



Independent Communications Authority of South Africa
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MEDIA RELEASE

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ICASA DECIDES NOT TO APPEAL VANS JUDGMENT

JOHANNESBURG - ICASA has resolved not to apply for leave to appeal to the Supreme Court of Appeal against the judgment of the High Court in *Altech v ICASA, the Minister of Communications and Others*. The judgment was handed down 10 days ago. According to the judgment ICASA must *convert* value added network service (VANS) licences issued under the (now repealed) Telecommunications Act. The process of consideration of applications by VANS licensees for new licences thus falls away.

Before the High Court Judgment it had been common cause that VANS licensees would be issued with electronic communications services (ECS) licences. However only some of them would have been issued with electronic communications network services (ECNS) licences. Now the Court has, however, held that VANS licensees are entitled to be converted to having both Individual ECS and individual ECNS licences.

ICASA wishes to point out that VANS licensees should bear in mind that conversion will take place in accordance with section 93 of the Electronic Communications Act which, inter alia, provides that as part of the conversion process, ICASA may grant rights and impose obligations on the licensees in order to ensure that the existing licences comply with this Act, including the continuation of any obligations imposed upon existing licensees by virtue of a previous determination.

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