1. Introduction

The Portfolio Committee on Telecommunications and Postal Services (the Committee) conducted a meeting in the South African Parliament on Over The Top (OTT) services on 26 January 2016. The meeting was attended by various role players within the ICT Policy and Regulation sectors, Government, State-Owned Companies (SOCs), Mobile Telecommunications Operators, ICT SMMEs, organised labour and Internet Service Providers, among others.

The meeting was intended to provide a platform for the exchange of views on how to deal with matters of governance and regulation around the OTTs within the ICT sector. The discussion included topics such as the penetration of OTT trends in South Africa; network quality of service; consumer rights; the role of the Independent Communications Authority of South Africa (ICASA) in respect of regulatory implications and responsibilities; the role of the department on policy matters; the role of Parliament on legislative matters; issues of current discussion on OTTs and disparities in application of laws in respect thereof; the challenges between Operators and OTTs; and cyber security in respect of OTTs. Other issues discussed were the governance and impact of the OTTs on the revenue streams of the Mobile Network Operators (MNOs).

A detailed list of participants included the following:

(a) Professor Andrew Barendse: Group Executive Regulatory Affairs, Vodacom;
(b) Mr Pakamile Pongwana: Chief Executive Officer: ICASA;
(c) Professor Alison Gillwald: Executive Director: Research ICT Africa/University of Cape Town’s Graduate School of Business Management – Management of ICT Infrastructure Reform and Regulation;
(d) Mr Alf Wiltz: Deputy Director-General, DTPS;
(e) Mrs Loren Braithwaite-Kabosha: Executive Director: (SACF);
(f) Mr Graham Mackinnon: Chief Legal Officer, Cell C;
(g) Mr Graham de Vries: Group Executive Regulatory Affairs; MTN
(h) Mr Siyabonga Madyibi: Legal and Corporate Affairs Director, Microsoft South Africa
(i) Ms Ebele Okobi: Head: Public Policy Africa; Facebook/WhatsApp
(j) Mr Fortune Mgwili-Sibanda: Public Policy Africa; Google/Skype
2. Proceedings and Deliberations

2.1 Introduction and comments by the Chairperson of the Portfolio Committee on Telecommunications and Postal Services

Honourable Mmamaloko Kubayi made introductory remarks that included the objectives and rationale of the session. She welcomed all members and guests, and indicated that the Minister and the Deputy Minister of Telecommunications and Postal Services as well as the Director-General of the Department of Telecommunications and Postal Services had forwarded an apology due to the fact that they were participating in a lekgotla.

The Chairperson noted that the reason for the meeting on OTTs was to allow and encourage dialogue. Further, the intention was to allow engagement among sector players. She addressed the issue of comments made in the media and elsewhere, questioning the authority of the Committee to deal with this issue. She noted that the Committee has an obligation in terms of the constitution to ensure engagement and create dialogue on any ICT matter including the OTTs, as it would be critical for the Committee to hear the views and concerns of industry. This platform would allow Parliamentarians to be engaged on the issue of OTTs, including all related constraints that will ensure the sector functions optimally. In the process of the Committee’s activities while conducting oversight, it observed there was a lack of ICT services in rural and other areas. The Committee would then have to question its role to assist in addressing the gaps created in the ICT sector. Further, issues such as access, affordability, security, cyber-attacks and its infringement on personal information, the right to be ‘forgotten’ in the digital space, and protection of the rights of individuals would have to be interrogated by the Committee. She further highlighted that the committee had an obligation to ensure that inequalities are not perpetuated by the lack of ICT infrastructure especially between Urban and Rural communities. She added that the meeting was considered important due to the above factors and that it differs from the implications of a hearing.

In response to the question raised about the reasons this topic was chosen for discussion, the Chairperson indicated that the programme was drafted and sent out late last year. She added that the issue of broadband and spectrum are linked to OTTs.
and that there was therefore a need to stimulate the discussion and bring all relevant issues to the fore so as to allow members of the Committee to be adequately be informed about these. This discussion would create clarity as to the direction this country would take in respect of OTTs. She added that the topic was deemed relevant after she attended numerous meetings within the sector and noted that the discussion on OTTs would be pertinent to the work of the Committee. She added that although Telkom was invited to be part of the meeting, they indicated that they chose not to make a presentation, but that they would attend the meeting and participate in discussions.

