



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Posts and Telecommunications Act 19 of 1992

section 54

Telecommunication Regulations

RSA Government Notice R.1191 of 1977

[\(RSA GG 5631\)](#)

came into force on 1 July 1977

These regulations were made in terms of section 119A(1)(g) of the South African Post Office Act 44 of 1958, which was repealed by the Posts and Telecommunications Establishment Act 17 of 1992. The Communications Act 8 of 2009 repealed the provisions of the Posts and Telecommunications Act 19 of 1992 concerning telecommunications and contained a savings clause in section 135(1):

Any regulation or notice issued under a law repealed by section 133 that may be made under any provision of this Act, is deemed to have been made under such provision.

Section 54 of the Posts and Telecommunications Act 19 of 1992 states:

Notwithstanding the repeal of the Post Office Act, 1958 by section 10 of the Posts and Telecommunications Establishment Act, 1992 [Act 17 of 1992] any regulation made or anything done under any provision of the Post Office Act, 1958 [Act 44 of 1958] or any contract concluded in connection with the postal enterprise or the telecommunications enterprise, as defined in section 1 of the Posts and Telecommunications Establishment Act, 1992 [Act 17 of 1992], shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made by the postal company or the telecommunications company, as the case may be, under the corresponding provision of this Act.

Thus, the effect of the savings clause in section 135(1) the Communications Act 8 of 2009 read together with section 54 of the Posts and Telecommunications Act 19 of 1992 is that regulations on telecommunications that survived under the Posts and Telecommunications Act 19 of 1992 – including those made in terms of the Post Office Act 44 of 1958 – are now considered to have been made under the Communications Act 8 of 2009.

Some of the amendments to these regulations post-date the relevant transfer proclamation – the Executive Powers (Posts and Telecommunications) Transfer Proclamation, AG 12 of 1978, dated 2 March 1978 – but were made explicitly applicable to South West Africa.

as corrected by

RSA Government Notice R.1618 of 1977 [\(RSA GG 5716\)](#)

came into force on date of publication: 19 August 1977

and as amended by

RSA Government Notice R.2000 of 1977 [\(RSA GG 5753\)](#)

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

came into force on 1 October 1977 (RSA GN R. 2000/1977)

RSA Government Notice R.2119 of 1977 (RSA GG 5779)

came into force on date of publication: 21 October 1977

RSA Government Notice R.13 of 1979 (RSA GG 6264)

came into force on 1 March 1979 (RSA GN R.13/1979)

These amendments were made after the relevant date of transfer, but RSA GN R.13/1979 states: "The consent of the Administrator General for the territory of South West Africa has been obtained to also apply the amendment in that territory."

RSA Government Notice R.2329 of 1979 (RSA GG 6706)

came into force on 1 February 1980 (RSA GN R.2329/1979)

These amendments were made after the relevant date of transfer, but RSA GN R.2329/1979 states that they "were made with the consent of the Council of Ministers of the territory of South West Africa and apply also in the said territory".

RSA Government Notice R.2841 of 1981 (RSA GG 7974)

came into force on date of publication: 31 December 1981

These amendments were made after the relevant date of transfer, but RSA GN R.2841/1981 states that they "were made with the consent of the Council of Ministers of the territory of South West Africa and apply also in the said territory".

RSA Government Notice R.2417 of 1982 (RSA GG 8442)

came into force on date of publication: 12 November 1982

These amendments were made after the relevant date of transfer, but RSA GN R.2417/1982 states that they "were made with the consent of the Council of Ministers of the Territory of South West Africa and apply also in the said Territory".

Government Notice AG 9 of 1989 (OG 5698)

came into force on date of publication: 15 April 1989

Government Notice AG 41 of 1989 (OG 5751)

came into force on date of publication: 15 July 1989

	CHAPTER 1
Definitions	CHAPTER 2
A. Telephone services	CHAPTER 3
B. PABX's	CHAPTER 4
C. Telegraph services	CHAPTER
D. Telex services	CHAPTER 6
E. Data services	CHAPTER 7
F. Private-line services	CHAPTER 8
G. Television (cables and antennae)	CHAPTER 9
H. Miscellaneous provisions	CHAPTER 10
I. Communal radio repeater station service	

[Chapter 10 is inserted by RSA GN R.2417/1982.]

INDEX

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

CHAPTER 2: Telephone services

- A.1 Classification of exchanges and telephone services
- A.2 Grouping of exchanges for trunk-call rate purposes
- A.3 Minimum-rental period
- A.4 Extension of exchange connection to a person other than the client
- A.5 Use of client's telephone service by other persons
- A.6 Two-party line
- A.7 Shared service
- A.8 Message-telephone service
- A.9 Fixed-time trunk calls
- A.10 Personal calls
- A.11 Messenger-service call
- A.12 Collect call
- A.13 Diversion of calls
- A.14 Variable time interval metering of calls
- A.15 **[Regulation A.15 is deleted by RSA GN R.2417/1982.]**
- A.16 Transmission and receipt of telegrams by telephone (phonograms)
- A.17 Rounding off of charges in respect of a telephone service

CHAPTER 3: PRIVATE AUTOMATIC BRANCH EXCHANGE SYSTEMS (PABX SYSTEMS)

- B.1 TYPE APPROVAL OF A PABX SWITCHING UNIT
 - B.1.1 List of approved PABX switching units
 - B.1.2 Commissioning of a PABX switching unit and PABX system
 - B.1.3 Exchange connections between the PABX system and the public telephone exchange
 - B.1.4 Additional exchange connections at PABX systems
 - B.1.5 Responsibility for calls from PABX systems
- B.2 PROVISION OF PABX EXTENSION-LINE CABLING AND TERMINAL EQUIPMENT BY THE PRIVATE SECTOR ON THE CLIENT'S PREMISES
 - B.2.1 PABX extension-line cabling.
 - B.2.2 Private terminal equipment that is terminated on PABX systems
- B.3 MAINTENANCE OF PABX SYSTEMS
- B.4 GENERAL PROVISIONS IN RESPECT OF PABX SYSTEMS

[Chapter 3, comprising regulations B.1 through B.4, is substituted by AG GN 9/1989.]

CHAPTER 4: Telegraph services

- C.1 Conditions for acceptance of telegrams
- C.2 Language used in telegrams
- C.3 Parts of a telegram
- C.4 Signing of telegrams by sender
- C.5 Telegrams shall be legible
- C.6 Service indications
- C.7 Addressing of telegrams
- C.8 Registered telegraphic addresses
- C.9 Correction of the address on a telegram at the request of the sender
- C.10 Alike telegrams
- C.11 **[Regulation C.11 is deleted by AG GN 41/1989.]**
- C.12 Phonograms
- C.13 **[Regulation C.13 is deleted by AG GN 41/1989.]**
- C.14 Counting of words in telegrams
- C.15 Acknowledgement of acceptance of a telegram

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- C.16 Redirection of telegrams
- C.17 Repetition of telegrams
- C.18 Telegrams requesting redirection of correspondence
- C.19 Paid service advice
- C.20 Cancellation of telegrams
- C.21 Telegrams with prepaid reply and issue of reply vouchers
- C.22 Prepayment of charges and acceptance of telegrams on account
- C.23 Delivery of telegrams
- C.24 Notification of non-delivery of telegrams
- C.25 Reimbursement of telegram charge and indemnity against damages
- C.26 Inspection of telegrams and/or supply of certified or other copies
- C.27 Holding of telegram forms

CHAPTER 8: Telex services

- D.1 Public telex call offices
- D.2 Printergrams
- D.3 Teleprinter paper

CHAPTER 6: Data services

- E.1 Private leased data lines
- E.2 Private data network
- E.3 Transmission of data for third parties
- E.4 Postmaster General's power to disconnect data services
- E.5 Use of privately owned computer installations by clients of telephone and telex services
- E.6 Part-time private leased data circuits

CHAPTER 7: Private-line services

- F.1 Postmaster General's power to supply private telecommunication lines

CHAPTER 8: Television

- G.1 Antenna systems for television and radio reception
- G.2 Television channels

CHAPTER 9: Miscellaneous provisions

- H.1 Exchanges for operation of telecommunication lines
- H.2 Minimum-rental area of exchanges
- H.3 Length of lines, choice of routes and rental distances
- H.4 Application for use of telecommunication line
- H.5 Power supply
- H.6 Allocation and change of numbers
- H.7 Directory entries
- H.8 Permission for installation of a telecommunication line
- H.9 Liability of clients for fees, rates or charges and classification of telecommunication lines for the calculation of fees, rates or charges and for the purpose of the regulations
- H.10 Payment of rental
- H.11 Period during which telecommunication lines may be used
- H.12 Amounts that may be levied by the Postmaster General
- H.13 Incorrect debits in respect of metered call units
- H.14 Interruptions of service
- H.15 Calls on telecommunication lines
- H.16 Penalty for non-payment of accounts
- H.17 Restoration of service
- H.18 Telephonic reminder service

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- H.19 Joint use of telecommunication lines
- H.20 Notification of termination or discontinuance of service
- H.21 Outdoor transfer of telecommunication lines
- H.22 Choice of type of service and excessive use of telecommunication lines
- H.23 Restrictions on the use of telecommunication lines
- H.24 Improper language over telecommunication lines prohibited
- H.25 Right to refuse service
- H.26 Postmaster General's power to disconnect telecommunication lines and to terminate services under certain circumstances
- H.27 Free access to premises
- H.28 Precautions against damage to clients' premises
- H.29 Recovery of telecommunication lines from vacated premises
- H.30 Part-time telecommunication lines
- H.31 Facilities for installation of telecommunication lines in buildings

Chapter 10. COMMUNAL RADIO REPEATER STATION SERVICE

I.1 Postmaster General's power to render communal radio repeater station service

[Chapter 10 is inserted and the Chapter heading is added to the index by RSA GN R.2417/1982.
The heading of regulation I.1 is added to the text below, but not inserted in the index;
it has been added here for convenient reference.]

