



Independent Communications Authority of South Africa

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SPECTRUM LICENSING: RADIO COMMUNICATIONS PROCEDURE MANUAL

AUGUST 2024

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The Executive responsible shall authorise the policy before submission to EXCO.

The authorising and approving officers should sign and write the date of signature in the boxes below;

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Signature		
Date		
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DEFINITIONS

For the purpose of this procedure, unless otherwise stated, the following definitions shall apply:

Activity	An action, element or decision representing a prescribed step in a procedural process.
Associated Document	An associated document, including guidelines and forms, supporting the effective implementation of procedures and related procedures. These are tools that enable the procedure and procedure to be put into practice, e.g. checklists, registration/application forms, information brochures, instructions, etc. It is expected that an associated document is linked to the parent procedure(s).
Code	A mandatory or voluntary statement of recommended practice developed internally by the Authority or externally by an international, national or industry body or other organisation with which the Authority has chosen to comply with.
Compliance	Adherence to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted ethical standards. This definition includes compliance with: Common Law The ICASA and Electronic Communications Act All legislative statutes, and All internal procedures and procedures, including the Authority's code of ethics.
Compliance Breach or Failure	An act or omission whereby any part of the Authority has not met its compliance obligations, processes or behavioural obligations.

Compliance Culture	Means the values, ethics and beliefs that exist throughout the Authority and interact with the Authority's structures and control systems to produce behavioural norms that are conducive to compliance outcomes.
Compliance Management Framework	A mechanism through which the Authority can monitor, review and comply with legislation, regulations, statutes, codes, standards, procedures and procedures.
Form	A pre-formatted document containing instructions and placeholders for data entry to monitor progress through a particular procedure and to ensure proper recordkeeping.
Key Stakeholder	A key stakeholder is someone directly affected by a procedure, including those responsible for implementation and compliance monitoring, and must be consulted during development or revision of the procedure and its associated procedures. A key stakeholder may include ICASA Councillors, ICASA employees, ICASA employee unions, contractors as well as members of the external community.
Management	ICASA staff at a management level who are normally the head of a business unit or department and are responsible for the facilitation, monitoring, coordination and communication to all other staff within their area on compliance matters.
Manual	A system of approved procedure statements and corresponding procedural guidelines and supporting forms that direct the Authority towards its operational goals.
Non-preassigned	Radio frequency spectrum services for which technical evaluation and frequency assignment needs to be done before licensing.
Obligation	The laws, regulations, statutes, codes, procedures, procedures and community standards to which the Authority should comply.

Pre-assigned	Radio frequency spectrum services for which no technical evaluation and frequency assignment needs to be done before licensing.
Procedure	A concise, formal and mandatory statement of principle which provides a framework for decision-making and a means by which the Authority reduces institutional risk. Procedures support the Authority's course for the foreseeable future and should therefore change infrequently.
Procedure decision	A stated course of action with a defined purpose and scope to guide decision making under a given set of circumstances within the framework of corporate objectives, goals and management philosophies.
Procedure owner	The procedure owner is a management position responsible for the development, oversight and review of a procedure.
Process	A series of prescribed steps followed in a definite regular order which ensure adherence to the guidelines set forth in a procedure or procedure to which the process applies.
Responsibility	The management position responsible for implementation of a procedure and procedures, and responsible for monitoring implementation of and compliance with the procedure and its associated procedures.
Responsible Officer	Is a member of staff who is appointed by management to assist in the facilitation, monitoring and reporting of compliance within their business unit or department.
Task	A detailed component of an activity specifying required behaviour to complete that activity.