2.3 Presentation on penetration and OTT trends in South Africa, Dr Alison Gilwald.

Professor Gilwald noted that her presentation would identify the challenges of evidence based policy formulation and the safeguarding of public interest outcomes in relation to OTT services. She warned, amongst other things, that the Committee will need to look very carefully before the OTTs are regulated and in the process the poor get disadvantaged as they are the biggest users of the services. Professor Gilwald indicated that what was really needed was a kind of adaptive regulation, to ensure that there were no unintended negative consequences. The need for a new kind of legislation for a new kind of technology was an idea that came up again and again throughout the discussion.

The presentation focused on the following issues:
(a) Locating OTT in the new ICT system;
(b) Complex adaptive systems/regulation;
(c) Key regulatory issues;
(d) Changed market conditions;
(e) Data revenue as a percentage of total revenue;
(f) Voice vs. Data Revenue;
(g) What are OTTs: Historically it emerged in US, and referred to the delivery of film and TV content via the internet without requiring users to subscribe to a traditional cable or satellite pay-tv service;
(h) OTT in the mobile broadband environment;
(i) Operators lobby for regulation;
(j) Zero rating and net neutrality;
(k) What evidence is there of harm? and
(l) Harnessing the economic and social impacts of the internet
There was a sense during the presentation that mobile operators are not negatively affected by the OTT market. Various methods could be implemented to ensure competition in the market and a good return on investment. The new issues on OTTs might appear to prejudice local players, but it is important to look at these on a case by case basis. There was a call to move from static regulation to regulatory models that address the efficiency of the sector in order to prevent the stifling of competition in the sector. There was consensus that there were regulatory constraints, especially in respect of spectrum, and that this hampers progress.

(A detailed copy of the presentation can be obtained on request from the Committee Section).

2.4 Presentation on the DTPS on the policy review process

Mr Wiltz, Chief Director in DTPS, outlined the history and objectives of the national integrated ICT White Paper, and gave a summary of the relevant sections, which comprises 4 stages. These include the framing paper which was gazetted, the green paper which was gazetted, the discussion paper which was also gazetted, and the White Paper. Mr Wiltz further highlighted that several submissions were received on net neutrality (OTT) during the Green Paper consultations and discussions. It was noted that the Department is currently in the process of completing the White Paper stage.

The following issues were highlighted:
(a) Core approach
(b) Objectives
(c) Definition of Over-the-Top Services (OTT)
(d) Net Neutrality defined
(e) International benchmarking on OTT regulation
(f) Written submissions on net neutrality/OTT
(g) What are the regulatory issues pertaining to OTT/net neutrality
(h) Policy making

In conclusion DTPS highlighted that a number of jurisdictions have introduced net neutrality and OTT policies, including Chile, the USA, the European Union, Brazil and the Netherlands.
DTPS then suggested the following to be considered as part of framing the discussion further:

a) Facilitate the availability, accessibility and affordability of ICT services
b) Consumer protection
c) Embrace market developments and digital opportunities
d) Create a competitive and enabling policy environment
e) Promote investment and innovation
f) Policy need to balance innovation, investment and competition
g) Consider the benefits of change vs. costs.

(A detailed copy of the presentation can be obtained on request from the Committee Section).

2.5 Presentation by Independent Communications Authority of South Africa (ICASA)

The CEO of ICASA Mr Pongwana made the presentation on behalf of ICASA. He was of the opinion that OTTs do not equate to net neutrality and that there was no globally accepted standard definition of OTTs. He added that locally, OTTs comprise content service or an application that is provided to the end user over the open internet or the network of a licensee, and is generally provided with the involvement of a licensee (i.e. a network services provider) to which the consumer is connected. ICASA made a concession that OTT services stimulated demand for network access, but made no direct contribution to infrastructure development.

The following issues were highlighted:
(a) Definition of OTT Services
(b) Dynamics of OTT services market
(c) OTT service and regulation
(d) Policy and regulatory implications
(e) Impact of OTT Services.

In conclusion he noted that there was a need to recognise the impact of OTTs and also to adopt a wait-and-see approach so as not to stifle innovation. He added that there was a need for continual monitoring of the impact of OTTs, and to intervene where necessary. ICASA noted the consideration of the issue of net neutrality or open internet, and its impact on competition and innovation should be prioritised. In addition,
there was a need to undertake research into priority markets, which include possible OTT service markets.
(A detailed copy of the presentation can be obtained on request from the Committee Section).