[The regulation headings are presented in boldface type
to make the regulation set easier to navigate.]

CHAPTER 1

DEFINITIONS

Unless contrary to the context, any expression in these regulations shall have the same meaning as that ascribed to it in the Post Office Act, 1958 (Act 44 of 1958) and in addition, the expressions below shall have the following meanings:

Automatic message-rate exchanges. - An automatic exchange where local calls are paid for and that is not included in a grouped message-rate exchange system.

Call office. - A telephone instrument fitted with a coin box in which one or more coins must be placed to establish a connection, that is supplied by the Postmaster General for public use and is not intended as a rented service or substitute for a rented service.

Client. - The registered subscriber of a telecommunication line or any person using a telecommunication line in a manner that in the opinion of the Postmaster General renders such a person a registered subscriber or causes him to be regarded as such a subscriber.

Communal radio repeater-station service - a land mobile radiocommunication service provided over repeater stations that are available for communal use.

[The definition of "Communal radio repeater-station service" is inserted by RSA GN R.2417/1982.
It has been formatted in the same style as the other definitions in the regulations.]

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

Data transmission. - Transmission of statistical information from any point to a computer for processing and retrieval of processed information by terminal equipment at remote terminals by means of telecommunication lines provided exclusively by the Postmaster General with the sole object of increasing the utilization of computers.

Exchange connection. - Also a junction line terminated in a private branch exchange or in a private automatic branch exchange.

Extension. - The extension of an exchange connection of a client to his residence or the residence of his employee or to any office or room on the premises or branch premises under the client's control.

Flat-rate exchange - A non-automatic exchange where the rental also covers the cost of local calls.

Grouped message-rate exchange - An exchange system in which the Postmaster General includes and groups various exchanges with a measuring-point exchange in each group for the purposes of determining fees, rates or charges.

Inland telegram. - A telegram originating at and addressed to a destination in the Republic of South Africa or in South-West Africa.

International telegram. - A telegram addressed to or received from a destination outside the Republic of South Africa or South-West Africa and transmitted by means of the international telegraph system.

Message telephone. - A rented exchange connection extended to the office of another client and fitted with a switch to prevent intercommunication between the main service and the second telephone.

Non-automatic message-rate exchange. - A non-automatic exchange where local calls are paid for.

Part-time telephone service - A telephone service allocated to a client on a part-time basis for use during specific times determined by the Postmaster General.

Phonogram. - A telegram that is telephoned to a telegraph office.

[The definition of "Phototelegram" is deleted by AG GN 41/1989.]

Private automatic branch exchange switching unit (PABX switching unit) - A telephone switching unit installed on a client's premises or intended to be so installed and connected to the public telecommunication network by means of exchange connections. Such unit functions as an intermediary for traffic from extensions to exchange connections or other lines, and *vice versa*, and also does the switching of traffic between extensions.

[The definition of "Private automatic branch exchange switching unit (PABX switching unit)" is inserted by AG GN 9/1989. It has been formatted in the same style as the other definitions in the regulations. The word "intermediary" is misspelt in the Government Gazette, as reproduced above.]

Private automatic branch exchange system (PABX system) - The PABX switching unit, the PABX extension-line cabling and terminal equipment connected to it.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

[The definition of “Private automatic branch exchange system (PABX system)” is inserted by AG GN 9/1989. It has been formatted in the same style as the other definitions in the regulations.]

Private automatic branch exchange extension-line cabling (PABX extension-line cabling)

- The extension-line cabling terminated on a PABX switching unit for serving a single client or his subsidiary companies and which is confined to a single piece of land or to contiguous pieces of land owned by the same person, except where such extension-line services are provided by the Postmaster General.

[The definition of “Private automatic branch exchange extension-line cabling (PABX extension-line cabling)” is inserted by AG GN 9/1989. It has been formatted in the same style as the other definitions in the regulations.]

Private line. - A line connecting two or more points permanently and that is not connected to the general telecommunication system.

Shared service. - A telephone service allocated to a client sharing a line with another client although separate telephone numbers have been allocated to such clients and separate telephone accounts are also rendered.

SOR 8 type telephone Service. - An individual exchange connection provided by means of a carrier system.

Subsidiary company. - A company in relation to a client which in terms of section 1(3) of the Companies Act, 1973 (Act 61 of 1973), would be regarded as a subsidiary company of that client.

[The definition of “Subsidiary company” is substituted by RSA GN R.2119/1977. The Companies Act 61 of 1973 has been replaced by the Companies Act 28 of 2004.]

Telecommunication line. - Also a telephone, telegraph, telex, data or private-line service or any other telecommunication service or subsidiary service or additional facilities relating to such services or additional facilities.

Telegram in plain language. - A telegram with words and expressions presenting an intelligible communication in which all words and expressions have the meaning normally assigned to them in the language to which they belong.

Telegram in secret language. - A telegram containing one or more words of the text or the signature in secret language.

Tie line. - A line connecting two private branch exchanges, whether manual or automatic.

Two-party line. - Two clients served by the same line from a manual exchange and to whom separate code rings are allocated and separate accounts are rendered.

CHAPTER 2

TELEPHONE SERVICES

A.1 CLASSIFICATION OF EXCHANGES AND TELEPHONE SERVICES

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(1) The Postmaster General may, for the purpose of these regulations or for the levying of fees, rates or charges, classify exchanges or telephone services as stated in paragraph 2 of this regulation.

(2) (a) *Exchanges:*

- (i) Flat-rate exchanges.
- (ii) Automatic message-rate exchanges.
- (iii) Non-automatic message-rate exchanges.
- (iv) Grouped message-rate exchange systems.

(b) *Telephone services:*

- (i) Call offices.
- (ii) Exchange connections.
- (iii) Message telephone.
- (iv) Two-party-line service.
- (v) Multiparty and party-line service (non-automatic).
- (vi) Automatic party-line services.
- (vii) Rural exchange-line services (automatic).

[Paragraph (vii) is amended by RSA GN R.13/1979.]

- (viii) Exclusive party-line services (automatic and non- automatic).
- (ix) SOR 8 type telephone services.
- (x) Shared service.
- (xi) Part-time telephone service.
- (xii) Plan-type telephone services (ordinary and Protea).
- (xiii) Extension lines.
- (xiv) Key and lamp units.

(3) For the purpose of the regulations or the determination of fees, rates or charges the Postmaster General shall decide to which type of exchange a telephone service is connected or deemed to be connected.

A.2 GROUPING OF EXCHANGES FOR TRUNK-CALL RATE PURPOSES

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(1) The Postmaster General may group together two or more exchanges for call-rate purposes in conjunction with the introduction of direct-dialling facilities at automatic exchanges with variable time interval metering. Exchanges are grouped into trunk, end, and theoretical exchanges, as well as semi-automatic switching units.

(2) End exchanges are grouped with their parent trunk exchanges and the metering periods for a trunk call from an automatic exchange with variable time interval metering within the group to any other exchange within the same group shall be determined, irrespective of the distance, according to Rate A in respect of all subscriber's and call-office calls that may be dialled direct.

(3) Trunk exchanges, together with their end exchanges, are grouped into zones and one of the trunk exchanges in each zone shall be designated the main trunk exchange for that zone.

(4) The charge for trunk calls from an automatic trunk exchange with variable time interval metering to any other trunk exchange that may be dialled direct by clients at the former exchange is determined according to the radial distance between the trunk exchanges when this distance does not exceed 200 km. When the radial distance exceeds 200 km the charge is in accordance with either Rate E in respect of all subscriber's and call-office calls with variable time interval metering that may be dialled direct, or with the rate for the radial distance between the various trunk exchanges, whichever is the higher.

[The word "subscriber's" should be "subscribers".]

(5) Semi-automatic switching units and theoretical exchanges - Clients and call-office users who dial controlling exchanges direct for calls to clients served by semi-automatic switching units or theoretical exchanges shall pay the normal variable time interval rate applicable to calls that are switched to the control exchange. This subregulation shall apply only to calls to semi-automatic switching units and theoretical exchanges mentioned in the various trunk dialling code lists and included as such in the telephone directory.

A.3 MINIMUM RENTAL PERIOD

(1) Any person requiring a service referred to in paragraph 2 of this regulation shall be obliged to rent the service for the minimum period that is determined for that type of service, and such a period shall be calculated from the date on which the service commences and in the case of television channels with effect from the date of provision of service.

(2) The following minimum rental periods will apply -

- (i) Multiparty-line service - 6 months.
- (ii) Farm-line service, automatic party-line service, SOR 8 service, and non-automatic exclusive party-line service -
 - (a) where outdoor construction work is involved - 3 years;
 - (b) where no outdoor construction work is involved - 1 year.

[Paragraph (ii) is amended by RSA GN R.13/1979.]

- (iii) Automatic rural exchange-line service and automatic exclusive party-line service - 5 years.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

[Paragraph (iii) is corrected by RSA GN R.1618/1977.]

- (iv) permanent television channel - 30 months,
- (v) Key and lamp unit - 3 years -

Provided that -

- (a) when an existing telephone service of which the rental period has expired is replaced by an SOR 8 type telephone service, a rental period of one month shall be applicable; and
- (b) when an existing service is taken over, the minimum rental period shall be the unexpired portion of the rental period of the former client.

A.4 EXTENSION OF EXCHANGE CONNECTION TO A PERSON OTHER THAN THE CLIENT

(1) The Postmaster General may extend a client's exchange connection to the office of a person who is not a client and whose office is in the same building as that in which the client's service is installed.

(2) Similarly, the Postmaster General may extend a client's exchange connection to his subsidiary company occupying the same or a building other than that occupied by the client, provided that such subsidiary company does not have a telephone service at its disposal.

(3) For the purpose of subregulation 2 it shall be incumbent on the client to prove that a concern is a subsidiary. The conditions for joint use of telecommunication lines as prescribed by regulation H.19 shall also be complied with.

