

The Independent Communications Authority of South Africa (ICASA) hereby issues a warning on the use of ISM technology in the 2,4 GHz frequency band.

Wireless telecommunications in the 2,4 to 2,5 GHz band has become very popular to provide connections between users and computer networks. The Authority wishes to point out that this technology can only be used without the required telecommunications licences if specific conditions are adhered to, beyond which it will amount to a number of contraventions of the Telecommunications Act, some of which are criminal offences.

Telecommunication services can only be provided in terms of valid telecommunication licences, certificates or authorities unless an exemption has been made in terms of the Act. An exemption within specified limits has been made for the use of ISM technology in a Radio Act Declaration on 17 November 1995, which has been incorporated as a regulation in the 1996 Telecommunications Act.

The Declaration limits the use for spread spectrum Local Area Networks (LAN's) operating in the 2,4 to 2,5 GHz (ISM) band for short distance on single sites, i.e. in an office complex on a prescribed standard with a maximum radiated power of 100 milliwatts. Only type approved equipment may be used, no interference may be caused to users of other ISM equipment in the band or to other radio users outside the

band, no complaints of interference to spread spectrum users will be investigated and the LAN's shall be confined to the same premises/buildings and between the computer systems of the same user.

Use without a licence is therefore limited to a single person or entity, for themselves on single contiguous sites and within the power limitation as an alternative to cables between computer equipment. It could not be used on a commercial basis to provide service to other persons or from one property to other properties, which would be illegal and constitute a criminal offence. An example of abuse is provision of local access from an Internet user to Internet service provision.

In order to enforce the Telecommunications Act and to prevent ongoing and growing prejudice to licensees, the Authority has decided to establish a working relationship with the South African Police Services. The resources of the Authority and SAPS will be used to expedite investigations into the abuse of ISM technology and to curtail unlicensed telecommunications services provision and unlicensed frequency use. The Authority is anxious to ensure that the rule of law is respected and that the rights of licensees are protected.



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