User

Person or entity with a user account to ASMS

WRAP

The technical radio frequency software tool used to do radio analysis, and that is integrated with the ASMS system

ACRONYMS

ASMS

Automated Spectrum Management System

EXCO

Executive Committee

DA/CL&SO

Divisional Assistant/Client Licensing & Spectrum Officer

IMT

International Mobile Telecommunications

ITA

Invitation To Apply

EFT

Electronic Funds Transfer

1 INTRODUCTION

This procedure manual provides a framework for the implementation of the radio frequency spectrum licensing processes within the Authority, with regards to radio communication. It sets out the detailed requirements and minimum levels of achievement necessary to establish a process for the issuance of radio frequency spectrum licences relevant to radiocommunications applications within the Spectrum Licensing department, to ensure that:

- Radio frequency spectrum applications are processed in a fair manner and without prejudice to any applicant,
- It is issued in line with the Authority's mandate and relevant legislation,
- Internal approval processes are followed, and
- Quality of work is monitored, and consistency is maintained in performing the radio frequency spectrum licensing activities.

1.1 Background

- 1.1.1 Radio frequency spectrum is a scarce resource. The Authority has been mandated by the Electronic Communication Act (ECA) to control, plan, administer and manage the use of radio frequency spectrum, including licensing. The radio frequency spectrum is essential for the deployment of wireless electronic communication networks to provide electronic communications and broadcasting services to consumers.
- 1.1.2 In the deployment of wireless networks, the electronic communications and broadcasting services licensees are required to apply for the preferred frequencies with the Authority and issuance of a spectrum licence.
- 1.1.3 The processing of the radio frequency spectrum applications is to be done in a fair and transparent manner and within the set turnaround times.

1.2 Purpose

- 1.2.1 The purpose of this procedure manual is to prescribe the application of measures necessary to align the internal radio frequency spectrum licensing processes to support the provision of electronic communications services to the consumers by electronic communications services licensees and in line with the Authority's mandate and the objectives of the ECA.
- 1.2.2 This procedure manual guides the spectrum licensing activities within the Spectrum Licensing section and helps in achieving the quality of work and support and ICASA's mission and objectives.

1.3 Scope

- 1.3.1 This procedure manual applies to all staff within the Spectrum Licensing section that deals with radiocommunications applications.
- 1.3.2 This procedure manual applies to all licensing activities of radio communications networks.

2 PROCEDURE STATEMENT

The Spectrum Licensing Radiocommunications Procedure Manual outlines the processes and procedures to be followed when processing the radio frequency spectrum applications for Radio Frequency Spectrum Licences. This section should be read in conjunction with the Spectrum Licensing Procedures Flow-Charts in Annexure A.

2.1 Approval Authorization

2.1.1 The authority to approve licensing applications is derived from the Delegation of Authority Framework, as updated in 2017.

2.1.2 Table 1 below summarises the approval authority per application type.

Description	Authority to approve
Issue pre-assigned licenses , i.e.: Aircraft licenses; Citizen band (CB); Ship Station Licence VHF & SSB); Ski-boat licenses (29 MHz); Private 4X4 licenses (29 MHz); Radio dealer licenses; Civil; defence without private frequency; Amateur licenses	Regional Manager/ Manager Radio Communications / Senior Manager: Spectrum Licensing
Update Pre-assigned spectrum licenses details: i.e. contact information.	Regional Manager/ Manager Radio Communications / Senior Manager: Spectrum Licensing
Cancel non renewed pre-assigned licenses	Regional Manager/ Manager Radio Communications / Senior Manager: Spectrum Licensing
Licensing of frequency spectrum for wireless access considered to be falling within the ambit of section 31(1) and (2) of the ECA provided that it is not IMT spectrum	Senior Manager: Spectrum Licensing
Radio Frequency Spectrum licenses for point-to-point microwave links and satellite services	Senior Manager: Spectrum Licensing
Radio-frequency spectrum licenses for radio systems using repeaters (private and community repeaters) .	Senior Manager: Spectrum Licensing
Radio-frequency spectrum licenses for telemetry systems.	Senior Manager: Spectrum Licensing
Radio-frequency spectrum licenses for simplex radio systems.	Senior Manager: Spectrum Licensing
Radio-frequency spectrum licenses for radio alarm systems.	Senior Manager: Spectrum Licensing
Issuing Radio Frequency Spectrum licenses for special events	Head of Licensing
Radio frequency spectrum licenses for radio trunked systems	Head of Licensing
Licensing of broadband frequency spectrum for wireless access considered to be falling within the ambit of section 31(3) of the ECA as high demand spectrum	Council
Permission to assign, cede, share or in any way transfer, or transfer the control of a licence for high demand radio frequency spectrum or assign, cede or transfer control of a high demand radio frequency spectrum licence	Council
Issuing Radio Frequency Spectrum licenses for test purposes	Council
Any other applications not resorting under any of the above, such as surrender applications	Council

