

DEPARTMENT OF SCIENCE AND TECHNOLOGY

No. R. 89

10 February 2012

DEPARTMENT OF SCIENCE AND TECHNOLOGY**NOTICE OF INTENTION TO PROHIBIT OR RESTRICT CERTAIN ACTIVITIES
IN CORE ASTRONOMY ADVANTAGE AREAS IN TERMS OF THE
ASTRONOMY GEOGRAPHIC ADVANTAGE ACT, 2007.**

In terms of sections 22 and 23, read with section 50, of the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007) (hereinafter referred to as "the Act"), I, Grace Naledi Pandor, Minister of Science and Technology, having obtained the concurrence of ICASA as required by the Act, hereby gives notice of my intention to make regulations to prohibit or restrict certain activities in the core astronomy advantage areas declared for the purposes of radio astronomy, as set out in the Schedule hereto.

Interested or affected persons are invited to submit written representations on or objections to the Schedule within sixty (60) days from the publication of this notice to:

Ms Lipuo Mothae
Dept of Science and Technology
Building 53, CSIR Campus
Meiring Naude Road
Brummeria
Pretoria

Or

Dept of Science and Technology
Private Bag X894
Pretoria
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Or

E mail address lipuo.mothae@dst.gov.za

Enquiries can be made at telephone number 012 843 6463



**MRS GNM PANDOR, MP
MINISTER OF SCIENCE AND TECHNOLOGY**

SCHEDULE

Restrictions on the use of radio frequency spectrum

1. Unless required for the purposes of radio astronomy and related scientific endeavours and authorised by the relevant management authority or party with whom the management authority has entered into a co-management agreement, no person may within a core astronomy advantage area declared for the purposes of radio astronomy and related scientific endeavours –
 - (a) use the radio frequency spectrum between 9 kHz and 3 000 GHz;
 - (b) own, possess or control any device, equipment or instrument within that area which emits within that area any signal using radio frequency spectrum between 9 kHz and 3 000 GHz.

Restrictions on certain activities within a core astronomy advantage area declared for the purposes of radio astronomy

2. Unless required for the purposes of radio astronomy and related scientific endeavours and authorised by the relevant management authority or party with whom the management authority has entered into a co-management agreement, no person may conduct any of the following activities within a core astronomy advantage area declared for the purposes of radio astronomy and related scientific endeavours –
 - (a) prospecting or mining activities;
 - (b) harmful industrial processes;
 - (c) the construction and development of new business or residential areas or recreational facilities;
 - (d) the construction or expansion of road or rail transport networks or parts thereof;
 - (e) the construction or expansion of any airfield or airport;

- (f) the operation, construction or expansion of facilities for the generation, transmission or distribution of electricity;
- (g) the construction, expansion or operation of any fixed radio frequency interference source within the radio frequency spectrum 9 kHz to 3 000 GHz;
- (h) activities capable of causing radio frequency interference within the radio frequency spectrum 9 kHz to 3 000 GHz; and
- (i) any other activity which may detrimentally impact on radio astronomy and related scientific endeavours, or the astronomy advantage of any core astronomy advantage area declared for the purposes of radio astronomy and related scientific endeavours.

Offences and penalties

3. Any person who contravenes these regulations is guilty of an offence and liable on conviction to a fine not exceeding R1 000 000 or to imprisonment not exceeding five years or to both a fine and such imprisonment.

Short title

4. These regulations are called Regulations for protection of Core Astronomy Advantage Areas declared for Radio Astronomy.