

## **Government Gazette**

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**Regulation Gazette, No. 6562**

### **GOVERNMENT NOTICE**

**Issued by the  
Minister for Posts, Telecommunications and Broadcasting**

Please take note that Regulations R. 674 and R. 675 published in Government Gazette number 20111 dated 22 May 1999 is hereby withdrawn and replaced with the following Regulations. (R. 729 and R. 730)

**JAY NAIDOO  
MINISTER**

**No. R. 729**

### **DEPARTMENT OF COMMUNICATIONS**

#### **REGULATIONS RELATING TO THE CONTRIBUTIONS TO THE UNIVERSAL SERVICE FUND AND THE APPORTIONMENT THEREOF**

The South African Telecommunications Regulatory Authority has, under section 96 read with section 67 of the Telecommunications Act, 1996 (Act No. 103 of 1996), with the approval of the Minister for Posts, Telecommunications and Broadcasting, made the regulations in the Schedule.

**JAY NAIDOO  
MINISTER**

#### **Definitions**

#### **SCHEDULE**

1. In this Schedule any expression to which a meaning has been assigned by the Telecommunications Act, 1996 (Act No. 103 of 1996) (hereinafter referred to as The Act"), shall have the same meaning ,unless the context indicates otherwise.

#### **Contributions payable by licence holders to the Universal Service Fund**

2. (1) Every holder of a licence granted or deemed to have been granted in terms of Chapter V of the Act, shall pay contributions to the Universal Service Fund (hereinafter referred to as "the Fund") as follows:
  - a. A holder of a telecommunications licence issued or deemed to have been issued under section 36, 37 or 42 of the Act, shall contribute 016% of the annual turnover derived from the provision of the telecommunications service that it is licensed to provide
  - b. A holder of a value added network services licence, (other than Telkom) issued or deemed to have been issued under section 40 of the Act, shall contribute R1500 per annum.
  - c. A holder of a licence to provide private telecommunications network service issued or deemed to have been issued under section 41 of the Act, shall contribute R1000 per annum.

#### **Payment**

3. (1) Contributions to the Fund in terms of regulation 2 shall become due and payable in full on 1

April of each year, except for the year starting on 1 April 1999 for which contributions must be made on or before 18 June 1999.

(2) Payment in terms of regulation 2(1)(a) shall be calculated on the annual turnover based on the latest available audited accounts of the licensee.

(3) The contributions are calculated on 1 August of every year. The contributions must be based on the audited accounts of the preceding financial year and any payment made on 1 April of that year shall be adjusted accordingly.

(4) Any amount that becomes due as a result of the recalculation, shall become due and payable on 1 August of that year.

Total limits of contribution in terms of these regulations shall be subject to any policy direction that the Minister has made or may make in terms section 5(4)(a) of the Act.

#### **Formula for the apportionment for monies in the Fund**

4. In terms of section 66(2) of the Act the money in the Fund is apportioned for the separate purposes of sections 66(1) (a) and (b) to the value of 99% and 1% respectively.

#### **Commencement**

5. These regulations shall come into operation upon publication.