

4 May 2008

## Memorandum

ICASA Workshop on Licence Exemptions with regard to frequency  
Held @ ICASA  
8 May 2008

The workshop was convened to discuss industry response to the Draft Regulations published by ICASA.

ICASA were unfortunately not very organised. They initiated the workshop with a presentation as to certain changes they had made to the Draft Regulation – this was mostly to do with the insertion of definitions (which they had not in fact completed). The level of expertise in the audience was high and valuable input was received.

History of this process:

1. General Notice 533 of 2004 passed under the Telecommunications Act remains in force.
2. A Draft Regulation covering both service licence and frequency licence exemptions was published on 29 September 2007 (General Notice 1114 of 2007 in GG30280).
3. This was later revised and ICASA decided to split the service licence and frequency licence exemptions (correctly I think). The service licence exemption process is almost finalised. The frequency licence exemption side commenced with the publication of General Notice 432 of 2008 in GG 30955 on 7 April 2008. This draft is almost identical to the General Notice 533 of 2004 although restrictions relating to single premises have been removed.
4. At the workshop ICASA had made further changes and a copy of the latest document is attached. This is marked up on the basis of comments made during the workshop.

There is unlikely to be any further public participation although there may be delays in the finalisation of this exercise if ICASA decides to integrate it with the parallel RFID process.

Notes:

1. There was solid support for an increase in EIRP levels in the ISM bands, particularly the 5.8GHz ISM band. Motorola in particular have done a great deal of testing and deployment in this band and pointed to the huge success of the band in the US and UK where it is completely unregulated. ICASA stated that they had finalised the separate enquiry into this band and would publish the results shortly. All indications are that the current 25mW EIRP limitation will be significantly increased.
2. ICASA did not feel they had the latitude to increase the EIRP levels for the 2.4 GHz ISM band.
3. I asked Telkom a question regarding their continued use of the 2.4 GHz band. They indicated there was still extensive use in the rural areas but they acknowledged that the technology was dated and that there would be a move away in the short to medium term.
4. There was also a lot of support for increasing EIRP in the 5.4 GHz Hiperlan band with suggestions of 4W for point-to-multipoint and 200W for point-to-point. It was noted that the EU limit of 4W for both pt2pt and pt2multipoint is in place due to the large number of military installations.
5. Note the requirement that Dynamic Frequency Selection (DFS) and Transmitter Power Control (TPC) protocols must be used in 5.4GHz. This is for the protection of ground radar systems.

Any further comments in respect of the draft are required by 16h30 on Tuesday 20 May 2008.