



**Independent Communications Authority of South Africa**

**Annual Performance Plan  
2022/23**

**March 2022**

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## ACRONYMS AND ABBREVIATIONS

<b>Item</b>	<b>Description</b>
5G	Fifth Generation Cellular Network Technology
AGA	Astronomy Geographic Advantage Act
BBBEE Act	Broad-Based Black Economic Empowerment Act
CAP	Consumer Advisory Panel
CCC	Complaints and Compliance Committee
ECA	Electronics Communications Act
EEA	Employment Equity Act
GDP	Gross Domestic Product
ICT	Information and Communications Technology
IMT	International Mobile Telecommunications
ITP-R	Invitation to Pre-Register
ITU	International Telecommunications Union
KCAAA	Karoo Central Astronomy Advantage Areas
MTN	Mobile Telecommunications Network
MUX 1	Multiplex 1
NATJOINTS	National Joint Operational and Intelligence Structure
NPMS	Network Performance Monitoring System
PAJA	Promotion of Administrative Justice Act
PFMA	Public Finance Management Act
PPPFA	Preferential Procurement Policy Framework Act
S192	Section 192 of the South African Constitution
SABPP HR	South African Board or People Practices Human Resources
SANDF	South African National Defence Force
SADC	South African Development Community
SAPO	South African Post Office
SAPS	South African Police Service
SKA	Square Kilometre Array
SLA	Service Level Agreement
SOC	State Owned Company
WOAN	Wireless Open Access Network
WRC	World Radiocommunication Conference - 19

## **Accounting Authority Statement**

The Independent Communications Authority of South Africa (ICASA) is a Chapter 9 institution, established pursuant to Section 192 of the Constitution of the Republic of South Africa Act, 1996 (the Constitution) to support and promote democracy in South Africa. ICASA is mandated to regulate electronic communications, broadcasting, and postal services sectors in the public interest; and more specifically to ensure fairness and the plurality of views broadly representing the South African society as required in terms of the Constitution.

The ICASA 2022/23 Annual Performance Plan (the APP) is based on the ICASA Strategic Plan 2020/21 – 2024/25, which is guided by the Government’s Medium-Term Strategic Framework (MTSF). The MTSF outlines areas of priority regarding socio-economic service delivery to all South Africans and addressing challenges relating to poverty, inequality, and unemployment. Furthermore, the APP is influenced by the provisions of the National Development Plan (NDP) that outlines the desired socio-economic growth and development targets that the country needs to achieve by 2030.

### **The radio frequency spectrum licensing**

The Policy Direction on the licensing of high demand spectrum, or what is also referred to as International Mobile Telecommunications (IMT), paved a way towards ensuring that South Africans have access to a wide range of communications services at affordable prices, thereby promoting choice for consumers and business, stimulating competition, and indeed attracting investment into the country and in particular the ICT sector.

Therefore, the 2022/23 Financial Year begins on a positive note following the successful auctioning of the IMT radio frequency spectrum in March 2022. The revenue collected from the auction totals more than R14.4 billion, which will go to the national fiscus. This is the total amount generated from the Opt-In phase auction, which took place on 8 March 2022, and the main auction stage, which commenced on 10 March 2022 and concluded on 17 March 2022.

The main auction stage comprised 58 rounds of bidding between the six qualified bidders i.e. Cell C, Liquid Intelligent Technologies, MTN, Rain Networks, Telkom and Vodacom. The results of the auction mean that South Africans will enjoy the

benefits of, among others, national broadband coverage, reliable internet speed, and less or no dropped calls; while network providers will enjoy more capacity into their network - which will translate into greater revenue and more subscribers.

The Authority is also mindful and conscious of the Government's plans relating to the amendment of the Policy Direction on the licensing of the Wireless Open Access Network (WOAN) for public comments. The Authority had already started the process of revisiting the WOAN and its related business case and will consider the government's position on this matter and fully participate in the review process.

