

ICASA ANNUAL PERFORMANCE PLAN FOR THE MTEF PERIOD 2013-2015

ICASA has identified 8 Strategic Outcome Orientated Goals (“SOOGs”). Each SOOG is broken down into Strategic Objectives which are in turn broken down by Key Outcomes. Each Key Outcome shows planned activities for each quarter of 2012/2013 (i.e. April – June, July – September, October – December & January – March) as well as for 2013/2014 and 2014/2015.

This overview deals only with those Key Outcomes relevant to ECNS & ECS licensees – it does not cover broadcasting, postal services & ICASA’s internal affairs. The document submitted in Parliament is not at all times consistent...

The full list of SOOGs & related Strategic Objectives is:

1. SOOG 1: TRANSFORMATION OF THE ICT SECTOR

1.1. Ensure effective HDI/BEE participation in the sector

2. SOOG 2: ENSURE THE PROVISION OF BROADBAND SERVICES

2.1. Allocation of available 1 000MHz for mobile communications

2.2. Increase connectivity of South Africans on Broadband

3. SOOG 3: OPTIMISING THE USE OF THE RADIO FREQUENCY AND THE NUMBERING RESROUCE TO SUPPORT THE WIDEST VARIETY OF SERVICES

3.1. Introduce market-based, opportunistic and other innovative approaches in access to spectrum

3.2. Introduce regulatory reform in numbering frameworks

3.3. Support the rapid uptake of new ICT technologies

4. SOOG 4: PROMOTE THE PROTECTION OF CONSUMERS AND ACCESSIBILITY FOR PERSONS WITH DISABILITIES

4.1. Promote consumer rights

4.2. Ensure universal service and access

5. SOOG 5: PROMOTE THE DEVELOPMENT OF A PUBLIC, COMMUNITY AND COMMERCIAL BROADCASTING SERVICES IN THE CONTEXT OF DIGITAL MIGRATION

5.1. Migration to and availability of choice and diversity of broadcasting services in the digital environment

6. SOOG 6: ENSURE COMPLIANCE WITH LEGISLATION AND REGULATION

6.1. Introduce a comprehensive compliance and enforcement framework

7. SOOG 7: STRENGTHEN & MODERNISE ICASA

7.1. Improved operational processes and performance

8. SOOG 8: PROMOTE COMPETITION

8.1. Remove barriers to competition

Details on the specific activities falling under the relevant Strategic Objectives and timelines for finalising these activities are set out in the tables below.

TRANSFORMATION / OWNERSHIP AND CONTROL

Summary:

- Aim to publish new Ownership and Control Regulations by end March 2015
- Appears to be focus on licensees assigned numbers or radio frequency spectrum licensing, as well as broadcasting licensees
- Explicit that new Regulations reliant on the effecting of an amendment to the ECA

SOOG 1 TRANSFORMATION OF THE ICT SECTOR											
Custodian	Key outcome	Key output	SMART Performance Measure / Indicator	Baseline 2011/2012	Target 2012/2013	Deliverable Quarter 1 2012/2013	Deliverable Quarter 2 2012/2013	Deliverable Quarter 3 2012/2013	Deliverable Quarter 4 2012/2013	Target 2013/2014	Target 2014/2015
1.1.	STRATEGIC OBJECTIVE	ENSURE EFFECTIVE HDI/BEE PARTICIPATION IN THE SECTOR									
Licensing & Compliance	Develop regulations on ownership and control	Recommendations on ownership trends and structures for licensees who have been allocated numbers and/or radio frequency spectrum	Report on licensee's ownership trends monitored and ownership structures audited in the ICT sector	Preliminary report on broadcasting sector including recommendations on HDI equity ownership issued to the Minister	Report on individual licensee's equity ownership for licensees who have been allocated numbers and/or radio frequency spectrum by 31 March 2013	Collation of HDI Equity data through Compliance Manual (15% of relevant licensees)	Collation of HDI Equity data through Compliance Manual (50% of relevant licensees)	Collation of HDI Equity data through Compliance Manual (20% of relevant licensees)	Collation of HDI Equity data through Compliance Manual (15% of relevant licensees). Final Report on Individual Licensee's equity ownership.	Revise draft regulations and published for comment following ECA amendment	Regulations on HDI / BEE finalised

ENSURING THE PROVISION OF BROADBAND SERVICES

Summary:

- The timing for the assignment of available IMT spectrum is not in the hands of ICASA, which must wait for the Minister of Communications to finalise policy directions before they can proceed with any significant licensing process. ICASA is also waiting for the Minister to authorise it to appoint a service provider to advise it on the structuring and implementation of an auction-based assignment process.
- Outside of this work will be done to update the National Band Plan to ensure it is line with the resolution of the 2012 World Radiocommunication Conference.
- The Radio frequency migration plan – presumably to tidy up the 2.6GHz band amongst others, is to be published by 31 March 2013.
- A roadmap for the use of IMT spectrum will be drawn up in 2013/2014.
- ICASA will seek to inform the proposed national broadband plan by launching an interactive broadband map showing broadband availability throughout South Africa by 31 September 2012.
- ICASA also indicates that it will submit recommendations to the Minister by 31 June 2012 on the urgently-required Guidelines for the Rapid Deployment of Electronic Communications Infrastructure. This is undoubtedly one of the most important tasks to be accomplished although the finalisation of the document is in the hands of the Minister.
- As regards LLU ICASA has confirmed it will ensure that a bitstream access service is available by end November 2012 and an Access Line Deficit (ALD) recovery scheme implemented by March 2013. It has already exceeded its own forecast in respect of a reduction in the IPC cost.

SOOG 2 ENSURE THE PROVISION OF BROADBAND SERVICES											
Custodian	Key outcome	Key output	SMART Performance Measure / Indicator	Baseline 2011/2012	Target 2012/2013	Deliverable Quarter 1 2012/2013	Deliverable Quarter 2 2012/2013	Deliverable Quarter 3 2012/2013	Deliverable Quarter 4 2012/2013	Target 2013/2014	Target 2014/2015
2.1	STRATEGIC OBJECTIVE	ALLOCATION OF ACCUMULATED 1000MHZ FOR MOBILE COMMUNICATIONS									
Engineering & Technology	Greater access to mobile telecommunications spectrum	Strategy (blueprint) for radio frequency migration plan	Radio frequency migration final blueprint published and National Band Plan updated	Outcome of the consultancy and ITU-R Final Acts of 2012	Radio frequency migration plan published by 31 March 2013	Service provider appointed	Radio frequency migration strategy approved by Council. ITU-R 2012 Final Acts analysed in report	Report on consultation on draft broadcasting plan	Radio frequency migration strategy published. Updated National Band Plan approved by Council and published. Reviewed broadcasting plan published.	Implementation of radio frequency migration plan.	No strategic activity.
		Licensing of available International Mobile Telephony (IMT) spectrum	Radio frequency spectrum licences issued	n/a (new initiative)	Seven radio frequency spectrum licences issued in the 2.6GHz and 800MHz bands	Terms of reference of for the appointment of a service provider developed	Service provider appointed	Public hearings completed and final ITA published.	Combined licensing of 2.6GHz and 800MHz completed	Implementation of framework for available IMT spectrum	No strategic activity
		Roadmap for all IMT spectrum	Roadmap published	WRC-07 and WRC-12 outcomes	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity	Development of a roadmap for all IMT spectrum	Implementation of a roadmap for all IMT spectrum
2.2	STRATEGIC OBJECTIVE	INCREASE CONNECTIVITY OF SOUTH AFRICANS ON BROADBAND									
Markets & Competition	Regulatory response to Broadband Plan to support the National Broadband Policy	Online map to indicate where broadband services are available	Interactive online map launched	Engagement with licensees on need for an interactive online map	Broadband map to be online by 31 September 2012	Identification of scope and resources required to develop online map	Information collection from licensees and submission of information to the service provider	Pilot implementation of the interactive online map for broadband services availability	Clean up and formal launch of the interactive broadband availability map	B-annual updating of the broadband map database and develop in-house GIS competency	Bi-annual updating of broadband map database

		Rapid Deployment Guidelines (RGDs) recommendations to the Minister	Recommendations on RDGs sent to the Minister.	Draft rapid deployment guidelines document	Submission of RDG Recommendation Report to the DoC by 31 June 2012	Final RDG document sent to the DoC as recommendation for policy formulation	Delivered in Q1	Delivered in Q1	Delivered in Q1	Review of implementation of RDGs	No strategic activity
		Open-access model of wholesale network infrastructure = LLU	Reduction in IPC prices by 25%; introduction of bitstream wholesale access product; Report on Access Line Deficit (ALD) Recovery Scheme	Discussion Document on LLU	Implementation of LLU through reduction in IPC prices by 1 April 2012; introduction of ALD recovery scheme by March 2013	Introduction of new IPC pricing framework; formulation of working groups to develop bitstream wholesale access product and the ALD recovery scheme	Report on recommendations for addressing the ALD and proposal for bitstream wholesale access product	Introduction of bitstream wholesale access product. Public consultation on ALD recovery scheme.	Implementation of ALD recovery scheme	Implementation of bitstream wholesale access product	Inquiry into LLU for all types of networks

