



ESWATINI COMMUNICATIONS COMMISSION NOTICE NO. 07 / 2020

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

**TO ISSUE (4) GENERAL LICENCES FOR ELECTRONIC COMMUNICATIONS SERVICES WHICH DO NOT REQUIRE THE USE OF NUMBERING RESOURCES**

**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, 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 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, 2013, the Commission may issue electronic communications licences under the categories of General Licences and Individual Licences.

### **3. RECEIPT OF APPLICATIONS FOR GENERAL LICENCES**

The Commission received applications for general electronic communications services licences from four (4) applicants in terms of Regulation 4(2) of the Electronic Communications (Licensing) Regulations, 2016.

3.1. The applicants were:

- a) Wanderport Networks
- b) Chakaza Holdings
- c) AFRIMETRO Investment (Pty) Ltd
- d) Prosperity Skyless solutions

### **4. EVALUATION OF APPLICATIONS**

In terms of Regulation 4(4) of the Electronic Communications (Licensing) Regulations, 2016, General licences are non-exclusive and the Commission may issue any number of licences to an applicant that complies with the requirements of the application and the general licence conditions.

The requirements for a GEC-ISP are as below:

	<b>Requirements</b>
1.	Fully completed and signed application form
2.	Business Plan
3.	Appointed Directors
4.	details of equity holding (form C and form J)
5.	Appointed Auditors
6.	Resolution of Board of Directors
7.	Certified Copy of certificate of registration
8.	Technical details of Network/Infrastructure
9.	Proof of Financial Capacity

The Commission evaluated the applications and determined that all the four applicants met the requirements for the grant of a licence.

## **5. PROPOSED DECISION**

In light of the foregoing, the Commission intends issuing Four (4) general licences for electronic communications services which do not require the use of numbering resources to:

- (1) **Wanderport Networks**
- (2) **Chakaza Holdings**
- (3) **AFRIMETRO Investment (Pty) Ltd**
- (4) **Prosperity Skyless solutions**

## **6. 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 applicants General Electronic Communications licences. 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 25<sup>th</sup> of January, 2021.** 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