A.5 USE OF CLIENT'S TELEPHONE SERVICE BY OTHER PERSONS

(1) Clients may charge persons using their telephone service a reasonable service charge over and above the ordinary call fees determined by the Postmaster General. The charge may be collected together with the fees for the call as one amount: provided that such persons are notified beforehand that they will be liable for payment of a service charge.

(2) The Postmaster General may under no circumstances be party to any dispute arising between a client and any other person in respect of the levying of a service charge.

(3) The Postmaster General shall not be held liable for any damages sustained or loss suffered by a client or other person due to a faulty telecommunication line or for whatever reason that may arise from the use of a client's telephone service by another person.

A.6 TWO-PARTY LINE

In the case of a two-party line each client shall pay the charge for the distance that his premises are situated beyond the minimum-rental area of an exchange.

A.7 SHARED SERVICE

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(1) The Postmaster General may at any time allocate a shared service to a person or require a client to share his service with another person.

(2) When a shared service is allocated each client shall pay the charge for the distance that his premises are situated beyond the minimum-rental area of an exchange.

A.8 MESSAGE-TELEPHONE SERVICE

(1) A message telephone may be supplied by the Postmaster General so that another person may take messages on behalf of the client during the latter's temporary absence.

(2) For the calculation of fees, rates or charges, a message telephone shall be classified as an extension.

A.9 FIXED-TIME TRUNK CALLS

Arrangements may be made not more than two working days in advance for a trunk-line communication with a given number to be effected at a specified time. This may be repeated regularly over a period by special arrangement. Daily fixed-time calls may be booked in a series for a period of at least one week (Saturdays, Sundays, and public holidays included or excluded).

A.10 PERSONAL CALLS

When booking a trunk call to a client's telephone, the caller may request that a particular person should be called to answer the telephone, or may nominate a particular extension number at a private branch exchange. The duration of a call is calculated from the moment that the conversation with the nominated person commences or that a person answers at the extension number.

A.11 MESSENGER-SERVICE CALL

Arrangements may be made to send a message during official hours of attendance by messenger to a person within reasonable distance of a telegraph office, and who can be reached by messenger, to attend at the nearest telephone.

A.12 COLLECT CALL

(1) When booking a trunk call to a client's telephone, the caller may request that the called client be debited with the charge of the call. The extra charge for this service shall be payable irrespective of the unit charge of the call or the rate applicable when the call matures and shall be payable by the client to whose telephone the call is made. The personal service shall also be available in conjunction with collect calls. In such instances the personal-service charge shall be payable in addition to the unit charge and the collect-call charge. As the personal-service charge must, however, be defrayed by the caller, it will be debited to the account of the client who booked the call. If the call is booked from a call office, the personal-service charge must be collected from the caller when he books the call.

(2) If the called client refuses to pay the charge for the call and the caller is prepared to pay the charge the collect call fee shall not be levied. If both the caller and the called client refuse to defray the cost of the call, the call shall be cancelled and no charge shall be levied, but in the case of a personal-service call the personal-service charge shall remain payable.

A.13 DIVERSION OF CALLS

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(1) The Postmaster General may arrange for calls to any telephone number to be diverted to another number at the same exchange or at another exchange in the same exchange system. Diversion of calls at automatic exchanges can also be arranged to a telephone number at any other exchange. At automatic exchanges at least 24 hours' prior notice of diversion shall be

(2) The diversion service is not available in the case of party lines, two-party lines, shared exchange lines and lines that are served by semi-automatic switching units.

A.14 VARIABLE TIME INTERVAL METERING OF CALLS

An automatic exchange with variable time interval metering is an automatic exchange where the charge for trunk calls dialled direct by clients is registered as follows on the client's meter as call units -

- (a) One unit is registered at the commencement of each call and after that one unit on expiry of each metering period for the duration of the call, including any metering period that has already commenced when the connection is made.
- (b) The metering periods vary according to the radial distance between the two trunk exchanges constituting the rate points, as laid down in regulation A.2.

A.15 TRUNK CALLS THAT CANNOT BE DIALLED DIRECT BY CLIENTS

(1) The charges for trunk calls that cannot be dialled direct by clients shall be determined per unit period of three minutes.

(2) The unit period is three minutes calculated from the time that the caller is informed that the required connection has been established, provided that when the charge for a call of three minutes from a client's telephone is at least 30c, the charge for extra time after the first three minutes shall be calculated pro rata per minute.

A.16 TRANSMISSION AND RECEIPT OF TELEGRAMS BY TELEPHONE (PHONOGRAMS)

(1) A client may transmit phonograms, with the exception of press reports, to a telegraph office that may be dialled through the agency of the exchange and from which they will be transmitted to the office of destination as telegrams.

(2) The text of telegrams handled by the Postmaster General and addressed to a client may be communicated to the client by telephone provided that the received telegram is posted to the client as soon as possible as verification.

A.17 ROUNDING OFF OF CHARGES IN RESPECT OF A TELEPHONE SERVICE

(1) When a charge in respect of a telephone service contains a fraction of 1c, the Postmaster General may adjust such a fraction up or down to the nearest cent.

(2) The charge for a call-office call that does not amount to a multiple of 5c may be rounded off by the Postmaster General to the next higher multiple of 5c.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

PRIVATE AUTOMATIC BRANCH EXCHANGE SYSTEMS (PABX SYSTEMS)

[Chapter 3 is corrected by RSA GN R.1618/1977 and substituted by AG GN 9/1989.
As substituted, it comprises regulations B.1 through B.4.]

B.1 TYPE APPROVAL OF A PABX SWITCHING UNIT

B.1.1 List of approved PABX switching units.

[This heading is the only one in the substituted Chapter 3 which is not entirely in capital letters.]

(1) The Postmaster General shall compile a list of approved types of PABX switching units together with the names and addresses of the respective suppliers, and may at any time amend or add to such list.

(2) Any supplier of a PABX switching unit who wishes such a unit to be considered for inclusion in the approved list, shall complete the official application form and ensure that his equipment, complies with the standard specification as prescribed by the Postmaster General.

(3) Suppliers shall only be placed on the list of approved PABX switching units if they, in the opinion of the Postmaster General -

- (i) are capable in all respects to install and maintain PABX switching units according to the required standards;
- (ii) are qualified to provide prospective purchasers of PABX switching units with adequate technical information;
- (iii) are qualified and prepared at their own expense to train Post Office personnel in the functioning of PABX switching units, if this is required by the Postmaster General;
- (iv) maintain in stock adequate spare parts for the PABX switching unit installed or maintained by them.

(4) Subject to the provisions of regulation B.2(l), all suppliers who appear on the said list shall be issued with a licence permitting them to install, to alter and to maintain a PABX system, that must comply with the standard specification referred to in subregulation (2), as well as to the technical instructions issued by the Postmaster General.

(5) The Postmaster General may delete from the said list the name of a supplier of PABX switching units or any of the units that are supplied by such a person -

- (i) if he supplies units that in any way differ from those for which approval was given; or
- (ii) if he contravenes or fails to comply with any of the conditions under which approval was given; or
- (iii) if the supplier of a PABX switching unit or any member of his personnel, in any way indicates to a member of the public that the Postmaster General or any officer of the Department promotes or recommends the use of a specific PABX switching unit; or
- (iv) if the supplier requests so in writing.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(6) Nobody may provide any PABX-switching unit to any prospective user for termination on the public telecommunication network unless he has, in terms of these Regulations, obtained the necessary approval from the Postmaster General and is listed on the said list of approved types of PABX switching units as a supplier of such units.

B.1.2 COMMISSIONING OF A SWITCHING UNIT AND SYSTEM.

(1) Anyone who requires a PABX switching unit to be installed for termination on the public telecommunication network shall apply for the facility to the Postmaster General, or to any supplier of approved PABX switching units, or to any maintenance organization referred to in regulation B.3(1). Neither the Postmaster General nor any officer of the Department shall influence a client in any way in exercising his choice with regard to any particular type of approved PABX switching unit or supplier. Similarly no supplier of a PABX switching unit may in any way indicate to any member of the public that the Postmaster General or any officer of the Department promotes or recommends the use of a specific PABX switching unit.

(2) The configuration of the PABX system shall, where applicable, be in accordance with the statement of PABX requirements, which is obtainable from the Postmaster General on payment of the prescribed amount. Such statement is only valid for 12 months after date of issue.

(3) The Postmaster General shall, subject to the provisions of Regulation B.I.4, only approve the connection of a PABX system to the public telecommunication network if he is satisfied that it will not cause overloading of the switching equipment in the public telecommunication network.

(4) No person shall, without the prior approval of the Postmaster General, alter a PABX switching unit that is connected to the public telecommunication network in terms of these Regulations, by the addition of facilities or extra equipment over and above that which have been approved.

[The verb “have” should be “has” to accord with the subject “equipment”.]

(5) The Postmaster General may refuse to connect a PABX system to the public telecommunication network if the position where the switching unit is positioned on the site is not acceptable to him, or where the quality of the system or the manner in which it is installed does not meet with his approval.

(6) An approved PABX switching unit shall be installed by a licensed supplier or maintenance organization unless the Postmaster General decides otherwise.

(7) When a licence holder uses another person’s services to install the extension line cabling and terminal equipment connected to a PABX system, the licence holder remains responsible towards the Postmaster General to ensure that all licensing conditions are adhered to and that the installation is undertaken according to the requirements of the Postmaster General.

(8) After a PABX system has been installed, the Postmaster General shall test the system to establish whether it meets the requirements for connection to the telecommunications network. The licence holder shall be liable for the prescribed test fee.

(9) The Postmaster General reserves the right -

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- (a) at any time to inspect, in the presence of the licence holder or his authorized representative, every new installation before the PABX system is terminated on the telecommunication network; and
- (b) to inspect all existing PABX systems, to ensure that -
 - (i) the system complies with Departmental requirements; and
 - (ii) only approved terminal equipment has been used.

