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Draft Regulations On Rapid Deployment Of Electronic Communications Network And Facilities, 2026

Oral Presentation

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1. Introduction

- The establishment of the Consumer Advisory Panel (CAP).
 - The mandate of CAP.
 - Consumer related issues emanating from the use of postal, broadcasting and telecommunication services
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2. Background

- The White Paper
 - National Policy
 - The Concourt Judgement
 - Standard Draft By laws
 - The broadband policy
 - The ECA
 - ICASA publication of the Draft Regulations, 10 April 2026
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3. Regulations : Definitions

- Wayleave Certificate
 - Wayleave
 - Standard Draft By-laws of 24 February 2023.
 - Access Agreement
 - Property/Land use Agreement
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Regulations : Definitions

CAP FURTHER PROPOSES THAT THE FOLLOWING
DEFINITIONS BE ADDED:

- Property/Land use Agreement.
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4. Responsibilities Of Licensees

- Provision of open and transparent clarification of licensee's rights and obligations.
 - Presentation of wayleaves and other relevant approvals.
 - Communication and presentation of the deployment plan and schedule
 - Clearly stipulated time line of 30 days notice, prior to entry and deployment.
 - Restoration and compensation for damages.
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5. Purpose Of The Regulations

- Outlines clear and transparent processes and procedures.
 - Framework for fair compensation to affected land/property owners.
 - The dispute resolution mechanism.
 - The implementation of the GIS
 - Alignment with the ITU provisions
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6. Process & Procedures For Entry Onto Land Or Property

Provides clear and transparent processes and procedures.

- Presentation of requisite approvals from all relevant local authorities, national authorities, and affected parties.
 - Licensees should remain liable for any damage caused during entry, construction, maintenance, or restoration activities.
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7. Mandatory Consultation

- Provides a platform for open and transparent civil engagement between landowners and licensees.
 - Extensive over consultation may create unnecessary administrative burdens, delays in infrastructure rollout.
 - Increased deployment costs, and regulatory uncertainty.
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8. Removal Of Electronic Communications Networks And Facilities

- Prior consultation.
 - Planned removal plan and schedule.
 - Encourage open and transparent civil engagements.
 - restoration of land or property to a reasonable condition.
 - Liability for any damage caused during the removal process.
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9. Compensation

- Framework for open, transparent engagements.
 - Fair compensation for any loss incurred following entry onto land or property by licensees for network deployment.
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10. Rapid Deployment GIS Database

- Provide accurate information about deployed communications facilities to stakeholders.
 - Management and monitoring tool.
 - Identify unserved or underserved areas
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11. Dispute Resolution

- Provides a clear and accessible dispute resolution mechanism and process
 - Balancing infrastructure expansion with the rights and interests of affected parties.
 - Removal of disruptive obstacles.
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12. Contravention And Penalties

- Compliance and enforcement.
 - Accountability, and responsible conduct by all parties involved.
 - Penalties for non compliance.
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13. Short Title And Commencement

CAP fully agrees and supports these provisions for implementation.



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14. Conclusion

- Advance universal connectivity, accelerate broadband rollout
 - Improve digital inclusion across South Africa
 - Benefit consumers
 - Efficient regulatory framework
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- Consumer interests remain central to the implementation of the Regulations
 - implement the Regulations, with clear consumer-protection safeguards
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Thank You