- 2.1.3 In cases where the Senior Manager: Spectrum Licensing has the authority to approve, the approval/rejection is also assigned to the Executive: Licensing for noting.
- 2.1.4 An EXCO and Council submission process are followed for all applications where the authority to approve resides with Council. This submission process is discussed in section 2.11.

2.2 Registration on Online Automated Spectrum Management System (ASMS)

- 2.2.1 Clients must first register their email address as a user to enable them to get access to the ASMS.
- 2.2.2 A registered user must create a profile for ease of access and use of the ASMS for the purpose of applying for a spectrum licence.
- 2.2.3 Registered users may create profiles and submit applications on behalf of third-party users of radio frequency spectrum through the “On Behalf”-function available on the ASMS.

2.3 Application Fee Payment Approval – Finance

- 2.3.1 After the submission of an application for a new licence on the ASMS, the system will issue an invoice to the applicant for the application fee to be paid.
- 2.3.2 After the submission of an application for the amendment of an existing licence, a task will be assigned to the DA/CL&SO to decide if an application fee invoice must be issued.
- 2.3.3 In cases where an application fee must be issued, the system will issue and send the invoice to the applicant.
- 2.3.4 The applicant must pay the invoice either through the online payment portal or via any other means of payment such as an EFT and the Post Office.
- 2.3.5 Payments made through the online payment portal will be approved automatically by the system but the proof of payment made by any other means must be uploaded on the ASMS portal which will then be processed by a Finance officer.
- 2.3.6 Once approved the application will be forwarded to the general pool of the DA/CL&SO.

2.4 Application Process for New Pre-assigned Radio Frequency Spectrum Licences

- 2.4.1 All applications assigned to the general pool for the DA/CL&SO will be assigned to individual DA/CL&SO for the review of the applications.
- 2.4.2 The DA/CL&SO will review the applications for correctness and completeness as well as for the fulfilment of all the requirements of the application at hand.
- 2.4.3 Incorrect applications will be returned to the applicant for correction and after resubmission, it will follow the same process as the successful ones.
- 2.4.4 Applications that pass the review stage will be assigned to the regional managers for approval/rejection.
- 2.4.5 A licence fee invoice will be issued to successful applicants and a decline notification will be sent to unsuccessful applicants by the system.
- 2.4.6 After payment approval by Finance, a new licence will be issued to applicants by the system.

2.5 Application Process for New Non-Pre-assigned Radio Frequency Spectrum

- 2.5.1 All applications assigned to the general pool for the DA/CL&SO will be assigned to individual DA/CL&SO for the review of the applications.
- 2.5.2 The DA/CL&SO will review the applications for correctness and completeness as well as for the fulfilment of all the requirements of the application at hand.
- 2.5.3 Incorrect applications will be returned to the applicant for correction and after resubmission, it will follow the same process as the successful ones.
- 2.5.4 All applications that pass the review stage will be assigned to an RF Specialist for the technical evaluation, and assignment of the radio frequency spectrum, in WRAP.
- 2.5.5 Applications that pass the radio frequency assignment stage will be assigned to the DA/CL&SO for the approval of the calculated licence fee. Applications that do not pass

the radio frequency assignment stage will be assigned back to either the applicant or the DA/CL&SO for completion or correction.