(10) If, in the opinion of the Postmaster General, a PABX system does not comply with Departmental requirements he may, in the case of a new system, refuse to connect it to the public telecommunication network and, in the case of an existing system, he may disconnect it from the public telecommunication network. The Postmaster General can also disconnect an existing system from the public telecommunication network if the client or owner of the premises denies him access at any reasonable time to undertake the inspections referred to in subregulation (9).

(11) The Postmaster General reserves the right to make any modification of any type whatsoever to the telecommunication network and shall under no circumstances be liable to the client, the supplier, the maintenance organization or any other person for any claim for damages or the cost of changes to or replacement of a PABX system or any portion thereof that may be necessitated by such modification to the telecommunication network.

(12) Any application for changes to the capacity of a PABX switching unit that has been installed in terms of these Regulations shall be dealt with as a new application for a PABX switching unit.

B.1.3 EXCHANGE CONNECTIONS BETWEEN THE PABX SYSTEM AND THE PUBLIC TELEPHONE EXCHANGE

Exchange connections between the PABX system and the public telephone exchange shall be provided by the Postmaster General, and shall be rented from him by the client at the prescribed tariff.

B.1.4 ADDITIONAL EXCHANGE CONNECTIONS AT PABX SYSTEMS

When, in the opinion of the Postmaster General, the traffic load on a PABX system is too high either in respect of switching equipment or exchange connections, he may require the client to bring the traffic load within limits, by either replacing the system, adequately extending it, or renting additional exchange connections.

B.1.5 RESPONSIBILITY FOR FROM PABX SYSTEMS CALLS

The Postmaster General shall accept no responsibility towards anybody for any damages that may result from the application of call metering that is done by any method whatsoever by the PABX system or any associated private equipment connected to it.

B.2 PROVISION OF PABX EXTENSION LINE CABLING AND TERMINAL EQUIPMENT BY THE PRIVATE SECTOR ON THE CLIENT'S PREMISES

(1) A licence holder may also install, alter and maintain the extension-line cabling and terminal equipment terminated on a PABX switching unit, but only if -

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- (i) no PABX system in respect of the relative client exists on the premises; or an existing PABX switching unit is replaced by another type; or
- (ii) a client changes address and the PABX switching unit is transferred to the new site; or
- (iii) a PABX switching unit is extended on the same occasion by at least 25% of the installed capacity, but in any such case only on condition that the additional extension-line capacity is not less than 50.

(2) Where the cabling for telecommunication purposes has been done by the Postmaster General on any premises and any action in accordance with these Regulations may result in private PABX extension-line cabling also being accommodated in the same wireway system, the decision as to whether a licence holder shall be permitted to install, to alter and to maintain the extension-line cabling and terminal equipment connected to a PABX switching unit, shall rest exclusively with the Postmaster General. If the Postmaster General should decide that any particular case falls under subregulation (1), the conveyance of property rights of any existing Departmental assets may be negotiated with the Postmaster General.

(3) The Postmaster General, notwithstanding any provision of these Regulations to the contrary, reserves the right to undertake the cabling and provide the terminal equipment and to terminate it on a PABX switching unit, in which cases the Postmaster General shall recover his costs from the client, and whereafter the responsibility for the maintenance shall rest with the client. If the client is not a licence holder he shall conclude a maintenance contract with a licence holder.

B.2.1 PABX EXTENSION-LINE CABLING

(1) The Postmaster General shall in the normal course of events continue to cable buildings and provide and maintain the necessary facilities for the provision of telecommunication services for which he is responsible.

(2) The Postmaster General shall terminate all exchange connections and any cable pairs on the PABX main distribution frame if the distribution frame is situated outside the PABX switching unit. Such main distribution frame shall at all times be accessible to the Postmaster General. Where the main distribution frame is an integral part of the PABX switching unit, the Postmaster General shall terminate cable pairs on a termination point provided by him. The licence holder shall in such cases be responsible for the connection between the PABX switching unit and the termination point.

(3) A licence holder or user of the service shall mark all privately installed distribution or cross-connection points in respect of cable pairs in such a manner that they are clearly recognizable as private property.

(4) The Postmaster General shall undertake the required negotiations, as provided for in article 80A of the Post Office Act, to arrange that wireways for telecommunication purposes are available in buildings. Licence holders shall, however, utilize separate wireways than those used by the Postmaster General: Provided that where such wireways are either congested or not available, the joint use of Post Office wireways may be negotiated with the Postmaster General: Provided further that licence holders may only utilize the vertical wireways in multistorey buildings for the provision of interfloor PABX extension-line cabling.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(5) With the exception of the termination point referred to in subregulation (2), licence holders shall not tamper with Post Office cabling, installations or apparatus.

(6) The colour of the sheath of all private extension-line cabling shall be either grey or white.

(7) To prevent wireways from becoming congested in multi-user buildings where different licence holders will be providing PABX extension-line cabling, the Postmaster General may request that a full description of the lay-out of the proposed extension-line cabling be submitted to him for approval before the work is commenced with.

B.2.2 PRIVATE TERMINAL EQUIPMENT THAT IS TERMINATED ON PABX SYSTEMS

(1) Terminal equipment that may be terminated under licence on PABX systems shall be of the same type as that provided by the Postmaster General for use on the public telecommunication network and shall be limited to extension-line telephone instruments and plan systems: Provided that any other apparatus that has been licensed by the Postmaster General may be terminated on the system subject to the conditions pertaining to such apparatus as contained in Chapter 2.1 of the Telecommunication Regulations.

(2) Extension line telephone instruments and plan systems referred to in subregulation (1), shall firstly be purchased direct from the manufacturers [Telephone Manufacturers of SA (Pty) Ltd.]. If the abovementioned organization cannot provide in a specific requirement such terminal equipment may be purchased from the Postmaster General if in the opinion of the Postmaster General existing stock positions are sufficient. Except with the approval of the Postmaster General and subject to the proviso to subregulation (1) no person shall obtain any extension-line telephone instrument or plan system for connection to the public telecommunication system - including PABX systems - from any other source than that mentioned in this subregulation. The Postmaster General reserves the right, without prejudice to any provision of the Act or the Telecommunication Regulations, to summarily disconnect any unauthorized apparatus from the system.

(3) All extension-line telephone instruments and plan systems obtained in terms of subregulation (2) from either the Postmaster General or the manufacturer, shall be clearly and recognizably marked as belonging to the licence holder or user of the system. When such mark does not appear on terminal equipment, it will be assumed that it is the property of the Postmaster General until the contrary is proved.

(4) As extension-line telephone instruments and plan systems sold by the Postmaster General in terms of subregulation (2) becomes the property of the licence holder, the Postmaster General shall not be responsible for the maintenance of such apparatus.

**[The verb “becomes” should be “become” to accord
with the subject “telephone instruments and plan systems”.]**

(5) Licence holders shall provide the Postmaster General, at such times as may be determined by him, with a statement as may be required by the Postmaster General, in respect of the number of extension-line terminals, the nature thereof and any other information that may relate to the PABX system.

B.3 MAINTENANCE OF PABX SYSTEMS

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(1) Subject to the provisions of regulation B.2(1) the Postmaster General may issue a maintenance licence to a person, who is not licensed as a supplier in terms of regulation B.1.1(4) on the conditions that the Postmaster General may specifically prescribe from time to time or that are prescribed herein by this regulation to install, to alter and to maintain PABX systems, and the holder of any such licence shall be known as a maintenance organization.

(2) A person who in terms of subregulation (1) has been licensed by the Postmaster General, shall at all times comply with the procedures and requirements as set out in the standard specification for PABX switching units and the technical instructions as issued by the Postmaster General. In addition the licence holder shall -

- (i) have access to a stock of spares as well as technical information with regard to circuit diagrams, maintenance manuals, etc.; and
- (ii) as far as the maintenance of electronic type PABX systems is concerned, conclude an agreement with the supplier of such system for the repair of defective printed-circuit boards, the availability of the necessary software support and, where applicable, any other matter regarding the maintenance of the system.

(3) The licence holder shall furnish proof to the satisfaction of the Postmaster General that during the validity of the licence he will have personnel in his employ who have the necessary qualifications and experience to install, to alter and to maintain the type of PABX system for which he is licensed.

B.4 GENERAL PROVISIONS RESPECT OF PABX SYSTEMS IN RESPECT OF PABX SYSTEMS

(1) No person, including the licence holder, shall incorporate into a PABX system any additional facility or effect any modification thereof without the prior authority of the Postmaster General having been obtained therefore.

(2) The Postmaster General shall not be liable towards anyone for any loss or damage originating or resulting from the installation, alteration, maintenance or operation of a PABX system.

(3) Where, in the opinion of the Postmaster General, the operation of a PABX system in whatever manner causes any technical problems or has a detrimental effect on the public telecommunication network, the Postmaster General may disconnect the PABX system from the network.

(4) No person shall contract with a client to provide, to alter or to maintain a PABX system or shall provide any person with any such system, or shall alter or maintain it, unless he has a licence as referred to in regulation B.1.1(4) or B.3(1).

(5) Each individual PABX system shall be installed, altered and maintained by a single licence holder.

(6) Where a client would like to provide, to alter and to maintain his system himself he shall be licensed for this purpose by the Postmaster General. A client who does not maintain his PABX system himself shall conclude a maintenance agreement with a person who has a licence referred to in regulation B.1.1(4) or B.3(1): Provided that the client shall before the agreement comes into operation inform the Postmaster General in writing of any such maintenance agreement and of the date on which it becomes effective.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(7) When the provision, alteration and maintenance of a PABX system is undertaken by a licence holder, the Postmaster General shall not be responsible for the inefficient operation thereof, and shall not become involved in any dispute that may arise between such a licence holder and the user of the service.

