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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**NOTICE 2450 OF 2024****Independent Communications Authority of South Africa**

350 Witch-Hazel Avenue, Eco Point Office Park

Eco Park, Centurion

Private Bag X10, Highveld Park 0169

Telephone number: (012) 568 3000/1

GENERAL NOTICE**THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA
HEREBY ISSUES A NOTICE OUTLINING THE PROCESS FOR SUBMITTING
APPLICATIONS FOR THE MOBILE CONTENT TO BE ZERO RATED**

1. The Independent Communications Authority of South Africa ("ICASA / the Authority") is hereby implementing section 12.5.1 of the 2021 ITA¹, which requires the successful bidders who were awarded the radio frequency spectrum through an auction to zero-rate all the mobile content provided by Public Benefit Organisations (PBOs) including .gov.za websites.
2. The PBOs, including Government departments with .gov.za domain names, are required to submit applications to the Authority for assessment in order for their mobile content to be zero-rated.
3. All applications must be directed to Licensing and Compliance Division, Block B, 350 Witch-Hazel Avenue, Eco Point Office Park, Eco Park, Centurion **OR** Private Bag X10, Highveld Park, 0169 **OR** by e-mail: zeroratingapplications@icasa.org.za.
4. The process of onboarding the websites for zero-rating is outlined below:

¹ Invitation to Apply published on 10 December 2021 in Government Gazette No. 45628 ("the ITA").

4.1 The Licensees must implement the zero-rating obligation for PBOs (i.e. Non-Profit Company as per Companies Act, 2008 (Act No. 71 of 2008)), a trust, or an association registered with the South African Revenue Services ("SARS") in terms of the Income Tax Act, 1962 (Act No. 58 of 1962) as a PBO), including Government Departments with .gov.za websites.

4.2 The following information is required as part of the application:

Information to be included in the application	
1	Applicant's Name
2	Email address
3	Contact Numbers
4	Proof of company's registration, including proof that the entity is registered as a Public Benefit Organisation with the SARS with an exception of the Government Departments with .gov.za websites)
5	Motivation for the inclusion of the domain name on the zero-rating list (not exceeding 300 words) indicating its intent and proof of dedication to provide social goods and services.
6	Sub type (i.e. relevant government department, for example, health or education) or sector in which the PBO operates (e.g. health, education, charity, etc).
7	Website title
8	URL
9	Static IPV 4 address (NB. Cloudflare IP address and that of a similar nature will not be onboarded)
10	Static IPV 6 address (NB. Cloudflare IP address and that of a similar nature will not be onboarded)
11	Ports
12	Server Name Indication ("SNI")
13	Where is the service hosted (cloud or local) (NB. Only South African-hosted domain names will be zero-rated)

4.3 **Basic Rules:**

4.3.1 Any service for commercial gain will not be zero-rated;

4.3.2 Embedded content or embedded links will not be zero-rated;

4.3.3 Rich media content such as videos and streaming should be limited to a maximum of 480-pixel quality to protect network quality; and

4.3.4 Content must be locally hosted within South Africa.

4.4 The zero-rating of websites that are currently zero-rated in terms of the now repealed Information and Communications Technology ("ICT") Covid-19 National Disaster Regulations, must reapply as per this notice.

4.5 The zero-rating obligation must be implemented by the licensees within thirty-six (36) months from the date of the issuance of the licence, which is 15 January 2024.

4.6 Licensees will receive approval notification within two (2) business days after approval of the application.

4.7 Post the implementation period, the zero-rating of the websites must be activated within fourteen (14) working days from the date that they were notified.

4.8 The Authority will undertake annual audits of the listed entities to ensure such entities comply with the requirements of a PBO. Moreover, Licensees may request the Authority to reconsider the approval if a Licensee provides evidence that the entity may no longer qualify.

5. **Managing abuse:**

5.1 The licensee is responsible for the monitoring and detection of the abuse of the zero-rated websites and is required to report the detected abuse to the Authority.

- 5.2 The licensee shall submit supporting evidence of the blocked/removed domain names/individual users to the Authority within two business days from detection to allow the Authority to investigate the matter with the affected parties.
- 5.3 In observance of fair use and to protect the network against abuse, a user will be limited to 300 MB of daily data and a monthly cap of 2 GB per user.
- 5.4 The Licensee is entitled to block or remove individual users/domains suspected of abusing the zero-rated websites;
- 5.4.1 Where any user is found to have exceeded a daily limit of 300 MB and a monthly cap of 2 GB; and
- 5.4.2 Where the Licensee is exposed to content:
- 5.4.2.1 Which poses a security threat; and
- 5.4.2.2 Where there is exploitative tunnelling or there are reasonable grounds to believe that illegitimate and/or abusive use of zero-rated websites is or could be taking place.
- 5.5 The Licensee is authorised to suspend services until the security threat has been rectified and/or remedial action has been implemented. The Licensee is allowed to suspend the zero-rating of all content and charge normal data tariffs for this content in accordance with the subscribers' tariff plan after suspending the abused zero-rated website.
- 5.6 The Authority will share all the reported cases within three (3) business days of receipt with all the Licensees to ensure that the abuse is managed across all the networks.



CATHERINE MUSHI
ACTING CHAIRPERSON
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