

SOUTH AFRICA'S NEXT GENERATION RADIO FREQUENCY SPECTRUM DRAFT POLICY - WILL THIS BRING MORE CERTAINTY FOR SMMES IN THE TELECOMMUNICATIONS SECTOR?

Category: Infrastructure and Telecommunications, Media and OTT, Technology Law
written by Lucien Pierce | September 8, 2022



Minister of Communications and Digital Technologies – Khumbudzo Ntshavheni (“**the Minister**”) – will [deliver a briefing](#) on South Africa’s Next Generation Radio Frequency Spectrum Draft Policy (“**the Next Generation Spectrum Draft Policy**”) later today. It has taken a little longer than originally promised, mostly due to [litigation](#), but [South Africa’s Cabinet](#) last week approved the Next Generation Spectrum Draft Policy’s publication for public comment. The [Next Generation Spectrum Draft Policy](#) was published for comment earlier today.

The proposed withdrawal, [earlier this year](#), of a policy direction promoting the Wireless Open Access Network (“**WOAN**”) created some uncertainty for those who had planned to bid for the WOAN licence. The WOAN policy direction has a number of policy objectives. In this regard, [the WOAN policy direction](#) says “*that there are over four hundred players that hold electronic communications network service licenses but cannot access spectrum, due to its scarcity. This has an adverse effect [on] competition, contributes to the high costs to communicate and serves as a barrier to entry for new entrants and SMMEs. Government is committed to maximising the socio- economic benefits derived from the use of the spectrum and recognises that a shared approach to spectrum use is*

necessary. The deployment of a WOAN will encourage licensees to work together as far as it is practicable. The value of sharing and collaboration between licensees is that it will result in the more effective use of spectrum."

The Minister said, [earlier this year](#), that the Next Generation Spectrum Draft Policy "will include proposals of spectrum for SMMEs, and network and data services in a manner that drives meaningful SMME participation in the telecommunications sector, amongst others."

It is likely that many of the SMMEs that were hoping to [partake in the telecommunications sector](#) through the WOAN, and who have been disappointed by the proposed withdrawal of the WOAN policy direction, are looking forward to the Minister's briefing and the Next Generation Spectrum Draft Policy's official publication for public comment.

The Minister's briefing will be at 16h00 South African Standard Time and can be viewed on [Facebook](#) and [Twitter](#).