

TELECOMMUNICATIONS ACT, 1996, (ACT 103 OF 1996)
REGULATIONS IN RESPECT OF USE OR POSSESSION OF CERTAIN RADIO APPARATUS WITHOUT A RADIO FREQUENCY SPECTRUM LICENCE, CERTIFICATE, AUTHORITY OR PERMIT

In terms of section 96(6) of the Telecommunications Act, (Act 103 of 1996), I, Dr. Ivy Matsepe-Casaburri, Minister of Communications, hereby approve and publish the regulations in the schedule made by the Independent Communications Authority of South Africa in terms of section 95 read with section 30(9) of the said Act

Dr. Ivy Matsepe-Casaburri
Minister of Communications

SCHEDULE

Amendment of Ministerial Declaration

1. The Declaration by the Minister of certain Radio Apparatus not to be radio apparatus for the purposes of the now repealed Radio Act, 1952, (Act 3 of 1952), published in Government Notice 1790 of 1995, is hereby amended by the substitution for paragraph (1) of the following regulations.

Definitions

2. In these regulations all words or expressions shall have the meaning assigned to them in the Telecommunications Act, 1996 (Act No. 103 of 1996), unless the context indicates otherwise.

2.1 **“Inductive Loop Systems”** means radio apparatus which operate by producing a controlled magnetic field within which a predetermined recognisable signal is formed. Examples include shop anti-theft tagging systems, car immobiliser keys and door access tokens.

2.2 “Non specific Short Range Devices” means radio apparatus used for general telemetry, telecommand, alarms and data with a low duty cycle (<1.0%).

2.3 “Telemetry” means the transmission of remotely measured data.

2.4 “Telecommand” means the use of Radio Apparatus for the transmission of signals to initiate, modify or terminate functions of equipment at a distance.

2.5 “Low Power Radio” means radio apparatus used for short range two-way voice communications e.g. toy walkie talkies.

2.6 “Model Control apparatus” means radio apparatus used to control the movement of the model in the air, on land or over or under the water surface.

2.7 “Baby Monitors” means radio apparatus used to transmit sound to a remote receiver to monitor the sound or movement of infants.

2.8 “Wireless Microphones” means radio apparatus used to transmit speech or music over short distances to a remote receiver in studios, theatres etc.

2.9 “Wireless Audio Systems” means radio apparatus used to replace the wired headphones or speakers in hi-fi systems.

2.10 “Wideband Wireless Systems” means radio apparatus that are general-purpose high bit rate spread spectrum radio systems.

2.11 “Field Disturbance and Doppler Apparatus (FDDA)” means radio apparatus which operates by producing a radiated field and responding to any disturbance of that field caused by an intrusion or movement within the field by other devices, objects or persons. In this way it can detect or monitor the movement of objects or persons. Alarm systems sometimes use this type of equipment for intruder detection.

2.12 “Video Surveillance Equipment” means radio apparatus used for security camera purposes to replace the cable between a camera and a monitor.

2.13 “Road Transport and Traffic Telematics (RTTT)” means radio apparatus used for traffic management. Applications include automatic road toll collection, route guidance systems, vehicle or container identification, instant traffic information, parking management, advance incident warning and on-vehicle anti-collision radar.

2.14 “High Performance Radio Local Area Network (Hiperlan)” means radio apparatus, utilising spread-spectrum modulation techniques, to link computer nodes within a network.

Categories of radio apparatus the use or possession of which shall not require a radio frequency spectrum licence, certificate, authority or permit

3 The radio apparatus listed in column B of the Appendix are radio apparatus the use or possession of which shall not require a radio frequency spectrum licence, certificate, authority or permit.

Circumstances in which the use or possession of certain radio apparatus shall not require a radio frequency spectrum licence, certificate, authority or permit

4 The circumstances in which the use or possession of the radio apparatus referred to in regulation 3 shall not require a radio frequency spectrum licence, certificate, authority or permit shall be as follows:

4.1 The apparatus must be operated within and must not exceed the technical parameters set out in each of the applicable columns of the Appendix with respect to:

4.1.1 The frequency band.

4.1.2 Maximum Radiated Power or Field Strength Limits and Channel Spacing.

4.1.3 Relevant Standard.

4.1.4 Duty cycles and antennas to be used as contained in CEPT/ERC/REC 70-03.

- 4.2 The Radio Apparatus must be type-approved by the Authority in accordance with Sec 54 of the Act.
- 4.3 The frequencies, the transmitting power and external high-gain antenna of the Radio Apparatus may not be altered without a new type approval certificate from the Authority.
- 4.4 The antenna of the Radio Apparatus may not be higher above average ground level than the lowest point of the place where the Radio Apparatus operates effectively.
- 4.5 The Radio Apparatus may neither cause harmful interference to licensed telecommunication and broadcasting services, nor may the user claim protection from licensed telecommunication and broadcasting services.
- 4.6 The Radio Apparatus may not be used to provide a telecommunication service to another person without a telecommunication service licence and in a manner that contravenes the provisions of the Telecommunications Act..
- 4.7 The Radio Apparatus may not be used to provide a telecommunication network operation for public and commercial purposes.