(8) Before service difficulties or any fault condition is reported to the Postmaster General, the client shall ensure that any such problem or condition does not exist in his PABX system by having the fault investigated by the licence holder who maintains his system. The Postmaster General may refuse to accept a service difficulty or fault condition for investigation before this condition has been complied with. The Postmaster General shall not be liable for any loss or damage emanating from a service difficulty or fault condition in the public telecommunication network or any part of the Departmental system.

(9) Should it be proved that a service difficulty or fault condition which is accepted for investigation by the Postmaster General, after the licence holder which maintains the system has confirmed that the fault is not in the relative PABX-system, was actually in the system, the expenses incurred by the Postmaster General will be recovered from the licence holder.

CHAPTER 4

TELEGRAPH SERVICES

C.1 CONDITIONS FOR ACCEPTANCE OF TELEGRAMS

(1) Telegrams are accepted by the Postmaster General on the conditions prescribed in these regulations.

(2) However, the acceptance of international and radio telegrams shall be subject to the provisions of international regulations and agreements to which the Government of the Republic of South Africa is a signatory.

C.2 LANGUAGE USED IN TELEGRAMS

(1) The text of a telegram may be prepared either in plain language or in secret language. Either of the two types of language, or both, may be used in a telegram.

(2) However, the whole text of a telegram in plain language shall be prepared in plain language, provided that the following may appear in the telegram -

- (a) Numbers written in letters or figures, or groups comprising either letters or figures, or figures and signs, provided that these numbers, groups and signs have no secret meaning.
- (b) Proper names, arbitrary or abbreviated addresses.
- (c) Abbreviated designations of international or national organisations, including business undertakings, in the form of letters combined as one group.
- (d) Commercial and trade marks, designations of goods, arbitrary technical terms used to denote machines or component parts of machines, reference numbers or indications and other expressions of this kind, provided that these marks, designations, technical terms, reference numbers or indications and expressions

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

appear in a catalogue available to the public or in a price list, invoice, bill of lading or similar documents.

- (e) Groups denoting house numbers, registration numbers or letters of motor vehicles, names of ships, aircraft or railway trains, as well as flight and train numbers; groups clearly representing money, ordinal numbers, and indications of time; and groups representing quotations on the stock exchange or market prices, scientific formulae or meteorological observations or forecasts.
- (f) Abbreviated expressions used in ordinary or commercial correspondence.
- (g) A single check word or check number at the beginning of the text.

[Paragraph (g) is substituted by RSA GN R.2000/1977.]

(3) Words in a telegram in secret language may not contain accented letters. However, the following may be used in a telegram in secret language -

- (a) Artificial words composed of either letters, figures or signs, or a mixture of these.
 - (b) Arabic figures or groups of Arabic figures having a secret meaning.
 - (c) Real words belonging to one or more of the languages allowed in telegrams in plain language, but having another meaning than that normally assigned to them in the language to which they belong and consequently not forming intelligible phrases.
 - (d) Other words or expressions not complying with the conditions laid down for plain language.
 - (e) A mixture of the words and expressions mentioned in (a) to (d).
- (4)

[Subregulation (4) is deleted by RSA GN R.2000/1977.]

(5) The decision as to whether a telegram is in plain or secret language shall rest exclusively with the Postmaster General.

C.3 PARTS OF A TELEGRAM

A telegram shall have at least an address and a text and may also contain a paid service indication and the name of the sender. The telegram shall be prepared in the following order -

- (i) Paid service indication.
- (ii) Address.
- (iii) Text.
- (iv) Name of sender.

C.4 SIGNING OF TELEGRAMS SENDER

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

Every telegram accepted over the Post Office counter shall be signed by the sender and shall bear the address of the sender. These particulars are not transmitted as part of the telegram that must be delivered to the addressee.

C.5 TELEGRAMS SHALL BE LEGIBLE

The handwriting on a telegram tendered for transmission shall be legible and every footnote, insertion, erasure, deletion or correction shall be initialled by the sender or his representative.

C.6 SERVICE INDICATIONS

(1) The type of telegram and any special service required in connection with the treatment of the telegrams shall be indicated by means of service indications when applicable.

(2) Service indications shall be written between double dashes directly before the address on the telegram form, e.g. =LX=.

(3) For the purpose of the calculation of charges every service indication shall be counted at the rate of ten characters to a word.

[Subregulation (3) is substituted by RSA GN R.2000/1977.]

(4) The service indications for telegrams are as follows –

= RPx=	Reply paid - x represents the prepaid amount in Rand and cents.
=TLXx=	Telegram with request for delivery by telex - x represents the telex number.
=TFx=	Telegram with, request for delivery by telephone - x represents the telephone number.
=OBS=	Meteorological telegram.
=D=	Urgent telegram having priority.
=RPDx=	Reply paid at urgent rate - x represents the prepaid amount in Rand and cents.
=LX=	Deluxe telegram on an ornamental form and delivered in an ornamental envelope.
=Signature obtained =	For use in requests for redirection of correspondence.

[Subregulation (4) is amended by AG GN 41/1989.]

C.7 ADDRESSING OF TELEGRAMS

(1) The address of a telegram shall comprise at least two words the first of which shall be the name of the addressee and the second the name of the telegraph office of destination.

(2) The grouping of initials in the address or any other part of a telegram shall not be permitted; every initial shall count as a single word for the calculation of the charge.

(3) If possible, the first name or initials of the addressee shall be furnished in a telegram intended for poste restante delivery.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(4) When a telegram is addressed to a person at the address of another, the address must contain immediately after the name of the actual addressee the words *care of* or an acknowledged abbreviation of them. This also applies when a registered telegraphic address is used.

C.8 REGISTERED TELEGRAPHIC ADDRESSES

(1) Any person may register an arbitrary or abbreviated address that has been approved by the Postmaster General for that purpose at a telegraph office for use in the address of telegrams or as the sender's name in telegrams.

(2) A registered telegraphic address shall comprise only one word not exceeding fifteen letters. The word may be one of the following -

- (a) A real word appearing in a standard dictionary in the modern Western script.
- (b) An artificially-composed word comprising syllables pronounced in accordance with the usual pronunciation of words (for example - Debrazara, Henderscot, Sennigrip) -

[Paragraph (b) is corrected by RSA GN R.1618/1977.]

(3) The following may not be registered as telegraphic addresses -

- (i) Surnames and first names.
- (ii) Place names.
- (iii) Generic names applicable to a particular business, occupation, profession or trade, for example *jeweller, baker*.
- (iv) Numbers and figures.
- (v) Words already registered as telegraphic addresses of other persons or firms at the same or another telegraph office.
- (vi) Words that, when being telegraphed, may be easily confused owing to their orthography or phonetic system with words already registered as telegraphic addresses, for example -

INDEX as opposed to JUDEX.

DECCO as opposed to TECCO.

- (vii) Words formed by joining two names or initials and a surname; for example - Johnyoung or JOYOUNG.

(4) The registration charge for a telegraphic address is payable in advance and the due date is 1 January every year.

(5) A registered telegraphic address that has been suspended because the registration charge has not been paid shall be reserved for re-registration for six months. During this period the person who registered the address concerned may obtain re-registration of the address on payment of the prescribed charge.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

C.9 CORRECTION OF THE ADDRESS ON A TELEGRAM AT THE REQUEST OF THE SENDER

(1) When a telegram has not been delivered owing to an inadequate or incorrect address indicated on the telegram, the sender may request the Postmaster General to correct the address, provided that the corrected address is in the same city or town as the address to which the telegram was originally sent. For such a request a service- advice charge shall be paid to the Postmaster General by the sender.

(2) If the sender desires to make a correction in respect of the name of the office of destination, he shall send a fresh telegram at his own expense.

C.10 ALIKE TELEGRAMS

(1) Telegrams with alike wording may be addressed to several addressees or to the same addressee at different addresses in the same town or different towns. The name of the telegraph office of destination shall appear after each address.

(2) The charge for an alike telegram shall be calculated as if each address were a separate telegram. A surcharge in addition to the normal telegram charge shall be payable for each address.

C.11

[Regulation C.11 is deleted by AG GN 41/1989.]

C.12 PHONOGRAMS

A phonogram is a telegram that is telephoned by the sender to a telegraph office. Phonograms shall be accepted subject to the provisions of these regulations. See also regulation A.16.

C.13

[Regulation C.13 is deleted by AG GN 41/1989.]

C.14 COUNTING OF WORDS IN TELEGRAMS

(1) When counting words, everything that is written on the telegram form for transmission, including the service indications stated in regulation C.6, but excluding any additional departmental service indications, shall be taken into account to determine the charge for the telegram.

(2) The following shall neither be counted as words when determining the charge nor be transmitted -

- (a) Dashes used for the sole purpose of separating words or groups from one another.
- (b) Isolated signs, unless the sender has requested their transmission.

(3) Each isolated letter or figure as well as each isolated sign transmitted at the specific request of the sender shall be counted as one word.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

[Subregulation (3) is substituted by RSA GN R.2000/1977.]

(4) Each word (including those in which apostrophes, hyphens, oblique lines, inverted commas and brackets appear) or groups comprising letters, figures or signs or a mixture of them shall be counted at the rate of 10 characters to a word in telegrams in plain and secret language. Apostrophes, hyphens, oblique lines and each of the signs forming inverted commas or brackets, are considered to be and counted as one character of the words or groups of letters, figures or signs or a mixture of them to which they belong.

[Subregulation (4) is corrected by RSA GN R.1618/1977 and substituted by RSA GN R.2000/1977.]

(5) The combining or contracting of words in plain language contrary to the usual orthography of the language to which they belong, is not allowed in telegrams [see also regulations C.6(3) and C.7(2)].

[Subregulation (5) is substituted by RSA GN R.2000/1977.]

[Subregulations (6)-(12) are deleted by RSA GN R.2000/1977.]

