



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 677

10 December 2021
Desember

No. 45628

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



9 771682 584003



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
	GENERAL NOTICES • ALGEMENE KENNISGEWINGS		
	Independent Communications Authority of South Africa / Onafhanklike Kommunikasie-owerheid van Suid-Afrika		
717	Electronic Communications Act No 36 of 2005: Invitation To Apply on the Licensing process for IMT in respect of the provision of Mobile Broadband Wireless Access Services.....	45628	3

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**GENERAL NOTICE 717 OF 2021**

PURSUANT TO REGULATIONS 6 AND 7 OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015 (AS AMENDED) READ WITH SECTION 31(3) OF THE ELECTRONIC COMMUNICATIONS ACT 2005, (ACT NO. 36 OF 2005)

HEREBY ISSUES AN INVITATION TO APPLY NOTICE ON THE LICENSING PROCESS FOR INTERNATIONAL MOBILE TELECOMMUNICATIONS IN RESPECT OF THE PROVISION OF MOBILE BROADBAND WIRELESS ACCESS SERVICES FOR URBAN AND RURAL AREAS USING THE COMPLEMENTARY BANDS, IMT700, IMT800, IMT2600 AND IMT3500.

1. The Independent Communications Authority of South Africa ("the Authority") hereby issues an Invitation to Apply (ITA) notice to invite applications for the radio frequency spectrum licences for International Mobile Telecommunication (IMT) Spectrum bands in the ranges of 703 – 790 MHz ("IMT700"), 790 – 862 MHz ("IMT800"), 2500 – 2690MHz ("IMT2600"), and 3400 – 3600 MHz ("IMT3500") for the purposes of providing national broadband wireless access services in terms of with regulations 6 and 7 of the Radio Frequency Spectrum Regulations 2015, as amended read with section 31(3) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act").
2. All applications will be assessed based on criteria set out in this ITA, in compliance with the Act and the relevant regulations.
3. Interested persons are hereby invited to submit applications, including an electronic version of the Application in Microsoft Word and signed PDF versions, by no later than 16h00 on Friday, 31 January 2022. Further details are provided within this ITA. No late applications will be considered.
4. Applications or enquiries may be directed to:
Block C

The Independent Communications Authority of South Africa (the Authority)
350 Witch-Hazel Avenue,

Eco Point Office Park,

Eco Park, Centurion, Gauteng.

Attention:

Mr. Davis Kgosimolao Moshweunyane

E-mail: imtlicensing@icasa.org.za

5. All applications submitted to the Authority pursuant to this notice shall be made available for inspection by interested persons upon completion of the assessment of the confidentiality of the application at the ICASA Library or website (www.icasa.org.za) and copies of such Application and documents will be obtainable on payment of a fee.
6. Where persons making applications require that their Application, or part thereof, be treated confidentially, 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 Application in response to the ITA.** Respondents are requested to separate any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the Application or document in question.
7. The guidelines for requesting confidentiality are contained in Government Gazette Number 41839 (Notice 849 of 2018).



DR. KEABETSWE MODIMOENG

CHAIRPERSON

ICASA

DATE: 09/12/2021

Abbreviations and acronyms

APN – Access Point Node

BBBEE – Broad Based Black Economic Empowerment

BS – Broadcasting Service

BWA – Broadband Wireless Access

CCC – Compliance and Complaints Committee

CRASA – Communications Regulatory Association of Southern Africa

DCF – Discounted Cash Flow

DTT – Digital Terrestrial Television

ECA – The Electronic Communications Act, No 36 of 2005

ECNS – Electronic Communications Network Service

ECS – Electronic Communications Service

FL – Facilities Leasing GSM – Global System for Mobile Communications

HDI – Historically Disadvantaged Individual

ICASA Act – Independent Communications Authority of South Africa Act, No 13 of 2000 (as amended)

ICT – Information and Communication Technology

ITR – International Telecommunication Regulation

I-ECNS – Individual Electronic Communications Network Service

ISP – Internet Service Provider

IMT – International Mobile Telephony

ITA – Invitation To Apply

ITU – International Telecommunications Union

LLU – Local Loop Unbundling

MVNO – Mobile Virtual Network operator

QoE – Quality of Experience

QoS – Quality of Service

RIA – Regulatory Impact Assessment

USA – Universal Service Access

USAASA – Universal Service Access Authority of South Africa

USAO – Universal Service Access Obligations

Definitions

Applicant	An I-ECNS licensee that has lodged an application in accordance with the ITA
Application	Documentation lodged by an Applicant in accordance with the ITA
Application Date	The application date is on 31 January 2022 before 16h00.
Activity Points	The number of points associated with each Lot during the auction stage
Activity	The sum of the Activity Points for each Lot on which a Bidder places a Bid in a Round, combined with the Activity Points of Lots on which the Bidder is Standing Highest Bidder, defines the total Activity of the Bidder within the Round.
Auction Fee	The amount due and payable by a winning Bidder and calculated as the sum of the price for spectrum won in the Opt-In Round (if any) and the sum of Standing High Bids on the Lots which the Bidder has won in the Main Stage.
Authorised Representative	A representative with Power of Attorney appointed by the Applicant/Bidder

Authority	The Independent Communications Authority of South Africa
Bid	A binding offer by the Applicant to acquire a Lot at a certain price
Bidder	An Applicant who has successfully passed the Qualification Stage
Licence	A radio frequency spectrum licence issued pursuant to the ITA
Lot	A pre-packaged amount of spectrum available for award (allocated on a generic basis unless otherwise stated, with specific frequencies assigned to winning bidders in a following procedure)
Mobile Virtual Network Operators (MVNO)	Is a wireless communications services provider that does not own the wireless network infrastructure over which the MVNO provides services to its customers.
Prohibited Practices	Any practice prohibited in terms of section 4(1)(b) of the Competition Act, 1998 (Act No. 89 of 1998), as amended
Region	Region as defined in Findings Document on Mobile Broadband Services Inquiry (Government Gazette No. 44337) 26 March 2021.
Reserve Price	The minimum price for a Lot. This is also the starting price of a Lot in the first Round.
Round	A period during which each Bidder is invited to submit a set of bids. Each Round will end after the allotted round time has expired, regardless of whether all Bidders have submitted Bids, following which the Round results will be announced.

SMRA	Simultaneous Multi-Round Ascending Auction.
Standing High Bid	The highest bid submitted for a Lot in a round.
Standing High Bidder	The Bidder in a Round with the Standing High Bid
Sub-national Operator	A licensee that controls access to its RAN and is capable of providing IMT services on a wholesale basis to roaming and MVNO customers, where the licensee's RAN is capable of serving less than 50% of the population in South Africa.
Opt-in Round	A single bidding round in the Opt-in Auction stage.
Tier-1 operator	A Wholesale National Operator that has a retail market share in excess of 45% in at least 1 Region.
Tier-2 operator	A Wholesale National Operator that is not classified as a Tier-1 operator.
Wholesale National Operator	A licensee that controls access to its RAN and is capable of providing IMT services on a wholesale basis to roaming and MVNO customers, where the licensee's RAN is capable of serving more than 50% of the population in South Africa.
National Capacity	Capacity = average data traffic speed (measured in megabits per second (Mbps)) with per cell/base station at any given time offered by the WOAN using the high demand spectrum assigned to the WOAN. National Capacity = Total capacity offered nationally irrespective of technology used.

TABLE OF CONTENTS

1.	OVERVIEW	10
2.	INTRODUCTION	15
3.	OBJECTIVES	17
4.	LEGAL FRAMEWORK	20
5.	SPECTRUM FOR THE AWARD	21
6.	OPT-IN LOTS AND SPECTRUM FLOORS	23
7.	SPECTRUM CAPS	25
8.	LICENCE DURATION	25
9.	TECHNOLOGIES	25
10.	ANNUAL FEES	26
11.	TECHNICAL CONDITIONS	26
12.	OBLIGATIONS	27
12.1.	UPLINK AND THROUGHPUT OBLIGATIONS	27
12.2.	COVERAGE OBLIGATIONS	27
12.3.	OPEN ACCESS OBLIGATIONS	29
12.4.	INCENTIVES TO THE WOAN	30
12.5.	SOCIAL OBLIGATIONS	31
13.	SPECTRUM SHARING	32
14.	KAROO CENTRAL ASTRONOMY ADVANTAGE AREAS	32
15.	EMPOWERMENT PROVISIONS FOR THE INDUSTRY	34
16.	THE AWARD PROCESS OF THE SPECTRUM	35
16.1.	PROCESS	35
16.2.	INVITATION TO APPLY STAGE	35
16.3.	QUALIFICATION STAGE	35
17.	AUCTION STAGE	45
17.1.	OVERVIEW	45
17.2.	OPT-IN AUCTION	46
17.3.	MAIN AUCTION BID ROUNDS	48
17.4.	BID OPTIONS	50
17.5.	ELIGIBILITY POINTS-BASED ACTIVITY RULE	51
17.6.	WAIVERS	53

17.7. WITHDRAWAL FROM THE AUCTION	54
17.8. INFORMATION PROVIDED TO BIDDERS	55
17.9. CLOSURE OF THE MAIN AUCTION	56
17.10. AUCTION LOCATION	56
17.11. AUCTION TIMING FOR MAIN STAGE	57
17.12. FREQUENCY ASSIGNMENT PHASE	59
17.13. EXCEPTIONAL CIRCUMSTANCES	59
17.14. INDEPENDENT AUDITOR	60
18. LICENSING STAGE	61
18.1. PAYMENT OF THE AUCTION FEE	61
18.2. ISSUE OF LICENCES	62
18.3. TIMEFRAME FOR AWARD PROCESS	62
19. GENERAL RULES	64
19.1. PROHIBITED PRACTICE AND OTHER DISRUPTION TO THE AUCTION	64
19.2. CONSORTIUMS / GROUPS	65
19.3. SANCTIONS	65
20. APPENDIX A	66
21. APPENDIX B – SPECIMEN TEMPLATE FOR BANK GUARANTEES	74
22. APPENDIX C -APPLICANT DECLARATION FORM	76
23. APPENDIX D – THE CLASSIFICATION OF BATCHES	77

1. OVERVIEW

- 1.1 On 28 May 2010, the Authority initiated the process of developing the High Demand Radio Frequency Spectrum Licensing Framework Regulations by promulgating General Notice R. 469, Government Gazette 33248 of 28 May 2010, as amended, for the 2.6 and 3.5 GHz spectrum bands.
- 1.2 On 31 March 2011, the Authority published the Radio Frequency Spectrum Regulations, 2011 in General Notice No. 184, Government Gazette 34172 of 31 March 2011, which, amongst others, repealed the High Demand Radio Frequency Spectrum Licensing Framework Regulations, 2010.
- 1.3 On 15 December 2011, the Authority published a draft Spectrum Assignment Plan for the radio frequency range 790 – 862 MHz (800 MHz) and 2500 – 2690 MHz (2.6 GHz) in General Notice No. 911, Government Gazette 34872 of 15 December 2011.
- 1.4 Further, the Authority published the Draft Invitation To Apply to solicit public comments on the award / granting of Radio Frequency Spectrum Licence to provide mobile broadband wireless access service for urban and rural areas using the complementary bands, 800 MHz and 2.6 GHz in General Notice 912, Government Gazette No. 34872 of 15 December 2011. The Draft Invitation to Apply was subsequently withdrawn.
- 1.5 On 06 December 2013, the Minister of Communications published South Africa Connect: Creating Opportunities, Ensuring Inclusion - South Africa's Broadband Policy ("SA Connect") in General Notice 953, Government Gazette No. 37119 of 6 December 2013. SA Connect gives expression to the vision set out in the National Development Plan 2030 ("NDP") of a "seamless information infrastructure by 2030 that will underpin a dynamic and connected vibrant information society and a knowledge economy that is more inclusive, equitable and prosperous".
- 1.6 SA Connect was followed by the Integrated ICT White Paper Policy, 2016 and subsequently by the Policy on High Demand spectrum and Policy

Direction of the Licensing of Wireless Open Access Network published in terms of Government Gazette No. 42597 of 26 July 2019.

- 1.7 The focus of the aforementioned policies remain as the universal provisions of broadband services including in particular, ensuring connectivity for public services i.e. education, health and government services. The policies further seek to operationalise the New Growth Path and the Strategic Integrated Project (SIP) 15, which deals with expanding access to communications technology by ensuring universal service and access to affordable and secure broadband services by all South Africans, prioritising rural and under-serviced areas in order to stimulate economic growth.
- 1.8 SA Connect acknowledges that the slow deployment of fixed broadband services and its relatively high cost, has meant that over the years, mobile broadband rapidly became the primary form of broadband access rather than providing a complementary service to fixed broadband services as it has been done in more developed economies.
- 1.9 On 30 March 2015, the Authority published the Radio Frequency Spectrum Regulations, 2015 in General Notice No. 279, Government Gazette No. 38641 of 30 March 2015 ("Radio Frequency Spectrum Regulations, 2015"). The Radio Frequency Spectrum Regulations, 2015 repealed the Radio Frequency Spectrum Regulations, 2011 and the Spectrum Reallocation for Radio Frequency Identification (RFID) Systems.
- 1.10 On 11 September 2015, the Authority published the Information Memorandum for Radio Frequency Spectrum Prospective Licence in General Notice No. 914, Government Gazette No.39203, with the purpose of providing information to prospective applicants intending to apply for the radio frequency spectrum licences within the designated range, 2500 – 2690MHz ("the 2.6 GHz band") and 790 – 862 MHz ("the 800 MHz band") and 703 – 790 MHz ("the 700MHz band") for the purposes of providing national broadband wireless access services.
- 1.11 On 15 July 2016, the Authority published an ITA for a Radio Frequency Spectrum Licence to provide mobile broadband wireless access services for

urban and rural areas using the complementary bands: 700MHz, 800MHz and 2.6 GHz in General Notice No. 438, published in Government Gazette No. 40145 of 15 July 2016.