APPENDIX

COLUMN A

COLUMN B

COLUMN C

COLUMN D

COLUMN E

Frequency Bands K=kHz M=MHz G=GHz	Type of Device	Max Radiated Power or Field Strength Limits & Channel spacing	Relevant Standard	Additional Requirements
9 – 59.75K	Inductive Loop System	72 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
59.75-60.25K	Inductive Loop System	42 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
60.25-70K	Inductive Loop System	72 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
70-119K	Inductive Loop System	42 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
119-135K	Inductive Loop System including RFID's	72 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
1606.5– 1610 K	Baby Alarms, Wireless Record Players	1W eirp		
7400 – 8800 K	Inductive Loop System	9 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
6.765 – 6.795 M	Inductive Loop System	42 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
13.553 – 13.567 M	Inductive Loop System including RFID's.	42 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03

Frequency Bands K=kHz M=MHz G=GHz	Type of Device	Max Radiated Power or Field Strength Limits & Channel spacing	Relevant Standard	Additional Requirements
26.957 – 27.283 M	Inductive Loop System	42 dB μ A/m @ 10 m	EN 300 330 EN 301 489-1,3	CEPT/ERC/REC 70-03
26.957 – 27.283 M	Non-specific SRD	10 mW erp	EN 300 220 EN 301 489-1,3	CEPT/ERC/REC 70-03
26.99 – 27.20 M	Surface Model Control	100 mW erp	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
35.00 – 35.25 M	Aircraft Model Control Only	100 mW erp	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
36.65 – 36.75 M	Wireless Microphones.	100 mW erp	EN 300 422	
40.65 – 40.7 M	Wireless Microphones.	100 mW erp	EN 300 422	
40.66 – 40.7 M	Non-specific SRD	10 mW erp	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
46.61 –46.97M 49.67 – 49.97M	CT0 Cordless Phones.	10 mW eirp	ICASA TE-013	
53 –54 M	Wireless Microphones	100 mW erp	EN 300 422	

Frequency Bands K=kHz M=MHz G=GHz	Type of Device	Max Radiated Power or Field Strength Limits & Channel spacing	Relevant Standard	Additional Requirements
54.4500; 54.4625; 54.4750; 54.4875; 54.500; 54.5125; 54.5250; 54.5375; 54.5500; 60.0250; 60.0375; 60.0500; 60.0625; 60.0750; 60.0875; 60.1000; 60.1125 60.1250M	Model Control.	5W erp	EN 300 220-1	
60.1375 – 60.3750M	Aircraft Model Control Only	5W erp	EN 300 220-1	This band is to be gradually phased out according to SABRE1
141 – 142 MHz	Remote control Industrial Apparatus.	100mW	EN 300 220-1	
148 – 152 MHz	Wildlife telemetry Tracking	25mW		The use of this band is restricted to National game Parks.
173.2125 – 173.2375M	Non-specific SRD - telecommand only	10 mW erp :	EN 300 220-1 EN 301 489-1,3	Channel spacing = 25KHz

Frequency Bands K=kHz M=MHz G=GHz	Type of Device	Max Radiated Power or Field Strength Limits & Channel spacing	Relevant Standard	Additional Requirements
173.2375 – 173.2875M	Non-specific SRD	10 mW erp :	EN 300 220-1 EN 301 489-1,3	Channel spacing =25KHz
173.7 – 175.1 M	Wireless Microphones	10 mW eirp	EN 300 422	CEPT/ERC/REC 70-03
402 – 405 M	Medical Implants	25 µW erp	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
402 – 406 M	Doppler shift movement detectors, wireless microphones ,garage door openers, motor car alarm systems	10 mW erp	EN 300 422 EN 300 220-1 EN 301 489-1,3	
433.05 – 434.79 M	Non-specific SRD	100 mW erp	EN 300 220-1	CEPT/ERC/REC 70-03
463.975 M, 464.125 M, 464.175M, 464.325M 464.375M	Low Power Radio .	500mW,		Channel spacing =12.5KHz
863 – 865 M	Wireless Audio Systems	10 mW erp	EN 301 357	CEPT/ERC/REC 70-03
863 – 865 M	Wireless Microphones	10 mW erp	EN 300 422	CEPT/ERC/REC 70-03
864.1 – 868.1M	CT2 cordless phones	10 mW eirp	I-ETS 300 131 EN 301 489-1,10 ICASA TE - 012	
868 – 868.6 M	Non-specific SRD	25 mW erp	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03