C.15 ACKNOWLEDGEMENT OF ACCEPTANCE OF A TELEGRAM

On payment of the prescribed charge the sender of a telegram may obtain an acknowledgement of acceptance of the telegram and of the amount paid for its transmission from the Postmaster General.

C.16 REDIRECTION OF TELEGRAMS

(1) A telegram may be redirected to a new address in another town at the written request of the addressee and on payment of the charge for retransmission. However, if the telegram has to be redirected to a new address in the same town redirection shall be effected without charge.

(2) A telegram is also redirected in accordance with the written instruction of a responsible person at the original address, provided that this person gives the assurance that he will pay the charge for transmission if the telegram is not delivered or if the addressee refuses to pay the charge.

(3) The redirection of telegrams by post shall be effected free of charge.

C.17 REPETITION OF TELEGRAMS

(1) The addressee of a telegram may have a telegram repeated either wholly or in part.

(2) If the repetition reveals that all the words of which repetition was requested had been transmitted correctly in the original telegrams, the applicant shall pay for these words at the word rate for ordinary telegrams, irrespective of the class of the original telegram: provided that at least the minimum charge prescribed for an ordinary telegram shall be collected. No charge shall be made for the repetition if the original telegram was not transmitted correctly in all respects.

C.18 TELEGRAMS REQUESTING REDIRECTION OF CORRESPONDENCE

(1) When a telegram in connection with correspondence or containing a request for the retention or redirection of letters or telegrams is addressed to a postmaster the sender shall furnish his first name or names in addition to his surname. A registered telegraphic address is not accepted as a sender's name in such a case.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- (2) The service indication =Signature obtained= shall be used in such cases.

C.19 PAID SERVICE ADVICE

(1) The sender or the addressee of a telegram that has already been transmitted or is in the course of transmission or a person duly authorised by either the addressee or the sender may, on payment of an amount to the Postmaster General, direct a telegraphic request (on behalf of the sender) for confirmation of delivery of a telegram or, (on behalf of the addressee) for information about the name and address of the sender. Except where stated otherwise in these regulations, no other amendments to a telegram will be considered if transmission of the telegram has already commenced.

[Subregulation (1) is substituted by RSA GN R.2000/1977.]

(2) The telegram containing the request, as well as the telegraphic reply to the request, where necessary, is known as a paid service advice.

C.20 CANCELLATION OF TELEGRAMS

The sender of a telegram may request that the telegram be cancelled. If the transmission of the telegram has not commenced, the Postmaster General will arrange for the cancellation of the telegram and may refund the full or part of the charge for the telegram to the sender. However, if the transmission of the telegram has already commenced, the Postmaster General shall not arrange the cancellation thereof and the sender shall not be entitled to a refund of the charges of the telegram

[Regulation C.20 is substituted by RSA GN R.2000/1977.]

C.21 TELEGRAMS WITH PREPAID REPLY AND ISSUE OF REPLY VOUCHERS

(1) An amount that equals at least the minimum charge for a telegram may be prepaid to cover the charge for a reply to a transmitted telegram. A telegram accepted with prepayment of the reply shall contain the service indication =RPx=, in which x represents the prepaid amount in Rand and cents, thus =RP30c=.

(2) A reply voucher in respect of the prepayment is issued by the Postmaster General and delivered to the addressee. The reply voucher may be used, during a period of three months after the date of issue, for sending a telegram. The person tendering the reply voucher shall pay the portion of the charge, if any, not covered by the reply voucher.

(3) If the charge for the reply telegram is less than the value of the reply voucher, the difference shall be refunded to the sender of the original telegram, provided that either the sender or the addressee shall apply for a refund within a period of four months after the date of issue of the reply voucher. If applied for, the value of an unused reply voucher shall be refunded to the sender: provided that the unused reply voucher shall be surrendered for a refund within four months after the date of issue.

(4) When the voucher cannot be delivered to the addressee because he cannot be traced, its value is refunded to the sender.

(5) The Postmaster General may accept a reply voucher that is still valid as part payment for a telegram or telephone account.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(6) Notwithstanding the provisions in this regulation the Postmaster General may extend the period of validity of a reply voucher issued by him.

C.22 PREPAYMENT OF CHARGES AND ACCEPTANCE OF TELEGRAMS ON ACCOUNT

(1) The charges for telegrams handed in at a Post Office counter are prepayable. However, the Postmaster General may accept telegrams without prepayment and recover the charges for them from the addressee.

(2) Notwithstanding any provisions to the contrary in these regulations the Postmaster General may accept telegrams on account. Accounts for such telegrams shall be payable to the Postmaster General on presentation.

(3) When a person queries, disputes or seeks information about an entry on his account relating to any type of telegram and the Postmaster General is able to prove that the entry in question is correct in all respects, that person shall be liable to pay an enquiry fee.

(4) A ledger fee shall be payable in respect of each telegram or each address in an alike telegram accepted on account.

C.23 DELIVERY OF TELEGRAMS

(1) Telegrams shall be delivered free of charge by the Postmaster General -

- (a) in a municipal area: provided that the distance by road shall be not more than three kilometres from the main telegraph office;
- (b) from all offices where Post Office messengers are employed: provided that the distance by road shall be not more than one and a half kilometres from the office of delivery; and
- (c) from offices where no Post Office messenger is employed, provided that delivery is possible within the general working arrangements of the offices in question.

(2) Telegrams addressed to places outside the boundaries of an area referred to in paragraph 1 of this regulation shall only be delivered at the discretion of the Postmaster General.

C.24 NOTIFICATION OF NON-DELIVERY OF TELEGRAMS

If a telegram cannot be delivered, the sender is informed by the Postmaster General to that effect. Non-receipt of an advice by the sender does not render the Postmaster General liable to refund the charge for the telegram. The Postmaster General retransmits and delivers the telegram without charge when its non-delivery is due to an error on the part of the Post Office in respect of the name and address of the addressee.

[Regulation C.24 is corrected by RSA GN R.1618/1977.]

C.25 REIMBURSEMENT OF TELEGRAM CHARGE AND INDEMNITY AGAINST DAMAGES

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(1) In consequence of an error or of failure of a service in the transmission of a telegram the Postmaster General may authorize reimbursement in whole or in part of fees, rates or charges paid and levied for the telegram.

(2) The Postmaster General shall not be held liable for loss or damages resulting from an action executed with reference to the acceptance, transmission or delivery of a telegram.

C.26 INSPECTION OF TELEGRAMS AND/OR SUPPLY OF CERTIFIED OR OTHER COPIES

(1) The sender or the addressee of any type of telegram, or the duly authorized agent of either of them may, upon satisfying the Postmaster General that he is the sender, addressee or such agent and upon payment of the prescribed charge, obtain a certified or other copy or inspect personally the original form of the telegram as handed in for transmission, or in the case of a phonogram, obtain a copy of or inspect the form on which it was taken down in the telegraph office.

(2) When a certified or other copy or the production in a court or inspection of a telegram is requested and the date on which the telegram was accepted for transmission cannot be furnished, a search fee shall be paid irrespective of whether the telegram in question is found or not.

C.27 HOLDING OF TELEGRAM FORMS

The Postmaster General shall hold telegram forms for a period of at least six months from the date of transmission of the telegram. No request in terms of these regulations or any other enquiry regarding a telegram shall be considered after expiry of this period.

CHAPTER 5

TELEX SERVICES

D.1 PUBLIC TELEX CALL OFFICES

Telex calls may be made and, by prior arrangement, received, at public telex call offices. The prescribed charges are payable.

D.2 PRINTERGRAMS

A client may transmit messages for onward transmission as telegrams to the telex exchange to which his service is connected. Such messages are called printergrams. The charge for printergrams shall be collected by means of an account rendered to the client and a ledger fee is also payable in respect of each printergram.

D.3 TELEPRINTER PAPER

A client shall pay the cost of the paper used on a teleprinter and such paper shall comply with the requirements of the Postmaster General.

CHAPTER 6

DATA SERVICES

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

E.1 PRIVATE LEASED DATA LINES

The Postmaster General may, subject to the general provisions of these regulations, provide and maintain private lines, i.e. lines that connect two or more points on a permanent basis and that are not connected to the public telephone or telegraph system, for the purpose of data transmission. Such lines may be either full or subdivided channels obtained by using multiplex equipment. The Postmaster General reserves the right to provide the multiplex equipment, modems, and any associated apparatus. Lines and modems capable of operating at speeds of 4 800, 2 400, 1 200, 600, 200, and 150 b/s (bits per second) are available. If subdivided channels cannot be provided, the Postmaster General may utilize full circuits to complete the connection and in this case the charge for full channels is applicable to such portions. In addition, 50 and 75 baud telegraph channels may also be made available for data transmission at the rates for private teleprinter connections.

E.2 PRIVATE DATA NETWORK

Private leased data circuits may be used to establish a private data network provided that the owner or operator of such a network complies with the technical requirements laid down from time to time by the Postmaster General,

E.3 TRANSMISSION OF DATA FOR THIRD PARTIES

Unless the Postmaster General has agreed otherwise with a client, owners or operators may undertake the transmission of data required for processing by a computer for third parties. The owners of the private system and the third party shall agree in advance upon remuneration for services rendered on this basis. The Postmaster General will in no circumstances be party to any dispute that may arise between owners or operators of a private system and users of the service in respect of the levying of charges for the transmission of data.

E.4 POSTMASTER GENERAL'S POWER TO DIS-CONNECT DATA SERVICES

The Postmaster General may without prejudice to any other penalty prescribed by law, summarily discontinue all data services of any owner or operator of a private leased data line and cause all apparatus belonging to the Government to be removed from his premises if the owner or operator of a private data system uses such a system for any other purpose than the transmission of data traffic for processing by a computer.

E.5 USE OF PRIVATELY OWNED COMPUTER INSTALLATIONS BY CLIENTS OF TELEPHONE AND TELEX SERVICES

Clients of telephone and telex services may use the switched telephone and telex system to originate data calls to privately owned computer installations. The prescribed call charges shall be payable.

