

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



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THE PRESIDENCY

No. 1157

3 December 2010

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 21 of 2010: Regulation of Interception of Communication and Provision of Communication-Related Information Amendment Act, 2010.



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Act No. 21 of 2010 REGULATION OF INTERCEPTION OF COMMUNICATIONS AND
PROVISION OF COMMUNICATION-RELATED INFORMATION AMENDMENT
ACT, 2010

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 1 December 2010.)

ACT

To amend the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, so as to extend the period within which the information of customers must be recorded and stored; and to provide for matters connected therewith.

PARLIAMENT of the Republic of South Africa enacts, as follows:—

Amendment of section 62 of Act 70 of 2002, as amended by section 4 of Act 48 of 2008

1. Section 62 of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002, is hereby amended— 5

(a) by the substitution in subsection (6) for paragraph (a) of the following paragraph:

“(a) Notwithstanding section 40(1), an electronic communication service provider who, prior to the date of commencement of this section, provides a mobile cellular electronic communications service must, [within 18 months from the said date] by 30 June 2011, record and store the information contemplated in section 40(2) in respect of all customers whose SIM-cards are activated on its system, if the information in question has not already been recorded and stored in terms of section 40.”; and 15

(b) by the substitution in subsection (6) for paragraph (d) of the following paragraph:

“(d) An electronic communication service provider shall not allow service continuation on its electronic communication system in respect of any activated SIM-card if the information referred to in paragraph (b) has not been recorded and stored [at the expiry of the 18-month period contemplated in paragraph (a)] by 30 June 2011.”. 20

Short title

2. This Act is called the Regulation of Interception of Communications and Provision of Communication-related Information Amendment Act, 2010. 25