regulations.

On 23 November 2018, I, Mmamoloko Kubayi-Ngubane, Minister of Science and Technology, published a notice of the proposed exemption for the use of the radio frequency spectrum within the declared Karoo Central Astronomy Advantage Areas, in *Government Gazette* No.42057, under Notice No. 1301. The said notice invited interested and affected parties to submit written representations and/or objections to the proposed list of radio frequency spectrum to be exempted within ninety (90) days of the publication of the said notice. The final date for the submission of written representations and/or objections was 21 February 2019.

On 14 December 2018, a notice for a workshop to provide special assistance to persons requiring special assistance in order to make informed written representations and/or objections to the proposed radio frequency spectrum to be exempted was published in terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), in *Government Gazette* No. 42116, under Notice No. 1389. The workshop was conducted on 23 January 2019, at SASSA hall in Carnarvon.

Upon consideration of the written representations received, I have concluded that there is no need to conduct public hearings on the matter as provided for in subsection 42(3) of the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007). I will in due course proceed to finalise and declare the list of radio frequency spectrum exempted for use within the declared Karoo Central Astronomy Advantage Areas by means of a notice in the *Government Gazette* in accordance with the provisions of Regulation 3 of Schedule B of the said Regulations.

Any enquiries relating to this notice should be directed to:

Mr. Mere Kgampe

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MS MT KUBAYI-NGUBANE, MP
MINISTER OF SCIENCE AND TECHNOLOGY

DATE 07/04/2019

DEPARTEMENT VAN WETENSKAP EN TEGNOLOGIE

NO. 583

12 APRIL 2019

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SCIENCE AND TECHNOLOGY
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Private Bag X727, Pretoria, 0001, South Africa. Tel: +27 12 843 6717 / Private Bag X9156, Cape Town, 8000, South Africa. Tel: +27 21 469 5000

**KENNISGEWING VAN DIE MINISTER SE BESLUIT OOR DIE VOORGESTELDE
VRYSTELLING VAN RADIOFREKWENSIE SPEKTRUMGEBRUIK BINNE DIE
VERKLAARDE KAROO SENTRALE ASTRONOMIEVOORDEELGEBIEDE**

Kragtens Regulasie 3 van Skedule A van die Regulasies vir die Beskerming van die Karoo Sentrale Astronomievoordeelgebiede wat op 15 Desember 2018, in werking gestel is, sal die gebruik van die radiofrekwensiespektrum vanaf 100 MHz tot 25.5 GHz en radiotransmissies daarin, binne die Karoo Sentrale Astronomievoordeelgebiede, verbied wees vanaf 15 Desember 2019, tensy die spektrum om gebruik te word vrygestel is van hierdie verbod kragtens die maatreëls van Regulasie 3 van Skedule B van hierdie Regulasies.

Op 23 November 2018, het ek, Mmamoloko Kubayi-Ngubane, Minister van Wetenskap en Tegnologie, 'n kennisgewing gepubliseer in Staatskoerant No. 42057 onder Kennisgewing No. 1301, oor die voorgestelde vrystelling van radiofrekwensiespektrum vir gebruik binne die verklaarde Karoo Sentrale Astronomievoordeelgebiede. Die genoemde kennisgewing het belanghebbende and geaffekteerde partye uitgenooi om geskrewe voorleggings en/of besware oor die voorgestelde lys van radiofrekwensiespektrum om vrygestel te word binne neëntig (90) dae vanaf die publikasie van die genoemde kennisgewing, in te dien. Die finale datum vir die indiening van voorleggings en/of besware was 21 Februarie 2019.

Op 14 Desember 2018, is 'n kennisgewing gepubliseer kragtens die Wet op die Bevordering van Administratiewe Geregtheid, 2000 (Wet No. 3 van 2000), in Staatskoerant No. 42116, onder Kennisgewing No. 1389, vir 'n werkwinkel om spesiale ondersteuning aan persone te verskaf wat dit benodig om ingeligte geskrewe voorleggings en/of besware te maak oor die voorgestelde radiofrekwensiespektrum om vrygestel te word. Die werkwinkel was op 23 Januarie 2019, in die SASSA-saal in Carnarvon gehou.

Tydens die oorweging van die geskrewe voorleggings ontvang, het ek tot die gevolgtrekking gekom dat daar geen nodigheid is om openbare verhore, soos in subartikel 42(3) van die Wet op Geografiese Astronomievoordeel, 2007 (Wet No. 21 van 2007), oor die saak te hou nie. Ek sal, te geleger tyd, ook voortgaan om die lys van radiofrekwensiespektrum vrygestel vir gebruik binne die verklaarde Karoo Sentrale Astronomievoordeelgebiede te finaliseer en te verklaar deur middel van publikasie in die Staatskoerant volgens die maatreëls van Regulasie 3 van Skedule B van die Regulasies.

Enige navrae met betrekking tot die kennisgewing, kan gerig word aan:

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MS MT KUBAYI-NGUBANE, LP
MINISTER VAN WETENSKAP EN TEGNOLOGIE

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