ICASA has since published the Draft Radio Frequency Spectrum Assignment Plan for International Mobile Telecommunication for public consultations – aimed at achieving a two hundred and fifteen Mega Hertz (215 MHz) increase of the available high-demand spectrum for licensing through a competitive process in terms of section 31(3)(a) of the ECA, by the 2024/2025FY. In 2020, the Authority made an estimate that more than 1011-1136 MHz could be used for IMT (including GSM) as well as the IMT700 and IM800 based on the forecasts for South Africa.

Mobile broadband services have emerged as the most popular solution for the advancement of technologies and related communication services in the past few years. This has encouraged the Authority to take critical steps and response to the national expectations through the IMT Roadmap of 2014, which was later updated in 2019.

### **Digital Migration**

The Authority remains committed to ensuring the successful migration of the analogue signal to digital transmission. A lot has happened in this regard and the switch-off of the analogue transmitters continues. In line with the ongoing switch-off, the Authority resolved that the period 1 April 2022 to 30 June 2022 shall constitute a transitional period for broadcasting service licensees and signal distributors to ensure a seamless transition process for the switch-off of the remaining analogue transmitters.

Since analogue and digital television broadcasting services still occupy parts of the successfully auctioned 700 MHz and 800 MHz radio frequency bands, the Authority urged licensees, through the provisional spectrum licensing process in November 2021, to share and co-ordinate usage in these frequency bands through a

geographic separation of IMT Systems and Broadcasting Services in affected areas, and in accordance with the Terrestrial Broadcasting Frequency Plan, 2013, as published. This licensing process formed a critical part of the Authority's interventions in the fight against the novel coronavirus (COVID-19) pandemic that found its way into our shores in 2020.

### **Community broadcasting services licensing**

The community broadcasting services sector (in particular, radio) plays a pivotal role in shaping the state of broadcasting in South Africa; and will continue to do so. According to the Broadcast Research Council of South Africa (BRCSA), in 2021, about 80% of South Africans tune into a radio station weekly, with most people still listening on traditional radio sets.

Community radio stations play a significant role in South Africa as a source of information, education, and entertainment. For many years, the community radio sector has been a talent breeding ground for public and commercial broadcasting services to the extent that most well-known presenters and newscasters have started their careers at community radio stations.

In the 2019/20 financial year, about twenty-nine (29) community radio stations were shut down because they did not apply for the renewal of their licences, even after they were informed in advance that the licences were due for renewal. All those affected communities were denied their right to information, education, and entertainment because those they entrusted with the responsibility of governing the affairs of their radio stations failed in their fiduciary duties as members of the boards or management.

The Authority has since issued the Invitation To Pre-Register (ITP-R) for the licensing of new community radio station on 15 December 2021. Virtual workshops were held in December 2021 and February 2022 to fully unpack the requirements of the ITP-R, and to assist communities to have a full understanding of the requirements while addressing any glaring challenges that may be raised during those proceedings.

The Authority is committed to ensuring that the licensing of community radio stations is concluded successfully with licences issued to those who qualify – this is meant to empower the communities and transform the state of broadcasting in

South Africa. The community radio sector remains an important platform and constitutes a critical avenue through which communities express their history, heritage, languages, culture, and experiences.

The closing date for applications is 30 June 2022 allowing communities ample opportunity to familiarise themselves with the requirements as outlined in the ITP-R and the Community Broadcasting Services Regulations.

### **Postal services**

The Reserved and Unreserved Postal Services sector remain essential for the country's economic and social development, even though they represent traditional means of communications, even in today's information society, where the technology has advanced and the paradigm shifted in the delivery of such services.

ICASA continues to review postal services regulations and align them with new developments and to bring awareness to the role of the post in the everyday lives of people and businesses, as well as its contribution to global social and economic development.

