

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**ELECTRONIC
COMMUNICATIONS
AMENDMENT BILL**

[B 38—2007]

*(As agreed to by the Portfolio Committee on Communications
(National Assembly))*

[B 38A—2007]

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AMENDMENTS AGREED TO

ELECTRONIC COMMUNICATIONS AMENDMENT BILL [B 38—2007]

CLAUSE 2

Clause rejected.

NEW CLAUSES

1. That the following be new Clauses:

Amendment of section 2 of Act 36 of 2005

2. Section 2 of the principal Act is hereby amended by the substitution for paragraph (d) of the following paragraph:

“(d) encourage investment, including strategic infrastructure investment, and innovation in the communications sector;”.

Amendment of section 3 of Act 36 of 2005

3. Section 3 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:

“(1A) The Minister may, after having obtained Cabinet approval, issue a policy direction in order to—
(a) initiate and facilitate intervention by Government to ensure strategic ICT infrastructure investment; and
(b) provide for a framework for the licensing of a public entity by the Authority in terms of Chapter 3.”.

Amendment of section 5 of Act 36 of 2005

4. Section 5 of the principal Act is hereby amended by the substitution in subsection (3) for paragraph (d) of the following paragraph:

“(d) any electronic communications network service, broadcasting service or electronic communications service where a [state] public entity (directly or indirectly) holds an ownership interest of greater than twenty-five (25%) per cent of the share capital of the person providing such service; and”.

PREAMBLE

1. On page 2, in the third line, to omit “telecommunications” and to substitute “electronic communications”.
2. On page 2, in the third line, after “sector” to insert “in order to reduce the cost of access to information, communication and technology”.
3. On page 2, in the fifth line, after “infrastructure” to insert “on wholesale basis at cost orientated rates”.
4. On page 2, in the fifth line, after “services” to insert “to operators”.

5. On page 2, in the seventh line, to omit “state-owned” and to substitute “public”.

LONG TITLE

1. On page 2, in the second line, to omit “a” and to substitute “an additional”.