

Independent Communications Authority of South Africa
Pinnhill Farm, 164 Katherine Street, Sandton
Private Bag X10002, Sandton, 2146

FREQUENCY SPECTRUM AND RADIO STATION LICENCES


WIRELESS BUSINESS SOLUTIONS (PTY) LTD

The Authority, in exercising the powers conferred upon it by Section 30 of the Telecommunications Act, 1996 (Act 103 of 1996), as amended, and the applicable regulations hereby issues these frequency spectrum and radio station licences to Wireless Business Solutions (Pty) Ltd of 15th floor Radio Park Building, 24 Henley Road, Auckland Park to use the radio frequency spectrum and to construct, maintain and use a radio station subject to the Act, the regulations and the terms and conditions as attached hereto.

SIGNED AT SANDTON ON THIS 19th DAY OF JULY 2004.



JACQUELINE B MANCHE
CHIEF EXECUTIVE OFFICER



MANDLA LANGA
CHAIRPERSON

M. Langa (Chairperson), N Bulbulia, T Cohen, P Mashile, ZR Masiza, M Mohlala, L Mtimde (Councilors)
JB Manche (Chief Executive Officer)

FREQUENCY SPECTRUM AND RADIO STATION LICENCES TERMS AND CONDITIONS

1. DEFINITIONS.

In this licence, unless otherwise stated, words and terms used shall have the same meaning as defined in the Telecommunications Act, 1996 (Act 103 of 1996), as amended, and the regulations thereunder.

2. RIGHT TO CONSTRUCT, USE AND MAINTAIN A RADIO STATION AND TO USE THE RADIO FREQUENCY SPECTRUM.

2.1. The station licence authorises the licensee to erect, maintain and operate a Broadband Wireless Data Network.

2.2. The frequency spectrum licence authorises the licensee to use the frequencies, in accordance with the technical characteristics set out in the application form (annexure 1), which application form (annexure 1) is incorporated into and forms part of this licence.

2.3. The system shall be used for broadband wireless services on a national basis and shall be provided in accordance with WBS's National Mobile Data Telecommunications Licence ("NMDTL") licence stipulations and will be deployed on the basis of point-to-multipoint services.

2.4. The frequencies assigned for use are:

1787.0 – 1797.0 MHz

10 MHz unpaired spectrum

3. LICENCE FEES.

The licensee shall pay annual station and frequency spectrum licence fees as specified below:

3.1. Annual Fixed Licence Fee:

= R 500,000.00

3.2. Annual Frequency Spectrum fee:

R 50,000.00 x 10 MHz unpaired radio frequency spectrum
= R 500,000.00

3.3. Total

R 500,000.00 + R 500,000.00 = R 1,000,000.00

3.4. Only upon payment of these fees shall this licence be valid

4. VALIDITY OF LICENCE.

- 4.1. This licence shall be valid from the date of issue to the 31st December of the year which it was issued.
- 4.2. It is automatically renewed until 31 December of the succeeding year upon payment of the prescribed annual licence fee for that year.
- 4.3. Notwithstanding the above, this licence shall expire upon termination, for any reason, of the NMDTL licence issued to the WBS Pty (Ltd).

5. USE OF EQUIPMENT

The Licensee shall be permitted to use any equipment necessary for the efficient and effective use of the frequency spectrum assigned herein; provided that such equipment has received type approval by the Authority.

6. OPERATING POWER

- 6.1. The maximum transmitter output power shall be 24 dBm.
- 6.2. The maximum effective radiated power ("EIRP") of base station transmitters shall be 36 dBm.

7. TECHNICAL SPECIFICATIONS

The technical specifications applicable to this licence are those included below:

- 7.1. The Technical Standards for the Licensed Lines installed, maintained and used by the Licensee shall conform to the applicable specifications and standards as defined and as approved by the Authority and applicable to the frequency spectrum bands allocated by the Authority from time to time.
- 7.2. The Licensee shall, at all times, comply with the recommendations of the ITU and its associated organisations as they apply to the Republic from time to time.
- 7.3. The Licensee shall introduce measures and at all times use its resources to ensure that apparatus in the Licensed Lines including Terminal Equipment owned by the Licensee shall comply with:
 - 7.3.1. the requirements of Electro Magnetic Compatibility; and
 - 7.3.2. the requirements of the network interface

- 7.4. Nominal call quality shall be within the applicable parameter ranges contained in the specifications and standards as defined in the NMDTL.

8. GENERAL CONDITIONS.

- 8.1. These licences are granted for use only at the location and on the frequency as stipulated. All other technical parameters stipulated must also be adhered to.
- 8.2. The Broadband Wireless Data Network shall be operated in such a manner that it shall not cause interference to any other lawful or other licensed operation. If such interference should occur to any such telecommunication service, the station shall be switched off without delay until the interference has been eliminated.
- 8.3. The licensee shall at all times observe the provisions of international telecommunications conventions, such as those governing the International Telecommunication Union (ITU).
- 8.4. Interconnection with a public switched telecommunications network (PSTN) either directly or by means of exchange lines or indirectly via a PABX must be negotiated directly with the public switched telecommunications service (PSTS) licensees.
- 8.5. All equipment and apparatus to be used by the licensee must be type-approved by the Authority.
- 8.6. The licensee indemnifies ICASA against any claims for liability of damage which may occur as a result of the switching off of the station referred to in clause 8.2 or, as a result of any interruption in the station or the associated space segment portions which may affect the quality of signals.
- 8.7. Furthermore, the licensee indemnifies ICASA against any claims for damages which may result from interference to or interruption of the station caused by radio users and telecommunication lines lawfully operated in terms of the Radio Regulations, of the Telecommunications Act, (No. 103 of 1996).
- 8.8. This licence does not exempt the licensee or users of this system from complying with any licensing conditions or requirements as determined by the Authority in accordance with the Independent Broadcasting Authority Act, 1993 (Act No 153 of 1993) to the extent that the Act is applicable.
- 8.9. In the event that the Authority requires the licensee to be in possession of a telecommunications service licence for the provision of the service contemplated in this licence, such requirement being prescribed in terms of s33 (1) (b) of the Telecommunications Act, as amended, then the licensee must apply for such service licence within three (3) months after the Authority has so prescribed.

- 8.10. The Authority may arrange to inspect the system for compliance with the conditions of this licence. The inspectors must be allowed access to the premises and equipment for this purpose, at all reasonable times.
- 8.11. The licensee shall inform the Authority in writing of the location, configuration and full technical parameters of each installed base station no later than thirty (30) days after the installation is completed.

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