

**The Thembeke and Associates Response to the Independent Communications Authority
of South Africa (ICASA) Draft Digital Sound Broadcasting
Services Regulations , 2020**

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A- General

1. For our sense, the regulations are missing a Preamble defining the PURPOSE of the introduction of DSB and the INTENTION behind it. This preamble should function as a GUIDELINE how to apply the regulations and what the PREFERENCES and PRIORITIES should be when it comes to issuing licenses or channel authorisations.

This preamble should take the following key objectives into account:

- Radio has a 70 percent penetration and the largest growth will be with community radio;
 - Digital Sound Broadcasting forms a part of the Fourth Industrial Revolution (4IR);
 - We would like inclusive regulations that clearly states that it is inclusive of all stakeholders in South Africa, namely Women, Youth, and Disability;
 - Also the current The South African Economic Reconstruction and Recovery Plan refers “ gender equality” and “ greater participation by women, youth, and persons with disabilities at all economic levels “ that they should be key participants in the recovery of South Africa – we are of the firm view that Digital Sound Broadcasting forms a key part in the upward mobility and is a major participant in the growth of South Africa;
 - Preference should be given to persons living in rural, and marginalized sectors in urban and peri-urban communities;
 - The current Covid19 Pandemic indicates the requirement of Digital Sound Broadcasting as an intervention in the pertinent and vital dissemination of information in communities.
2. **Prescribe a procedure for an Applicant seeking to provide DSB Services**
South Africa has gladly adopted a wise decision to implement DSB using a combination of DSB standards complimenting each other and catering for different purposes. However, the regulations should also explain in a dedicated chapter what the differences are and which technology should preferably (there will be exceptions as well!) be used for which purpose and what the implications are.

This chapter should include the following paragraphs:

- Introduction to the key components of Digital Sound Broadcasting Technologies:
 - DAB+: Multiplex-based technology that can carry a large number of services but all will share an identical footprint; operating in spectrum that is currently still used by analogue television and will be fully available only after television ASO (analogue switch-off);
 - DRM+: Ideal for standalone-applications such as community radio stations with an individual footprint but also available as multiplex with flexible size (3, 6, 9... services) – operating in the FM Band side-by-side with existing FM stations and can be applied immediately (our Wecodec trial showed space for at least 48 additional services within the Johannesburg FM Band without reshuffling or defragmenting)
 - DRM30: Ideal technology to cover large rural areas that are currently disconnected from access to information – operating in the AM Band where spectrum is immediately available as well; can be used by the public broadcaster but also communities of interest, geographic communities with problematic footprint (e.g. spread over a large geographic area with difficult terrain), or educational services etc.;
 - Journaline: A data service that is common to all the above broadcast standards being able to supply digital information including education, health guidelines (COVID!), news, employment/jobs availability, etc.
 - Emergency Warning Feature (EWF): All broadcasters as well as ECNS licensees must be informed that their services must be compatible with and support / carry any EWF signalling system that might be implemented by such government tasked entity in the future.
- Procedure that is inclusive of Deployment procedure: Explain the approach of spectrum deployment within the different frequency bands and timelines (e.g. for the deployment of DAB+ the analogue TV frequencies need to be vacated first whilst DRM can commence with FM/AM Band spectrum allocation without such a process)

Objectives of current

B- Set out a Framework for the Distribution of DSB Services

As indicated before, we would like an inclusive framework that is inclusive of all stakeholders in South Africa, namely Women, Youth and the Disability – this is actually a prevailing ICASA objective (“It must be noted that community broadcasting services are not individual or personal businesses but empowerment tools for communities. They are required to encourage grassroots participation through the selection and provisioning of programmes, and continue to forge networks and alliances between people of diverse backgrounds, as well as to give a voice to the youth, women, persons with disabilities as well various cultural groups” says ICASA Chairperson, Dr Keabetswe Modimoeng).

Licensing framework must be inclusive for current entrants, new entrants and persons of disabilities!

1- The Introduction of DSB services will be in a phased approach : be in the primary markets and phase two (2) will be in secondary markets

We would like to strongly recommend the following this phased approach be reviewed due to the following and the current effects of the COVID19 Pandemic that has impacted communities more so in rural, marginalized and peri-urban communities. **We appeal to“ UNIVERSAL ACCESS“ and “AFFORDABILITY” as set by the Policy Directive.**