Frequency Bands K=kHz M=MHz G=GHz	Type of Device	Max Radiated Power or Field Strength Limits & Channel spacing	Relevant Standard	Additional Requirements
868.6 – 868.7 M	Alarms	10 mW erp :	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
868.7 – 869.2 M	Non-specific SRD	25 mW erp	EN 300 220 EN 301 489-1,3	CEPT/ERC/REC 70-03
869.25 – 869.3 M	Alarms	10 mW erp :	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
869.4 – 869.65 M	Non-specific SRD	500 mW erp :	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
869.65 – 869.7 M	Alarms	25 mW erp :	EN 300 220-1 EN 301 489-1,3	CEPT/ERC/REC 70-03
869.7 – 870.0 M	Non-specific SRD	5 mW erp	EN 300 220 EN 301 489-1,3	CEPT/ERC/REC 70-03
915.2 – 915.4 M	Passive Tags	-		
1880 – 1900 M	DECT cordless phones	250 mW eirp (peak)	EN 300 175 EN 301 489-1,6	
2400 – 2483.5 M	Non-specific SRD	10 mW eirp	EN 300 328-2 EN 301 489-1,3	CEPT/ERC/REC 70-03
2400 – 2483.5 M	Wideband Wireless Systems. WLAN.	100 mW eirp	ETS 300 328 EN 301 489-1,17	CEPT/ERC/REC 70-03 Section 2 of Notice 1790 of 17 November 1995 is applicable.
2400 – 2483.5 M	FDDA	25 mW eirp	I-ETS 300 440 EN 301 489-1,3	CEPT/ERC/REC 70-03
2400 – 2483.5 M	Low Power Video Surveillance.	100 mW eirp	EN 300 440 EN 301 489-1,3	CEPT/ERC/REC 70-03
5150 – 5350M	Hiperlan: indoor use only	200 mW eirp	EN 300 836-1 EN 301 489-1,17	CEPT/ERC/REC 70-03 CEPT /ERC/DEC (99)23

Frequency Bands K=kHz M=MHz G=GHz	Type of Device	Max Radiated Power or Field Strength Limits & Channel spacing	Relevant Standard	Additional Requirements
5470 – 5725M	Hiperlan: indoor and outdoor use	1 W eirp	EN 300 836-1 EN 301 489-1,17	CEPT/ERC/DEC (99)23 CEPT /ERC/DEC (99)23
5725 – 5875 M	Non-specific SRD	25 mW eirp	I-ETS 300 440 EN 301 489-1,3	CEPT/ERC/REC 70-03
5795 – 5805 M	RTTT data	2 W eirp	EN 300 674 ES 201 674	CEPT/ERC/REC 70-03 CEPT /ERC/DEC (92)02
5805 – 5815 M	RTTT data	2 W eirp	EN 300 674 ES 201 674	CEPT/ERC/REC 70-03 CEPT /ERC/DEC (92)02
9200 – 9500 M	FDDA	25 mW eirp	I-ETS 300 440	CEPT/ERC/REC 70-03
9500 – 9975 M	FDDA	25 mW eirp	I-ETS 300 440	CEPT/ERC/REC 70-03
10.5 – 10.6 G	FDDA	500 mW eirp	I-ETS 300 440	CEPT/ERC/REC 70-03
13.4 – 14 G	FDDA	25 mW eirp	I-ETS 300 440	CEPT/ERC/REC 70-03
17.1 – 17.3 G	Hiperlan	100 mW eirp		CEPT/ERC/REC 70-03 CEPT /ERC/DEC (99)23
24.00 – 24.25 G	Non-specific SRD	100 mW eirp	I-ETS 300 440	CEPT/ERC/REC 70-03
24.05 – 24.25 G	FDDA	100 mW eirp	I-ETS 300 440	CEPT/ERC/REC 70-03
76 – 77 G	RTTT radar	55dBm peak eirp	EN 301 091	CEPT/ERC/REC 70-03