- 2.5.6 The Manager: Radiocommunications will thereafter approve the evaluation done by the RF-Specialist.
- 2.5.7 The application is tasked to the appropriate official for approval of the application according in terms of the Delegation of Authority, as discussed in section 2.1.
- 2.5.8 After approval, a licence fee invoice will be issued, by the system, to successful applicants and a decline notification will be sent to unsuccessful applicants.
- 2.5.9 After payment approval by Finance, a new licence will be issued to applicants by the system.

2.6 Application Process for the Amendment of Pre-assigned Licences

- 2.6.1 After submission of the application, the DA/CL&SO will be assigned an application fee task where he will indicate whether an application fee invoice must be issued or not.
- 2.6.2 If no invoice is required then the application will be processed for review but if an invoice is required, the invoice will be sent to the applicant and the application will be assigned to Finance.
- 2.6.3 The application will then be processed after approval of the payment task.
- 2.6.4 The DA/CL&SO will review the applications for correctness and completeness as well as for the fulfilment of all the requirements of the application at hand.
- 2.6.5 Incorrect applications will be returned to the applicant for correcting and after resubmission, it will follow the same process as the successful ones.
- 2.6.6 Applications that pass the review stage will be assigned to the regional managers for approval/rejection.
- 2.6.7 The system will issue an amended licence after approval of the application.

2.7 Application Process for the Amendment of Non-pre-assigned Licences

- 2.7.1 After submission of the application, the DA/CL&SO will be assigned an application fee task where he will indicate whether an application fee invoice must be issued or not.
- 2.7.2 If no invoice is required then the application will be processed for review but if an invoice is required, the invoice will be sent to the applicant and the application will be assigned to Finance.
- 2.7.3 The application will then be processed after approval of the payment task.
- 2.7.4 The DA/CL&SO will review the applications for correctness and completeness as well as for the fulfilment of all the requirements of the application at hand.
- 2.7.5 Incorrect applications will be returned to the applicant for correcting and after resubmission, it will follow the same process as the successful ones.
- 2.7.6 All applications that pass the review stage will be assigned to an RF Specialist for the technical evaluation, and assignment of the radio frequency spectrum, in WRAP.
- 2.7.7 Applications that pass the radio frequency assignment stage will be assigned to the DA/CL&SO for the approval of the calculated licence fee. Applications that do not pass the radio frequency assignment stage will be assigned back to either the applicant or the DA/CL&SO for completion or correction.
- 2.7.8 The Manager: Radiocommunications will thereafter approve the evaluation done by the RF specialist.
- 2.7.9 The application is tasked to the appropriate official for approval of the application according in terms of the Delegation of Authority, as discussed in section 2.1.
- 2.7.10 After approval, and if the licence amendments do not impact the licence fee calculations, the system will issue the amended licence and the licence fee will remain unchanged.
- 2.7.11 Alternatively, the system would issue an invoice if the changes made to the licence are increasing the calculated licence fees and the amended licence will be issued after approval of the payment task by Finance.

2.8 Process for Legacy Amendment Applications

- 2.8.1 The legacy amendment process is a temporary measure to transfer legacy licences onto the ASMS.
- 2.8.2 It follows the same amendment processes as described above, with the following additional tasks:
- 2.8.3 Identification of the type of service as well as the expiry date of the licence to be issued
- 2.8.4 Creation of the station builder on the ASMS where the technical details are captured by the DA/CL&SO
- 2.8.5 Thereafter the same process is followed as a regular amendment process

2.9 Process for Extended Applications (High Demand Spectrum)

- 2.9.1 Extended applications include the issuing of licences for high-demand spectrum
- 2.9.2 Only Council committees will deal with these types of applications.
- 2.9.3 An invitation to Apply (ITA) will be issued by the Authority where the process will be outlined.