- 1.12 On 08 October 2018, the Authority withdrew the ITA that was published on 15 July 2016 in terms of General Notice No. 624, Government Gazette No. 41965 of 08 October 2018.
- 1.13 On 26 July 2019, the Minister of Communications and Digital Technologies (formerly Minister of Communications) published the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network. The Authority has a legal duty to consider the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network in exercising its powers and performing its duties under the ECA.
- 1.14 The Authority initiated the licensing process through the publication of the Information Memorandum on 01 November 2019 for the radio frequency spectrum in the bands: IMT700, IMT800, IMT2600 and IMT3500 for the purposes of providing national broadband wireless open access services.
- 1.15 In order to realise Government's rollout targets for broadband services and to achieve articulated public objectives (in line with *inter alia* SA Connect, NDP, the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network and Government Priority Outcomes: 4, 6, 12, and 14), the Authority commenced the licensing process for IMT spectrum bands.
- 1.16 On 02 October 2020, the Independent Communications Authority of South Africa ("the Authority") published an Invitation to Apply on the licensing process for International Mobile Telecommunications ("IMT") in respect of the provision of the mobile broadband wireless access services for urban and rural areas using complementary bands IMT700, IMT800, IMT2600 and IMT3500 published in the Government Gazette 43768 ("ITA").
- 1.17 On 28 December 2020, the Authority received six (06) applications responding to the ITA. On 22 December 2020 and 12 January 2021 Telkom

and e.tv respectively filed a court application, against the Authority, which culminated in an interdict being issued against the Authority on 08 March 2021, interdicting the Authority from proceeding with the spectrum auction process.

- 1.18 On 27 January 2021, MTN filed a court application against the Authority's ITA. In the main, MTN's submission was that certain aspects of the Auction ITA were legally flawed, *inter alia*, the provisions relating to the classification of Tier 1 and Tier 2 operators and the inclusion of an Opt-In Scheme. 4. Subsequently, on 23 February 2021, Vodacom submitted its counter Application to have the Court confirm the correct interpretation of the Opt-In Scheme. Vodacom also submitted that it would abide by the relief sought by MTN on the Operator Categorisation.
- 1.19 Pursuant to settlement negotiations amongst the litigants, on 15 September 2021, the Court granted an order, amongst others, reviewing and setting aside the Authority's decision to publish the ITA and referring the matter back to the Authority for consideration. In light of the Court Order, the Authority published the first Information Memorandum ("IM") for public consultation which included, amongst others, matters related to competition aspects, IMT700, IMT800, IMT2600 and IMT3500 bands and the deadline of 1 November 2021 for providing public representations.
- 1.20 The submission deadline was subsequently changed to 2 November 2021 at 12:00 midday due to a proclamation by the President of South Africa that 1 November 2021 would be a public holiday for the municipal elections.
- 1.21 On 2 November 2021, the Authority received 10 written representations which the Authority analysed to formulate the second information memorandum¹ together with the Reasons Document².

¹ Published in the Government Gazette No. 45496 on 16 November 2021

² Published in the Government Gazette No. 45497 on 16 November 2021

1.22 For the second Information Memorandum, the Authority received 17 written representations within the stipulated deadline and has analysed the submission and formulated this ITA.

2. INTRODUCTION

- 2.1 South Africa experiences continued growth in demand for spectrum as a result of significant growth in traffic for broadband services. The deficiency of Radio Frequency Spectrum for IMT assigned brings constraints and challenges in the provision of broadband services. To address South Africa's bandwidth deficiency, the currently assigned bandwidth of 529 MHz high-demand spectrum ("HDS") will be increased to 935 MHz through the current assignment processes.
- 2.2 It is the Authority's position that the licensing of IMT700, IMT800, IMT2600 and IMT3500 will contribute significant bandwidth towards achieving the SA Connect targets.
- 2.3 The IMT700, IMT800, IMT2600 and IMT3500 bands have been identified worldwide for IMT services. These bands complement each other in the sense that they fulfil the requirements for capacity and coverage which make them suitable for rural and urban areas and for bridging the digital divide.
- 2.4 It is for these reasons that the Authority proposes the simultaneous licensing of the IMT700, IMT800, IMT2600 and IMT3500 bands, in order to enhance competition and to increase broadband coverage, and in so doing bridge the digital divide and the disparities between urban and rural access to broadband networks
- 2.5 The Authority has considered the Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network in accordance with section 3 (4) of the ECA and embarks on the licensing process as outlined in this ITA. The aforementioned bands are proposed for prioritisation by the Authority for purposes of assignment in accordance with Policy on High Demand spectrum and Policy Direction of the Licensing of Wireless Open Access Network and the Authority's Strategic Plan 2020 - 2024.

- 2.6 It is important to adopt global harmonisation channel arrangements and alignment with other regional agreements on the appropriate channel plans for the IMT700, IMT800, IMT2600 and IMT3500 frequency bands for the ITU Region 1 in order to achieve economies of scale, enable global roaming and benefit from the maturity of the ecosystem.
- 2.7 The Southern African Development Community ("SADC") Frequency Allocation Plan ("FAP") of 2020 creates a framework for harmonisation across SADC on the use of the radio frequency spectrum. The 2020 SADC FAP was developed considering international best practice in the development of Frequency Band Plans as well as the specific needs of the SADC Members.

3. OBJECTIVES

3.1. This licensing process aims to fulfil some of the objectives in section 2 of the ECA, which are as follows:

OBJECTS OF THE ECA	METHOD TO ACHIEVE THE OBJECTIVES
Promote broad-based black economic empowerment, with particular attention to the needs of women, opportunities for youth and for persons with disabilities	Section 9(2)(b) of the ECA read together with regulation 7(3)(d) of the Radio Frequency Spectrum Regulations, 2015 (as amended) sets out the B-BEEE requirements, which will be applied as part of the prequalification criteria.
Promote the universal provision of electronic communications networks and electronic communications services and connectivity for all	Coverage and quality obligations have been set out for various tiers of licensees in a manner that is proportionate to their ability to achieve those obligations.
Promote the interests of consumers with regards to the price, quality and the variety of electronic communications services;	The spectrum auction design, including spectrum caps, floors, and pro-competitive open access obligations proposed, have been designed to level the playing field and encourage competition between licensees according to price and quality.
Develop and promote SMMEs and cooperatives	The open access obligations proposed in respect of spectrum sharing seeks to enable SMMEs to gain access

	infrastructure to compete at retail level.
Encourage investment and innovation in the communications sector	The amount of spectrum to be assigned through this process, aims to generate significant investment and innovation in the sector.
Promote an environment of open, fair and non-discriminatory access to electronic communication networks and to electronic communications services	The open access obligations are aimed at promoting open, fair and non-discriminatory access to infrastructure.
Promote competition within the ICT sector	<p>The amount of spectrum availed for Auction aims to address the increased demand for bandwidth and to increase quality of service.</p> <p>The auction design which includes spectrum floors, spectrum caps, opt-in Round, discounted reserve prices and spectrum sharing provisions aim to ensure the entry of licensees without spectrum and promote competitive prices.</p>
Promote and facilitate the development of interoperable and interconnected electronic networks, the provision of the services contemplated in the ECA and to create	The spectrum will be licensed on a technology neutral basis.

a technologically neutral licencing framework	
Ensure efficient use of the radio frequency spectrum	The prequalification criteria will ensure that spectrum will be assigned to licensees that will value it most. In terms of the proposed licence conditions, licensees that do not fully make use of the spectrum within 5 years of the issuance of the licence, will be required to share it.

4. LEGAL FRAMEWORK

- 4.1. This publication of the ITA is guided by the Constitution of the Republic of South Africa, 1996 (the "Constitution"), the ICASA Act, the ECA, the National Radio Frequency Plan 2018 ("NRFP"), the Radio Frequency Spectrum Regulations, 2015 (as amended) and Radio Frequency Spectrum Assignment Plans for IMT, 2013 (as amended), as well as the broader policy objectives of South Africa as set out in:
- 4.1.1. The National Integrated ICT White Paper, 2016 ("White Paper");
 - 4.1.2. The National Development Plan;
 - 4.1.3. South Africa Connect: Creating Opportunities, Ensuring Inclusion South Africa's Broadband Policy (SA Connect);
 - 4.1.4. Broadcasting Digital Migration Policy 2008 (as amended);
 - 4.1.5. Radio Frequency Spectrum Policy 2010; and
 - 4.1.6. The Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network dated 26 July 2019 ("HDS and WOAN Policy").

5. SPECTRUM FOR THE AWARD

- 5.1. The Authority has, following consideration of the HDS and WOAN Policy determined that the spectrum available for assignment in this process will be as follows:
- 5.1.1. 2 x 20MHz in the 700MHz band (713 – 733MHz // 768 – 788MHz)
- 5.1.2. 2 x 30MHz in the 800MHz band (791 – 821MHz // 832 – 862MHz)
- 5.1.3. 1 x 140MHz in the 2600MHz band (2530 – 2575MHz) and 2595 – 2690MHz)
- 5.1.4. 1 x 86MHz in the 3500MHz band (3458 – 3544MHz)
- 5.2. The spectrum will be awarded on a national basis covering the entire territory of the Republic of South Africa.
- 5.3. Applicants are eligible to bid for any of the Lots. The Authority notes that the Minister has committed to complete the digital migration process by 31 March 2022. Assuming that this deadline is met, the Authority will include the IMT700 and IMT800 bands in the licensing process. However, should this deadline not be met, the Authority will continue to licence the IMT700, IMT800, IMT2600 and IMT3500 bands but the Authority will consider the proportional payments on the IMT700 and IMT800 based on the availability of these two bands.
- 5.4. The reserve price for each Lot is different. The reserve prices and spectrum available for award is packaged as follows:

Lot number(s)	Lot category	Lot size	Number of lots available	Reserve price per Lot
1-4	700 MHz	2 x 5 MHz	4	R526 615 392,49
5-8	800 MHz	2 x 5 MHz	4	R752 307 703,55
9	800 MHz	2 x 10 MHz	1	R1 155 174 976,66
10-23	2600 MHz	1 x 10 MHz	14	R97 843 320,52
24	3500 MHz	1 x 2 MHz	1	R9 818 987,30
25 - 32	3500 MHz	1 x 10 MHz	8	R75 606 202,22
33	3500 MHz	1 x 4 MHz	1	R19 637 974,60

- 5.5. Should the broadcasting digital migration process not be concluded by March 2022, the Authority will avail the status of the coverage maps on the IMT700 and IMT800 in collaboration with the DCDT before the auction commences and apply proportional payment formulae for IMT700 and IMT800. The formula for proportional payments for the spectrum fees and auction fees relating to IMT700 and IMT800 is as follows:

Proportionate Auction Fee = Auction Fee per 2 x 5 MHz BW x %
of population coverage on available IMT700 or IMT800

Proportionate Auction Fee = Auction Fee per 2 x 10 MHz BW
(Coverage Lot) x % of population coverage on available
IMT800

Proportionate Annual Spectrum Fee = Annual Spectrum Fee³
x % of population coverage on available IMT700 or
IMT800

- 5.6. Both the proportional auction fee and annual spectrum fee will be adjusted as the analogue television switch-off process progresses.

³ This will be calculated as per the Radio Frequency Spectrum Fee Regulations, 2010 (as amended).

6. OPT-IN LOTS AND SPECTRUM FLOORS

- 6.1. The Authority has identified a minimum spectrum portfolio (MSP) in order to ensure that there are a third and fourth national wholesale operators (Tier-2) with adequate spectrum following the Main Auction. Opt-in bidders for the MSP need not have any spectrum holdings currently and bidding for the Opt-in lots is open to any bidders other than Tier-1 operators.
- 6.2. The IMT Spectrum holdings of a bidder will be used to determine the suitability of that bidder to participate in the Opt-in Round. Bidders who do not already have spectrum holdings that meet the MSP as provided in Table 1 will be eligible to participate in the Opt-in Round. Those qualified to bid for spectrum in the Opt-in Round (including new sub-national wholesale operator entrants) will be offered the opportunity to Opt-in.

Table 1: Minimum Spectrum Portfolio

		IMT Spectrum Sub-1 GHz	IMT Spectrum Above 1 GHz
Minimum Spectrum Portfolio		2 x 10 MHz	60 MHz

- 6.3. A qualified bidder to participate in the Opt-in Auction in respect of any particular category of the MSP (i.e., IMT spectrum sub-1 GHz and IMT spectrum above 1 GHz), is going to bid for such lots on offer that would "make good" that bidder's MSP, taking into account their existing IMT Spectrum holdings.
- 6.4. No bidder can acquire any Lot in the Opt-in Auction if the acquisition of the Lot in a category in which it is qualified would result in that bidder exceeding its spectrum cap. For further information about how the Opt-in Auction will be run, see Section 17.2.

