



## Independent Communications Authority of South Africa

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### COUNCIL DECISIONS– 06 March 2018

ITEM NO.	AGENDA ITEM	DECISION
1.	<p>Increase of administrative fees relating to Type Approval and Service Licence Applications and Annual Spectrum Licence Fees relating to Radio Frequency Spectrum Licences.</p> <p>The purpose of the submission was to request Council to approve the publication of the increase of administrative fees relating to Type Approval and Service Licence Applications as well as the Annual Spectrum Licence Fees.</p> <p>Regulation 10 (3) of the Type Approval Regulations as published in the Government Gazette no 36785 of 2013, provides that the Type Approval fees stated in schedule 1 of the Type Approval Regulations will be adjusted by a maximum of the Consumer Price Index (CPI) as published by Statistics SA.</p> <p>Regulation 3(2) of the General Licence Fees Regulations (‘the licence fees regulations’) as published on the Government Gazette, Notice No 2999 of 2013, provide that the administrative fees stipulated in schedule 1 of the licence fees regulations may be adjusted by maximum of CPI as published by Statistics SA.</p>	<p><b>The request to publish an increase in the fees was approved.</b></p>
2.	<p><b>Submission of draft Research Report on National Elections Broadcasting for approval and the request to constitute a</b></p>	<p><b>It was resolved that the draft Research Report on National Elections Broadcasting be approved.</b></p>

	<p><b>Council Committee on National Elections Broadcasting.</b></p> <p><b>The purpose of the memorandum was to request Council to approve:</b></p> <ul style="list-style-type: none"> <li>• The draft Research Report on National Elections Broadcasting that will form the base document for the committee; and</li> <li>• The constitution of Council Committee on National Elections Broadcasting.</li> </ul> <p>The Policy Research and Analysis Division has initiated a process to review the regulations on Party Elections Broadcasts (PEBs), Political Advertisements (PA) and the equitable treatment of political parties by broadcasting licensees and related matters published on 17 February 2014.</p> <p>The Authority is empowered in terms of section 56,57,58 and 59 of the Electronic Communications Act of 2005 (ECA) to monitor PEB, PAs and equitable treatment of political parties by broadcasting licensees during election period.</p> <p>The primary aim of the review is to provide a framework and guidelines under which PEBs and PA's will be conducted and carried out during the National Elections.</p> <p>The PRA has developed a draft Research Report and would like to move to the next stage of constituting a council committee.</p>	<p><b>It was also resolved that a constitution of a Council Committee be approved.</b></p>
<p><b>3.</b></p>	<p><b>An analysis of Tariff Notifications submitted to ICASA for the period of 1 July 2017 to 31 December 2017</b></p> <p>The purpose of the memorandum</p>	<p><b>The analysis of Tariff Notifications submitted to ICASA for the period 1 July 2017 to 31 December 2017 was approved.</b></p>

	<p>was to request Council to approve the report on the analysis of Tariff Notifications submitted to ICASA for the period of 01 July 2017 to 31 December 2017 for publishing on the Authority `s website.</p> <p>In terms of the Standard Terms and Conditions of 2010 and the End-User Subscriber Regulations of 2016. Individual Licensees are required to file notifications of tariffs and promotions with the Authority, seven days prior to launching in the market. The analysis in the report is based on tariffs that were filed during the period of 01 July to 31 December 2017, and those which continued to exist in the market as at the end of December 2017.</p>	
<p><b>4.</b></p>	<p><b>Compliance Report on Code of Conduct Inspections</b></p> <p>The purpose of the submission was to present the findings on the inspections conducted by the Regions' Division on major ECS/ECNS licensees and other retail outlets to assess their compliance with the Regulations on Code of Conduct for licensees of the 2007 regulations ("the Regulations").</p> <p>Council was further requested to consider the recommendations from the inspections.</p> <p>Since 2015/2016 Financial Year, the Regions Division has been conducting annual inspections to ascertain ECS/ECNS licensees' compliance with the Regulations on retail outlets.</p>	<p><b>The Compliance Report on Code of Conduct for licensees was noted.</b></p>
<p><b>5.</b></p>	<p><b>Submissions of eleven (11) Broadcasting Annual Compliance Reports and Television Services Licences.</b></p> <p>The purpose of the memorandum was to request Council to note and approve the eleven (11)</p>	<p><b>The reports were approved.</b></p>

	<p>Broadcasting Annual Compliance Reports (ACRs) compiled for the period under review as part of the fifty (50) ACRs, required to be compiled in terms of 2017/2018 Financial Year, and the Annual Performance (APP).</p> <p><b>Licensees were as follows:</b></p> <p>Munghana Lonene FM  Radio Sonder Grense  Radio Today  Barberton Community Radio  Fine Music Radio  Motsweding FM  Bok Radio  Phalaphala FM  Deukom (Proprietary Limited  QwaQwa Radio  Takalane Community Radio</p> <p>The report was pursuant to Section 17F (5) read with section 4(3) (d) of the ICASA Act No. 13 of 2000 (ICASA Act) which provides for the monitoring of Compliance with licence terms conditions.</p>	
<p><b>6.</b></p>	<p><b>Submissions of eleven (11) Broadcasting Annual Compliance Reports and Television Services licensees</b></p> <p>The purpose of the memorandum was to request Council to note and approve the eleven (11) Broadcasting Annual Compliance Reports (ACRs) compiled for the period under review as part of the fifty (50) ACRs, required to be compiled in terms of 2017/2018 Financial Year (FY), Annual Performance(APP).</p> <p><b>Licensees were as follows:</b></p> <p>5FM  Cape Town  E-to  Ikwewezi FM  Lesedi FM  Power FM  Radio 2000</p>	<p><b>The submission was approved.</b></p>

	<p>Radio Heart Thobela FM XK FM</p> <p>The report is pursuant to Section 17F (5) read with section 4(3) (d) of the ICASA Act No. 13 of 2000(ICASA Act) which provides for the monitoring of Compliance with licence terms conditions.</p>	
<p><b>7.</b></p>	<p><b>Data Price Benchmarking Report</b></p> <p>The purpose of the memorandum was to request Council to note the Data Price Benchmarking Report prepared by Policy Research and Analysis Division.</p> <p>The South African market for mobile data services is currently characterised by relatively high data prices as compared to other countries, yet it is regarded as amongst the developing economies within the African Region, in terms of world standard.</p> <p>This view was reiterated through the recent public outcry on high mobile data prices which subsequently led to public hearings in Parliament, in 2016 wherein, mobile network operators raised their comments indicating that the South African needs to allocate the radio frequency spectrum to develop new technologies, including mobile broadband services to improve efficiencies.</p>	<p><b>The Data Price Benchmarking Report was noted.</b></p>