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Contents

No.		Gazette No.	Page No.
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Independent Communications Authority of South Africa / Onafhanklike Kommunikasie-owerheid van Suid-Afrika			
4217	Electronic Communications Act (36/2005): Amendment of the Numbering Plan Regulations, 2016 in terms of sec 68 read with sec 4 of ECA	55631	3

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

GENERAL NOTICE 4217 OF 2026

AMENDMENT OF THE NUMBERING PLAN REGULATIONS, 2016 IN TERMS OF SECTION 68 READ WITH SECTION 4 OF THE ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

The Independent Communications Authority of South Africa ("the Authority") hereby publishes proposed amendments to the Number Plan Regulations, 2016 (Notice No. 370 of 2016) developed in terms of section 4 read with section 68 of the Electronic Communications Act, 2005 (Act No 36 of 2005).

Interested parties are invited to respond to this notice by submitting written representations within thirty (30) working days from the date of publication of this notice by e-mail to: numberingresourceplancommittee@icasa.org.za .

Enquiries may be directed to Mr. Elias Letlape, telephonically on (012)568 3323, or via email to ELetlape@icasa.org.za.

Stakeholders may request confidentiality in terms of section 4D of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("ICASA Act"), on any information submitted to the Authority. Such request for confidentiality must be accompanied by a confidential and non-confidential version of the stakeholder's submission. The Authority hereby refers stakeholders to the Guidelines for Confidentiality Request published in Government Gazette No. 41839 (Notice No. 849) of 17 August 2018.

Where a request for confidentiality is refused, the person who made the request will be granted an opportunity to withdraw such information. The information that is withdrawn will not form part of the submission.

Persons submitting written representations are further invited to indicate, as part of their submissions, whether they require an opportunity to make oral representations if the Authority decides to hold public hearings.

Written representation(s) received by the Authority pursuant to this notice will be made available for inspection by interested persons at the Authority's library.



Mothibi G. Ramusi
Chairperson

Date: 23 **/** 10 **2026**

AMENDMENT OF THE NUMBERING PLAN REGULATIONS, 2016 IN TERMS OF SECTION 4 READ WITH SECTION 68 OF THE ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

The Independent Communications Authority of South Africa ("the Authority") has, under section 4 read with section 68 of the Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended, made the regulations in the schedule.

SCHEDULE 1

1. Definitions

In these regulations "the Regulations" means the regulations published by Government Notice No. 370 (Government Gazette No. 39861) of 24 March 2016, as amended by Government Notices Nos. 245 (Government Gazette No. 43230) of 15 April 2020, 1719 (Government Gazette No. 48328) of 29 March 2023, 2033 (Government Gazette No. 49314) of 15 September 2023 and 3977 (Government Gazette No. 54930) of 1 July 2026.

2. Amendment of regulation 1 of the Regulations

Regulation 1 of the Regulations is hereby amended –

2.1. by the substitution of the definition "biometric data" for the following definition:

""**biometric data"** means physical characteristics of a natural person, such as facial images or fingerprints."

2.2. by the insertion, after the definition "harmonised number", of the following definition:

""**ICASA Act**" means the Independent Communications Authority of South Africa Act No. 13 of 2000;"

3. Amendment of regulation 5 of the Regulations

3.1. Regulation 5 of the Regulations is hereby amended by the substitution of sub-regulations (2) with the following sub-regulation:

"

(2) The application set out in sub-regulation (1) must be submitted using the Authority's Numbering Portal System with the following information:

(a) A copy of the Individual Electronic Communications Service licence (I-ECS) licence issued by the Authority where applicable;

(b) A copy of a valid Ship Station licence issued by the Authority for certain classes of vessel, both for commercial and pleasure, that are required under the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

(c) A vessel contemplated in subsection (b) is a vessel to be provided with an Emergency Position Indicating Radio Beacon (EPIRB), programmed with a unique 9-digit number as specified by the ITU called a Maritime Mobile Service Identity (MMSI) where applicable;

(d) A copy of a valid competency certificate issued by the relevant institution and certified by South African Maritime Safety Authority (SAMSA) for certain classes of vessel, both commercial and pleasure, that are required under the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

(e) A vessel contemplated in subsection (d) is a vessel to be provided with an Emergency Position Indicating Radio Beacon (EPIRB),

programmed with a unique 9-digit number as specified by the ITU (Recommendation M.585-8) called a MMSI where applicable."

4. Amendment of regulation 6A of the Regulations

4.1. Regulation 6A of the Regulations is hereby amended by the substitution of sub-regulations (5) to (12) with the following sub-regulations:

"

(5) On activation or re-activation of a mobile number on its network, a licensee must verify the identity of the subscriber through biometric verification against the Department of Home Affairs records.

(6) In the instance where the subscriber is a South African citizen, a licensee must keep a record of the verification contemplated in sub regulation (5) and regulation 24A wherein, amongst others, the record must include:

(a) the full name(s) and surname of the subscriber that is assigned the mobile number in question;
(b) the identification number of the subscriber; and
(c) the place, date and time of confirmation of the subscriber's identity.

(7) If the subscriber is not a South African citizen but is a:

(a) lawful permanent resident in the Republic, the licensee must retain a record of the customers':

(i) full name(s) and surname;
(ii) identification number;
(iii) certified copy of their permanent residence permit; and
(iv) the place, date and time of confirmation of the subscriber's identity

(b) foreign national entering the Republic either on short or long term stay, the licensee must retain a record of the customers':

(i) full name(s) and surname;

(ii) passport number and country where passport was issued;

(iii) at least one physical address of the subscriber while residing in the Republic; and

(iv) the place, date and time of confirmation of the subscriber's

(c) foreign national entering the Republic either on short or long term stay wherein a visa is required for entry into the Republic:

(i) the visa number;

(ii) type of visa; and

(iii) expiry date of the visa.

(8) The mobile number assigned to a foreign national entering the Republic either on short or long term stay in terms of sub regulation 7(b) and 7(c), shall be active for a period:

(a) not exceeding the validity of the issued visa; or

(b) of ninety (90) calendar days.

(9) The biometric data processed in line with sub regulation (5) and regulation 24A, the data submitted and stored in terms of sub regulation (6) and (7), must only be used for subscriber identity verification purposes.

(10) The records collected and stored in terms of sub regulation (6) and (7) must not be retained longer than 30 days after deactivation of the mobile number, provided that:

(a) the retention of the record is required or authorised by applicable law;

(b) the retention of the record is required by a contract between the parties thereto; or

(c) the subscriber has consented to the retention of the record.

(11) If a subscriber requests a SIM-swap, the licensee must verify the identity of the subscriber in accordance with sub regulation (5) and ensure that the identity of the subscriber requesting a SIM-swap

corresponds with the identity and records of the subscriber that was assigned the mobile number in terms of sub regulation (6) or (7).

(12) A licensee must not approve a request for a SIM-swap if the identity of the subscriber requesting the SIM-swap does not correspond with the identity of the subscriber assigned the number based on the records kept by the licensee in terms of sub regulation (6) or (7).”

4.2. Regulation 6A of the Regulations is hereby amended by the substitution of sub-regulations (15) with the following sub-regulation:

“(15) The response contemplated in sub-regulation (13) must include the date of the expected activation and routing which must be within thirty (30) calendar days from the date of request.”

5. Amendment of regulation 6A of the Regulations

5.1. Regulation 6A of the Regulations is hereby amended by the insertion of the following sub-regulations after sub regulation (12):

“(12A) A licensee must limit the assignment of mobile numbers to a maximum of five (5) mobile numbers per subscriber.

(12B) The provision or use of a mobile service, is subject to the provisions of sub regulations (5) and regulation 24A.

(12C) Mobile number(s) assigned to juristic person(s) are exempted from the provisions of sub regulations (5) and regulation 24A.”

6. Amendment of regulation 8 of the Regulations

Regulation 8 of the Regulations is hereby amended by the substitution of sub-regulation (2) with the following sub-regulation:

“

(2) The information set out in sub-regulation (1) must be submitted on the

Authority's Numbering Portal System."

7. Amendment of regulation 11 of the Regulations

Regulation 11 of the Regulations is hereby amended by the substitution of sub-regulation (3) with the following sub-regulation:

"(3) An application in terms of sub-regulation (1) and (2) must:
(a) be submitted through the Authority's Numbering Portal System; and
(b) be supplemented by any other information the Authority may require subsequent to the lodging of the transfer application."

8. Insertion of regulation 24A in the Regulations

"24A Transitional Measures

To facilitate effective implementation of regulation 6A, a licensee must within two (2) years from the date of the Regulations coming into effect, verify the identity of its existing subscribers through biometric verification against the Department of Home Affairs records."

9. Substitution of regulation 25 of the Regulations

The following regulation is hereby substituted for regulation 25 of the Regulations:

"25. CONTRAVENTIONS AND PENALTIES

(1) A licensee that contravenes the following regulations is liable to a fine not less than R2 000 000 (two million rands) per contravention, but not exceeding R4 000 000 (four million rands) per contravention, regulations:
(a) 4(4) and (5);
(b) 6(3)(a), (d), (e) and (f);
(c) 6A(3), (3B), (5), (6), (7), 6A(8), (9), (12) and (12B);
(d) 7(4);
(e) 8(1);
(f) 11(4);

(g) 12 (1)(d) and (e);
(h) 17(4)(e), (f), (i) and (j);
(i) 20(1); and
(j) 24A.

(2) A licensee that contravenes one of the following regulations is liable to a fine of One million rands (R1 000 000.00) per contravention, regulations:
(a) 6(3)(h);
(b) 6A(3D), (3F)(a), (3F)(b), (11) and (12A);
(c) 9(1), (3) and (4);
(d) 10(1) and (3);
(e) 13(4); and
(f) 22(1).

(3) A licensee that contravenes one of the following regulations is liable to a fine of fifty thousand rands (R50 000.00) per contravention:
(a) 6(3)(b), (c) and (g);
(b) 6A(2), (3C) and (3E),
(c) 11 (1), (2) and (5);
(d) 12(1)(a) , (b), (c), (f), (g) and (h);
(e) 13(2), (3) and (4);
(f) 15(2) and (3);
(g) 16(2) and (3);
(h) 17(2) and (3), (4)(g), (4)(h), (4)(k) and17(6);
(i) 18(2);
(j) 20(2) and (3);
(k) 21(1)(a) ,(b) and 21(2); and
(l) 22."

10. REPEAL OF REGULATIONS

Schedule 3 of the Regulations is hereby repealed.

11. SHORT TITLE AND COMMENCEMENT

(1) These regulations are called the Numbering Plan Fifth Amendment Regulations, 2026 and will come into effect on the date of publication in the Government Gazette.

(2) The implementation of sub regulations 6A (5) to 6A (12C) and 24A will come into effect twelve (12) months from the date of publication of these Regulations.

ANNEXURE A

EXPLANATORY MEMORANDUM

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

EXPLANATORY NOTE ON AMENDMENTS TO THE NUMBER PLAN REGULATIONS, 2016 "THE REGULATIONS"

1. INTRODUCTION

On 29 March 2023 the Independent Communications Authority of South Africa (" the Authority") published the Numbering Plan Second Amendment Regulations, 2023 ("The Numbering Plan Regulations, 2023") wherein it introduced regulations relating to the identity verification of subscribers on the provision of a mobile service.

The implementation of sub regulations 6A (5); 6A (6); 6A (7); 6A (8); 6A (9); 6A (10) and 6A (11) relating the above, were suspended to a future commencement date to be published by ICASA.

In turn the Authority undertook a process to refine the provisions for ease of

implementation.[1] The outcome of that process is encapsulated in the proposed amendments.

The objectives of the proposed regulations include to:

1. Address the *lacuna* exploited by criminal elements in the assignment of mobile numbers;[2]
2. Promote the principle of "Know-your-customer (KYC)" in the provision of mobile services and assignment of mobile numbers;
3. Promote consumer protection; and
4. Promote effective use of mobile numbers.

For clarity, the amended subscriber identity verification requirements apply to the activation and provision of a mobile service. The type of SIM used by a subscriber is therefore not relevant to the application of these requirements. It must further be noted that the subscriber identity verification requirement contemplated in these Regulations is distinct from the SIM registration requirement prescribed under the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002 (Act No. 70 of 2002).

Below are the explanatory notes on the proposed regulations.

2. Amendment of regulation 1 of the Regulations

2.1. The proposed regulations have revised the definition of the term "biometric data". The definition as contained is referenced from the Protection of Personal Information Act (POPIA), Act no. 4 of 2013 and the Identification Regulations published May 2026.[3] However, the Authority has adapted the definition for biometric data to ensure its compatibility with the regulations.

2.2. The proposed definition supports the regulations to ensure that the identity of the person that is assigned the mobile number matches with the records of the national identity register of the DHA. This biometric data definition

1 Par 8.25, *Reasons document on the amendment of the Number Plan Regulations, 2016* (29 March 2023)

2 Par 8.19.6, *Reasons document on the amendment of the Number Plan Regulations, 2016* (29 March 2023)

3 Notice no. R. 7428, Government Gazette no. 54610 of 4 May 2026

provides for real time fingerprint and facial recognition for subscriber identity verification during onboarding of subscribers.

3. Insertions of regulation 6A in the Regulations

3.1. Sub regulation 6A (5) and regulation 24A of the Regulations establishes a standard mandatory mechanism to strengthen subscriber identity assurance despite the type of SIM card used by the subscriber.

3.2. Sub regulations 6A (6), 6A (7)(1)(a) and 6A (7)(1)(b) of the Regulations prescribes the minimum information and supporting documentation that a licensee is required to retain regarding the verification process. The retention of the information and documentation provides an audit trail which is essential for compliance verification.

3.3. Sub regulation 6A (8) prescribes the period in which a mobile number assigned to a foreign national visiting the Republic may remain active on a licensee's network. This regulation has taken into consideration international practice wherein the period in which the mobile number is active, is aligned with the period of stay i.e. Ghana, Turkey, India, United Arab Emirates (UAE), the period has also been aligned with the prescribed period for short stay as prescribed in legislation.[4]

3.4. Sub-regulations 6A(9) and 6A(10) seeks to safeguard subscribers' information by limiting the use of collected data to the purposes specified in the Regulations and prescribing requirements for its storage. Regulation 6A(10) is based primarily on section 14(1) of POPIA, which prohibits licensees from retaining information indefinitely. However, for the purposes of electronic communications services, records must be retained for the duration of the period which the service remains active.

3.5. Following the deactivation of a mobile number in accordance with sub-regulation 6A(3) of the Regulations, licensees have 30 days to dispense with the collected records. This gives effect to POPIA's requirement that personal

[4] Immigration Act No. 13 of 2002 s11 read with regulation 19 (1)(a) of the Immigration Regulations GG 24952 notice no 487 of 2003, as amended

information not be retained longer than necessary.

3.6. Sub regulations 6A (11) and (12) of the Regulations promote consumer protection by providing precautionary measures in the case of a SIM swap. The Regulations prescribe that licensees must confirm the subscriber's identity when requesting a SIM swap to ensure that the identity corresponds with the identity that was assigned the mobile number in question.

3.7. Sub regulation 6A (12A) of the Regulations prescribe that a licensee can assign a maximum of 5 mobile numbers per subscriber. In doing so, the Authority took into consideration:

3.7.1. the legislative mandate to ensure for the efficient use of numbers; [5]and
3.7.2. reporting on access and use of mobile services;

3.8. According to the General Household Survey 2024, South Africa's population is estimated at 63 million.[6] Of the estimated population, approximately 21 million are said to be minors.[7] Culminated with the State of the ICT Sector reporting of 117 316 338 mobile subscriptions.[8] The above figures provide an estimated average of 2.79 mobile subscriptions per person.

3.9. The average household size is similarly estimated at 3.2 to 3.4 people.[9] Balancing this with the need for efficient use of numbering resources, a limit of five mobile numbers per person per licensee is deemed appropriate.

3.10. Based on the estimated average set out above, the proposed limit of five mobile numbers per subscriber appropriately balances the public's need for access to electronic communications services with the Authority's legislative mandate to manage numbering resources efficiently.

3.11. The Authority recognises that a subscriber may, in certain circumstances,

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5 Section 68(1)(a)(i) of the Electronic Communications Act no. 36 of 2005
6 Statistics South Africa. (2026, May 26). *General Household Survey (GHS), 2025* (Statistical release P0318)
7 https://childrencount.uct.ac.za/indicator.php?domain=1&indicator=1
8 Independent Communications Authority of South Africa. (2026). *The state of the ICT sector report.*
9 Statistics South Africa. (2026, May 26). *General Household Survey (GHS), 2025* (Statistical release P0318)

require more than five mobile numbers. The limit applies is per licensee and not collectively across all networks. Accordingly, a subscriber may, in practice, be assigned more than 20 mobile numbers across different licensees. Therefore, the limit will not have effect of restricting a subscribers' access or use of mobile numbers.

3.12. Juristic persons are excluded from regulations 6A(5) because their relationship with a licensee is governed by contract, which incorporates the know-your-customer (KYC) principle—one of the overarching objectives of the amendments.

3.13. The exclusion of juristic persons is based primarily on their inability to provide physical biometric identifiers, such as fingerprints or facial images, for onboarding. Company registration documents and details of an authorised representative collected when the contract is concluded are considered sufficient for their onboarding and verification.

3.14. Sub-regulation 6A(15) incorrectly refers to sub-regulation 6A(12) instead of sub-regulation 6A(13). The amendment corrects this cross-reference.

4. Amendment of regulation 5, 8 and 11 of the Regulations

4.1. In July 2024, the Authority launched the Number Portal System, through which licensees can, among other functions, submit numbering applications, numbering audits and number transfers.

4.2. Following the successful launch of the system, the Authority sought to streamline the submission processes for numbering applications, audits and transfers by eliminating duplicate and conflicting requirements.

4.3. Accordingly, the Authority proposes to revise sub-regulation 5(2), which governs the submission of numbering applications, sub-regulation 8(2), which governs the submission of numbering audits and sub regulation 11(2) as it relates to the application for number transfers. The Authority also proposes to repeal Schedule 3 of the Regulations.

5. Insertion of regulation 24A of the Regulations

5.1. In consideration of the implementation of the regulations, the Authority has sought to stipulate a timeline that will afford licensees sufficient time to update their systems and processes to align and comply with the regulations.

5.2. The stipulated timeline has taken into consideration responses received by licensees in relation to the request for information exercise undertaken by the Authority in 2025. Wherein, in the majority, licensees had indicated that they had already rolled out the biometric system of customer identity verification, yet this has only been implemented in the post-paid offerings.

5.3. The transitional arrangements including the deferred implementation date in which the provisions of sub regulation 6A(5) to 6A(12B) will come into effect, will afford licensees sufficient time to verify all subscribers including the existing subscribers on their networks.

5.4. Similar with sub regulation 6A(5), juristic persons have been excluded from the requirements of regulation 24A.

6. Substitution of regulation 25 of the Regulations

6.1. The Authority has in addition sought to address the deficiencies identified in regulation 25 which does not prescribe which regulations carry penalties, as such penalties cannot be applied across the board to every provision in the Regulations.

6.2. The amendment ensures that penalties are linked to specific contraventions for regulatory certainty and to promote effective compliance while reducing the risk of disproportionate enforcement.

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