- 6.5. The MSP spectrum floor is designed to ensure that South Africa is left with at least five (5) credible wholesale national operators after the spectrum assignment process (including the WOAN). This is to ensure that the third and fourth national wholesale operators have enough spectrum to be credible competitors. Winning an MSP does not preclude any licensee from bidding for additional spectrum made available by the Authority in the Main Auction subject to the spectrum cap.
- 6.6. For the avoidance of doubt, an amount of spectrum equivalent to that won in each band in the opt-in Auction will be excluded from the Main Auction.
- 6.7. The Authority will avail only IMT700, IMT800 and IMT2600 for the Opt-in Auction as described in section 17.2.

7. SPECTRUM CAPS

- 7.1. A spectrum cap is a limit placed on the amount of spectrum a Bidder can bid for in an auction. An Applicant will be allowed to bid up to the following spectrum caps:
- 7.1.1. Sub-1GHz safeguard cap of 2x21 MHz (including existing sub-1GHz spectrum holdings); and
- 7.1.2. An overall spectrum cap of 187 MHz (including existing assigned spectrum holdings).
- 7.2. The sub-1GHz cap will allow all current holders of 2x11MHz of spectrum in the 900MHz band to acquire at most 2x10MHz of spectrum, and the cap will also allow licensees that have no sub-1GHz spectrum to acquire up to 2x20MHz.
- 7.3. The overall spectrum cap of 187 MHz is to ensure that any individual licensee must not acquire more than approximately 20% of the 935 MHz of high-demand spectrum that will be assigned at the auction stage and the spectrum set-aside for the WOAN.

8. LICENCE DURATION

A Licence is valid for twenty (20) years from the date of issue.

9. TECHNOLOGIES

- 9.1. All Licences will be issued on a technology-neutral basis in accordance with section 2 (b) of the ECA read with the regulation 3.7 of the Radio Frequency Assignment Plans, 2015, as amended.

10. ANNUAL FEES

- 10.1. A Licence is renewable upon payment of the prescribed licence fee in accordance with regulation 10 (2) of the Radio Frequency Spectrum Regulations, 2015, as amended.
- 10.2. Annual licence fees are payable by all Licensees in accordance with the "Spectrum Fees Regulations" published by the Authority.
- 10.3. In an event that IMT700 and IMT800 is not fully available, proportional payments will apply as provided in section 5 of this ITA.

11. TECHNICAL CONDITIONS

- 11.1. The conditions of use of the IMT Spectrum will be in accordance with the rules for services as stipulated in the Radio Frequency Spectrum Assignment Plans, 2015 (as amended). for all the applicable bands.

12. OBLIGATIONS

To extent that the IMT700 and IMT800 bands are not available in certain areas at the time of issuance of licences, the obligations related to these bands will be measured from the time the digital migration process is completed.

The Authority will measure the uplink and throughput and coverage obligations using international best practice and the current standards used by the Authority, which may be incorporated into the licence terms and conditions of the applicants who acquire spectrum.

The following obligations will form part of the licence terms and conditions of the Radio Frequency Spectrum Licence to be issued:

12.1. UPLINK AND THROUGHPUT OBLIGATIONS

- 12.1.1. A minimum downlink single user throughput of 5Mbps at the edge of the cell (particularly in Batch 3 classified municipalities) for all national wholesalers who are awarded radio frequency spectrum licences on spectrum band(s) IMT700 and/or IMT800 within five (5) years of licence issue, or within 5 years from the date the digital migration process is completed whichever comes later.
- 12.1.2. This obligation must be achieved with IMT bands (i.e., IMT2600, and IMT3500) assigned through this licensing process and any other assigned IMT spectrum prior to this process.

12.2. COVERAGE OBLIGATIONS

- 12.2.1. The definition of what constitutes an Underserviced Area is contained in the Under-serviced Area Definitions Regulations, published in the Government Gazette from time-to-time. The underserviced areas contained in Annexure A of the Under-serviced Area Definitions

Regulations, 2012 are classified into three Batches for the purpose of this ITA (Batch 1: Not Under-serviced; Batch 2: Under-serviced; and Batch 3: Severely Under-serviced) for better implementation of coverage obligations stated in this ITA, based on best effort. See Appendix D.

12.2.2. In respect of 700MHz or 800MHz licences:

Tier 1 operators

12.2.2.1. A Tier-1 operator who wins sub-1GHz spectrum other than the Coverage Lot will be obliged to expand coverage at a minimum 97% of the population. Also, the outside-in approach applies, to achieve 92% across all Batch 2 and Batch 3 underserviced areas first for the 2x10MHz Coverage Lot across all 213 local and metropolitan municipalities in South Africa within five (5) years of licence issue, or within 5 years from the date the digital migration process is completed whichever comes later; and

12.2.2.2. Outside-In: First build broadband coverage in the first batch of least covered of "underserviced areas" and/or municipalities (First Batch 3, then Batch 2 Municipalities), before proceeding to roll out finally to major cities and towns of South Africa (Batch 1).

Tier 2 operators

12.2.2.3. Tier-2 operators that cover less than 80% of the population with IMT services must expand such coverage to at least 80% of the population in general across South Africa, including Batch 1 and Batch 2 areas in accordance with their commercial interest. This obligation does not apply to sub-national wholesalers who do not Opt-in for Lots. The outside-in obligation would not apply to these Tier-2 national wholesalers; and

Tier 1 and Tier 2 operators

- 12.2.2.4. A Tier 1 or Tier 2 operator who acquire 2x10MHz (on IMT800) Coverage Lot will be required to comply with coverage obligations of at least 99.8% of the population within 5 years of issue of radio frequency spectrum licence within five (5) years of licence issue, or within 5 years from the date the digital migration process is completed whichever comes later; and at least to 95% across totality of ALL Batch 2 and Batch 3 underserved areas/municipalities in South Africa. The winner of this coverage lot would comply with an outside-in approach to achieve 95% of all Batch 2 and Batch 3 underserved areas of all local and metropolitan municipalities in South Africa within five (5) years of licence issue, or within 5 years from the date the digital migration process is completed whichever comes later .

12.3. OPEN ACCESS OBLIGATIONS

- 12.3.1. Prospective applicants that have categorised as Tier-1 must:
- 12.3.1.1. Produce a reference offer for site access to be offered to any licensee requesting site access and guidelines, including pricing, timeframes and policies for reserving space on masts.
- 12.3.2. The reference offer set out by the Applicant in terms of paragraph 12.3.1.1 shall become licence conditions for licences to two tier-1 operators issued in this auction process.
- 12.3.3. A Licensee assigned spectrum through this auction process is required to provide open access to MVNOs which must have 51% ownership held by persons from Historically Disadvantaged Persons. This provision shall become licence conditions for licences issued in this auction process. The Licensee assigned spectrum through this auction process shall be required to submit to the Authority within a period of

between 3 – 6 months the business plans to ensure that the MVNOs are sustainable for the period of 3 years.

12.3.4. These interventions are intended to balance the objectives in the ECA to promote competition within the ICT sector (section 2(f) of the ECA), take the electronic communication needs of the public into account (section 2(y) of the ECA) and promote stability in the ICT sector (section 2(z) of the ECA) on the one hand while refraining from undue interference in the commercial activities of licensees on the other. These interventions balance these objectives in a proportionate manner for the following reasons:

12.3.4.1. These are the proposed minimum interventions necessary, together with the spectrum caps and floors provided for in this document, to resolve the competition concerns.

12.3.4.2. The licensees are able to propose how the interventions can be achieved in the least intrusive manner with the least possible interference in their commercial activities.

12.4. **INCENTIVES TO THE WOAN**

12.4.1. The applicants that are to be assigned the radio frequency spectrum through the auction process shall procure a minimum of 30% national capacity from the WOAN collectively as soon as the WOAN is operational for a period of five years.

12.4.2. The 30% national capacity to be procured from the WOAN will be shared proportionally to the amount of the spectrum acquired from the Auction amongst the successful licensees.

12.4.3. The 30% national capacity uptake in the WOAN will be imposed on all successful applicants as licence terms and conditions in accordance with regulation 7(e) of the Radio Frequency Spectrum Regulations, 2015 as amended.

12.5. SOCIAL OBLIGATIONS

- 12.5.1. A Licensee assigned spectrum through the auction process will be required to zero-rate all the Mobile Content provided by Public Benefit Organisations including .gov.za websites. The Authority will consult with the successful bidders and relevant stakeholders to ensure that the zero-rating social obligation is implemented without illegitimate use of URL's during the licensing stage.
- 12.5.2. The Authority has decided in support of the SA Connect Policy that applicants that obtains spectrum through this process be subjected to obligations to connect public service institutions as follows:
- 12.5.2.1. public schools: 18 520;
 - 12.5.2.2. Government clinics: 3967;
 - 12.5.2.3. Government hospitals: 1764;
 - 12.5.2.4. Unconnected police stations: 567;
 - 12.5.2.5. Traditional authority offices (tribal offices): 8241.
- 12.5.3. The connectivity obligation should be implemented within 36-months from the date of the issuance of the radio frequency spectrum licences and the connectivity targets will be shared amongst successful bidders. The Authority will coordinate with the relevant stakeholders to finalise the implementation with successful applicants operators and the Authority will oversee compliance on annual basis.

13. SPECTRUM SHARING

- 13.1. The spectrum in this licensing process is to be assigned on a national basis exclusive to the Licensees.
- 13.2. In cases where the spectrum is not fully utilised by the licensee within five (5) years of issuance of the Radio Frequency Spectrum Licences, the Authority will initiate the following process for the Licensee:
- 13.2.1. to share unused spectrum in all areas to ECNS licensees who may, inter alia, combine licensed spectrum in any innovative combinations in order to address local and rural connectivity in some municipalities including by entrepreneurial SMMEs; or
- 13.2.2. to surrender the radio frequency spectrum licence or portion of the unused assigned spectrum in accordance with Radio Frequency Spectrum Regulations, 2015; or
- 13.2.3. the Authority has the power to withdraw the radio frequency spectrum licence in accordance with the Radio Frequency Spectrum Regulations, 2015.

14. KAROO CENTRAL ASTRONOMY ADVANTAGE AREAS

- 14.1. 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 Plaatje Municipal area) as an astronomy advantage area (AAA). The AAA's must be protected, amongst others, from harmful radio frequency interference, which may be caused by radio communication services.
- 14.2. The Square Kilometre Array ("SKA") has been built in the Northern Cape Province. The SKA location, frequencies bands to be protected, protection levels, coordination procedures, and other parameters are prescribed

through the Astronomy Geographic Advantage Act (21/2007) (AGA Act): Notice of the radio frequency spectrum exempted for use within the Karoo Central Astronomy Advantage Areas published in Government Gazette Number 42531 (Notice 926 of 2019). The band 100 MHz to 25.5 GHz are earmarked for the SKA.

- 14.3. Radiocommunications with transmitters located within the AAA's, which operate within the radio frequency range/s identified for radio astronomy purposes are to 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 by the AGAA. 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 the Authority.
- 14.4. A prospective licensee, upon receipt of its radio frequency spectrum licence and when deploying the network, is required to safeguard the above-mentioned provisions to ensure that no radio frequency interference is caused to the Karoo Central Astronomy Advantage Areas.

15. EMPOWERMENT PROVISIONS FOR THE INDUSTRY

- 15.1. The obligations herein are intended to promote broad-based black empowerment, in addition to what is already prescribed in terms of Regulation 7 of the Radio Frequency Spectrum Regulations, 2015.
- 15.2. A licensee must, within 36 months of the promulgation of the Limitations of Control and Equity Ownership by Historically Disadvantaged Groups (HDG) and the Application of the ICT Sector Code, 2021 (HDI Regulations), reach a minimum of Level 4 contributor (BBBEE status) in terms of the Codes of Good Practice, applicable to the ICT Sector, published in terms of section 9 (1) of the B-BBEE Act and maintain such status for the period of the licence in line with regulation 4(4) of the HDI Regulations
- 15.3. This empowerment provision is imposed over and above the prescribed prequalification criteria as outlined in regulation 7 (3)(d) of the Radio Frequency Spectrum Regulations, 2015 as amended.

16. THE AWARD PROCESS OF THE SPECTRUM

16.1. PROCESS

16.1.1. The award process consists of four (4) stages: the publication of the invitation to apply, qualification, Auction, and licensing stages.

16.2. INVITATION TO APPLY STAGE

16.2.1. The first stage commences with the publication of this ITA, containing *inter alia* the details about all subsequent stages of the Auction. It includes application forms, date and format of submission of applications, prequalification criteria, the detailed rules of the Auction, the details of the "products" being auctioned (e.g. lots, reserve prices per Lot, etc.), constraints about the products (e.g. availability of digital switchover spectrum) and more. This stage also "markets" the Auction both nationally and internationally to potential bidders.

16.3. QUALIFICATION STAGE

16.3.1. Entities that are eligible to submit an application:

16.3.1.1. In the Qualification Stage, interested persons are invited to submit Applications in response to this ITA, in which they must state on which Lots they wish to place Bids during the award process.

16.3.1.2. The Authority will then assess the Applications, and Applicants who meet the requirements as specified in this ITA will be qualified to the Auction Stage.

16.3.2. Submission of Applications

16.3.2.1. The Application must be written in English. An Applicant must answer all the questions set out in the forms fully. If any question

is considered not applicable, mark it as "N/A" and explain why it is not applicable.

- 16.3.2.2. An applicant must submit one original hardcopy application – clearly marked as such, together with one (1) hard copies and two (2) electronic versions of the Application in Microsoft Word and signed PDF versions of the Application, all received on the closing date. The hardcopies must be permanently bound.
- 16.3.2.3. Applications should be addressed for the attention of the Project Manager: Licensing of the IMT Spectrum Council Committee and must be deposited into the box designated for that purpose at Independent Communications Authority of South Africa, Block C, 350 Witch-Hazel Ave, Eco-Park Estate, Centurion between 09:00 and 15:00⁴ business hours by the closing date of 31 January 2022.
- 16.3.2.4. The Application must have a cover page indicating the title of the ITA, name of the Applicant and date of the Application.
- 16.3.2.5. The page(s) immediately following the cover page must be the contents page (s), which shall detail each section of the Application and corresponding pages.
- 16.3.2.6. An application including appendices and schedules, must be sequentially numbered starting with the page immediately following the contents page (s) as page 1 and ending with the very last page of the Application.
- 16.3.2.7. In the event that the Applicant has to submit its Application in more than one part or volume, each part or volume must have a cover page bearing all the details set out above, with the cover page indicating part or volume number.

⁴ Pretoria time

- 16.3.2.8. An Applicant that submits an application during the specified time window will receive an acknowledgment of submission of the Application. Applications received after the specified times or delivered to the wrong address or block will not be accepted.
- 16.3.2.9. An Applicant is only permitted to submit one Application.
- 16.3.2.10. Within the period of receiving applications, the applications that the Authority had received against the ITA published in Government Gazette 43768 (Notice No.535) of 2 October 2020 may be amended or withdrawn.
- 16.3.2.11. All applications will be assessed based on criteria set out in this ITA, in compliance with the Act and the relevant regulations.
- 16.3.2.12. Where persons making applications require that their Application, or part thereof, be treated confidentially, 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 Application in response to the ITA.** Respondents are requested to separate any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the Application or document in question.
- 16.3.2.13. The guidelines for requesting confidentiality are contained in Government Gazette Number 41839 (Notice 849 of 2018).

16.3.3. Application Fee

- 16.3.3.1. Each Applicant must pay a non-refundable application fee of Three Million Rands (ZAR 3 000 000.00). The payment must be in the form

of an electronic transfer or via a direct deposit into the following ICASA bank account:

ICASA Banking Details

BANK : Nedbank

BRANCH : Nedbank Corporate Investment Banking

BRANCH CODE: 198765

ACCOUNT NO : 1462002927 Swift Code : NEDSZAJJ

REFERENCE: Applicant Name

- 16.3.3.2. The applicants who submitted applications in response to the ITA, published in Government Gazette 43768 (Notice No.535) of 2 October 2020, will not be required to pay the application fee.

16.3.4. The Application

- 16.3.4.1. The Application must consist of the following documents:

16.3.4.1.1. A completed and signed Application Form.

16.3.4.1.2. A certified copy of the Applicant's registration certificate.

16.3.4.1.3. A certified copy of the Applicant's Individual ECNS licence.

16.3.4.1.4. A detailed, clear and exhaustive description of the ownership structure of the Applicant.

16.3.4.1.5. A brief profile of the Applicant.

16.3.4.1.6. The reference offers described in section 12.3 if applicable.

16.3.4.1.7. Power of Attorney that empowers the three Authorised Representatives to sign for the Applicant or who are otherwise

authorised to bind the Applicant in any respect regarding the Application and the Auction.

16.3.4.1.8. A bank guarantee for an amount equal to ZAR10 000 000.00 (Ten Million Rands), which will act as a guarantee during the Qualification Stage.

16.3.4.1.9. A copy of an Applicant Declaration signed by one of the Applicant's Authorised Representatives. A copy of this provided in Appendix C.

16.3.4.1.10. Proof of payment of the Application Fee.

16.3.5. Application Form

16.3.5.1. The Applicant must complete the Application Form as set out in Appendix A.

16.3.5.2. The Applicant's name and an address in South Africa, telephone number and e-mail address where the Applicant may be contacted on weekdays between 09.00 and 17.00 hours (Central African Time). This will serve as the Applicant's official address for this procedure and intended for the delivery of documents, communications and notifications.

16.3.5.3. Provide an exhaustive list of the names, positions, and addresses of the Applicant's members of the board of management and board of directors or, in the absence of such, similar bodies.

16.3.5.4. Provide details of the names, positions and signatures of the three (3) authorised representatives who are empowered to sign for the Applicant or who are otherwise authorised to bind the Applicant in any respect regarding the application and the Auction.

- 16.3.5.5. Provide details of the names, positions and signatures of up to five (5) auction representatives that may be present during the Auction Stage.

16.3.6. Opening and initial review of Applications

- 16.3.6.1. After the deadline of receiving applications, the Authority will proceed to open all the applications received.
- 16.3.6.2. The Authority will also undertake an initial review of the applications in order to determine whether the applications are submitted in accordance with the specified rules and contain the correct information and documentation.
- 16.3.6.3. The applications will be disqualified with the criteria as set out in the table below:

An applicant shall be disqualified from the application process where such applicant:
(a) has submitted an application and is an affiliate of another applicant, or has an ownership or financial interest in another applicant within the same Application process;
(b) has been granted a radio frequency spectrum licence by the Authority within the designated range unless the licensee has less than the maximum bandwidth made available in line with these regulations in which case they will only be allowed to apply for additional spectrum which results in total assignment not exceeding the maximum bandwidth made available;
(c) has submitted more than 1 (one) Application to the Authority for the grant of a radio spectrum licence within the designated range;
(d) has less than 30% (thirty percent) equity ownership by Historically-Disadvantaged Persons (HDP) or is below a level 4 ⁵ contributor (BBBEE status) in terms of the Codes of Good Practice published in terms of section 9(1) of the BBBEE Act;
(e) has submitted an application which contains false or misleading information;

⁵ Below level 4 means applicant BBBEE status is from level 5 to 8 as per Amended Broad-Based Black Economic Empowerment (B-BBEE) ICT Sector Code - 7 November 2016, Government Gazette No. 40407

(f) is colluding or has attempted to collude with another applicant with the intention to distort or manipulate information;
(g) has obtained or acquired confidential information relating to another applicant;
(h) has failed to notify the Authority of the changes referred to in the application forms;
(i) has failed to comply with the terms and conditions of the Application as set out in the ITA;
(j) has failed to comply with a request in terms of Radio Frequency Spectrum Regulations;
(k) has failed to comply with a request in terms of Radio Frequency Spectrum Regulations;
(l) Has failed to pay non-refundable application fee and attach the proof of payment; and
(m) not possession of a valid Individual Electronic Communications Network Services Licence issued by the Authority in terms of the ECA.

16.3.7. Publication of list of applicants

- 16.3.7.1. Following the initial review of the applications, the Authority will notify all Applicants of the identity of all other Applicants whose applications have not been rejected and their ownership structure.
- 16.3.7.2. The identity of the Applicants and their ownership structure will also be published on the Authority's website.
- 16.3.7.3. Other than the identity of Applicants, their ownership structure and their requested Lots, no further information from Applications will be published.
- 16.3.7.4. Applicants may amend their applications in accordance with regulation 8 of the Radio Frequency Spectrum Regulations, 2015.
- 16.3.7.5. Applicants may withdraw their applications within three (3) days after the closing date of receipt of the applications, however the application fee will be forfeited.

16.3.8. Assessment of the applications

- 16.3.8.1. Following the submission of the Application, the Authority will conduct an assessment of the Application to determine whether the Applicant has qualified to participate in the Auction Stage as per the criteria set out in the table below.
- 16.3.8.2. As part of this process, the Authority may ask for clarifications on any aspect of the applications.
- 16.3.8.3. Applicants must respond to the clarification request within seven (7) days from receipt thereof.

Critical Efficiency Factors (a score of 80/100 is required to meet this requirement):			
	Number of Points	Description	Reference
a. Technical (spectral efficiency) - defined in terms of maximum volume of traffic (voice/ data) within a given spectrum resource (erlangs/MHz/km² or Mbits/MHz/km²) for voice and data respectively. Technical efficiency indicators include the following:	40		
(i) Bandwidth efficiency (expressed in bits/ Hz) defined as the amount of information contained in a finite spectrum. Spectral efficiency varies across the country depending on the demand distribution. This also varies with time.	30		
(ii) Re-use which dictates to what extent the spectrum can be simultaneously used at multiple locations (re-use factor of 1 is the highest): For 3G and LTE technologies re-used factor is 1 (by default).	5		
(iii) Time - since applications do not typically use information on a continuous basis and can share resources by time multiplexing. This is an intrinsic feature of current mobile technologies.	5		
b. Functional efficiency defined in terms of the extent to which the use of spectrum meets the user's needs. Meeting the coverage and speed obligations.	30	Having demonstrated how the coverage and speed obligations are to be met	
c. Economic efficiency defines the monetary gain in terms of revenue, profit and value which the licensee derives from that portion of spectrum.	30	Measured with positive Net Present Value	

16.3.9. Announcement of applicants qualified as Bidders

- 16.3.9.1. Following the assessment of all applications, the Authority will publish a list of all Applicants qualified as Bidders on its website.
- 16.3.9.2. Furthermore the Authority will conduct the bid seminar and mock auction with the qualified bidders.

16.3.10. Bank Guarantee

- 16.3.10.1. Each Applicant will be required to submit a bank guarantee as part of its application. The amount guaranteed by the bank should be equal to ZAR10 000 000.00 (Ten Million Rands). It should be valid for a period of ninety (90) days after the application date. Where an Applicant has submitted a valid bank guarantee in response to the ITA, published in Government Gazette 43768 (Notice No.535) of 2 October 2020, such bank guarantee will still be applicable.
- 16.3.10.2. The Authority may require payment against the guarantee in order to cover penalties for any breach of the auction / licensing rules or compensation that accrue during the Auction Stage.
- 16.3.10.3. The Authority may require increases in the bank guarantee during the Auction Stage. The amount and the deadline for submission of the additional guarantees will be communicated to each Bidder. The bidding process will then be suspended until the deadline.
- 16.3.10.4. Applicants that cannot provide the required bank guarantee will be disqualified from the Auction Process.
- 16.3.10.5. The bank guarantee must not accrue interest.
- 16.3.10.6. The Authority shall release the guarantee in the following cases:
- 16.3.10.6.1. At the end of the Auction Stage, if a Bidder is unsuccessful in winning a License; and
- 16.3.10.6.2. Once a winning Bidder has fulfilled the payment terms.

17. AUCTION STAGE

17.1. OVERVIEW

17.1.1. The Auction Stage consists of three phases of bidding and frequency selection:

17.1.1.1. The Opt-in Auction Phase. The format selected for the Opt-in Auction is a Simultaneous Sealed Bid.

17.1.1.2. The Main Auction Phase. The format selected for the Main Auction is a Simultaneous Multiple Round Ascending (SMRA) auction.

17.1.1.3. The Frequency Assignment Phase. Winning bidders will be given the opportunity to pick their contiguous frequency assignments, consistent with the spectrum that they won in the first two phases.

17.1.2. The Opt-in Auction consists of a single bidding round. Eligible bidders may submit bids for minimum spectrum portfolio (MSP). The rules for the Opt-In Auction are set out in section 17.2, below.

17.1.3. The Main Auction will commence after the conclusion of the Opt-In Auction. It will consist of one or more rounds. In each round, bidders will have the opportunity to place bids on any of the available Lots, provided that those bids are consistent with the Activity Rules and Spectrum Caps. In normal circumstances, bidding will continue until there is a round in which no new bids are placed and no waivers are used. The rules for the Main Auction are set out in section 17.3 below.

17.1.4. The Frequency Assignment Phase will be scheduled after the conclusion of the Auction. Winning bidders will take turns to pick contiguous frequency blocks, in the order determined by their winning

bid amounts. The rules for the Frequency Assignment Phase are set out in section 17.12, below.

17.2. **OPT-IN AUCTION**

- 17.2.1. After the completion of the Qualification Stage, the Authority will notify each bidder regarding their eligibility to participate in the Opt-in Auction and the amount of spectrum in each frequency band that they are entitled to win under the MSP. The Opt-in Auction will consist of a single bidding round, the Opt-In Round.
- 17.2.2. The Authority will give each eligible Bidder at least 24 hours prior notice before the start of the Opt-in Round, by making an announcement. The duration of the Opt-in Round will be decided by the Authority in its sole discretion although the Authority does not anticipate it will be less than 30 minutes or longer than two hours in duration.
- 17.2.3. The Authority will only schedule the Opt-in Round to take place between 10:00 and 17:00 on a business day. The Authority will give further guidance on the scheduling of the Opt-in Round during the Award Process, probably after the last day for withdrawal.
- 17.2.4. The Authority will prepare a bid form for each eligible bidder to fill out and return to the Authority during the Opt-in Round.
- 17.2.5. Bidders submit bids for the premium amount they are willing to pay for the spectrum associated with the MSP over the sum of the reserve prices for that spectrum. Hence, a bid for an MSP represents a binding obligation on a bidder if selected as the winning bidder to pay the amount of the bid PLUS the sum of the reserve prices associated with the spectrum Lots that an individual bidder is entitled to acquire under that MSP. The minimum bid for the MSP is zero, starting at the reserve

price. There is no maximum bid but all bids must be in multiples of ZAR100 000.