2.10 Application Process for Cancellations/Surrender of Licences

- 2.10.1 The procedures below are relevant to dealing with cancellation/surrender applications subjected to the extended application procedure. Licences that were not subjected to the extended procedure, are generally just left to expire if surrendering is sought.
- 2.10.2 The ASMS does not cater for applications to cancel/surrender licences issued according to the extended application procedure as prescribed in the Radio Frequency Spectrum regulations.
- 2.10.3 Applications are submitted in paper format to the DA/CL&SO.
- 2.10.4 Applicants must submit a completed Form C set out in Annexure A of the Radio Frequency Spectrum Regulation, 2015.
- 2.10.5 The CL&SO will then draft the EXCO submission for his/her signature as well as that of the Senior Manager: Spectrum Licensing and Executive: Licensing for approval by EXCO.
- 2.10.6 Once approved by EXCO, the CL&SO drafts a Council submission for the signature of the Senior Manager, Executive and CEO.
- 2.10.7 If approved by Council, the CL&SO, then drafts a memo for the signature of the Senior Manager, Executive and CEO for the approved letter/licence to be signed by the Chairperson.
- 2.10.8 A signed letter by the Chairperson, will then be sent to the applicant.

2.11 Application Process for Council Submissions

- 2.11.1 The ASMS system does not cater for a Council submission process, but it does allow for applications that require submission to Council to be recorded as such and for the Council submission documentation to be uploaded onto the system.
- 2.11.2 Applications are submitted in paper format to the CL&SO.
- 2.11.3 The CL&SO will review the correctness of the submitted application and all the requirements and if satisfied, billing of the application fee will commence and be sent to Finance for invoicing to the applicant.
- 2.11.4 Finance will then approve the payment for application fees.
- 2.11.5 The CL&SO will then forward the application to the RF specialist for evaluations and assignment of the frequency and compile a technical report.
- 2.11.6 The Manager: Radiocommunications will then check and approve the technical report which is then sent to CL&SO.
- 2.11.7 The CL&SO will draft an EXCO submission for his/her signature as well as that of the Senior Manager: Spectrum Licensing and Executive: Licensing for approval by EXCO.
- 2.11.8 Once approved by EXCO, the CL&SO drafts a Council submission for the Signature of the Senior Manager, Executive and CEO.
- 2.11.9 If the application is approved by Council, the CL&SO, will then draft a memo for the signature of the Senior Manager, Executive and CEO for the approved licence or letter to be signed by the Chairperson.
- 2.11.10 After a licence or letter is signed by the Chairperson, the CL&SO will then bill the licence fee for invoicing by Finance.
- 2.11.11 Once the licence fee is paid and payment is approved by Finance, a signed licence or letter is sent to the applicant.

2.12 Frequency Spectrum Evaluation by RF Specialist

This is a sub-procedure contained in those procedures where an RF specialist conducts an evaluation and provides some further guidance on the steps involved with such evaluations.

- 2.12.1 The RF Specialist performs a checklist, if not satisfied, the RF specialist must contact the applicant and request the additional information else perform technical analysis must

be performed using the spectrum management software tool to determine the availability of the frequency applied for.

- 2.12.2 After completion of technical analysis, the RF Specialist must assign frequencies to the applicant when frequency applied for is available. When the frequency applied for is not available, further technical analysis must be done to identify an alternative frequency. When an alternative frequency has been identified, the applicant must be contacted to recommend an alternative frequency else the application gets rejected.
- 2.12.3 In cases where the frequency applied for is not available and an alternative frequency cannot be identified, the RF Specialist will draft a memo and letter to the applicant advising of the rejection of the application, including the reasons thereof for Senior Manager's signature.
- 2.12.4 When the requested frequency is within proximity to the border with neighbouring countries, the RF Specialist must contact and coordinate with the country involved and if an agreement is reached, frequency must be assigned.
- 2.12.5 For Council submissions, as may be required, the RF Specialist compile a technical analysis report and forwards it to the line manager for quality assurance.
- 2.12.6 The RF Specialist must ensure when applications are processed, relevant regulations in the National Frequency Plan, Radio Frequency Spectrum Regulations and other applicable regulations are complied with.