On 1 April 2022 the Price Cap Amendment Regulations for Reserved Postal Services comes into effect. The regulations implement appropriate price control obligations that are both effective in fostering the efficient delivery of postal services and are proportionate in creating an environment that promotes and encourages a reliable postal service.

The Authority's approach to this amendment process was guided by the need to set the prices of reserved postal services in such a way that such prices are affordable, cost-oriented, transparent, and non-discriminatory.

Key to the amendments is the replacement of the existing Price Cap approach (which ties postal price increases to inflation and productivity requirements) with a more appropriate Rate of Return model (which links pricing to an allowable rate of return on the licensee's assets and operational costs).

The Authority will continue to assess the South African Post Office's expenses in determining prices on an ongoing annual basis.

### **International Engagements**



ICASA participates in the international engagement programme to keep abreast of the developments in the regulatory space and participates in any programme that leads to the harmonisation of regulatory frameworks across the Region i.e., SADC, AU and UN level.

ICASA's participation takes place in the pursuance of South Africa's national interests in collaboration with the Department of Communications and Digital Technologies; guided by Section 3(1) (c) read with Section 3(2) and Section 34 of the ECA. ICASA has a duty to support the DCDT to advance South Africa's interests in international forums.

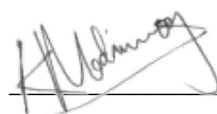
ICASA subscribes to the vision of the Communication Regulators Association of Southern Africa (CRASA), that of harmonization of the Postal and ICT regulatory environment in the SADC region to improve the Postal and ICT business environment, and investment climate in the region.

We continue to participate in the CRASA activities to facilitate alignment of policies and regulatory frameworks for the benefit of consumers. This is done to promote transparency and the reduction in roaming costs for the people of SADC, as well as frequency coordination between South Africa and neighbouring SADC countries.

Preparations for the World Radio Conference in 2023 (WRC-23) to advance South African positions, as part of the Africa multi-country contributions continue. These are done through participation at Africa Preparatory meetings, with a view to refine South Africa's preliminary positions and ensure that they form part of the harmonised Africa common positions for WRC-23.

ICASA's participation in the international stage includes but not limited to multilateral engagement, regional cooperation and technical working committees, bilateral and peer relationships, benchmark visits and study tours.

Our participation in international platforms will continue to equip ourselves towards ensuring that ICASA indeed regulates in the public interest.



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**Dr Keabetswe Modimoeng**  
**Chairperson**

## Accounting Officer Statement

The five-year Strategic Plan of the Authority is premised on government's national policy and legislation and provides a blueprint for effective regulation of the ICT sector to stimulate the economy. The plan articulates the vision of the Authority for the expansion and modernization of the ICT sector to increase affordability and accessibility for all South Africans to communications services, particularly broadband services. It sets out a variety of measures to promote competition and reduce cost to communicate; promote the efficient use of radio frequency spectrum; enhance social cohesion in line with the Authority's constitutional mandate to regulate broadcasting sector in the public interest; and more importantly promote the welfare of consumers and ensure adequate protection of consumer rights.

The Authority's impact statement for the five-year planning period is informed by its constitutional and legislative mandate. These, in turn, are intertwined with the desired national outcomes for the ICT sector and the vision of the Authority as underpinned by the key pillars of the National Development Plan.

In developing its 2022/23FY APP the Authority took into consideration the report on the recommendations of the 2020 Review of the NDP - Advancing Implementation towards a more Capable Nation; which *inter alia* recommends that faster implementation (of both policy and regulations) towards digital readiness for 4IR must be a priority and that digital migration, 4G spectrum auction and programmes to make Wi-Fi universally accessible be fast tracked. The Authority was also guided by the Economic Reconstruction and Recovery Plan, 2020<sup>1</sup> which highlights the critical role of communications and digital technologies, in ensuring that the South African economy recovers from the ravages of the covid19 pandemic.