- 17.2.6. A bidder will also be required to specify whether it prefers IMT700 spectrum or IMT800 spectrum if it is selected as a winning bidder.
- 17.2.7. After the bidding round closes, the Authority will proceed to determine the winning bids and their associated prices based on the bids submitted during the Opt-in Round:
 - 17.2.7.1. There can be at most two winning bids, with one winner of spectrum at IMT700 and one winner of spectrum at IMT800.
 - 17.2.7.2. The Authority will rank all valid bids received for the MSP from highest to lowest. The two highest bids will be the winning bids. If the highest ranked bidder is eligible to win one or more sub-1 GHz Lots, they will be awarded spectrum in their preferred sub-1 GHz band (i.e., 700 MHz or 800 MHz) and the second highest bidder will be awarded spectrum in the other sub-1 GHz band. In the event that the highest-ranked bidder is only eligible to win spectrum in the 2600 MHz band, then the second-ranked bidder, if eligible, will be awarded spectrum in their preferred sub-1 GHz band.
 - 17.2.7.3. If three or more bidders submitted valid bids, each winning bidder must pay a price equal to the highest losing bid. If two or fewer bidders submitted valid bids, each winning bidder must pay the amount of the lowest winning bid. In addition, each winning bidder must pay the sum of the reserve prices associated with the spectrum in their winning MSP.
- 17.2.8. After the Opt-in Round, the Authority will announce the number of Bidders that submitted valid Opt-in Bids, the identity of the winning bidders for each MSP, the spectrum that they will be assigned, and

the prices that they must pay for that spectrum. The Authority may also publish the same information on its website.

- 17.2.9. Any spectrum assigned in the Opt-In Round will be removed from the Main Auction. For example, suppose that the Opt-In Auction assigns two packages, the first one for 2x10 MHz in the 700 MHz band and 20 MHz in the 2600 MHz band, and the second one for 2x10 MHz in the 800 MHz band and 20 MHz in the 2600 MHz band. In this case, Lot 3-4 (700 MHz), lot 7-8 (800 MHz), and lots 20-23 (2600 MHz) would be removed from the Main Auction, as the equivalent spectrum has already been assigned.

17.3. **MAIN AUCTION BID ROUNDS**

- 17.3.1. There will be at least one full working day between the completion of the Opt-In Round and the start of the first round of the Main Auction.
- 17.3.2. Before each Round begins, the Authority will communicate to all Bidders the Standing High Bid and Standing High Bid amount on each Lot (if any), as well as the price options available for each Lot that can be Bid on in the current Round.
- 17.3.3. Bidding will take place using an online system. Bid submission is a two-step process. In the first step, eligible bidders may submit a set of bids for the available Lot. In the second step, bidders will receive a summary of their proposed bids and will be asked to confirm their bids or return to step 1 to make changes. Only confirmed bids will be considered valid bids. Once a set of bids is confirmed, no further changes may be made to the bid amounts.
- 17.3.4. In the first Round, each bidder is free to submit a bid for one or more lots and may make bids for any of the available Lots, subject to the following restrictions:

- 17.3.4.1. The set of bids must be consistent with eligibility points-based Activity Rule, as set out in section 17.5, below;
- 17.3.4.2. The set of bids must not breach the Spectrum Caps, taking into account each bidder's existing IMT spectrum holdings; and
- 17.3.4.3. Bidders may only submit bids for Lots in the Lot Categories for which they have qualified to bid.
- 17.3.5. From the second Round onwards, the same restrictions apply but, in addition, a Bidder is not permitted to submit a new bid on Lots on which it is currently the Standing High Bidder.
- 17.3.6. In any round except the first round, instead of submitting a Bid, a Bidder may:
 - 17.3.6.1. Use a waiver (see 17.6 below for further details); or
 - 17.3.6.2. Withdraw from the auction (see 17.7 below for further details).
- 17.3.7. Each Round will end after the allotted round time has expired, regardless of whether all Bidders have submitted Bids.
- 17.3.8. Once the Round is finished, the new Standing High Bidders and Standing High Bid amounts will be determined, based on the highest Bid placed on each Lot.
- 17.3.9. If one or more Lots have received Bids from multiple Bidders of value equal to the maximum bid value of the Round, the Standing High Bidder will be selected by means of a tie-break conducted within the online system.

17.3.10. Each Bidder that placed a Bid equal to the maximum Bid for the Lot will have an equal chance of being selected as the Standing High Bidder.

17.3.11. The status of Standing High Bidder on a particular Lot is maintained until another Bidder places a Bid for that Lot in a subsequent Round at a higher price.

17.4. **BID OPTIONS**

17.4.1. The status of Standing High Bidder on a particular Lot is maintained until another Bidder places a Bid for that Lot in a subsequent Round at a higher price.

17.4.2. For each Lot in each round, using the online system, bidders place bids by selecting an amount from a menu of one or more pre-specified bid options. The bid amount options for each Lot in each Round will be decided by the Authority and may be revised as the Auction progresses.

17.4.3. In each Round where there is a Lot that has not yet received any bids, the bid options shall include a bid option at the Reserve Price. Once a Lot has a Standing High Bid, all bid options will be set at amounts that exceed the current Standing High Bid amount.

17.4.4. Further guidance regarding the Authority's approach to setting bid options may be provided to qualified bidders before the start of the auction. To assist bidders in preparing for the auction, the following indicative guidance is provided:

17.4.4.1. The Authority may consider and announce changes to the percentage increments (i.e., the difference between the Standing High Bid amount and the bid amount options) to be applied to Lots

in each Lot Category to be communicated to all Bidders before the end of the previous bidding day.

- 17.4.4.2. The Authority may consider and adopt bid increment options in the range of 1%-20% of the Standing High Bid on each Lot. Bid increments will not necessarily be the same for all Lots (in percentage or absolute terms).
- 17.4.4.3. So as to ensure the Auction moves at a reasonable pace, the Authority is minded to start with bid increment options of 10%, 15% and 20% of the Standing High Bid on each Lot. It may introduce other bid increments later.
- 17.4.4.4. The Authority is minded to round up bid amount options to the nearest ZAR100 000 (One Hundred Thousand Rands), even if this means modestly exceeding reference percentage increments.

17.5. **ELIGIBILITY POINTS-BASED ACTIVITY RULE**

- 17.5.1. An eligibility points-based Activity Rule will be used to prevent bidders from withholding demand at early stages of the auction. In each round, a bidder's Activity cannot exceed their current Eligibility.
- 17.5.2. In each Round, a Bidder will receive a certain Eligibility measured in points, based on its Activity in the previous Round.
- 17.5.3. In the first Round, as there is no previous round, a Bidder's Eligibility will be set equal to its maximum permitted level under the Spectrum Cap.
- 17.5.4. Each Lot will have an associated number of Eligibility Points, based on the likely ability for bidders to substitute between the Lot, as follows:

Lot number(s)	Eligibility Points per Lot
1-4	4
5-8	4
9	4
10-23	1
24	1
25-32	1
33	1

- 17.5.5. A ratio of 4:1 per MHz will be used for the eligibility points in respect of sub-1 GHz spectrum relative to spectrum at IMT 2600 MHz / IMT 3500 MHz. This ratio is comparable to the ratios used in the reserve prices for Lots in these Lot Categories and reflects the fact that spectrum in sub-1 GHz bands is more limited and is generally considered to have higher value than higher frequency bands.
- 17.5.6. The sum of the Eligibility Points of each Lot on which a Bidder will place a Bid in a Round, combined with the Eligibility Points of Lots on which the Bidder is Standing High Bidder, will define the total Activity of the Bidder within the Round. The only exceptions to this occur if the Bidder places a waiver (see section 17.6 below) or a withdrawal (see section 17.7 below).
- 17.5.7. Eligibility in the following Round will be set equal to the Bidder's Activity in the current Round. Thus, it will not be possible for a Bidder's Eligibility to increase.
- 17.5.8. If a Bidder is a Standing High Bidder on Lots which have a combined Eligibility Points level equal to the Bidder's Eligibility for the Round, the Bidder will not be able to submit any new bids and will not be able to play a waiver. For the avoidance of doubt, this means that the Bidder's Eligibility equals their Activity, so their Eligibility will remain unchanged in the next round.

17.6. WAIVERS

- 17.6.1. The use of a Waiver will enable a Bidder to maintain its Eligibility in the next Round, without submitting a new bid in the current Round.
- 17.6.2. If a Bidder is a Standing High Bidder on Lots which have a combined Eligibility Points level equal to the Bidder's Eligibility for the Round, the Bidder will not be able to submit any new bids and will not be able to play a waiver. For the avoidance of doubt, this means that the Bidder's Eligibility equals their Activity, so their Eligibility will remain unchanged in the next round.
- 17.6.3. Each Bidder will begin the auction with three (3) waivers, which may be used in any round of the auction except the first round. The Authority does not anticipate granting any additional waivers to Bidders but may do so under the exceptional circumstance provision (section 17.13 below).
- 17.6.4. A Bidder may choose to submit a waiver in place of making new Bids on Lots, provided it (a) has at least one waiver remaining, (b) will lose eligibility if it does not place at least one new bid; and (c) has not withdrawn from the auction. For the avoidance of doubt, a bidder that submits a waiver is not permitted to also submit new bids at the same time.
- 17.6.5. If a Bidder is a Standing High Bidder on any Lots when it uses a Waiver, it will remain Standing High Bidder unless another Bidder places a Bid of greater value on those Lots.
- 17.6.6. When a waiver is used, the Bidder retains the same level of Eligibility for the next Round as it had in the current Round.

- 17.6.7. If a Bidder does not submit a valid Bid before the end of the Round, then a waiver is automatically used for that Round, provided it (a) has at least one waiver remaining, (b) will otherwise lose eligibility; and (c) has not withdrawn from the auction.

17.7. **WITHDRAWAL FROM THE AUCTION**

- 17.7.1. In any Round except the first round, Bidders will have the opportunity to withdraw from the auction. The online system will not provide bidders with an option to withdraw in round 1, as all qualified bidders are expected to bid for at least one lot in that round. A bidder that fails to submit a bid in round 1 would not be entitled to make further bids in the auction and maybe subject to additional penalties, including not limited to the loss of its bank guarantee amount.
- 17.7.2. If a Bidder chooses to submit a withdrawal, it will no longer be eligible to submit new Bids in the auction. It is not possible for a Bidder to submit Bids and a withdrawal in the same Round.
- 17.7.3. If a Bidder withdraws when it has Standing High Bids on one or more Lots, it will remain Standing High Bidder unless and until another Bidder places a higher Bid on the relevant Lot(s). As a result, it is possible for a Bidder that has withdrawn to win Lots which it had bid on before the withdrawal, provided no other Bidders place further Bids on those Lots.
- 17.7.4. If a Bidder (a) has no standing high bids; (b) fails to submit a valid Bid before the end of the Round, and (c) has no remaining waivers, it will automatically be deemed to have withdrawn from the auction.
- 17.7.5. It is not possible for a Bidder to withdraw Bids that it has previously placed in the auction. This includes any Standing High Bids the Bidder has in a round when it places a withdrawal.

17.8. INFORMATION PROVIDED TO BIDDERS

- 17.8.1. The Authority has discretion regarding the information to be provided to bidders at the end of each round. The following paragraphs describe the expected approach.
- 17.8.2. After the end of each Round, Bidders will be provided with the following information for each Lot:
 - 17.8.2.1. The aggregate demand for each Lot, including a breakdown of Bids submitted by each Bidder;
 - 17.8.2.2. The Standing High Bid amount;
 - 17.8.2.3. The identity of the Standing High Bidder; and
 - 17.8.2.4. The bid amount options allowed in the following Round.
- 17.8.3. Bidders will also be provided the following additional information:
 - 17.8.3.1. The identity of any Bidders that used a waiver in the previous Round;
 - 17.8.3.2. The number of waivers each Bidder has remaining;
 - 17.8.3.3. The Eligibility of each Bidder in the following Round;
 - 17.8.3.4. The start time of the following Round; and
 - 17.8.3.5. The duration of the following Round.

17.9. CLOSURE OF THE MAIN AUCTION

- 17.9.1. The auction will close once a bid Round has been completed in which no new Bids were placed and no waivers were used.
- 17.9.2. Once the auction has closed, the Standing High Bidders on each Lot will be designated the winners of those Lots.
- 17.9.3. Following this, each Bidder's Main Auction fee is calculated as the sum of the Standing High Bids on the Lots which the Bidder has won. These fees are in addition to any fees for spectrum won in the Opt-In Auction.
- 17.9.4. The final auction results will be communicated to bidders via the online auction system. The Authority may also announce the results on its website.

17.10. AUCTION LOCATION

- 17.10.1. The Authority will conduct the opt-in auction in person as a single seal bid at the Authority's head-office.
- 17.10.2. The Authority is to conduct the Main Auction using an online auction system run over standard Internet browsers. This will enable bidders to participate from their own location.
- 17.10.3. In the Main Auction, bids should normally be submitted through the online system. This online system can be accessed using a desktop or laptop computer using a standard operating system, a reliable Internet connection and a supported web browser. Each qualified bidder will also need individual secure credentials, which will be provided to the authorised representatives before the Auction. Further information about accessing and using the online system, including back-up procedures in case a bidder experiences problems accessing

the online system, will be provided in the bidder manual, which will be distributed to eligible applicants. The Authority will conduct a bid seminar and mock auction for qualified bidders prior to the auction.

17.10.4. If a bidder uses an operating system or web browser that is not supported by the online system, the online system may not function properly. It will be the responsibility of each bidder to verify during the mock auction that the online system functions properly on its system.

17.10.5. In addition to submitting bids, qualified bidders will be able to use the online system to download certain information about their bids and the state of the auction (such as Round Prices and Standing High Bids). Sample files will be distributed to qualified bidders.

17.11. **AUCTION TIMING FOR MAIN STAGE**

17.11.1. Rounds are scheduled at the Authority's discretion. All rounds will normally be scheduled to take place between 09:00 and 17:00 Central African Time on South African business days. An indicative schedule for each day's rounds will be published prior to the opening of the first round of that day.

17.11.2. There is no minimum or maximum duration for a round. However, the Authority does not anticipate running rounds shorter than 15 minutes or longer than two hours. The time between rounds is also discretionary. The first round will have a duration of at least one hour.

17.11.3. If bid decisions by all bidders are submitted before the scheduled close of the round, the Authority reserves the right to close the auction round early. Consequently, the bidding schedule could be faster than anticipated in the indicative schedule.

- 17.11.4. There is no upper bound on the number of rounds per day, although the Authority does not anticipate running more than sixteen (16) rounds in a single day. When determining the number and length of rounds each day, the Authority will consider the pace of the auction, including the level of bid increments and number of Lot going up in price each round.

17.12. FREQUENCY ASSIGNMENT PHASE

17.12.1. After the conclusion of the Main Auction Stage of the Auction, the Authority will run an administrative procedure to assign specific frequency blocks to winning bidders. Whenever feasible, it is the Authority's intention that all winning Bidders be assigned contiguous spectrum within each spectrum band. Further information about the procedure will be provided to qualified bidders before the Auction.

17.13. EXCEPTIONAL CIRCUMSTANCES

17.13.1. In the case of exceptional circumstances during the award process, the Authority has the discretion to:

17.13.1.1. cancel the Auction process;

17.13.1.2. suspend the Auction process until further notice;

17.13.1.3. pause the Auction process, for example between rounds, and require bidders to increase their deposit; and

17.13.1.4. if the Auction Stage is underway:

17.13.1.4.1. postpone the end of a round in progress or the release of results of a round;

17.13.1.4.2. postpone the scheduling of further rounds;

17.13.1.4.3. cancel a round that is either underway or for which round results have not yet been released, and re-schedule the round;

17.13.1.4.4. grant additional waivers to one or more bidders;

17.13.1.4.5. void one or more rounds and the bids made therein, and resume the auction from an earlier round; and/or

17.13.1.4.6. void all bids received in the award process and either suspend the award process or start the award process again.

17.13.2. The Authority will determine whether a situation of exceptional circumstances has arisen. Exceptional circumstances could include, for example, widespread technical failure or concern about possible collusion amongst bidders.

17.14. **INDEPENDENT AUDITOR**

17.14.1. An independent auditor will be appointed by the Authority to oversee the auction process.

17.14.2. The auditor will be permitted access to all the activities of each Bidder.

18. LICENSING STAGE

Following the completion of the Auction Stage, payment of the Auction Fee will be requested from the winners of the Lots.

18.1. PAYMENT OF THE AUCTION FEE

18.1.1. The Auction Fee payable by each winning Bidder will be the sum of:

18.1.1.1. The winning price for the MSP package won in the Opt-in auction (if any); and

18.1.1.2. The Standing High Bids on the Lots which the Bidders has won in the Main Auction.

18.1.2. Any penalties for any breach of the auction / licensing rules incurred during the award process must be paid in full at the same time as the payment of the Auction Fee.

18.1.3. It is the responsibility of the participants to arrange their own finance in order to pay the Auction Fee. The payment of the Auction Fee must be paid into the Authority's bank account within thirty (30) working days after the public announcement of the award process results by the Authority for the Lots acquired in IMT2600 and IMT3500.

18.1.4. For Lots acquired from the IMT700 and IMT800, Auction Fee must be paid into the Authority's bank account within thirty (30) working days after the public announcement of the award process results by the Authority proportionate to the geographic or population coverage as determined by the Authority, as provided in section 5 of this ITA.

18.1.5. Instructions for the payment of the Auction Fee will be sent in two days of the announcement to the winning Bidders.

18.1.6. Non-payment, late or incomplete payment of the Auction Fee may lead to the non-issuing of the Licence. The Lot may then be auctioned at a later stage or the Authority may determine an alternative licensing process in terms of the Radio Frequency Spectrum Regulations, 2015 (as amended).

18.2. **ISSUE OF LICENCES**

18.2.1. Once the Authority has received the payment of the Auction Fee, the Licences will be issued to the winning Bidders.

18.3. **TIMEFRAME FOR AWARD PROCESS**

18.3.1. The table below provides an indicative timeframe for the award process. Note that given the nature of the SMRA, it is not possible to pre-determine the timetable for the Auction Stage.

18.3.2. The Authority reserves the right to alter any part of the auction timetable, including the Application Date, at any time. Except in extraordinary circumstances, the Authority will make any changes to the schedule for a specific event at least 24 hours in advance of the previously scheduled time.

Day	Task Name	Start	Finish	Comments
	Publication in Government Gazette of the Invitation To Apply (ITA) for IMT		10 December 2021	
	Application Date		31 January 2022 before 16h00	
	Announcement of Applicants qualified as Bidders		21 February 2022	
	Bidder seminar and mock auction	01 March 2022	07 March 2022	
	Start of auction	08 March 2022		
Y	End of auction			Duration has been estimated since the process may be shorter or longer and the Authority reserves the right to adjust as appropriate
Y + 1	Announcement of auction result			
Y + 31	Deadline for payment of auction fee			
Z	Issuing of the Licences			

19. GENERAL RULES**19.1. PROHIBITED PRACTICE AND OTHER DISRUPTION TO THE AUCTION**

19.1.1. Until the conclusion of the award process (i.e. once Licences have been issued). Applicants must not:

19.1.1.1. Disclose any Confidential Information to other Applicants,

19.1.1.2. Enter into agreements with other Applicants in relation to the award process, or

19.1.1.3. Undertake any action that may adversely affect the award process.

19.1.2. Disclosure of information of any nature, which, directly or indirectly, concerns a Bid submitted by an applicant or a Bid that an applicant considers submitting, if such information could affect the price that an applicant would offer. Confidential Information must include any non-published information about an applicant's strategy, including the Bid that an applicant is willing to submit, which may affect the applicant's price or submission of a Bid, and which may influence the applicant's fulfilment of its Bid, as well as information about financing the Bid sum.

19.1.3. Any cross-directorships or cross-shareholdings between Applicants is not permitted, and applicants are not permitted to agree on any price or on any allocation of markets or spectrum between each other.

19.2. **CONSORTIUMS / GROUPS**

- 19.2.1. Consortiums / groups of companies without an I-ECNS licence will not be permitted to bid in this auction in order to prevent the possibility of collusion.

19.3. **SANCTIONS**

- 19.3.1. In the event that an Applicant breaches the auction rules, the Applicant can either be fined at the discretion of the Authority but permitted to continue in the award process, or be fined and excluded from the award process, depending on the severity of the breach. If an applicant is excluded from the award process, the Authority reserves the right to annul the entire award process.

20. APPENDIX A

When filling in the application form, ensure all pages are signed by all Authorised Representatives.

Extended Application Procedures In terms of Regulation 6(1)

- (1) The application form is obtainable at any office and website (www.icasa.org.za) of the Authority. The form must be completed in full and submitted at any office of the Authority.
- (2) These Extended Application Procedures are applicable to the assignment, ceding, transfer of control and transfer of all licences, unless otherwise agreed by the Authority.
- (3) The Authority shall issue an invoice with a reference number for the prescribed application fee.
- (4) The applicant must submit proof of payment to accompany the application.
- (5) If the information to be supplied is not applicable, then the term 'not applicable' shall be written with a short explanation.

APPLICATION FORM FOR 700MHz, 800MHz, 2600MHz AND 3500MHz SPECTRUM AWARD PROCESS

(I) APPLICANT DETAILS

No.	Information Required
1	<p>Name, address, identification number telephone number and Email address of applicant:</p> <ul style="list-style-type: none"> • If the applicant is a South African citizen a copy of the identity document shall be submitted to the Authority; and • If the applicant is a foreigner a copy of the passport as well as proof of status shall be submitted to the Authority. <p>In the case of companies:</p> <p>(a) A copy of the Company's registration certificate; and</p>
2	Annual report of the applicant and its main shareholders from the previous three years (where available)
3	Full particulars of the experience and expertise of the applicant, its partners, shareholders, suppliers and contractors in the business contemplated.
4	<p>Extent of beneficial ownership of the applicant by historically-disadvantaged persons: Extent of beneficial ownership by women;</p> <p>Extent of beneficial ownership by the youth; and Extent of beneficial ownership by the disabled.</p>

(II) DESCRIPTION OF SERVICE

No.	Information Required
1	Description of service to be provided.
2	Proposed annual coverage, rollout indicating the exact areas and location covered.

(III) CONSTRUCTION OF THE NETWORK (RADIO COMPONENT)

No.	Information Required
1	Availability and experience of planning and project management capabilities required for construction of the network.
2	Mechanisms used for the planning of any radio component of the network.
3	Plans to acquire resources such as access to sites, other property, technology, personnel and capital.

(IV) BUSINESS PLAN

Should a Radio Frequency Spectrum Licence be issued, the information contained in the business plan may be incorporated as licence conditions.

No.	Information Required
1	Fundamental assumptions for the business plan with financial forecasts for a minimum period of three (3) years.
2	A market analysis of the services contemplated to be offered through the radio frequency spectrum licence applied for, including forecast demand.
3	Description of products and services to be offered through the radio frequency spectrum licence applied for.
4	Description of pricing strategy for products and services to be offered through the radio frequency spectrum licence applied for.

(IV) TECHNICAL INFORMATION (RADIO SYSTEM DESIGN)

No.	Information Required	
1	Full information of the technology to be implemented. This should be 3GPP technologies including LTE.	
2	Approach to network development and expansion. This should be based on capacity demand and coverage requirements.	
3	Description of all the relevant or important interfaces in the network. This depends on the technology. The interfaces are based on the 3GPP technology architecture.	
4	Requirements for interconnection to other telecommunication networks or services and transmission medium and links required.	
5	Upgrade of the network to accommodate new standards and technology developments.	
6	Compliance with recognised international standards and specifications.	
7	Details of radio planning including methods to reserve frequency.	
7.1	Site names	Name of place where equipment is located
7.2	Site code	Code assigned to place
7.3	Site coordinates	Geographic coordinates to locate places on maps in degrees, minutes and seconds (ddmmss)
7.4	Frequency (Hz)	Airwaves through which the radio waves are transmitted

7.5	Bandwidth (MHz)	Amount of frequency occupied by the transmitted signal (RF bandwidth)
7.6	Modulation scheme	Method of transmitting radio signals
7.7	Bit rate (bits/s)	Speed of transmitting radio signals
7.8	Antenna site	Where antenna is situated
7.9	Antenna type	Type of antenna
7.10	Antenna diameter (m)	Diameter of antenna
7.11	Antenna gain (dB)	Gain of antenna in terms of decibels (dB)
7.12	Antenna polarisation (H/V)	Horizontally or vertically polarised
7.13	Transmit power (dbmW/W)	Transmitted power at the output of antenna
7.14	Receiver sensitivity threshold (dBmW)	Lowest value of signal detected by receiver
7.15	Fixed loss (dB): transmit and receive	Percentage of lost power
7.16	Type of service	Data service, voice, paging, telemetry etc.
7.17	Area and direction of operation	Geographical area of service
8	Applicants must provide diagrams or sketches of proposed operations.	
9	Adherence to EMC specifications.	
10	Theoretical traffic volume forecasts and alternative routing and redundancy requirements.	
11	Numbering plan for the service.	
12	Quality systems deployed, and quality targets used.	
13	Details of fixed network planning.	
14	Presentation of network planning data in the form of schedules, diagrams, tables and maps for the initial phase and two subsequent phases.	
15	Network management, fault detection, service and maintenance mechanisms.	
16	Equipment specifications, type-approval certificates.	
17	Regulatory requirements (ITU and Act).	
18	Technical expertise.	
19	Service-monitoring capabilities.	

20	<p>Critical Efficiency Factors (a score of 80/100 is required to meet this requirement):</p> <p>a. Technical (spectral efficiency) - defined in terms of maximum volume of traffic (voice/ data) within a given spectrum resource (erlangs/MHz/km² or Mbits/MHz/km²) for voice and data respectively. Technical efficiency indicators include the following:</p> <ul style="list-style-type: none"> (i) Bandwidth efficiency (expressed in bits/ Hz) defined as the amount of information contained in a finite spectrum. Spectral efficiency varies across the country depending on the demand distribution. This also varies with time. (30 points) (ii) Re-use which dictates to what extent the spectrum can be simultaneously used at multiple locations (re-use factor of 1 is the highest): For 3G and LTE technologies re-used factor is 1 (by default). (5 points) (iii) Time - since applications do not typically use information on a continuous basis and can share resources by time multiplexing. This is an intrinsic feature of current mobile technologies. (5 points) <p>(Total = 40 points).</p> <p>b. For broadcast services technical efficiency is defined in terms of ability to address maximum potential audience (coverage) with the minimum amount of spectrum. Not applicable</p> <p>c. Functional efficiency defined in terms of the extent to which the use of spectrum meets the user's needs. Meeting the coverage and speed obligations: 30 points.</p> <p>d. Economic efficiency defines the monetary gain in terms of revenue, profit and value which the licensee derives from that portion of spectrum. Positive NPV: 30 points.</p>
----	--

If additional space is required, please insert duplicate sheets

Authorised Representative 1:

Signature: Printed name:

Authorised Representative 2:

Signature: Printed name:

Authorised Representative 3:

Signature: Printed name:

Authorised Representatives		
Name:	Position:	Signature:

Auction Representatives		
Name:	Position:	Signature:

Authorised Representative 1:

Signature: Printed name:

Authorised Representative 2:

Signature: Printed name:

Authorised Representative 3:

Signature: Printed name:

Lot Categories Applicant wishes to qualify to bid on in Auction Stage						
1 - 4	5 - 8	9	10 - 23	24	25 - 32	33

Please mark with a cross (X) all lot categories which the Applicant wishes to qualify to bid on in Auction Stage.