2.13 Stakeholder Support for Radiocommunications Applications Matters

- 2.13.1 Client Licensing and Spectrum Officers must provide support to internal and external stakeholders on spectrum licensing matters.

3 PROCEDURE PRINCIPLES

3.1 Principles

- 3.1.1 All applications for radiocommunication spectrum shall be processed without prejudice to any applicant.
- 3.1.2 All technical and general queries shall be handled in a fair and professional manner.

3.2 Procedure Implementation

- 3.2.1 Accountability and responsibility for the implementation of this procedure are set out below:
 - 3.2.1.1 The Executive: Licensing and Compliance is accountable for implementing the procedure, monitoring its implementation in the everyday activities of the division and reporting to the Chief Executive Officer and EXCO.
 - 3.2.1.2 The Senior Manager: Spectrum Licensing is responsible for implementing the procedure, monitoring its implementation in the everyday activities of the department and reporting to the Executive: Licensing and Compliance.
 - 3.2.1.3 The Manager: Radiocommunications is responsible for ensuring that the procedure is implemented and adhered to by staff within his unit; and
 - 3.2.1.4 All staff within the Spectrum Licensing department are responsible for adhering to approved procedures.

3.3 Communication

- 3.3.1 The Senior Manager: Spectrum licensing shall ensure that the content of this procedure (or applicable aspects thereof) is communicated to all staff, within the department.
- 3.3.2 The Manager: Radiocommunications will further ensure that the Spectrum Licensing procedure manual and directive prescriptions are enforced and complied with.
- 3.3.3 Communication of the procedure will be by means of a program conducted as follows:
- Awareness workshops and briefings to be attended by all staff within Spectrum Licensing Radiocommunications unit
 - Access to the procedure and applicable directives on the intranet site of ICASA.

3.4 Accountability

- 3.4.1 The Executive: Licensing and Compliance is accountable for the development of the divisional business plan and strategic leadership.
- 3.4.2 The Senior Manager is accountable for ensuring that the divisional business plan is implemented.
- 3.4.3 The Manager is responsible for the implementation of the business plan.
- 3.4.4 The staff within the Spectrum Licensing department are responsible for the successful carrying out of activities assigned to them in terms of this procedure and in line with the unit's operational plan.

3.5 Reporting and Monitoring

- 3.5.1 Reporting from the ASMS should be further developed to allow the establishment of effective, efficient, reporting and monitoring.
- 3.5.2 Monthly performance reports on applications processed by Manager: Radiocommunications for quality assurance by Senior Manager: Spectrum Licensing and submitted to The Executive: Licensing and Compliance.
- 3.5.3 Monthly operational management meetings between Senior Manager, Managers and Client Licensing & Spectrum Officers, DA & RFS within the Spectrum Licensing department.
- 3.5.4 Monthly Spectrum Licensing departmental meeting when necessary.

4 COMPLIANCE

4.1 Adherence to Procedures

- 4.1.1 It is the responsibility of the relevant delegation to make appropriate provisions for establishing controls to ensure adherence to this procedure and its associated procedures.
- 4.1.2 No deviations to this procedure are permitted. Any incident where this procedure has been breached should be monitored and reported to the Authority's Compliance Office.
- 4.1.3 Any disciplinary action taken in terms of non-compliance with this procedure and its associated documents will be in accordance with the disciplinary procedures of the Authority.

4.2 Cross-referencing

None.

4.3 Review of Procedure

- 4.3.1 The Manager: Radiocommunications shall initiate a review of this procedure, its processes and associated documents every three years of approval of this SOP

5 ANNEXURES

The following documents are process instructions and guidelines that support the implementation of the procedure and are attached as Annexures:

5.1 ANNEXURE A: Spectrum Licensing Procedures Flow-Charts

5.2 ANNEXURE B: ASSOCIATED DOCUMENTS

- 5.2.1 Radio Frequency Spectrum Regulations.
- 5.2.2 Electronic Communications Act.
- 5.2.3 Radio Frequency Spectrum Licence Fees Regulations.