



**Independent Communications Authority of South Africa**  
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## **MEDIA RELEASE**

### **ICASA reaffirms its position to appeal the judgement on the licensing of spectrum**

**16 March 2021**

**Pretoria** – The Independent Communications Authority of South Africa (ICASA/the Authority) has considered the detailed reasons for judgement in respect of the interdict granted to Telkom and e.tv, as it relates to the Invitation To Apply (“ITA”) for high-demand International Mobile Telecommunications (“IMT”) spectrum, as well as the ITA for the Wireless Open Access Network (“WOAN”).

The Council of the Authority reaffirms its view that it is of utmost importance that the spectrum be licensed, and that all avenues be pursued to avoid further delays in the process.

To this end, and having taken legal advice, the Council has resolved to pursue an expedited appeal against the decision of the Pretoria High Court, which may include directly petitioning the Constitutional Court. The Authority is mindful that the legal process may not be the only option to resolve the matter. As such, the Authority is also exploring entering into settlement discussions with active litigants in this matter whilst the legal processes are unfolding.

“We are of the view, and have been accordingly advised that there are good grounds for an appeal on this particular matter. Hence we are going ahead with such an appeal. We are, however, not entering into any mediation process but are open to explore settlement discussions with parties that deposed affidavits in Court,” says ICASA Chairperson, Dr Keabetswe Modimoeng.

The Authority has since halted all processes relating to the licensing of high demand spectrum and the WOAN pending the outcome of the court processes that will follow in this regard.

**Ends...**

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