E.6 PART-TIME PRIVATE LEASED DATA CIRCUITS

The Postmaster General may, subject to the general provisions of these regulations provide part-time circuits for the purpose of data transmission. The rental distances for such circuits are based on the radial distance between the relative trunk-line exchanges and, where applicable, on that between the trunk-line exchanges and the terminal exchanges.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

PRIVATE-LINE SERVICES

F.1 POSTMASTER GENERAL'S POWER TO SUPPLY PRIVATE TELECOMMUNICATION LINES

(1) The Postmaster General may, subject to the general provisions of these regulations, provide, erect and maintain private telecommunication lines.

(2) Tie lines and private lines in particular are provided by the Postmaster General at his discretion and at the appropriate charge.

CHAPTER 8

TELEVISION

G.1 ANTENNA SYSTEMS FOR TELEVISION AND RADIO RECEPTION

(1) For the purpose of the provisions of section 78 of the Post Office Act, 1958 (Act 44 of 1958) antenna systems erected exclusively for television and radio reception shall not be under the control of the Postmaster General or subject to his approval in the following cases -

- (a) Communal antenna systems installed in or on the following buildings -
 - (i) Flats or commercial buildings such as shops, offices, hotels, etc. erected on single or adjoining premises and owned by the same person.
 - (ii) Institutions such as hospitals, homes for the aged, etc. where the buildings are erected on single or adjoining premises.
 - (iii) Flats, including duplex flats, owned separately under the Sectional Titles Act, 1971 (Act 66 of 1971) and erected on single or adjoining premises.
 - (iv) Group housing where units are erected on single or adjoining premises provided that the buildings are interconnected physically. This includes semi-detached houses where buildings are interconnected physically but are erected on separate pieces of land.
- (b) Single antenna systems on separate houses.

(2) Notwithstanding any other provisions of this regulation the erection of communal antenna systems to serve a municipal area or where such systems cross public roads is subject to the approval and control of the Postmaster General and he may refuse to permit such systems.

G.2 TELEVISION CHANNELS

(1) Subject to the general provisions of these regulations television channels, i.e. channels that connect two or more points permanently and are intended solely for television purposes, may be provided and maintained by the Postmaster General. The appropriate charges are payable.

(2) Permanent television channels are subject to a rental period of 30 months with effect from the date of provision of the service.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

CHAPTER 9

MISCELLANEOUS PROVISIONS

H.1 EXCHANGES FOR OPERATION OF TELECOMMUNICATION LINES

(1) The Postmaster General may establish exchanges or subsidiary exchanges for the purpose of operating telecommunication lines. In certain areas exchanges may be grouped for rate purposes in such a manner that they constitute one or more exchange systems.

(2) In isolated areas where the establishment of exchanges is not justified for economic and other reasons, the Postmaster General may establish semi-automatic switching units. These units are considered to be full exchanges for rate and operating purposes.

(3) Centres where no exchanges have been established but where telecommunication lines served by a full exchange do exist may be considered as exchanges by the Postmaster General for rate and operating purposes. Such exchanges are known as theoretical exchanges and the Postmaster General may consider any telecommunication line at such a centre to be connected to the theoretical exchange.

(4) The Postmaster General may at any time transfer a telecommunication line from the exchange to which it is connected to another exchange and may leave the rental for the remaining portion of the minimum rental period for the use of such a telecommunication line unchanged.

- (5) (a) If a postal agent agrees to undertake the switching of telecommunication lines at an exchange, the Postmaster General shall determine the amount to be paid to such an agent. Where the agent demands more than the remuneration determined by the Postmaster General, the clients served thus shall make their own arrangements for paying the difference in remuneration direct to the agent.
- (b) Should the site where a postal agent undertakes switching be transferred to another site, the Postmaster General may increase or reduce the rental of clients served by such an exchange even though the minimum rental period for such lines may not have expired.
- (c) If the postal agency has to be closed for whatever reason the Postmaster General shall make alternative arrangements at his discretion for the continued operation of the telecommunication lines. In the event of his efforts being unsuccessful, he shall not be held liable for any damages or loss arising from such failure; provided that no remaining portion of the minimum rental period may be enforced.

H.2 MINIMUM-RENTAL AREA OF EXCHANGES (MRA)

(1) The Postmaster General may fix for each exchange an area referred to in these regulations as the *minimum rental area*.

(2) Telecommunication lines may be provided in this area at the prescribed rental for the exchange concerned.

(3) The Postmaster General may alter the area from time to time: provided that no rental payable within a minimum rental period shall be increased by reason only of such alteration of the minimum-rental area unless the telecommunication line is taken over by another client.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

H.3 LENGTH OF LINES, CHOICE OF ROUTES AND RENTAL DISTANCES

The Postmaster General shall determine the measured distance and the length of a telecommunication line as well as the route that shall be followed, and he shall decide whether the premises are situated within or outside the minimum-rental area.

H.4 Application for use of telecommunication line

Prospective clients may be required to complete an official application form and to sign the clause whereby the client agrees that if the service is provided it shall be subject to the terms and conditions of these regulations or to any amendment thereto. Even without the submission of such an application form the use of a telecommunication line is subject to the terms and conditions of these regulations and to any amendment thereto.

H.5 Power supply

(1) If necessary, the Postmaster General may require a prospective client to provide a suitable power supply at a three-pin power socket and plug of an approved and a recognized type with a proper earth connection to connect a telecommunication line.

(2) The capacity of the power socket shall comply with the requirements determined by the Postmaster General.

(3) If the distance between the position of the power socket and the position where the equipment is to be installed is too great in the opinion of the Postmaster General, he may refuse to supply the required service.

(4) The client shall pay the charge for the use of the electrical power required for the operation of a telecommunication line direct to the Supplier of such electrical power.

(5) If the Postmaster General considers that special power equipment is necessary because of excessive fluctuation in the power supply or for whatever reason, the cost for providing and installing such equipment shall be borne by the client,

H.6 Allocation and change of numbers

The Postmaster General may at any time allocate any number to a telecommunication line or change the number of a client or the name of an exchange to which a telecommunication line is connected. The Postmaster General may also arrange or re-arrange telecommunication lines and shall not be held liable in any circumstances for any loss or damages of whatever nature arising from such an allocation, change, arrangement or re-arrangement.

H.7 Directory entries

(1) A client's name and address (except post-office box or private bag numbers), as well as the telephone or telex numbers allocated to him are inserted once free of charge in each edition of a departmental directory. Additional wording to a maximum of three words in respect of a business description may also be inserted free of charge. Any further entries in such a directory will only be inserted on payment of the prescribed charge.

(2) The insertion of a telephone number in a telex directory, and vice versa, is not permitted.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

(3) The insertion of a post-office box or private-bag number with or without the name of the town in the directory is permissible on payment of the prescribed charge.

(4) The Postmaster General may at any time amend or delete an entry in a directory and shall not be held liable for any damages or loss arising from any entry or error in or omission from a directory. If an entry referring to a client is faulty or has been omitted from the directory, the client shall duly inform the Postmaster General in writing.

H.8 Permission for installation of a telecommunication line

When a prospective client is not the owner of the premises at which he desires a telecommunication line to be installed, he shall obtain the permission of the owner of the premises or otherwise indemnify the Postmaster General against any damages or claims that may arise from the work done in connection with the installation.

H.9 Liability of clients for fees, rates or charges and classification of telecommunication lines for the calculation of fees, rates or charges and for the purpose of the regulations

(1) Clients are responsible for the payment of fees, rates or charges fixed in accordance with section 2B(1)(e) of the Post Office Act, 1958 (Act 44 of 1958). Accounts rendered to clients in this connection are prima facie evidence of the amounts due by the clients to the Postmaster General and are payable on presentation.

(2) The Postmaster General may, for the purpose of these regulations or for determining fees, rates or charges classify telecommunication lines into different categories.

H.10 Payment of rental

(1) Rental shall be payable with effect from the date on which the service is commenced for a minimum period determined by the Postmaster General.

(2) Rental for the use of telecommunication lines shall be payable in advance monthly or for such period as may be determined by the Postmaster General.

H.11 Period during which telecommunication lines may be issued

A telecommunication line is available during the hours determined by the Postmaster General for the exchange to which a line is connected. The Postmaster General may, at the written request of a client, extend his line to another exchange for service after the closing time of the exchange to which the line is connected. In such a case the client shall be responsible for all the additional rental or other charges involved in the provision of this service. The service may be withdrawn summarily without notice if departmental exigencies so require.

H.12 Amounts that may be levied by the postmaster general

(1) The Postmaster General may require a client to pay the Postmaster General an amount at least equal to the value of two months' fees, rates or charges in respect of a telecommunication line used by him. If the client fails to comply with this requirement, the Postmaster General may withhold service.

(2) When the use of a telecommunication line is discontinued or terminated and the client -

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- (i) owes no amount in respect of fees, rates or charges resulting from the use of such a telecommunication line, an amount equal to the amount paid in terms of subregulation (1) shall be refunded to the client; or
- (ii) owes an amount smaller than that paid in terms of subregulation (1) in respect of fees, rates or charges resulting from the use of a telecommunication line, an amount equal to the difference between the former and the latter amounts shall be refunded to such a client.

H.13 Incorrect debits in respect of metered call units

If it is found that a debit in respect of metered call units appearing on a client's account is incorrect because the meter connected to the telecommunication line is faulty or does not register, the Postmaster General shall repair or replace the meter as soon as possible. If in such cases it can be proved to the satisfaction of the Postmaster General that the client has made fewer or more calls than those actually registered, the number of units for which the client must pay for the relative debit period shall be estimated on the average monthly number of units registered during the six months prior to the latest meter reading. If the client has not yet been using the telecommunication line for a period of six months, the number of units for which payment must be made shall be estimated on the average monthly number of units registered from the date on which service was provided.

