



GENERAL NOTICE NO. 09/2024

DECISION IN TERMS OF SECTION 32 OF THE ESWATINI COMMUNICATIONS COMMISSION ACT, 2013, TO TEMPORARILY SUSPEND THE GRANT OF GENERAL LICENSES (FOR THE PROVISION OF ELECTRONIC COMMUNICATIONS SERVICES) WHICH DO NOT REQUIRE THE USE OF NUMBERING RESOURCES

Date: 16 September 2024



**ESWATINI
DATA PROTECTION
AUTHORITY**



CIRT
CENTRAL INCIDENT RESPONSE TEAM



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1. THE COMMISSION

The Eswatini Communications Commission is a regulatory body established in terms of the Eswatini Communications Commission (ESCCOM) Act, 2013 to regulate the electronic communications sector including electronic communications networks and services.

2. POWER TO ISSUE LICENCES

The Commission is mandated by Sections 7(g) and 38(a) of the Eswatini Communications Commissions Act, 2013, to '*grant any authorization for the carrying out of any operation or activity relating to any matter within the remit of the Commission*'. Further, in terms of Section 9(1) of the Electronic Communications Act (ECA), 2013, the Commission may issue electronic communications licences under the categories of General Licences and Individual licences.

Regulation 4 (4) of the Electronic (Licensing) Regulations, 2016 entitles the Commission to determine the number of licences that may be issued under the General Licences category.

3. LICENCES ISSUED TO DATE

The Commission has, since 2016, issued twenty (23) General licences for the provision of electronic communications services which do not require the use of numbering resources. All the licenses are technology-neutral and are valid for a period of five (5) years, renewable upon submitting an intention to renew. The Commission has to date renewed ten (10) licences and granted thirteen (13) new licences.

4. MARKET ASSESMENT AND PUBLIC CONSULTATION

The Commission, in the exercise of its regulatory functions, conducted an assessment on the operationalization of the issued licenses, which revealed that half of the issued licenses are not operational, to date. Consequently, the size of the market dictates that the Commission undertakes a comprehensive study to evaluate the appropriate number of licenses in the market to derive socio-economic benefits for participants and ensure quality of service.

The Commission on the 24th April 2024, under Notice No. 6/2024, invited interested parties, licensees, stakeholders and the general public to make comments on the proposed decision to suspend the grant of general licences (for the provision of electronic communications services) which do not require the use of numbering resources. There were no comments received against the Commission's decision not to grant new licences.

5. DECISION

The Commission hereby suspends the grant of General Licences of electronic communications services that do not require the use of numbering resources; pending completion of the study to evaluate the market. Once the study has been undertaken and the results published, the Commission shall make a determination on whether or not to open the market for new licenses.

The Decision shall come into force on the 18th September 2024.

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Chief Executive

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