

**DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES**

NO. 3237

31 March 2023

**ELECTRONIC COMMUNICATIONS ACT, 2005  
(ACT NO. 36 OF 2005)****POLICY DIRECTION ON RAPID DEPLOYMENT OF ELECTRONIC  
COMMUNICATIONS NETWORKS AND FACILITIES**

The Minister of Communications and Digital Technologies hereby, following Cabinet approval on 29 March 2023, issue the policy direction in the Schedule to the Independent Communications Authority of South Africa in terms of section 21 read with section 3(2) of the Electronic Communications Act, 2005 (Act No. 36 of 2005).



**MR. MONDLI GUNGUBELE, MP**  
**MINISTER OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES**  
DATE:

**SCHEDULE****POLICY DIRECTION ON RAPID DEPLOYMENT OF ELECTRONIC COMMUNICATIONS NETWORKS AND FACILITIES****1. BACKGROUND**

The Minister issued policy on rapid deployment of electronic communications networks and facilities as required under section 21 of the Electronic Communications Act, 2005 (Act No. 36 of 2005) (the ECA). The ECA provides that the Independent Communications Authority of South Africa (the Authority) must, after the Minister issued the policy, prescribe regulations on the rapid deployment of electronic communications networks and facilities to provide for relevant procedures and processes.

**2. POLICY DIRECTION**

2.1 The Minister directs the Authority, in terms of section 21 read with section 3(2) of the ECA, to prescribe regulations on the rapid deployment of electronic communications networks and facilities (broadband infrastructure). The regulations must include procedures and processes for resolving disputes that may arise between a licensee and a property owner or any affected person whose rights or legitimate expectations may be materially and adversely affected when a licensee enters upon and uses public and private land for the deployment of broadband infrastructure. The regulations must promote the public interest in the rapid rollout of broadband infrastructure.

2.2 The procedures and processes contemplated in paragraph 2.1 may include -

- a) the manner, costs of and time within which a decision must be made;
- b) the implementation and publication of decisions made in terms of the dispute resolution procedure; and
- c) how reasonable compensation may be determined.

2.3 The Authority must, in the development of the rapid deployment regulations, consider any policy on the rapid deployment of electronic communications networks and facilities issued by the Minister.