

## GOVERNMENT NOTICE

### DEPARTMENT OF COMMUNICATIONS

No. 85

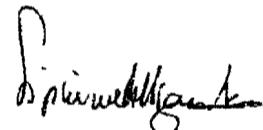
8 February 2010

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

#### DETERMINATION ISSUED UNDER THE ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005) WITH REGARD TO UNIVERSAL ACCESS TO AND THE UNIVERSAL PROVISION OF ELECTRONIC COMMUNICATIONS SERVICES AND ELECTRONIC COMMUNICATIONS NETWORK SERVICES

I, Gen (Ret) Siphiwe Nyanda, Minister of Communications, hereby determine in terms of section 82(3) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) what constitutes —

- (a) universal access by all areas and communities in the Republic to electronic communications services and electronic communications network services; and
- (b) the universal provision for all persons in the Republic of electronic communications services and access to electronic communications networks, as set out in the Schedule.



GEN (RET) SIPHIWE NYANDA  
MINISTER OF COMMUNICATIONS

## SCHEDULE

### Determination in respect of Universal Access

1. (a) **Universal access** is provided where all persons in all areas and communities are able to obtain quality, affordable and usable access to a publicly available minimum set of quality –
  - (i) electronic communications network service and electronic communications service, including voice, messaging and data electronic communications service and, in the case of data, including a broadband connection, and access to emergency services using free calls and messaging; and
  - (ii) broadcasting service, including television and sound broadcasting service.
  - (b) The following **universal access targets** apply for a maximum period of two years or until amended or substituted, whichever occurs first:
    - (i) For **voice electronic communications service** the targets are –
      - (aa) at least one working public telephone or community service telephone at a public access point in a geographically founded community of up to 2 000 persons, and an additional such telephone for every additional 2 000 persons in such a geographical founded community, on request of such community; and
      - (bb) access to a voice electronic communications service at a public access point within a range of one kilometre from any person residing in such a geographically founded community.
    - (ii) For **data electronic communications service** the targets are –
      - (aa) at least one public broadband internet access point in a geographically founded community of up to 10 000 persons, and if the population of the community is more than 10 000 persons, then at least one public broadband internet access point for every additional 10 000 persons in that community or part thereof; and
      - (bb) access to a data electronic communications service at a public access point within a range of two kilometres from any person residing in such a geographically founded community.
    - (iii) For **broadcasting service** the targets are –
      - (aa) for each district municipality, access to at least one community radio broadcasting service in the most relevant languages for that community;