OPTIMISING USE OF SCARCE REOURCES TO SUPPORT THE WIDEST VARIETY OF SERVICES

Summary:

- Again, progress with regard to spectrum assignment for high-demand spectrum and the manner in which this is to be achieved is dependent upon the policy to be finalised by the Minister. The tasks set out below reflect the Draft Spectrum Assignment Plan and Draft ITA for the combined licensing of the 800MHz and 2.6GHz bands in December 2011.
- Work on a managed spectrum park model is scheduled to commence in 2013/2014 while a framework for the use of white space and cognitive radio technologies is to be developed in 2014/2015.
- Revised Numbering Plan Regulations are planned for publication by end August 2012. ICASA will consider a report on a comprehensive number pricing framework for inclusion of number pricing in a further review of the Regulations to be finalised in the 2014/2015 financial year
- A new type approval framework is scheduled to be finalised by the end of 2012.

SOOG 3 OPTIMISING THE USE OF THE RADIO FREQUENCY AND THE NUMBERING RESROUCE TO SUPPORT THE WIDEST VARIETY OF SERVICES											
Custodian	Key outcome	Key output	SMART Performance Measure / Indicator	Baseline 2011/2012	Target 2012/2013	Deliverable Quarter 1 2012/2013	Deliverable Quarter 2 2012/2013	Deliverable Quarter 3 2012/2013	Deliverable Quarter 4 2012/2013	Target 2013/2014	Target 2014/2015
3.1.	STRATEGIC OBJECTIVE	INTRODUCE MARKET-BASED, OPPORTUNISTIC AND OTHER INNOVATIVE APPROACHES IN ACCESS TO SPECTRUM									
Engineering & Technology	Greater access to RF spectrum	Wholesale open access model in licensing of some mobile broadband spectrum	2.6GHz and 800MHz spectrum licences issued	n/a (new initiative)	Two spectrum licences issued in the 2.6GHz and 800MHz bands using the Wholesale Open Access model	Terms of Reference for the appointment of a service provider	Appointment of a service provider	Public hearings completed and Final ITA published	Model implemented in combined licensing of 2.6GHz and 800MHz	Report identifying other spectrum for which the Wholesale Open Access model can be implemented	Licensing of spectrum using Wholesale Open Access model
		Use of Managed Parks Spectrum model in licensing some of mobile broadband spectrum	Managed Spectrum Park licences in the 2.6GHz band	n/a (new initiative)	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity	Licensing remainder 2.6GHz using Managed Spectrum Parks model	No strategic activity
		Report on other spectrum		n/a (new initiative)	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity	Report identifying other	Licensing of identified spectrum

			identified for Managed Spectrum Parks							spectrum for which the Managed Spectrum Parks model can be implemented	using Managed Spectrum model
		Optimise spectrum usage	Framework for the use of “white space” and cognitive radio technologies published	n/a (new initiative)	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity	Develop framework for the use of “white space” and cognitive radio technologies
			Framework to issue licences for market-based licensing of some of the mobile spectrum	n/a (new initiative)	Develop framework for market-based licensing of some of the mobile spectrum	Desktop research on market-based licensing mechanism completed and preliminary report completed	Internal preparations	Internal preparations	Draft framework approved by Council	Implementing framework for market-based licensing of some of the mobile spectrum	No strategic activity.
3.2.	STRATEGIC OBJECTIVE	INTRODUCE REGULATORY REFORMS IN THE NUMBERING FRAMEWORKS									
Markets & Competition	Regulatory reforms to the Numbering Plan framework	Revised Numbering Plan to promote effective and efficient use of the numbering resource	Revised Numbering Plan regulations	Existing Numbering Plan regulations	Publication of revised Numbering Plan regulations	Revised Numbering Plan regulations	No strategic activity	No strategic activity	No strategic activity	Report on comprehensive number pricing framework	Publication of final regulations incorporating number pricing framework
3.3	STRATEGIC OBJECTIVE	SUPPORT THE RAPID UPTAKE OF NEW ICT TECHNOLOGIES									
Engineering & Technology	Type approval framework to support innovation	Revision of Type Approval framework	New Type Approval framework published	Drafted Type Approval framework	Revision of Type Approval framework	Draft framework published for public consultation	Public consultation completed	Final framework published	New framework implemented	No strategic activity	Review of Type Approval framework

PROMOTION OF THE PROTECTION OF CONSUMERS AND ACCESSIBILITY FOR PERSONS WITH DISABILITIES

Summary:

- ICASA intends to review the End-user and Subscriber Service Charter Regulations and the Code of Conduct on Persons with Disabilities by 31 March 2014
- It appears that ICASA has indentified a need to have a separate set of Consumer Protection Regulations and these are to be finalised in 2014/2015

SOOG 4 PROMOTE THE PROTECTION OF CONSUMERS AND ACCESSIBILITY FOR PERSONS WITH DISABILITIES											
Custodian	Key outcome	Key output	SMART Performance Measure / Indicator	Baseline 2011/2012	Target 2012/2013	Deliverable Quarter 1 2012/2013	Deliverable Quarter 2 2012/2013	Deliverable Quarter 3 2012/2013	Deliverable Quarter 4 2012/2013	Target 2013/2014	Target 2014/2015
4.1.	STRATEGIC OBJECTIVE	PROMOTE CONSUMER RIGHTS									
Consumer Affairs	Consumer Protection Framework	Revised End-user and Subscriber Service Charter (QoS) by 31 March 2014	End-user and Subscriber Service Charter (QoS) by 31 March 2014	Existing End-user and Subscriber Service Charter (QoS)	Discussion Document on revised End-user and Subscriber Service Charter (QoS)	Benchmark report on QoS standards	Draft Discussion Document on End-user and Subscriber Service Charter (QoS)	Report on consultation with identified stakeholders	Publication of discussion document	Findings document on revised End-user and Subscriber Service Charter (QoS)	No strategic activity
		Revised Code of Conduct on Persons with Disabilities by 31 March 2014	Code of Conduct on Persons with Disabilities by 31 March 2014	Existing Code of Conduct on Persons with Disabilities	Discussion Document on revised Code of Conduct on Persons with Disabilities	Benchmark report on Code of Conduct on Persons with Disabilities	Draft Discussion Document on Code of Conduct on Persons with Disabilities	Report on consultation with identified stakeholders	Publication of discussion document	Findings document on revised Code of Conduct on Persons with Disabilities	No strategic activity
		Consumer Protection Regulations	Consumer Protection Regulations by 30 September 2013	n/a (new initiative)	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity	Conduct feasibility study and Regulatory Impact Assessment on draft Consumer Protection Regulations	Develop new Consumer Protection Regulations

ENSURE COMPLIANCE WITH LEGISLATION AND REGULATION

Summary:

- ICASA intends to compile a guideline on interconnection and facilities leasing disputes. A report to be tabled in the 2013/2014 financial year will include recommendations for a review of the Interconnection Regulations and Facilities Leasing Regulations to be finalised in the following financial year.
- ICASA proposes the finalisation of a framework for the imposition of universal service and access obligations (USAOs) and new regulations during the current financial year

SOOG 6 ENSURE COMPLIANCE WITH LEGISLATION AND REGULATION											
Custodian	Key outcome	Key output	SMART Performance Measure / Indicator	Baseline 2011/2012	Target 2012/2013	Deliverable Quarter 1 2012/2013	Deliverable Quarter 2 2012/2013	Deliverable Quarter 3 2012/2013	Deliverable Quarter 4 2012/2013	Target 2013/2014	Target 2014/2015
6.1.	STRATEGIC OBJECTIVE	INTRODUCE A COMPREHENSIVE COMPLIANCE AND ENFORCEMENT FRAMEWORK									
Markets & Competition - Numbering	Compliance with legislation and regulations	Effective management of the numbering resource	Publication of Annual Number Audit findings	Numbering Audit Framework	Findings document on Annual Audit of numbering resource utilisation	Review of numbering audit data submitted by licensee's in the previous year	Draft report on number audit findings	Report on the findings of the review of the numbering audit	Publication of Annual Number Audit findings	Findings document on on Annual Audit of numbering resource utilisation including recommendations for regulatory review	Revised Numbering Plan regulations incorporating number pricing framework
Markets & Competition – Analysis		Management of the interconnection (IC) and facilities leasing (FL) regime	Guidelines on Disputes regarding IC & FL and Infrastructure Sharing	Draft guideline on IC & FL agreements produced	Report on compliance with IC & FL Regulations	Quarterly internal report on compliance with IC & FL Regulations	Quarterly internal report on compliance with IC & FL Regulations	Quarterly internal report on compliance with IC & FL Regulations	Annual internal report on compliance with IC & FL Regulations	Report on compliance with IC & FL Regulations including recommendations for regulatory review	Revised IC & FL Regulations
Licensing & Compliance		Compliance with licence terms and conditions and regulations	Published Annual Reports on compliance with legislation and regulations	Postal:1 ECN/S: 15 Broadcasting: 40	Compile and approve reports on Postal:2 ECN/S: 30 Broadcasting: 50	Progress report	Progress report	Progress report	Publish reports Postal:2 ECN/S: 30 Broadcasting: 50	Publish Annual Compliance Reports Postal:2 ECN/S: 30 Broadcasting: 50	Publish Annual Compliance Reports Postal:2 ECN/S: 30 Broadcasting: 50

