

25 May 2026

ICASA

For attention: Chairperson - Rapid Deployment Council Committee

Per email: rapiddeployment@icasa.org.za

Dear Councillor and Project Team

DRAFT RAPID DEPLOYMENT REGULATIONS 2026

1. The Internet Service Providers' Association (ISPA) refers to the invitation to comment on the Draft Rapid Deployment Regulations 2026 and sets out its response below.

Why are ISPA and its members interested in this process?

2. ISPA is a trade association representing the interests of internet access providers and related service providers. Members are predominantly ISPs using ECS licences but there are also a number of members that deploy the networks over which ISPs provide services.
3. ISPA has a particular interest in "open access" and has undertaken its own mapping initiatives to identify the location of fibre networks in South Africa and to highlight which of these are open access networks.
4. Ultimately implementation of rapid deployment mechanisms and more efficient use of infrastructure provides a greater network base over which ISPA members can compete in providing innovative and affordable internet access services to a greater number of South Africans.

Policy alignment

5. ISPA would appreciate ICASA making a public statement to clarify how the process to finalise the Draft Regulations will be impacted on, if at all, by the draft policy direction process initiated by the Minister on 12 March 2026.
6. ISPA's understanding is that ICASA will be obliged to consider the substance of a finalised policy direction prior to finalising the Draft Regulations.

Will the Draft Regulations expedite deployment?

7. In ISPA's view the Draft Regulations are more likely to slow down deployment through imposing further obligations on licensees, particularly where consultation obligations are inserted where none currently exist.
8. ISPA's members highlighted that the Draft Regulations are confusing in that it is not clear when obligations relating to access are meant to govern access to public land or private land.
9. It is also clear that regulations developed within the authorising ambit of section 21 of the ECA cannot address the major obstacles to the deployment of electronic communications facilities and networks identified by industry, most of which relate to interactions with municipalities and state-owned entities.
10. ISPA has noted various initiatives under Operation Vulindlela and elsewhere to introduce reforms intended to address financial and capacity constraints restricting service delivery at local government level.
11. ISPA requests ICASA to consider participating (or deepening its participation) in these processes and other intergovernmental fora to advance the cause of rapid deployment in the public interest.

Rapid deployment vs GIS mapping

12. ISPA requests that the Authority give consideration to separating regulations relating to rapid deployment in terms of section 21 of the ECA from regulations relating to GIS mapping.
13. GIS mapping should not be exclusively linked to rapid deployment and does not fall within the scope of section 21 of the ECA.
14. Separating out these two issues should not impede or delay the current process. ICASA will have consulted on both issues, and the only difference is that each issue would form its own independent instrument.

Creating a useful GIS database of broadband infrastructure

15. ISPA's members are excited about the current focus on mapping broadband infrastructure in South Africa and creating and maintaining a GIS database populated with current information.
16. The benefits of such a database for evidence-based policy and regulation making are obvious. Industry also stands to benefit from being able to target investment and competitive opportunities and enhanced protection of deployed electronic communications facilities and networks.

17. ISPA's experience with trying to map fibre networks in South Africa has made it clear that this is a complex exercise. Mapping all broadband infrastructure nationally will present substantial challenges for both ICASA and industry,
18. For this reason, ISPA requests that the Authority consider a phased or iterative approach to the development of the database. This kind of approach should apply to:
 - 18.1. Compliance: It is likely that the vast majority of ECNS licensees will need assistance with developing the tools and processes needed in order to meet their network information reporting obligations and that it may take some time to reach the required reporting standard.
 - 18.2. ISPA requests that ICASA plan and budget for compliance workshops targeting MSME compliance, and offers its assistance in this regard.
 - 18.3. Scope of information required: in the absence of detailed information relating to the security of information submitted by licensees and clarity on access protocols, ISPA believes that it is unreasonable to expect licensees to submit commercially sensitive information to ICASA.
 - 18.4. It may be useful for a first phase of implementation to require the submission of historical georeferenced data on passive physical infrastructure only (not including available space or capacity, which is commercially sensitive),
 - 18.5. ISPA members that own and operate electronic communication networks expressed strong reservations about being required to provide information on planned investments in network deployment, due to the commercially sensitive nature of this information).
19. ISPA supports the use of the Open Fibre Data Standard (OFDS) for fibre mapping purposes, subject to its future ability to map FTTH deployments.

Conclusion

20. ISPA trusts that the above is of assistance to the Authority and confirms that it will participate in any public hearings which may be scheduled.

Regards



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ISPA Chair