2.6 Presentation by South African Communications Forum (SACF), Ms Loren Braithwaite-Kabosha

Ms Braithwaite-Kabosha made a presentation on behalf of SACF. She noted that the South African ICT industry has been actively engaged in studying the impact of OTTs, on its own and in partnership with the Policy Maker and the Regulator. SACF looked at some specific types of OTT services, such as Voice over Internet Protocol (VoIP) and Video-On-Demand (VOD); the responses of the MNOs to these services; the predicted future of the mobile internet access market in South Africa; and factors that have hindered its growth. Its position was that the aim of regulation should be to encourage innovation and constructive competition.

The presentation focused on the following topics:
(a) Definition of OTT
(b) The current OTT conversation
(c) Regulatory disparities
(d) Disparities in application of laws
(e) Issues of current discussion on OTTs
(f) Examples of OTT Services (voice)
(g) Growing range of OTT Services
(h) The South African innovative success story
(i) OTT VOD innovation in South Africa
(j) Impact of OTT on traditional broadcasters
(k) Meeting the OTT challenge in Africa
(l) SA internet access market
(m) Factors hindering internet growth
(n) OTTs as disruptive innovations
(o) Disruptive Innovation: high level dilemma
(p) Case study
(q) National ICT Policy Review perspective
(r) Recommendations of the National ICT policy review report
(s) Key factors to be considered.
Ms Braithwaite-Kabosha of SACF was of the view that key regulatory issues must be considered and developed. In this regard, regulatory reviews must focus on outcomes rather than on the technological platforms and must be able to stand the test of time. The costs of regulatory development and enforcement must not outweigh the benefits derived from such regulations. The view was expressed that the overall aim of regulations should be the following:

- to encourage innovation and new product development;
- to encourage constructive competition in a level competitive playing field; and
- foster constructive and productive relationships between the regulator and industry.

Finally, any possible regulatory intervention should focus on protection of consumers and their rights to privacy.

(A detailed copy of the presentation can be obtained on request from the Committee Section).

2.7 Input by stakeholders

The Committee further received input from various stakeholders, including Vodacom, MTN and Cell C. The stakeholders noted the following:

(a) Professor Barendse representing Vodacom noted that Vodacom does not support the blocking of services and that Vodacom generally supports and values OTTs. He noted however that the real concerns for Vodacom would be the treatment of data security and consumer protection issues. The mission of Vodacom would be to put the choice in the hands of the consumer. The call for regulatory treatment would therefore be to ensure that competition is promoted within the ICT sector. Vodacom further indicated that there is change in customer behavior because of the use of content over the internet. The government can therefore choose to provide a response to the change of customer behavior by either doing nothing, initiating a conversation, or putting some laws in place.

Vodacom believes that services that are similar to the MNOs services will need to be regulated on the following basis:

- All the services must be subjected to legal interception and security
- All the services need to contribute to the universal service funds
• All the services must be subjected to taxation and contribution to the fiscus in all locally derived revenue.

(b) Mr De Vries representing MTN noted that OTTs are a reality in terms of innovation. He concurred with the argument made by Vodacom and added that regulation may also have an impact on laws governing personal information of consumers as some of the OTTs sell the customer information. He also outlined the taxation concerns. MTN also raised the issue of quality of service queries that the Network Operators receive on a regular basis due to the bandwidth-hungry services which place a strain on the networks; as a result, the quality of service is compromised. This therefore calls for the speedy resolution of the spectrum issue so that network infrastructures can be expanded to improve the quality of service. This also highlighted the importance of ensuring that any services similar to the MNOs need to comply with the legal interception requirements.

(c) Mr McKinnon of Cell C indicated that Cell C has distinguished between two types of regulation, namely MNO regulations and security, privacy, and tax regulations, as indicated earlier. In terms of the latter, Cell C is in agreement that laws and frameworks are already in place, or in the process of being promulgated, in order to regulate this. However, Cell C is opposed to any additional regulations in respect of MNO type regulations. Cell C was of the view that OTTs would help to reduce the cost to communicate. It believes in the light touch regulatory framework around the OTTs. It believes that operators must leverage the benefit of having OTTs on the network and need to form strategic partnerships with the OTTs rather than stifling them.

2.8 Discussions and dialogue

(a) Mr Hjul of Crystal Web made a comment that it will be important to remember that many OTT service providers were international companies whose South African revenues were relatively insignificant. One did not want a situation where they withdrew from the market because of excessive regulatory burdens. Some small business owners are dependent on the OTT services. The difference between MNOs and other services is that content providers are never MNOs and should not be subjected to the same regulations as the MNOs. Companies
should be encouraged to come to South Africa and we should not impose regulations that will be seen to be barriers to market entry or stifling competition. The question from Crystal Web is whether or not the consumers has a full right to access the any services they choose across the internet?