Authorised Representative 1:

Signature: Printed name:

Authorised Representative 2:

Signature: Printed name:

Authorised Representative 3:

Signature: Printed name:

21. APPENDIX B – SPECIMEN TEMPLATE FOR BANK GUARANTEES

A bank guarantee should be issued by a bank authorised according to **Nedbank Corporate Investment Banking** with a place of business in South Africa in favour of the South African Government represented by the Independent Communications Authority of South Africa, 350 Witch-Hazel Ave, Eco-Park Estate, Centurion, 0144.

BANK GUARANTEE FOR 700MHz, 800MHz, 2600MHz and 3500MHz SPECTRUM AWARD PROCESS

..... (company) is a candidate for the award of radio frequency spectrum licences in the 700MHz, 800MHz, 2600MHz, and 3500MHz bands in South Africa by the Independent Communications Authority of South Africa (ICASA).

We, (bank), undertake herewith irrevocably to pay the South African Government represented by ICASA on first demand, irrespective of the validity and legal effects of the above- mentioned award process, and waiving any objections and please, all amounts up to a maximum of:

ZAR xxx

upon receipt of ICASA's written request for payment, including a declaration according to which

- a) (company) has been awarded a Licence and on the due date, ICASA has received no payment or incomplete payment for the amount demanded.

OR

- b) (company) has violated in another way the rules of the award process.

All payments made under this guarantee reduce our liability by an equivalent amount.

Our guarantee is valid until (date) and is automatically cancelled in full, if you do not avail yourselves of it by this date, irrespective of whether or not this is a bank working day.

South African Law must apply to this bank guarantee, legal domicile being South Africa.

Name of Bank:

Bank signatures:

Remarks:

The above bank guarantee is a specimen only. Exactly the same wording does not necessarily have to be used.

However, the following minimum content is mandatory for the bank guarantee which is submitted:

- Denomination and content of an irrevocably guarantee in case of default payment
- Name of the bank issuing the guarantee, which must be a bank authorised according to **Nedbank Corporate Investment Banking** with a place of business in South Africa;
- Name of the Independent Communications Authority of South Africa, 350 Witch-Hazel Ave, Eco-Park Estate, Centurion, 0144 as the beneficiary;
- Name of the company participating in the auction;
- Irrevocable obligation to pay as soon as the beneficiary makes the demand, irrespective of the validity and legal effects of the auction, and waiving any objections and pleas, upon receipt of a written request for payment, including a declaration according to

which:

a)(company) has been awarded a Licence and on the due date, the beneficiary has received no payment for the amount demanded;

or

b)(company) has violated in another way the rules of the award process;

- Indication of the amount guaranteed, which must comply with the amounts stated.

- Period of validity of the guarantee. For the guarantee for the Application Stage this should be at least 90 (ninety) days after the Application Date. For the guarantee for the Auction Stage this should be at least one year after the Initial Bid Date;

- South African Law designated as the applicable law;
- Legal domicile in South Africa.

22. APPENDIX C -APPLICANT DECLARATION FORM

APPLICANT DECLARATION

I.....(duly authorised person)

Have prepared and/ or compiled, or directly supervised those who have prepared all or parts of this application and/or information constituting this application.

To the best of my knowledge, the application information contained herein, and any attachment thereto, is accurate and not misleading.

I understand that should any information included herein be found to be false or misleading the entire application will be disqualified and the applicant precluded from further consideration within the application process.

I understand that should there be any changes to the information included herein, the Independent Communications Authority of South Africa (ICASA) should be notified immediately.

Name and title of the person authorised to sign this undertaking:

Authorised Signature:

Date: / /2022

I certify that this declaration was signed and sworn to before me at
on the day of 2022, by the deponent who acknowledged that he/she:

knows and understands the contents hereof;

has no objection to taking the prescribed oath or affirmation; and considers this oath or affirmation to be truthful and binding on his/her conscience.

COMMISSIONER OF OATHS

Name:

Address:

Capacity:

23. APPENDIX D – THE CLASSIFICATION OF BATCHES

The batches are classified according to the most recent applicable data from Stats SA, viz the 2016 Community Survey (excluding landline penetration).

Local Municipality	Access to Computer		Access to Cellphone		Access to Internet		Combined (excl Landline)		
	Percent	Percent	Percent	Percent	Percent	Rank	Percent	Rank	Batch
NC074 : Kareeberg	10,4	73,9		13,8	32,7%	213		Sever e	Batch 3
EC136 : Emalahleni	3,7	87,4		23,9	38,3%	212		Sever e	Batch 3
WC052 : Prince Albert	16,5	68,3		31,5	38,8%	211		Sever e	Batch 3
EC102 : Blue Crane Route	9,1	76,4		31,9	39,2%	210		Sever e	Batch 3
EC135 : Intsika Yethu	3,4	88,5		26,7	39,5%	209		Sever e	Batch 3
EC141 : Elundini	4,0	91,1		26,3	40,5%	208		Sever e	Batch 3
EC154 : Port St Johns	3,9	90,9		27,4	40,7%	207		Sever e	Batch 3
EC155 : Nyandeni	3,8	90,9		27,7	40,8%	206		Sever e	Batch 3
NC066 : Karoo Hoogland	25,0	73,4		24,4	41,0%	205		Sever e	Batch 3

NC064 : Kamiesberg	18,9	73,5	31,5	41,3%	204	Sever e	Batch 3
EC444 : Ntabankulu	3,5	90,5	30,0	41,3%	203	Sever e	Batch 3
EC138 : Sakhisizwe	7,0	89,6	29,4	42,0%	202	Sever e	Batch 3
EC442 : Umzimvubu	4,0	90,9	31,4	42,1%	201	Sever e	Batch 3
NW381 : Ratlou	6,0	87,8	33,2	42,3%	200	Sever e	Batch 3
NC451 : Joe Morolong	7,8	91,6	27,8	42,4%	199	Sever e	Batch 3
EC121 : Mbhashe	4,0	91,0	32,3	42,4%	198	Sever e	Batch 3
EC124 : Amahlathi	7,8	86,5	33,1	42,5%	197	Sever e	Batch 3
EC137 : Engcobo	2,8	91,1	33,8	42,6%	196	Sever e	Batch 3
KZN434 : Ubuhlebezwe	6,4	88,9	33,3	42,8%	195	Sever e	Batch 3
EC126 : Ngqushwa	5,6	91,2	31,8	42,9%	194	Sever e	Batch 3
EC156 : Mhlontlo	3,8	90,7	34,3	42,9%	193	Sever e	Batch 3
EC122 : Minquma	6,9	90,8	32,6	43,4%	192	Sever e	Batch 3
NC071 : Ubuntu	18,9	77,5	35,7	44,0%	191	Sever e	Batch 3
EC145 : Walter Sisulu	14,9	81,1	36,1	44,0%	190	Sever e	Batch 3

NC084 : IKheis	13,1	70,3	49,1	44,1%	189	Severe	Batch 3
EC142 : Senqu	6,5	89,1	37,5	44,4%	188	Severe	Batch 3
WC041 : Kannaland	21,9	74,6	36,7	44,4%	187	Severe	Batch 3
NC075 : Renosterberg	18,7	72,3	42,4	44,4%	186	Severe	Batch 3
NW397 : Kagisano/Molopo	7,9	90,4	35,2	44,5%	185	Severe	Batch 3
EC105 : Ndlambe	17,2	87,9	28,5	44,5%	184	Severe	Batch 3
EC441 : Matatiele	6,3	92,0	36,9	45,0%	183	Severe	Batch 3
LIM351 : Blouberg	8,4	92,4	35,0	45,3%	182	Severe	Batch 3
KZN261 : eDumbe	7,4	94,3	34,2	45,3%	181	Severe	Batch 3
EC101 : Dr Beyers Naude	14,3	83,2	39,7	45,7%	180	Severe	Batch 3
NC072 : Umsobomvu	13,2	81,7	42,7	45,9%	179	Severe	Batch 3
EC443 : Mbizana	4,5	93,1	40,4	46,0%	178	Severe	Batch 3
KZN227 : Richmond	10,3	92,1	35,7	46,0%	177	Severe	Batch 3
NC092 : Dikgatlong	14,1	82,4	41,6	46,0%	176	Severe	Batch 3
KZN245 : Umvoti	9,3	94,2	34,8	46,1%	175	Severe	Batch 3

KZN244 : Msinga	3,4	91,2	43,7	46,1%	174	Severe	Batch 3
MP303 : Mkhondo	10,0	91,0	37,8	46,3%	173	Severe	Batch 3
NW394 : Greater Taung	8,5	90,4	40,3	46,4%	172	Severe	Batch 3
KZN281 : Mfolozi	9,0	93,4	36,8	46,4%	171	Severe	Batch 3
LIM471 : Ephraim Mogale	12,5	92,0	34,6	46,4%	170	Severe	Batch 3
EC153 : Ngquza Hill	4,0	93,6	41,6	46,4%	169	Severe	Batch 3
NC082 : Kai !Garib	18,6	84,0	36,7	46,5%	168	Severe	Batch 3
FS163 : Mohokare	12,1	87,3	40,1	46,5%	167	Severe	Batch 3
EC106 : Sundays River Valley	6,5	86,6	46,8	46,6%	166	Severe	Batch 3
KZN271 : Umhlabuyalingana	3,5	91,5	45,0	46,6%	165	Severe	Batch 3
KZN213 : Umzumbe	7,2	93,7	39,1	46,7%	164	Severe	Batch 3
LIM341 : Musina	14,6	93,3	32,9	47,0%	163	Severe	Batch 3
EC129 : Raymond Mhlaba	8,6	89,8	43,4	47,3%	162	Severe	Batch 3
KZN253 : Emadlangeni	14,8	95,2	32,3	47,4%	161	Severe	Batch 3
KZN435 : Umzimkhulu	4,6	93,9	45,0	47,8%	160	Severe	Batch 3

KZN214 : uMuziwabantu	5,2	86,1	52,2	47,8%	159	Severe	Batch 3
NW375 : Moses Kotane	14,0	91,8	38,2	48,0%	158	Severe	Batch 3
NW385 : Ramotshere Moiloa	13,2	88,6	42,9	48,2%	157	Severe	Batch 3
NC076 : Thembelihle	26,7	76,2	42,1	48,3%	156	Severe	Batch 3
KZN286 : Nkandla	3,4	94,7	47,2	48,4%	155	Severe	Batch 3
KZN254 : Dannhauser	9,0	92,5	43,9	48,4%	154	Severe	Batch 3
EC109 : Kou-Kamma	16,9	80,2	48,4	48,5%	153	Severe	Batch 3
LIM335 : Maruleng	12,8	94,7	38,7	48,7%	152	Severe	Batch 3
KZN293 : Ndwedwe	5,5	90,5	50,2	48,8%	151	Severe	Batch 3
KZN235 : Okhahlamba	8,4	95,5	43,2	49,0%	150	Severe	Batch 3
LIM353 : Molemole	14,4	93,7	39,1	49,1%	149	Severe	Batch 3
NW382 : Tswaing	9,0	86,6	51,7	49,1%	148	Severe	Batch 3
KZN272 : Jozini	3,2	92,1	52,1	49,1%	147	Severe	Batch 3
NC065 : Hantam	26,6	74,8	46,4	49,2%	146	Severe	Batch 3
KZN262 : uPhongolo	8,2	93,8	45,9	49,3%	145	Severe	Batch 3

LIM355 : Lepele-Nkumpi	13,1	94,3	40,6	49,3%	144	Severe	Batch 3
KZN436 : Dr Nkosazana Dlamini Zuma	8,6	93,2	46,7	49,5%	143	Severe	Batch 3
KZN224 : Impendle	6,3	91,1	51,2	49,5%	142	Severe	Batch 3
KZN294 : Maphumulo	4,5	91,0	53,6	49,7%	141	Severe	Batch 3
KZN242 : Nqutu	6,3	91,6	51,5	49,8%	140	Severe	Batch 3
FS161 : Letsemeng	16,9	82,9	49,7	49,8%	139	Severe	Batch 3
LIM332 : Greater Letaba	13,9	92,3	43,6	49,9%	138	Severe	Batch 3
EC123 : Great Kei	15,7	92,2	42,2	50,0%	137	Severe	Batch 3
LIM333 : Greater Tzaneen	14,8	93,6	42,0	50,1%	136	Severe	Batch 3
KZN265 : Nongoma	6,7	93,5	50,7	50,3%	135	Severe	Batch 3
FS182 : Tokologo	14,7	85,8	50,6	50,4%	134	Severe	Batch 3
EC157 : King Sabata Dalindyebo	12,2	93,0	46,1	50,4%	133	Severe	Batch 3
NW384 : Ditsobotla	14,4	88,0	49,5	50,6%	132	Severe	Batch 3
KZN226 : Mkhambathini	11,9	89,0	51,0	50,7%	131	Severe	Batch 3
NW392 : Naledi	19,4	90,2	42,4	50,7%	130	Severe	Batch 3

