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TELECOMMUNICATIONS ACT, 1996, (ACT 103 OF 1996)

REGULATIONS IN RESPECT OF THE LABELLING OF TELCOMMUNICATION EQUIPMENT

In terms of section 96(6) of the Telecommunications Act, 1996 (Act 103 of 1996), I, Dr. Ivy Matsepe-Casaburri, Minister of Communications, hereby approve and publish the regulations in the schedule made by the Independent Communications Authority of South Africa in terms of section 96(1) read with section 96(7), 96(3) and 100(3) (b) of the said Act.

Dr. Ivy Matsepe-Casaburri

Minister of Communications

SCHEDULE

Amendment of regulations

1. These regulations amend regulation 19(3) of chapter 3 of the telecommunication regulations published in Regulation Gazette No. 1463 on 26 August 1994

Definitions

2. In these regulations, words shall have the same meaning assigned to them in the Telecommunications Act (Act 103 of 1996) unless the context indicates otherwise.

"**ICASA logo**" means the logo of the Independent Communications Authority of South Africa obtainable at any office of the Authority.

Labeling of telecommunication equipment, facility, radio apparatus and container

3. (1) All type-approved telecommunication equipment, facility or radio apparatus shall have a legible label permanently affixed to the outside of such equipment, facility or radio apparatus, bearing
 - (a) The ICASA logo and
 - (b) The ICASA issued licence number.(2) The label must be affixed before the product is made available for sale or lease or is supplied in any other manner.

4. The container in which the equipment, facility or radio apparatus referred to in regulation 3 is supplied shall bear a similar label.
5. The minimum size of the ICASA logo shall be 3 mm high by 3 mm wide.
6. Labels may be obtained from the Authority upon payment of the applicable fee.
7. In the event of a supplier wanting to produce his own label, a sample of the proposed label shall accompany the application for the type-approval of the telecommunication equipment, facility or radio apparatus. This label may only be used if approved by the Authority in writing.
8. No person may use a label similar to that referred to in regulation 3 and 4 for any non type-approved equipment, facility or radio apparatus.
9. Where it is shown that a permanently affixed label is not desirable or is not feasible, an alternative method of displaying the required information may be used if approved by the Authority in writing. The proposed alternative method of labeling and the justification for its use shall accompany the application for the type-approval of the equipment, facility or radio apparatus.

Application

10. These regulations shall apply to new equipment only, and shall come into effect 6 (six) months from the date of publication.

Offence (Section 96(3))

11. The licence holder shall be guilty of an offence if he or she fails to comply with these regulations and shall on conviction be liable to a fine not exceeding R250 000 or imprisonment not exceeding six months.

Penalty (Section 100(3)(b))

12. Where the Authority, after investigation and adjudication in terms of section 100 of the Act, finds that the licence holder concerned has been responsible for a contravention of these regulations, the Authority may impose a fine not exceeding R250 000.
13. A sample of the ICASA label is included below:

