



Independent Communications Authority of South Africa
Plinmill Farm, 164 Katherine Street, Sandton
Private Bag X10002, Sandton, 2146

INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK LICENCE

No:0361/IECNS/MAY/09

GRANTED AND ISSUED

TO

Broadband Wireless (Pty) Ltd

FOR THE PROVISION OF

ELECTRONIC COMMUNICATIONS NETWORK SERVICES

**SIGNED FOR AND ON BEHALF OF THE INDEPENDENT COMMUNICATIONS
AUTHORITY OF SOUTH AFRICA**

AT SANDTON ON THIS DAY ^{28th}.....OF MAY 2009


**PARIS MASHILE
CHAIRPERSON**

1. LICENSEE

The Licence is issued to:

- 1.1 Name of Company/Entity: Broadband Wireless (Pty) Ltd
- 1.2 Shareholders: Powerec (Pty) Ltd 50%
Deon Bezuidenhout 50%
- 1.3 Ownership held by persons from historically disadvantaged groups:
33.5%
Thero Setiloane 11.81%
Chwaro Setiloane 14%
Nkululeko Trust 0,95%
Hitesh Sando Patel 0,68%
Lamagrem Govender 0,68%

2. CONTACT DETAILS

- 2.1 The contact person for the Licensee shall be:
 - 2.1.1 Name: Deon Bezuidenhout
 - 2.1.2 Tel: 021 905 5707
 - 2.1.3 Fax: 021 905 5710
 - 2.1.4 Cell: 082 899 4590
 - 2.1.5 Email: deon.bezuidenhout@adenco.co.za

- 2.2 Should the Licensee propose to replace the person so designated, the Licensee shall notify the Authority in writing within seven (7) days after appointing the new designated person.

3. NOTICES AND ADDRESSES

The Licensee chooses the following addresses as its principal addresses:

- 3.1 Postal Address
P O Box 1245
Kuilsrivier
7579
- 3.2 Physical Address
8 Gooderson Street
Blackheath
Cape Town
7581

SCHEDULE

1. Trading Name

Broadband Wireless (Pty) Ltd

2. Geographic coverage

The Licensee shall provide national coverage of its electronic communication network services.

3. Rights and obligations

3.1 The Licensee is hereby authorised to construct, maintain and operate an electronic communications network, as well as provide electronic communications network services.

3.2 The rights and obligations under this licence may be exercised or performed by a third party, including its agents and contractors. The Licensee shall be responsible for the acts or omissions in respect thereof on the basis that –

3.2.1 the liability of the Licensee for any acts or omissions of such third party, including agents or contractors, in relation to the exercise of such rights shall be limited to acts or omissions which constitute a contravention of the conditions of this Licence;

3.2.2 the Licensee shall stipulate adequate provisions in its contracts with such third party, including agents or contractors, to ensure that their exercise of any of the above rights do not contravene any of the conditions of this Licence;

3.2.3 should any such third party, including agents or contractors, commit any act or omission in contravention of a condition of this Licence, the Licensee shall, upon becoming aware thereof, act as expeditiously as is reasonably possible to remedy such contravention and for this purpose the Licensee shall be afforded reasonable time; and

3.2.4 the Authority shall, upon becoming aware of any contravention of this Licence by such third party, including the Licensee's agents or contractors or any complaints lodged with the Authority in relation thereto, forthwith in writing notify the Licensee accordingly.

3.3 The Licensee and any or all of its Subsidiaries shall be entitled by virtue of this Licence to provide all or any of the Services together with all or any other rights granted to it under this Licence.

3.4 Nothing in this Licence shall be construed or understood as to relieve the Licensee or any other party of the obligations to comply with any other applicable statutory prohibition or obligation.

4. Licence Fee

The Licensee shall continue to pay the prescribed annual licence fees until reviewed by the Authority in terms of chapter 2 of the EC Act.

5. Force Majeure

The Licensee shall not be held liable for its inability to perform its obligations in this licence and other regulations due to unforeseen natural causes. However, the Licensee shall advise the Authority as soon as practicable after becoming aware of the existence of any such event or circumstances likely to lead to such event.