

NOTICE 116 OF 2009**NOTICE OF INTENTION TO MAKE REGULATIONS REGARDING THE ASTRONOMY ADVANTAGE AREAS.**

The Minister of Science and Technology hereby gives notice of intention to make regulations in the schedule in terms of section 50 read with sections 5,7,9 and 11 of the Astronomy Geographic Advantage Act, 2007(Act No.21 of 2007), which are hereby published for public comment under section 42 of the said Act.

Interested persons are hereby invited to submit written comments or written representations with regard to the proposed regulations not later than 16h30 on the 6th of March 2009. For the attention of:

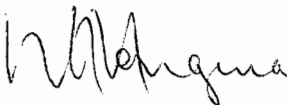
Ms Lipuo Mothae
Dept of Science and Technology
Building 53,CSIR Campus
Meiring Naude Road
Brummeria
Pretoria

Or

Dept of Science and Technology
Private Bag X894
Pretoria
0001
Or

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

Enquiries can be made at telephone number 012 843 6463



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MINISTER OF SCIENCE AND TECHNOLOGY

SCHEDULE

ARRANGEMENT OF REGULATIONS

Subject

Definitions	1
CHAPTER 1 : Administration	
Scope of regulation	2
CHAPTER 2 : Astronomy advantage areas	
Optical astronomy advantage	3
Radio astronomy advantage area	4
CHAPTER 3 : Procedure and criteria for declaration	
CHAPTER 4: Protection of astronomy advantage areas	5
Optical astronomy	6
Core optical astronomy advantage area	7
Central optical astronomy advantage area	8
Coordinated optical astronomy advantage area	9
Radio astronomy protection requirements	10
Core radio astronomy advantage area	11
Central radio astronomy advantage area	12
Authorisation of radio communication transmissions in the central radio astronomy advantage area	13
Authorisation process of frequency bands to be used for radio communications	14
Coordinated radio astronomy advantage area	15
Coordination process	16
CHAPTER 5 : Access to core astronomy advantage areas	
Optical astronomy	17
Radio astronomy	18

CHAPTER 6: Offences and penalties

General offences and penalties 19

CHAPTER 7: General

Review of the regulations 20

Short title 21

Definitions

In these regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context indicates otherwise –

“Act” means the Astronomy Geographic Advantage Act 21 of 2007

“Cut-off” means luminaires emit no more than 1% of their total light output above 90 degrees, and no more than 3% above 80 degrees.

“Declaration” means declaring of an area as astronomy advantage area by notice in the Gazette

“Detrimental optical interference” means phenomena that endanger or obstruct the functioning of optical astronomy devices and impacts negatively on the related scientific endeavours in the optical astronomy advantage areas.

“Detrimental radio interference” means a radio frequency interference which endangers or obstructs the functioning of radio astronomy devices and impacts negatively on the related scientific endeavours in the radio astronomy advantage areas.

“Efficient lighting” means an output of at least 95% of that achieved by standard high-pressure sodium lamps (9500 lumens for a 100W lamp, for example).

“Essential radio communications services” means electronic radio communications required in the central astronomy advantage area which include:

- a) Broadcasting signal distribution for licensed terrestrial broadcasting services;
- b) Public fixed line radio communications;
- c) Public mobile radio communications;
- d) Eskom radio communications to operate and maintain electrical power line systems;

- e) Transnet radio communications to operate and maintain rail transport; and
- f) Radiocommunication services operated by the safety and security cluster, as defined in the Constitution, local authorities, health services and emergency services.
- g) Satellite communications including South African broadcasting services

"Full cut-off lighting" means luminaires emit no light above the horizontal (above 90 degrees), and no more than 3% of the total light above 80 degrees.

"ICASA" means Independent Communications Authority of South Africa established by section 3 of the Independent Communications Authority of South Africa Act of 2000 (Act.No.13 of 2000)

"ITU" means International Telecommunications Union

"ITU RAS protection levels" means threshold levels of interference detrimental to radio astronomy observations in terms of input power, (dBW), power flux density(pfd) (dB(W/m²)) and spectral power flux density(spfd) (dB(W/(m²/Hz))) as specified in the latest version of the International Telecommunications Union Recommendation ITU-R RA.769.

"Luminaire" means an apparatus that distributes the light emitted by a lamp or lamps.

"Operating institution" means an entity which is responsible for the optical and radio astronomy research activities

"Optical" refers to wavelengths between 350 and 50 000 nanometres.

"Radiocommunications" means electronic communications carried out making use of the radio frequency spectrum.

"SAAO" means South African Astronomical Observatory

"Safety-of-life radiocommunication services" means electronic radio communication services operating in aeronautical and maritime frequency spectrum allocations relating to the safety and regularity of flight and includes communication, radio navigation and surveillance systems