- (a) The Disability sector through the ICT Chamber for Women and persons with Disabilities, Accessible Broadcasting Sub Committee established in (2015) representing all disabilities not only the Blind (Statistic South Africa estimates 7.5 million person living with disabilities in South Africa).
- (b) Digital Sound Broadcasting introduced in 2017 to the ICT Chamber by Thembeke and Associates that is available to all disabilities on audio, for the blind and multiple other disabilities as well as data in the form of text and images for deaf persons. The recommendation and relevance in Education and Tape Aids “Schools for the Air” that has been included in the ICT Chamber sub-committee Inclusive Education Sub Committee, as well as Farm Radio and Craft Radio. This would be able to assist millions of persons with disabilities in rural and peri urban areas with tutorials and interactive coaching so that they can create SMME’S or be employed by SMME’S.
- (c) SANBC- South Africa National for the Blind – supported by the ICT Chamber’s call for Digital Sound Broadcasting in its member organization of 100 (Tape Aids for the Blind being a member of the Organisation) and in promoting SABS ISO need for SABS standards in audio description.
- (d) Tape Aids for the Blind and NGO , 2014 Tape Aids first submission to ICASA codes requesting Digital Sound Broadcasting for Audio Description (AD) sound tracks, due to the majority of the blind and low vision of whom the majority live in rural areas. Tape Aids has provided commentary to ICASA, SABC Editorial Policy, The Department of Basic Education Rural (Inclusive Education) regarding the need of Digital Sound Broadcasting in collaboration with Thembeke and Associates. Based on these submissions they were formerly introduced to the DRM Consortium as the participants in the trials on Digital Sound Broadcasting in 2017.
- (e) It is essential to provide Early Childhood lessons 3- 6 years (in all the mother tongue languages), the “the gogo stories“ especially those that unable to attend formal primary school education. The first 1000 days are critical for later learning, currently there is hear to read Educational Outreach programme.
- (f) This is beneficial to the educational sector as per the SABC Editorial Policy Submission 4 August 2018 (1) More than 10% of the population is dyslexic – approximately 5.4 million people. (2) Also 70% persons with HIV sufferers for eye disorders have difficulties reading approximately 3.9 million people. (3) “Our lost Generation” – over a third unable to read fluently and with comprehension of their study materials – approximately 5.3 million children. The current Covid19 pandemic and the challenges that it has created in the disruption of schooling in all sectors, SABC had embarked on

lessons via radio. Community Radio Stations will play a vital role as local schools may utilize the DSB in a more specific and targeted format.

- (g) Long distance learning will extend to universities as well making it more inclusive for students in all locations and communities due to the affordability of digital radio in its qualities of pre-recorded and interactive, convergence.
- (h) Receivers that cater for persons inclusive of all the requirements in line with standards set by the regulator.

2- On a date to be determined by the Authority and published in the Government Gazette, the existing sound broadcasting service licensees will be granted an option to simulcast their existing sound broadcasting programme (s) on analogue and digital platforms until the switch off date to be determined by the Minister The reading of this paragraph implies that new entrants will not be given the opportunity for simulcast. This is an opportune approach as it will accelerate the migration process. However, this can only be fair if this process is accompanied by a massive DSB promotion and support by government including funding incentives e.g. for local receiver manufacturers or community broadcasting infrastructure.

3- The Authority will consider Applicants without existing sound broadcasting licences two (2) years after the effective date of these Regulations. This will be done through an invitation to apply issued by the Authority in terms of section 9 of the Act, and in line with Regulation 4 (5) of the Community Broadcasting Services Regulations, 2019. We would like to strongly recommend the two years waiting period to be reviewed as due to the same reasons as stated above (re: 4.1 Phased Approach) following and the current effects of the COVID19 Pandemic that has impacted communities more so in rural, marginalised and peri- urban communities. The urgently needed services specifically in rural communities in terms of education/e-learning, and other information needed by the communities can perfectly be deployed through DSB services namely Journaline but also sound broadcasting services and radiotext. There is currently no physical limitation on spectrum at least for the DRM bands.

4- A DSB Technical Advisory Group (DTAG) will be formed after the date of these regulations , DTAG will be consultative forum by the Authority to oversee the rollout of DSB Services.

We would like to recommend that the (DTAG) group extend further to stakeholders other than broadcasters to stakeholders that have contributed to DSB namely:

- 1) Persons with Disabilities
- 2) Receiver Manufacturers – we would like receiver that will be inclusive of both standards
- 3) Initiatives of potential community radio stations even if not licensed yet

C- STANDARDS APPLICABLE TO DSB SERVICES

(b) DRM+ to complement FM sound broadcasting services in the band 87.5 – 108 MHz: DRM+ can operate in all VHF Bands I, II and III. The FM Band is the most obvious at this point of time but we would like to recommend to keep the regulations future-proof. VHF Band I (or the extension of the FM Band downwards e.g. to 64 MHz as anticipated in other regions of the world such as China, Russia or Brazil) could become very relevant in the SKA area to maintain broadcasting and supply DSB below 70MHz. Also there will possibly be excess spectrum available in VHF Band III due to the gap between the Southern African 8 MHz bandwidth TV channels and the 7 MHz European based GE06 spectrum allocations for Channels 11A-12D that can be used for DRM+ (and for nothing else).

D- LICENSING OF DSB SERVICES

1- The Authority shall, upon receipt of an application by an Applicant and subject to the availability of capacity on a MUX, issue a sound broadcasting service licence to provide DSB services.

Community broadcasters – including new entrants – should be able to self-provide DSB services if possible. They should not be bound to MUX operators if such are not available or suitable for the application. Our Wecodec trial has demonstrated that a DRM transmission system can be dedicated to a community radio station and even be beneficial to the community if it carries e.g. third party services and generate an income that can benefit the community.

E- CHANNEL AUTORIZATION

1- A sound broadcasting service licensee may, as set out in Annexure A to these Regulations, apply to the Authority for a channel authorisation to add a new DSB service to an existing DSB service.

Although the Authority reserves the right to refuse channel authorization this chapter implies that a broadcaster generally has the right to authorize channels ad libitum and the Authority would have to provide relevant reasons for refusing such a channel authorization. Although spectrum appears plenty with the introduction of DSB we believe that spectrum still needs to be seen as valuable resource that should not be released for consumption by commercial broadcasters for purposes of profitability. Specifically with the intended barrier of 2 years for new entrants a vast amount of spectrum might already be taken before the first new entrant would be given the opportunity to apply.

We therefore would strongly recommend to restrict or limit the option of channel authorization at least in the initial phase and ensuring that urgently required services such as educational and community radio services will be guaranteed sufficient space for development.