

29 March 2022

Independent Communications Authority of South Africa

Attention: Mr. Peter Mailula

Per email: PMailula@icasa.org.za

CC: chairperson@icasa.org.za

Dear Peter

DRAFT AMENDMENT OF THE CLASS LICENSING PROCESSES AND PROCEDURES REGULATIONS, 2021

1. ISPA refers to the Draft Amendment of the Class Licensing Processes and Procedures Regulations, 2021, published by notice in Government Gazette 45489 on 31 January 2022 {"**the Draft Amendment Regulations**"}
2. The deadline for written submissions stipulated in the notice was 16h00 on 28 February 2022.
3. The Authority will be aware that the Government Printing Works (GPW) and the www.gov.za website were offline for an extended period of time, commencing on 15 January 2022 and extending into February 2022¹.
4. ISPA is uncertain when the site became functional again but was alerted to the existence of the Draft Amendment Regulations on 16 March 2022.
5. ISPA has since that date established that its members have an interest in and wish to object to the Draft Amendment Regulations.
6. ISPA notes the following:
 - 6.1. The Authority did not take any steps to notify licensees or potentially affected parties of the publication of the notice. ISPA is unable to find any announcement of the process on the Authority's website or elsewhere.
 - 6.2. ISPA is further unable to locate the notice containing the Draft Amendment Regulations or any submissions made in respect thereof on the Authority's website as at date of drafting this correspondence.

¹ As reported in [Government Printing Works website offline after hardware failure](#)

7. ISPA submits that the requirements of section 4(4) of the ECA alternatively the requirements of the Promotion of Administrative Justice Act 3 of 2000 have not been met.
8. In the circumstances ISPA calls on the Authority to confirm that it will take steps to withdraw the notice and to republish the Draft Amendment Regulations for comment.
9. ISPA looks forward to the Authority's soonest response and confirms that it will participate in the process to be recommenced.

Regards



ISPA