(b) Mr Levine of the Internet Society of SA (ISOCSA) wanted to know how Whatsapp makes money as they don’t sell advertisements. ISOCSA argued that WhatsApp and many other similar OTT have made it a lot easier for the users to send simple messages. ISOCSA sought further clarity from the MNOs on how much money are they making on WhatsApp, how much money they were making with SMSes before WhatsApp, and how much less are they making now due to WhatsApp. This argument seeks to clarify the notion that the use of WhatsApp is adversely affecting the revenue stream of the MNOs. ISCOSA further posed the question to the MNOs on what they are doing to ensure that underserviced areas have infrastructure rolled out as they mostly depend on the OTTs to communicate. More often than not, the network quality in those areas is very poor.

(c) Mr Johnson of the Meraka Institute posed the question on how we are going to regulate the OTT services as it will be impossible to classify different OTT services over the internet. He further highlighted the benefit and social impact of the OTT services to the under privileged. He also highlighted that services such as Mixit were being used to improve the quality of learning and teaching as school children were able to use the services to pose questions to teachers remotely. Mr Johnson further emphasised the impact of OTTs in ensuring that the cost to communicate is further reduced.

(d) Honourable Mackenzie commented that if it was not for Whatsapp, it would not be easy to communicate to a certain extent and that the OTTs have made it easier to access an affordable means of communication. He further emphasised that he supports and embraces OTT services as they ensure more competition in the sector. Honourable Mackenzie also wanted to know why the MNOs can’t put the same efforts into developing similar types of application in order to promote local innovation and entrepreneurship.

(e) Honourable Shinn wanted to know if the MNOs know how much extra revenue will be generated if more bandwidth was to be used over the network and
whether this would perhaps ensure economies of scale so there would be mutual benefit for both the OTTs and the MNOs. She encouraged the MNOs to assist with the rollout of SA Connect as this will assist in providing additional infrastructure, with less bandwidth strain on the network of the MNOs.

(f) Honourable Tsotetsi wanted to know in the absence of regulation how would victims of cybercrime on the OTTs get protected.

(g) Honourable Ndongeni posed a question on what could be done to ensure regulations kept the pace with technological change, what is the impact of the current regulations on OTTs, and do DTPS and ICASA have any legal restriction on the OTTs

(h) Honourable Kilian referred back to the SACF presentation that identified a number of blockages which cause strain on the upgrade of the infrastructure and highlighted the issue of a lack of urgency on spectrum allocation and the slow pace of finalising the rapid deployment framework. She requested ICASA and DTPS to give feedback on these issues.

Responses

DTPS indicated that the Rapid Deployment Framework is in the process of being finalised and will not take long before the policy get adopted. The Department further highlighted that a number of issues have been addressed in the ICT strategy discussion paper and that OTT services will be complex policy matter and might not be addressed adequately within the current ICT strategy white paper. The Department further highlighted that policy-making is all inclusive and the coordination of different stakeholders will be key to ensuring the sector is always in the forefront and that policy formulation is able to move swiftly so that policy is not left behind. The department has taken note that various departments will have to be involved in order to ensure that the issue of security concerns is adequately addressed.

SACF further emphasized the different blockages and constraints such as spectrum which has some serious bearing on network expansions and extended coverage with improved quality of service. It will be very important to ensure that all blockages are completely removed.
**Vodacom** highlighted that the challenges of classification on different OTTs is a question of definition. Prof Barendse further highlighted that the element of OTTs is so multi-disciplinary in that it goes beyond the ECA and ECTA, and that Vodacom will support the involvement of various role players. He also indicated that policy regulation really has to play catch-up, and the further question is when do you intervene and when do you refrain yourself from doing so.

**Cell C** does not distinguish between OTTs and online services and there is no need to differentiate between them. It indicated that they are offering composition of internet.org services that gives people to full Facebook and WhatsApp experiences. These are discounted offerings and Cell C is also engaged with other various OTTs to foster further relationships. Cell C indicated that they have a model on how best to leverage the OTTs in order to stimulate data usage. It is doubtful though on whether additional use of OTTs will compensate for the decline in voice revenue.

