



**Independent Communications Authority of South Africa**  
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## **MEDIA STATEMENT**

### **ICASA intends to oppose litigation by Telkom SA on the temporary spectrum**

**13 October 2021**

**Pretoria** – The Independent Communications Authority of South Africa (ICASA/the Authority) hereby confirms that it has resolved to oppose the litigation instituted by Telkom to prevent the expiry of the temporary COVID-19 spectrum allocation.

ICASA believes that the circumstances and considerations that informed the issuing of the radio frequency spectrum at the onset of the pandemic never contemplated that the spectrum would be licensed on a long-term or semi-permanent basis.

The Authority will therefore be derelict in its duty if it were, by default, to perpetuate what is now becoming an anti-competitive, unfair, and unjust spectrum licensing regime, under the guise of pandemic relief.

Public interest dictates that high-demand spectrum be licensed without delay through an open, competitive, and permanent assignment process, in a manner that fulfils the public policy objectives in terms of the Electronic Communications Act, 2005.

It is for this reason that the Authority has set out an expedited timetable for the permanent licensing of this spectrum through an open, market-based approach by no later than the end of March 2022.

In ICASA's view, it would be unfortunate that the Authority's efforts to licence the spectrum are continually frustrated whilst on the other hand the temporary spectrum is mandated through the courts to remain in place in perpetuity.

**Ends...**

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