It is imperative that the sector Regulator be responsive to all aspects of national (and international) policy imperatives. The sector Regulator must also play a critical role to advance realisation of socio-economic objectives. The Authority is

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<sup>1</sup> See Address by President Cyril Ramaphosa to the Joint Sitting of Parliament on South Africa's Economic Reconstruction and Recovery Plan (15 October 2020). Available at <https://www.gov.za/speeches/president-cyril-ramaphosa-south-africa%E2%80%99s-economic-reconstruction-and-recovery-plan-15-oct> (accessed on 21 January 2021)

acutely alive to the urgency with which digital inequality needs to be addressed in the country in order to provide learners (especially those in rural and poor communities) and workers with tools to be able to learn and work online.

Therefore, the Authority has defined its **impact statement** as follows for the five-year planning period:

<b>Impact Statement</b>	Access for all South Africans to a variety of safe, affordable & reliable communication services for inclusive economic growth
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To realize this impact the following five (5) **outcomes** have been identified for fulfilment during the strategic planning period:

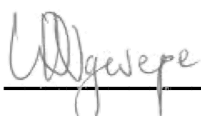
- Increased access to quality broadband services,
- Enhancement of social cohesion,
- Protection of consumer rights,
- Promotion of competition in the ICT sector, and
- Maintenance of organisational service delivery.

In order to achieve the outcomes, the Authority has *amongst others*; planned the following outputs (targets) for the 2022/23FY:

- The issuance of spectrum licences to successful bidders pursuant to the IMT Spectrum Auction concluded during March 2022 in respect of the 700 MHz, 800 MHz, 2.6GHz and 3.5 GHz bands
- Development of a benchmarking report in respect of the licensing of the Wireless Open Access Network (WOAN). The need to conduct benchmark studies on the licensing of the WOAN occurs against the backdrop of the Cabinet decision to review the government’s policy position and directive on the matter
- Findings document on Signal Distribution Services following upon the inquiry into the market which commenced in the 2021/22FY
- Development of regulations on Call Termination
- Prescription of regulations on rapid deployment as required under Chapter 4 of the Electronic Communications Act, 2005

The achievement of the outputs planned for the 2022/23FY will be pursued against the backdrop of the risks posed by the COVID-19 pandemic. Though there are signs that the pandemic has subsided (with government considering proclaiming an end to the national state of disaster as at end of 2021/22FY) there is still uncertainty as to whether there may be resurgence in the future. The Authority thus has to be mindful of the pandemic's direct and indirect impact on its operations. It impacts the wellness of the Authority's personnel; the manner in which its staff execute their duties and fulfil their functions; the organisation's ability to interact with its stakeholders as well as the manner in which such interactions can take place (especially in relation to regulation-making processes) etc. In this regard, the Authority will continue with measures to ensure business continuity and to improve the efficiency and effectiveness of its operations in the 2022/23FY.

Finally, whilst the Authority has implemented risk action plans to manage and mitigate risks which might hinder the achievements of outcomes; litigation against the Authority's regulation making processes and decisions remains an inherent risk. The institution of litigation could have (and has in the past had) the effect of delaying, derailing and or stopping the Authority from executing its activities in line with its legislated mandate and the annual plan. However, the Authority also appreciates that the decisions of the courts do provide much needed clarity on matters of contention between stakeholders in the sector<sup>2</sup>. Being appreciative of this intrinsic risk and also of the legal certainty offered by the courts as final arbiters in legal disputes; the Authority continually endeavours to ensure adherence to the prescripts of the law (including following legal precedents where such has been set) in exercising its powers and fulfilling its functions.



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**Wellington Ngwepe**

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<sup>2</sup> The most notable case where the court provided final clarity relates to area of facilities leasing which has been finally settled by the Supreme Court of Appeals in the matter between Telkom SOC v Chairperson of ICASA, ICASA & Vodacom (Pty) Ltd (Case Number 1077/2020, GP Case Number 38332/2018) delivered on 19 March 2021.