**MTN** indicated that increasing data usage ensures that data revenue is forever increasing. The MNOs are continuously investing in the data network and MTN is spending in the region of five to seven billion rand a year, with a further projected 10 billion rand investment on the upgrade of the data network. The investment goes to both 2G and 3G as well as the LTE networks, reason being that there is a need to keep investing on the 2G networks due to the availability of a number of legacy handsets with no capabilities to connect to 3G/LTE networks. The 2G investment is also within underserviced areas. There has to be an admission that at some point the network quality is not going to be great; the biggest problem is the allocation of additional spectrum. On the speedy rollout of a national broadband, one must be very careful and look at what is happening overseas as this has not been shown to work. The fact is that when you promote one national broadband network, this might turn into a monopoly which could result in a high cost to communicate.

**Telkom** argued that there is a need to find a delicate balance. Telkom welcomed the OTTs and the innovation it brings. The question is how do we promote OTTs yet be able to incentivise the network service providers to invest in improvement of infrastructure? This will ensure that everybody evolves and that the most needed jobs get preserved.

Mr Muzi Makhaya, CEO of Arion Bomema Technologies, said it was patently unfair for OTT service providers to ride on the back of network infrastructure built by the MNOs.
2.10 Presentation by Chairperson of the Wi-Fi Forum on the challenges between the Operators and OTTs, Mr Andile Ngcaba

Mr Ngcaba made a presentation in his capacity as chairperson of the Wi-Fi Forum and highlighted issues in terms of activities and complexities involved in regulating the Dark Web. He gave a historical overview of the ICT sector up to the time of the introduction of mobile communications. He further made a distinction between the internet and telecommunications and noted that the internet governance model would always be driven by a multi-stakeholder model. He added that modern Internet and cyberspace was the driver of trade, commerce and e-government. He noted that a way to bridge the digital divide would be to convene communities, both urban and rural, to address the issues of language on the Internet. He noted in this regard that it would be important for the Internet sector to work with the Pan South African Language Board (PANSALB) to develop lexicography and terminology that would be available in all languages. He requested the Committee to investigate what is today defined as digital and cyber. He noted that the State Information Technology Agency (SITA) has a monopoly in providing IT services which is contrary to South Africa’s WTO commitments. He further emphasised that the internet cannot be regulated but what is needed is a piece of legislation where all players are treated the same based on market share.

(A detailed copy of the presentation can be obtained on request from the Committee Section).

3.1 Presentation by Internet Service Providers Association (ISPA) Mr Dominic Cull

Mr Cull made the presentation on behalf of ISPA. He highlighted the lack of regulation or the unequal regulatory burden that would be placed on consumers. He noted that OTTs are already subject to legislation and was of the opinion that once the consumer has paid for connectivity, it should not be up to the provider to dictate how the consumer should use it thereafter. He called on the Committee to remove growth constraints that would hold consumers and the industry back. He said that the only reason regulation of OTT services was being discussed at all was that MNOs were not being allowed the frequency spectrum rights they needed to expand their businesses and were being prevented from engaging in mergers and acquisitions. Rather than stifle the competition provided by OTT services, he argued that an attempt should be
made to release the fundamental growth constraints on the ICT sector as a whole. He indicated that the current approach is regressive and that there is a need for forward thinking in terms of current legislation.

ISPA further highlighted that it's untrue that the OTTs are not regulated, as issues such as security and legal intercept are being managed by the Department of Justice. Taxation matters are also addressed under the tax laws, and the Consumer Commission and the Film and Publication Board are in the process of looking into the online content regulations.

3.2 Inputs by OTTs

The Committee further received input from the various OTTs such as Microsoft (Skype), Facebook (WhatsApp) and Google (Hangouts). The OTTs noted the following:

(a) Microsoft (Skype): Mr Madyibi noted that there will have to be a clear indication of what it is that needs to be regulated. He cautioned against regulation and noted that it stifles innovation and creativity. Currently, anyone can create and have access to the web and this allows for innovation and the creation of new ideas from ordinary people. He argued against regulation of OTTs and stated that there was a need to guard against protecting the revenue of Mobile Network Operators.

(b) Facebook (WhatsApp): Ms Okobi gave a brief historical background of Facebook, noting that it was founded in 2004 and has in excess of 1,5 billion uses around the world. She argued against the regulation of OTTs and noted that instruments such as Facebook and WhatsApp allow people to empower themselves. She added that Facebook was not responsible for the sale of data but received revenues from advertising. She concluded that there was a need for a symbiotic relationship that required close collaboration with operators and other stakeholders.

