



# ESWATINI COMMUNICATIONS COMMISSION

## **ESWATINI COMMUNICATIONS COMMISSION NOTICE NO.** **01/2023**

### **PROPOSED DECISION IN TERMS OF SECTION 32 OF THE ESWATINI COMMUNICATIONS COMMISSION ACT, 2013:**

#### **TO ISSUE ONE (1) GENERAL LICENCE FOR ELECTRONIC COMMUNICATIONS SERVICES**

#### **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 inclusive of electronic communications networks and services, broadcasting services, postal services, the use and allocation of radio frequency spectrum, data protection and e-commerce.

#### **2. POWER TO ISSUE LICENCES**

The Commission is mandated in terms of 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. The right to licence is further established in the Electronic Communications Act, and the Electronic Communications (Licensing) Regulations, 2016.

#### **3. RECEIPT OF APPLICATION FOR ISSUANCE OF A GENERAL LICENCE**

The Commission received an application for the grant of a General Electronic Communications services license from **Starlink Eswatini (PTY) Ltd** in terms of Regulation 4(2) of the Electronic Communications (Licensing) Regulations, 2016.

#### **4. STARLINK (PTY) LTD PROFILE**

**Starlink Eswatini (PTY) Ltd** is a company incorporated under the Eswatini Companies Act No. 8 of 2009. They provide launch services for the private and public sector alike. Since 2018, they have been designing and launching a large constellation of satellites to provide a high speed, low latency broadband internet access service that will be available everywhere on earth. Today, their service is available over forty-five (45) markets around the world and they have more than six hundred thousand (600,000) subscribers.

#### **5. STARLINK (PTY) LTD TECHNICAL DETAILS NETWORK/INFRASTRUCTURE OVERVIEW**

As part of the application the applicant provided an outline of how the services will be rendered. The applicant contends that its network infrastructure layout consists of a low-Earth orbit small satellite constellation to provide low bitrate Internet and Internet of Things services and enable Machine to Machine devices anywhere on Earth utilizing a store and forward design. This system uses extremely small satellites that transmit over the very high frequency (VHF) frequency band in ITU defined Mobile Satellite Service Spectrum. To date StarLink has launched over 3000 of these satellites orbiting the Earth.

The Swarm system used by Starlink consists of four main components:

- Satellites
- User terminals
- Hive Cloud Platform

These three (3) components work in collaboration to provide customers access to the internet and data anywhere in the world anytime.

**Satellites** – the Swarm constellation consists of 3000 satellites deployed in low-Earth orbit. They are equipped with radio frequency transceivers that send and receive signals in VHF Spectrum range. (Earth to space uplink: 148.00 MHz – 150.00 MHz) (Space to Earth Downlink: 137.00 – 138.00 MHz). The satellites can communicate with both user terminals and the gateways and doesn't need to be in view of a gateway to relay communications.

**User Terminals:** shall consist of small, mobile and energy efficient integrated units. These are designed to be easy to use, resilient and inexpensive and making them accessible in remote areas.

## **6. EVALUATION OF APPLICATION**

In terms of Regulation 4(4) of the Electronic Communications (Licensing) Regulations, 2016, General licences are non-exclusive and the Commission is required to issue any number of licences to an applicant that complies with the requirements of the application and the general licence conditions. The Commission evaluated the application and determined that the applicant meets the requirements for the grant of such licence.

## **7. PROPOSED DECISION**

In light of the foregoing, the Commission intends issuing one (1) general licence for electronic communications services which do not require the use of numbering resources to Starlink Eswatini (PTY) Ltd.

## **8. PUBLIC CONSULTATION AND REQUEST FOR WRITTEN SUBMISSIONS**

As part of the public consultation process contemplated in Section 32 of the Eswatini Communications Commission Act, 2013, the Commission hereby invites written comments from interested stakeholders and the general public on the proposed Decision to grant the applicant the General Electronic Communications licence.

The terms and conditions for General Licences are available on the Commission's website at [www.esccom.org.sz](http://www.esccom.org.sz).

The deadline for submission of comments is **17h00 on the 30 March, 2023**. The submissions should be addressed to:

**The Chief Executive  
Eswatini Communications Commission  
P.O. Box 7811 Mbabane  
Email: [legal@esccom.org.sz](mailto:legal@esccom.org.sz)**

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Mvilawemphi Dlamini

**Chief Executive**