NC073 : Emthanjeni	21,7	84,2	46,4	50,8%	129	Severe	Batch 3
KZN284 : uMlalazi	11,2	91,8	49,9	51,0%	128	Severe	Batch 3
LIM345 : New (Collins Chabane)	11,2	94,2	48,0	51,1%	127	Severe	Batch 3
KZN285 : Mthonjaneni	6,1	94,3	53,3	51,2%	126	Severe	Batch 3
FS162 : Kopanong	16,0	83,4	54,8	51,4%	125	Severe	Batch 3
FS201 : Moqhaka	19,5	90,6	44,5	51,5%	124	Severe	Batch 3
NW404 : Maquassi Hills	14,4	89,5	51,0	51,6%	123	Severe	Batch 3
WC053 : Beaufort West	22,2	86,6	46,3	51,7%	122	Severe	Batch 3
LIM331 : Greater Giyani	15,2	94,7	45,3	51,7%	121	Severe	Batch 3
LIM472 : Elias Motsoaledi	12,9	94,7	47,9	51,8%	120	Severe	Batch 3
FS203 : Ngwathe	16,2	89,5	50,1	51,9%	119	Severe	Batch 3
KZN221 : uMshwathi	8,7	92,6	54,4	51,9%	118	Severe	Batch 3
LIM473 : Makhuduthamaga	8,7	94,9	52,4	52,0%	117	Severe	Batch 3
KZN223 : Mpofana	17,4	92,3	46,3	52,0%	116	Severe	Batch 3
NC087 : Dawid Kruiper	25,1	87,3	44,5	52,3%	115	Severe	Batch 3

LIM344 : Makhado	15,7	95,4	46,1	52,4%	114	Poor	Batch 2
MP325 : Bushbuckridge	11,0	94,6	52,5	52,7%	113	Poor	Batch 2
FS194 : Maluti a Phofung	15,1	94,3	48,8	52,7%	112	Poor	Batch 2
NC067 : Kh+óí-Ma	15,0	85,7	57,8	52,9%	111	Poor	Batch 2
NC078 : Siyancuma	15,3	84,9	58,4	52,9%	110	Poor	Batch 2
FS185 : Nala	14,5	91,0	53,2	52,9%	109	Poor	Batch 2
NW371 : Moretele	16,7	93,7	48,4	52,9%	108	Poor	Batch 2
NW393 : Mamusa	12,5	90,8	56,2	53,2%	107	Poor	Batch 2
EC139 : Enoch Mgijima	17,0	90,9	51,7	53,2%	106	Poor	Batch 2
NW396 : Lekwa-Teemane	17,2	92,8	50,0	53,3%	105	Poor	Batch 2
KZN291 : Mandeni	11,4	94,4	54,4	53,4%	104	Poor	Batch 2
WC022 : Witzenberg	19,8	90,0	50,3	53,4%	103	Poor	Batch 2
MP301 : Chief Albert Luthuli	13,0	95,1	52,1	53,4%	102	Poor	Batch 2
NC093 : Magareng	16,3	89,2	55,7	53,7%	101	Poor	Batch 2
KZN266 : Ulundi	10,7	93,9	56,7	53,8%	100	Poor	Batch 2

KZN238 : Alfred Duma	14,8	95,6	50,9	53,8%	99	Poor	Batch 2
FS193 : Nketoana	14,7	94,0	52,8	53,8%	98	Poor	Batch 2
KZN237 : Inkosi Langalibalele	12,7	95,6	53,3	53,9%	97	Poor	Batch 2
FS191 : Setsoto	16,8	92,8	52,7	54,1%	96	Poor	Batch 2
NC094 : Phokwane	13,8	90,8	58,1	54,2%	95	Poor	Batch 2
MP306 : Dipaleseng	20,4	91,6	51,0	54,3%	94	Poor	Batch 2
NC091 : Sol Plaatje	24,7	87,1	51,1	54,3%	93	Poor	Batch 2
LIM367 : Mogalakwena	17,2	93,5	52,3	54,3%	92	Poor	Batch 2
LIM334 : Ba-Phalaborwa	17,8	96,1	49,1	54,3%	91	Poor	Batch 2
KZN263 : Abaqulusi	12,6	94,0	56,6	54,4%	90	Poor	Batch 2
NW374 : Kgetlengrivier	23,1	89,5	51,1	54,6%	89	Poor	Batch 2
KZN212 : Umndoni	17,4	92,9	53,4	54,6%	88	Poor	Batch 2
MP316 : Dr JS Moroka	16,2	93,5	54,2	54,6%	87	Poor	Batch 2
FS183 : Tswelopele	15,8	91,3	56,8	54,6%	86	Poor	Batch 2
WC026 : Langeberg	26,5	88,3	49,4	54,7%	85	Poor	Batch 2

MP314 : Emakhazeni	22,2	93,5	48,7	54,8%	84	Poor	Batch 2
LIM362 : Lephalele	24,7	93,9	45,9	54,8%	83	Poor	Batch 2
FS181 : Masilonyana	16,0	87,3	61,5	54,9%	82	Poor	Batch 2
WC045 : Oudtshoorn	29,3	85,8	49,8	55,0%	81	Poor	Batch 2
FS195 : Phumelela	16,5	92,9	56,0	55,1%	80	Poor	Batch 2
LIM476 : Greater Tubatse/Fetakgomo	12,7	94,6	58,4	55,2%	79	Poor	Batch 2
LIM368 : Modimolle/Mookgophong	21,0	92,3	52,8	55,4%	78	Poor	Batch 2
BUF : Buffalo City	20,5	92,5	53,8	55,6%	77	Poor	Batch 2
NW373 : Rustenburg	18,3	95,3	53,6	55,7%	76	Poor	Batch 2
LIM343 : Thulamela	20,6	96,4	51,5	56,2%	75	Poor	Batch 2
WC012 : Cederberg	26,9	87,4	54,3	56,2%	74	Poor	Batch 2
MP324 : Nkomazi	14,8	94,6	59,4	56,3%	73	Poor	Batch 2
NC085 : Tsantsabane	27,8	89,2	52,4	56,4%	72	Poor	Batch 2
KZN241 : Endumeni	19,6	94,9	55,1	56,5%	71	Poor	Batch 2
NC077 : Siyathemba	19,6	79,6	70,4	56,5%	70	Poor	Batch 2

FS196 : Mantsopa	20,2	91,5	58,3	56,7%	69	Poor	Batch 2
NC452 : Ga-Segonyana	18,6	93,5	58,0	56,7%	68	Poor	Batch 2
GT484 : Merafong City	21,2	92,6	56,5	56,8%	67	Poor	Batch 2
FS205 : Mafube	20,2	92,9	57,3	56,8%	66	Poor	Batch 2
KZN292 : KwaDukuza	19,8	94,6	56,2	56,9%	65	Poor	Batch 2
EC131 : Inxuba Yethemba	18,8	88,4	64,0	57,1%	64	Poor	Batch 2
WCO25 : Breede Valley	26,1	90,9	54,2	57,1%	63	Poor	Batch 2
KZN433 : Greater Kokstad	17,4	95,8	58,5	57,2%	62	Poor	Batch 2
EC108 : Kouga	24,1	93,5	54,6	57,4%	61	Poor	Batch 2
NW383 : Mafikeng	21,3	93,5	58,5	57,7%	60	Poor	Batch 2
NW372 : Local Municipality of Madibeng	20,2	95,3	58,2	57,9%	59	Poor	Batch 2
KZN275 : Mtubatuba	10,8	95,9	67,1	57,9%	58	Poor	Batch 2
MP305 : Lekwa	18,3	94,1	62,6	58,3%	57	Poor	Batch 2
FS184 : Matjhabeng	23,0	94,0	58,0	58,3%	56	Poor	Batch 2
WCO15 : Swartland	32,8	88,4	54,0	58,4%	55	Poor	Batch 2

KZN216 : Ray Nkonyeni	20,4	94,3	60,6	58,4%	54	Poor	Batch 2
MP326 : City of Mbombela	20,8	95,4	59,3	58,5%	53	Poor	Batch 2
EC104 : Makana	26,1	91,4	58,6	58,7%	52	Poor	Batch 2
FS192 : Dihlabeng	27,0	94,4	54,9	58,8%	51	Poor	Batch 2
NW403 : City of Matlosana	24,7	93,2	58,4	58,8%	50	Poor	Batch 2
WC031 : Theewaterskloof	25,0	91,6	59,8	58,8%	49	Poor	Batch 2
WC051 : Laingsburg	33,5	81,0	62,0	58,8%	48	Poor	Batch 2
LIM354 : Polokwane	26,0	93,4	57,3	58,9%	47	Poor	Batch 2
GT485 : Rand West City	22,2	93,1	62,3	59,2%	46	Poor	Batch 2
KZN276 : Big Five Hlabisa	10,9	95,1	72,0	59,3%	45	Poor	Batch 2
National Average				59,5%			
MP304 : Dr Pixley Ka Isaka Seme	16,8	94,2	67,8	59,6%	44	Fair	Batch 1
MP302 : Msukaligwa	25,4	94,2	59,7	59,8%	43	Fair	Batch 1
WC034 : Swellendam	32,4	87,8	59,3	59,8%	42	Fair	Batch 1
MP315 : Thembisile	20,4	94,0	65,4	59,9%	41	Fair	Batch 1

MP321 : Thaba Chweu	28,3	95,6	56,3	60,0%	40	Fair	Batch 1
WC033 : Cape Agulhas	29,7	91,9	58,9	60,2%	39	Fair	Batch 1
MP311 : Victor Khanye	23,4	95,8	61,5	60,2%	38	Fair	Batch 1
NC086 : Kgatelopele	31,4	95,2	54,3	60,3%	37	Fair	Batch 1
NW405 : Ventersdorp/Tlokwe (JB Marks)	32,0	92,7	56,2	60,3%	36	Fair	Batch 1
WC047 : Bitou	24,2	90,2	67,1	60,5%	35	Fair	Batch 1
NC062 : Nama Khoi	28,8	90,0	63,0	60,6%	34	Fair	Batch 1
LIM366 : Bela-Bela	24,6	95,5	62,0	60,7%	33	Fair	Batch 1
NMA : Nelson Mandela Bay	26,3	92,7	63,2	60,7%	32	Fair	Batch 1
WC048 : Knysna	32,2	90,3	60,5	61,0%	31	Fair	Batch 1
WC014 : Saldanha Bay	26,6	95,5	60,9	61,0%	30	Fair	Batch 1
FS204 : Metsimaholo	27,1	95,3	60,8	61,1%	29	Fair	Batch 1
MAN : Mangaung	29,5	93,2	60,6	61,1%	28	Fair	Batch 1
WC011 : Matzikama	26,6	87,6	69,7	61,3%	27	Fair	Batch 1
LIM361 : Thabazimbi	22,8	96,6	64,5	61,3%	26	Fair	Batch 1

KZN252 : Newcastle	20,1	96,0	68,9	61,6%	25	Fair	Batch 1
GT423 : Lesedi	27,9	94,1	63,2	61,7%	24	Fair	Batch 1
WC044 : George	30,4	89,7	66,9	62,3%	23	Fair	Batch 1
GT421 : Emfuleni	27,3	94,7	65,0	62,3%	22	Fair	Batch 1
KZN225 : The Msunduzi	26,0	94,3	66,8	62,4%	21	Fair	Batch 1
MP312 : Emalahleni	28,7	94,6	64,8	62,7%	20	Fair	Batch 1
WC013 : Bergrivier	35,4	90,6	62,4	62,8%	19	Fair	Batch 1
KZN222 : uMngeni	29,9	94,3	65,6	63,3%	18	Fair	Batch 1
WC042 : Hessequa	33,3	91,5	65,1	63,3%	17	Fair	Batch 1
GT481 : Mogale City	31,4	95,4	64,6	63,8%	16	Fair	Batch 1
ETH : eThekweni	27,7	94,4	69,8	64,0%	15	Fair	Batch 1
MP313 : Steve Tshwete	30,5	96,6	66,0	64,4%	14	Fair	Batch 1
EKU : Ekurhuleni	29,3	95,4	69,7	64,8%	13	Fair	Batch 1
NC453 : Gamagara	43,9	95,3	55,3	64,8%	12	Fair	Batch 1
WC043 : Mossel Bay	30,1	91,2	74,3	65,2%	11	Fair	Batch 1

NC061 : Richtersveld	35,9	96,2	63,8	65,3%	10	Fair	Batch 1
MP307 : Govan Mbeki	29,5	95,6	71,3	65,5%	9	Good	
WC032 : Overstrand	36,7	93,8	66,6	65,7%	8	Good	
JHB : City of Johannesburg	33,3	95,6	70,8	66,6%	7	Good	
KZN282 : uMhlatuze	27,8	97,2	75,8	66,9%	6	Good	
CPT : City of Cape Town	36,5	94,5	71,2	67,4%	5	Good	
WC024 : Stellenbosch	33,8	94,0	76,7	68,2%	4	Good	
GT422 : Midvaal	42,3	95,4	67,8	68,5%	3	Good	
WC023 : Drakenstein	36,3	91,6	78,3	68,7%	2	Good	
TSH : City of Tshwane	39,9	96,2	72,1	69,4%	1	Good	

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065