(c) Google (Hangouts): Mr Mgwili-Sinanda noted that Google allows for the growth of innovation and that this phenomenon should be embraced. He noted that this conversation is not about the multinational companies but about allowing the startups to be allowed a platform to innovate and grow. He noted that South Africa should be ready for the market to change and predicted that in the next 7 years it
would experience innovation it could hardly imagine. He therefore argued against the regulation of OTTs and added that it would assist with levelling the playing field. He added that Operators and OTTs depend on each other and that many operators have changed their pricing models to facilitate OTTs. He further highlighted the importance of cost to communicate as a topic of conversation. He further emphasised that online content should not be regulated like access because content is not transmission and regulating it will cause it to diminish. Mr Mgwili-Sinande also confirmed that Google currently pays tax in South Africa; hence the taxation argument is irrelevant. He also put it on record that the OTTs also spent huge amount of money to invest into their infrastructure in order to offer their services. He indicated that there is no evidence that the OTT services harm or affect voice services adversely.

3.3 **Presentation by Chief Executive Officer: Alerting-SA on Cyber Security focusing on OTTs, Mr Linda Khumalo**

Mr Khumalo made the presentation on behalf of AlertingSA. The issue of cyber security is a blind spot in our country and would need to be addressed as cybercrime affects everyone. He noted that there was a serious challenge of cybercrime that affects communities. He further highlighted major costs and tensions with global OTT players. AlertingSA said that almost $500bn was lost annually to cybercrime, and South Africa had the third-highest number of hacked devices in the world, after China and Russia. Mr Khumalo suggested that regulating OTT services could allow for better cyber security, but he was unsure whether regulation would protect local industry. He drew attention to the danger of using public wireless network connections for sensitive communications.

The presentation highlighted the following areas:
(a) About AlertingSA
(b) Problem statement
(c) The AlertingSA view
(d) Special Focus on the impact of technology on health
(e) Cyber security perspective on OTT
(f) To regulate or not to regulate.

(A detailed copy of the presentation can be obtained on request from the Committee Section).
3.4 Panel discussion and dialogue

(a) Ms Shinn wanted to know if the MNOs have a plan B to embrace a stream of business coming their way from innovative services that use their networks, bearing in mind that the MNOs might not get any regulatory protection to current revenue stream for the next couple of years.

(b) Ms Maseko posed a question to the stakeholders what is being done to address the security and vulnerability issue as citizens are all exposed due to the wide availability of WiFi hotspots for public use.

(c) Ms Kilian wanted to know if the Department is able to explain the extent to which the citizens are protected from the illegal internet content and what is the role of various departments. She further asked whether the discussion is not more about the reluctance of the MNOs to upgrade their networks due to the constraints on frequency spectrum than the decline in revenue.

Responses:

Mr Silber from ISPA pointed out that unsolicited communication could just as easily use traditional channels as they could OTT services, and that there was already legislation that protected consumers from it. The MNOs were doing their best to eliminate it, but what was required was an education campaign and partnerships with law enforcement. He stressed that cyber security measures should not single out one type of service.

Mr Khumalo from AlertingSA emphasised that there is a need for partnership with industry and communities which use the technologies. A multi-stakeholder approach would be needed and the effort to meet today is a wonderful initiative.

Ms Braithwaite-Kabosha from SACF responded and indicated that as a collective forum, they have come together to create a consumer literacy plan to ensure that every SA child is safe on the internet, and work on how to optimally use the internet. SACF also indicated that they will work with the cyber security hub in future to provide much needed help and expertise.

Mr Ngcaba of the WiFi Forum highlighted that cyber security is a serious matter for any country. He mentioned the London Action Plan, an attempt to co-operate and
share best practices in the fight against unsolicited communication. He suggested that South Africa become a subscriber.

Professor Gillwald cautioned against the conflation of cybercrime, cyber security, cyber terrorism and other concepts. While we obviously want to provide a safe network environment for South African citizens, we also do not want to circumscribe people’s rights to privacy and freedom of expression, for example.

### 3.5 Vote of thanks and way forward

Ms Kubayi thanked all participants for their honest engagement during the meeting which would assist the Portfolio Committee in its future deliberations. She noted that this discussion was necessary, as the interactive session helped members to understand the critical issues within the sector on this topic. The committee would now be assisted by making an informed decision based on the information received. She highlighted that the committee would want to engage more, absorb and hear the voices coming from the sector. She committed that this will happen again in the near future. She concluded by saying that she hoped it was a fruitful discussion for all participants and that the committee looks forward to continuous engagement in determining how to deal with the issues of OTT and other matters in future.