# Official Sign-Off

It is hereby certified that this Annual Performance Plan:

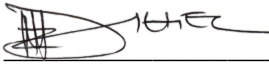
- Was developed by the management of the Independent Communications Authority of South Africa after consultations with the Department of Communications and Digital Technologies;
- Considers all the relevant policies, legislation and other mandates for which the Independent Communications Authority of South Africa is responsible;
- Accurately reflects the Impact, Outcomes and Outputs which the Independent Communications Authority of South Africa will endeavour to achieve over the period 2022/23 to 2024/25.

Julia Kenyane  
Executive: Corporate Services



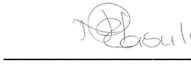
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Zakhele Kganakga  
Executive: Human Resources



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Ndivhuo Rabuli  
Executive: Legal Risk & Complaints and Compliance Committee



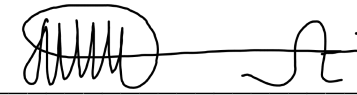
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Leah Maina  
General Manager: Licensing and Compliance



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Norman Gidi  
General Manager: Policy Research & Analysis



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Philemon Molefe  
Executive: Engineering & Technology



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Anele Nomtshongwana  
Executive: Regions & Consumer Affairs



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David Molapo  
Senior Manager: Strategy & Programme  
Management

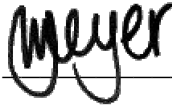
Josephine Meyer  
Chief Financial Officer

Willington Ngwepe  
Accounting Officer

Dr Keabetswe Modimoeng  
Chairperson of the Independent Communications  
Authority of South Africa

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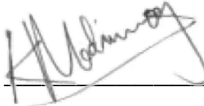
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## **Part A: Our Mandate**

### **1. Constitutional mandate**

The Independent Communications Authority of South Africa (the Authority) derives its constitutional mandate from section 192 of the Constitution of the Republic of South Africa, Act No. 108 of 1996. Section 192 states that national legislation must establish an independent authority to regulate broadcasting in the public interest, and ensure fairness and diversity of views broadly representing South African society.

### **2. Legislative and Policy Mandates**

The Authority's constitutional mandate is given effect by its legislative and policy mandates.

#### **2.1 Legislative Mandates**

##### **The Independent Communications Authority of South Africa Act No. 13 of 2000, as amended (ICASA Act)**

The ICASA Act establishes the Authority as an independent regulator and provides that it must, *amongst others*:

- a) perform its functions through Council as contemplated in section 5;
- b) be independent and subject only to the Constitution and the law;
- c) be impartial and perform its functions without fear or favor;
- d) act in a manner that is consistent with the obligations of the Republic under any applicable international agreement, according to section 231 of the Constitution; and
- e) conclude concurrent jurisdiction agreements with any regulator in respect of areas of regulatory overlaps.

##### **The Broadcasting Act No. 4 of 1999 (the Broadcasting Act)**

The Act clarifies the powers of the Minister and the Authority respectively and provides for the regulation of the broadcasting services sector in the public interest.

**The Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended (“the ECA”)**

The ECA provides the legal framework for convergence of the telecommunications, broadcasting and information technology services. More importantly, it also sets out the Authority’s detailed powers for regulation of the electronic communications and broadcasting sectors.

The ECA enjoins the Authority to exercise concurrent regulatory oversight/jurisdiction with the Competition Commission on competition matters in terms of Chapter 10 of the ECA read with 4B(8)(b) of the ICASA Act.

**The Postal Services Act, 1998 (Act No. 124 of 1998)**

The Postal Services Act requires the Authority to issue licenses to operators in and monitor, the postal services sector. It further requires the Authority to enforce conditions applicable to the South African Post Office (SAPO) in relation to minimum service standards and the fulfilment of universal service obligations, including the roll-out of street addresses and the provision of retail postal services in underserved areas.