H.14 Interruptions of service

(1) A telecommunication line is considered to be in good working order until the client in question notifies the Postmaster General to the contrary. Faults reported by the client shall be repaired as soon as possible by the Postmaster General at departmental expense. The Postmaster General shall under no circumstances be liable for any loss or damages resulting from any delay in restoring the service or from the total or partial interruption of the service.

(2) If a client's service has been totally interrupted for a continuous period of at least 14 days, the Postmaster General may grant a rental rebate.

H.15 Calls on telecommunication lines

(1) Unless otherwise provided in these regulations or by the Postmaster General the charges for a call on a telecommunication line shall be calculated from the moment that the required connection is established.

(2) When a call has been interrupted or obstructed or has failed owing to an interruption or fault in the telecommunication line, the Postmaster General may grant the caller a reasonable extension of time without extra charge or may refund as much of the charge to the caller as may be considered justified by the Postmaster General.

(3) In the interests of the general efficiency of telecommunication lines, the Postmaster General may terminate a call or a conversation after six minutes have elapsed from the time that it was commenced, or at any moment after that.

H.16 Penalty for non-payment of accounts

(1) Should a client be in arrear with the payment of an account rendered under regulation H.9(1) or with the payment for a bold-type entry or advertisement published in the telephone, telex or any official directory under any agreement between the subscriber and the official

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

advertising contractor of the Post Office, the Postmaster General may, if the subscriber fails to pay the account within seven days of the date on which the amount became due, summarily and without notice suspend outward or both-way service, summarily terminate the agreement, remove the client's name from the directory, and enter his premises to recover all apparatus, wires or any other Post Office property. Such action shall in no way prejudice the right of the Postmaster General to take such further steps as he may deem necessary to collect the amount due. The Postmaster General shall also be entitled to collect from the client as liquidated damages and not by way of penalty (and in addition to any such arrears) a sum equal to the rental remaining unpaid in respect of the unexpired portion of the minimum rental period. If a client rents more than one telecommunication line and is in arrear with his rental or with the settlement of any other account referred to in these regulations in respect of a telecommunication line used by him, the Postmaster General may apply any credit balance on hand in respect of any other telecommunication line rented by the client towards full settlement or reduction of the outstanding rental or other account.

[Subregulation (1) is amended by RSA GN R.2841/1981.]

(2) *Appropriation of part payments.* - The Postmaster General may at his discretion appropriate part payments on accounts rendered in accordance with these regulations.

H.17 Restoration of service

A telecommunication line suspended in either direction as determined in regulation H.16 may only be restored after payment of the amount of the outstanding account. In such a case a reconnection charge shall also be payable. If the service has already been terminated, the restoration shall be treated as an application for a new service.

H.18 Telephonic reminder service

Notwithstanding the provisions of regulation H.16 the Postmaster General may telephonically warn a client whose account is unpaid on the due date that his service will be suspended unless the amount due is paid within 24 hours after the reminder, provided that clients shall specifically apply in advance to the Postmaster General for this facility. A reminder fee is payable to the Postmaster General in respect of each telephonic reminder.

Should a client fail to settle the account within the fixed period and his service be suspended as a result of this, the reminder fee shall be payable in addition to the charges levied for the restoration of the service (see regulation H.17).

H.19 Joint use of telecommunication lines

(1) Subject to provisions to the contrary in these regulations, the Postmaster General may, with the permission of a client, allow any person occupying offices in the same building as the client, or an undertaking that is a subsidiary company of a client and that occupies offices in a building other than that occupied by the client, to use the client's telecommunication line: Provided that there is no telephone or telex service at the disposal of such a person or subsidiary company. The client shall be responsible for all rates, charges or fees in respect of services rendered to the joint user by means of the client's service and shall in addition pay the Postmaster General a joint-use fee.

[Regulation H.19 is corrected by RSA GN R.1618/1977.]

(2) For the purpose of this regulation it shall be incumbent on the client to prove that a concern is a subsidiary.

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

H.20 Notification of termination or discontinuance of service

Subject to provisions to the contrary in these regulations, the use of a telecommunication line may be terminated or discontinued after expiry of the minimum rental period or at any time after that: provided that in either case a calendar month's notice in writing is given in advance by either party.

H.21 Outdoor transfer of telecommunication lines

(1) For the purpose of these regulations and for determining fees, rates and charges an application by the client for the outdoor transfer of his telecommunication line shall be regarded as the discontinuance of the line at his former address and the provision of a new service at his new address.

(2) An application for the outdoor transfer of a telecommunication line shall be subject to the provisions of regulation H.4.

(3) In certain cases the Postmaster General may determine that the unexpired portion of a rental period at the old address shall remain in force and that it shall not be affected by the outdoor transfer of the service. In such cases the client shall remain liable for rental in respect of the unexpired portion of the rental period.

H.22 Choice of type of service and excessive use of telecommunication lines

The Postmaster General may decide which type of service a client shall rent and when a line to which two or more clients are connected is being used excessively in his opinion, he may terminate the service of one or all the clients and require a client whose service has been thus terminated to rent the other type of service that he, the Postmaster General, may deem necessary.

H.23 Restrictions on the use of telecommunication lines

If a client's telecommunication line or group of lines is engaged to such an extent that; the uncompleted calls cause overloading of the exchange equipment, the Postmaster General may require the client in writing to hire the number of additional telecommunication lines that in the opinion of the Postmaster General are necessary to meet the requirements of the traffic from and to the client, and if the client fails to comply with the stated requirements within one month of receipt of the notice, the Postmaster General may terminate the client's service at any time after that by notice in writing.

H.24 Improper language over telecommunication lines prohibited

No person shall use insulting, indecent, obscene, blasphemous or threatening language over a telecommunication line.

H.25 Right to refuse service

The Postmaster General may refuse to provide a telecommunication line -

- (i) to any person whose telecommunication line has been disconnected in terms of these regulations for any non-payment or offence; or

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

- (ii) if he considers that the provision of a telecommunication line is contrary to the public interest; and
- (iii) if he considers that its provision is unjustified for whatever reason.

H.26 Postmaster general's power to disconnect telecommunication lines and to terminate services under certain circumstances

The Postmaster General may, over and above any other penalty prescribed by law for the offence, disconnect a client's telecommunication line, terminate the service and remove all the apparatus from his premises if -

[The word "other" is misspelt as "ther" in the introductory phrase in the *Government Gazette*, as reproduced above.]

- (i) a client served by a flat-rate exchange allows his telephone to be used by other persons for making local calls having no reference to his own business or private affairs, unless he has the written consent of the Postmaster General to that effect, or unless the calls are made in accordance with specific provisions elsewhere in these regulations;
- (ii) a client wilfully damages or destroys a telecommunication line, or uses it improperly or illegally or allows another person to commit such acts;
- (iii) a client or another person with the client's permission or connivance and without the authority of the Postmaster General tampers with the telecommunication line or alters it in any way;
- (iv) a client or another person with the client's permission or connivance uses improper language over the telecommunication line;
- (v) a client continues, after having been warned to desist, to make calls to a call office where no provision has been made for the answering of calls;
- (vi) a client connects private apparatus of any nature to the telecommunication line in whatever manner without the authority of the Postmaster General;
- (vii) a client served by a manual party-line service or any type of shared service continues to listen in to conversations between other parties after the Postmaster General has warned him in writing to discontinue such practice; or
- (viii) a client performs any act contrary to the provisions of these regulations or to any special conditions imposed by the Postmaster General.

H.27 Free access to premises

A client shall be obliged to grant free access to his premises at reasonable hours of the day to officers appointed by the Postmaster General to inspect or maintain telecommunication lines installed at these premises or to remove them when a service is discontinued.

H.28 Precautions against damage to clients' premises

REGULATIONS
Posts and Telecommunications Act 19 of 1992
Telecommunication Regulations

The Postmaster General shall be obliged to take reasonable precautions to prevent damage or injury to clients or premises by fire or from any other cause owing to the installation of a telecommunication line, but he shall not be liable for damages, loss, injuries or death that may arise from the failure or lack of precautions.

H.29 Recovery of telecommunication lines from vacated premises

If a client vacates his premises without notifying the Postmaster General of such action, the Postmaster General may recover the telecommunication line and in addition collect all rates, fees or charges owed by the client.

H.30 Part-time telecommunication lines

(1) The Postmaster General may, subject to the general provisions of these regulations, provide part-time telecommunication lines.

(2) Except where the Postmaster General decides otherwise, the rental distances for part-time lines or channels shall be based on the radial distance between the relative trunk exchanges and, where applicable, on the radial distance between the trunk exchanges and the terminal exchanges.

H.31 Facilities for installation of telecommunication lines in buildings

For the purpose of section 80A of the Post Office Act, 1958 (Act 44 of 1958) the entire Republic is a prescribed area.

CHAPTER 10

COMMUNAL RADIO REPEATER STATION SERVICE

[Chapter 10, comprising regulation I.1, is inserted by RSA GN R.2417/1982. The Chapter heading above is inserted in the index, but omitted in the text. It has been added here for convenient reference.]

I.1 Postmaster General's power to render communal radio repeater station service:

[Unlike the other regulation headings in this regulation set, this heading is not entirely in capital letters. It also ends with a colon in the *Government Gazette*, as reproduced above.]

(1) The Postmaster General may, subject to the general provisions of Chapter 9 of these regulations, the provisions of the Radio Act, 1952 (Act 3 of 1952), as well as the general provisions of Chapter 8 of the Radio Regulations, erect and maintain repeater stations to render a communal radio repeater-station service.

(2) Clients who have been authorized by the Postmaster General to make use of the service shall pay the rental and licence fees prescribed in the Tariff for Telecommunication Services and in the Radio Regulations.

(3) When a client leases Post Office radio equipment he shall, at his own expense, insure the equipment against all risks for such amount as may be determined by the Postmaster General from time to time.

[Regulation I.1 is inserted by RSA GN R.2417/1982.]