		Universal Service Access Obligations (USAO) framework document	USAO framework	Findings document on USAO framework	Published Implementation Plan developed dependent on the outcome of the Findings document	Imposition of USAOs	Imposition of USAOs	Imposition of USAOs	Imposition of USAOs	No strategic activity	No strategic activity
		New Universal Service Access (USA) Regulations	Published Regulations with gazetted definition and list of underserved areas	Published USA Regulations	Published Implementation Plan developed dependent on the outcome of the Findings document	Imposition of USA Regulations	Imposition of USA Regulations	Imposition of USA Regulations	Imposition of USA Regulations	No strategic activity	No strategic activity

PROMOTE COMPETITION

Summary:

- The CPS Code of Practise presumably refers to the Carrier Preselection Phase 1 Code of Conduct published on 28 April 2012.
- ICASA plans to revise the number portability regulations so that they cover all number ranges, to be finalised in 2013/2014.
- Regulations designed to enforce greater transparency in the manner in which operators account for wholesale call termination costs are proposed to be finalised by end March 2013.
- ICASA will launch an investigation into the supply side value chain for the provision of electronic communications services and develop a Regulatory strategy for ECS that promotes effective competition and greater network coverage. This document is intended to identify markets for review.

SOOG 8 PROMOTE COMPETITION											
Custodian	Key outcome	Key output	SMART Performance Measure / Indicator	Baseline 2011/2012	Target 2012/2013	Deliverable Quarter 1 2012/2013	Deliverable Quarter 2 2012/2013	Deliverable Quarter 3 2012/2013	Deliverable Quarter 4 2012/2013	Target 2013/2014	Target 2014/2015
8.1.	STRATEGIC OBJECTIVE	REMOVE BARRIERS TO COMPETITION									
Markets & Competition	Development of pro-competitive remedies and implementation thereof	Carrier Preselect (CPS) Regulations to increase consumer choice	Gazetted Code of Practice	CPS Regulations	Publication of Code of Practise by 30 June 2012	Publication of Code of Practice	No strategic activity	No strategic activity	No strategic activity	No strategic activity	No strategic activity
		Revised Number Portability Regulations to promote consumer choice	Number Portability Regulations governing all number ranges	Existing Number Portability Regulations	Research report on review of existing Number Portability Regulations	Development of Terms of Reference	Appointment of a Service Provider	Preliminary Report	Final Report	Number Portability Regulations governing all number ranges	No strategic activity
		Accounting Separation Regulations for wholesale call termination	Accounting Separation Regulations for licensees designated with Significant Market Power	Inception report of Accounting Separation Regulations for Call Termination	Accounting Separation Regulations	Report with recommendations on various cost models	Report on consultation with licensees designated with SMP	Draft regulations and public hearings	Final Accounting Separation Regulations	No strategic activity	No strategic activity

8.2	STRATEGIC OBJECTIVE	ENSURE SOUTH AFRICAN RETAIL PRICES OF ICT SERVICES FAIRLY REFLECT COSTS									
Markets & Competition	Fair prices for electronic communication services (ECS) accessible by all South Africans by 2020 (voice and data services including broadband)	Regulatory strategy for ECS that promotes effective competition and greater network coverage	Report on pricing for ECS	Wholesale Voice Call termination Regulations	Gazetted price benchmark report on prices across the ECS value chain	Appointment of consultants to review the prices across the supply-side ECS value chain	Questionnaire circulated to licensees for information on costs associated to different segments of the ECS value chain	Report on analysis of responses to questionnaire	Final report outlining result of price benchmarking and future areas of focus for market reviews	Market reviews based on ECS value chain study	Market reviews based on ECS value chain study; identified pro-competitive regulations published