**The Promotion of Administration Justice Act, 2000 (Act No. 3 of 2000) (“PAJA”)**

PAJA gives effect to the right to administrative action that is lawful, reasonable and procedurally fair and to the right to written reasons for administrative action, as contemplated in section 33 of the Constitution. As a constitutional body exercising public power and performing public function, the Authority is subject to PAJA.

**Electronic Communications and Transactions Act, 2002 (Act No.25 of 2002) (“the ECTA”)**

The Electronic Communications and Transactions Act provides for the facilitation and regulation of electronic communications and transactions. It provides for the development of a national e-strategy for the Republic, the promotion of universal access to electronic communications and transactions, and the use of electronic transactions by SMMEs. The legislation further provides for human resource



development in electronic transactions sector, aims to prevent the abuse of information systems, and encourages the use of e-government services.

The Authority is enjoined in terms of section 4(3)(o) of the ICASA Act, to make recommendations to the Minister on matters dealt with or to be dealt with under the ECTA.

### **Astronomy Geographic Advantage Act, 2007 (Act No.21 of 2007) (“AGA”)**

Sections 22 and 23 of the AGA apply to the Authority. The Act requires that the Authority protects the Square Kilometre Array (SKA) radio telescope and associated radio telescopes from harmful radio frequency interference.

## **2.2 Policy Mandates**

The Authority’s mandate is derived from national government policies and policy directives proclaimed in terms of section 3 of the ECA. To this end, the Authority contributes to the socio-economic development of South Africa through advancement of its mandate to fulfil and achieve key policy objectives. Amongst others, the Authority is guided by the following key national plans, policies, and policy directives:

- The National Development Plan 2030
  - a. NDP Five Year Implementation Plan (Government Priorities)
    - i. District Service Delivery Model
- The National Infrastructure Plan
- The National Treasury Economic Policy Paper, 2019
- South Africa Connect - South Africa’s Broadband Policy, published in 2013
- Broadcasting Digital Migration Policy, published in 2008 and amended in 2012 and 2015
- National Integrated ICT White Paper Policy (2016)
- Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network (“2019 Policy Direction”)<sup>3</sup>
- Digital Sound Broadcasting Policy Directive- published 1 July 2020

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<sup>3</sup> Government Gazette No. 42597 Notice No. 4 dated 26 July 2019

### 2.2.1. The National Development Plan 2030

The National Development Plan 2030 is a broad strategic framework with a long-term vision for South Africa. Its overarching goals are:

- Eradication of absolute poverty – from 39% of people living below the poverty line of R429 (2009 prices) to zero,
- Reduction of unemployment rate to 6% - by creating 11 million more jobs by 2030,
- Significantly reduce inequality from 0.69 to 0.60 Gini Coefficient through a range of policy interventions.

The NDP 2030 has specific milestones which must be achieved along the way towards achievement of its overarching goals. The Authority’s priority areas of work align to the NDP milestones as depicted in Table 1 below.

**Table 1: ICASA's alignment to the NDP 2030**

The National Development Plan	
Milestones	ICASA’s alignment to NDP
<b>Milestone 4:</b> Establish a competitive base of infrastructure, human resources and regulatory frameworks.	<ul style="list-style-type: none"> <li>• Licensing and prescription of conditions for ICT infrastructure deployment</li> <li>• Development of appropriate regulatory frameworks for the ICT sector</li> <li>• Licensing and regulation to promote effective competition</li> <li>• Prescription of a framework for facilities leasing and infrastructure sharing</li> </ul>
<b>Milestone 6:</b> Broaden ownership of assets by historically disadvantaged groups.	<ul style="list-style-type: none"> <li>• Ensure adherence to supply chain management processes that give preferential treatment to BBBEE suppliers</li> <li>• Promote the participation of HDGs in the ICT sector, through licensing and regulation.</li> </ul>
<b>Milestone 12:</b> Make high-speed broadband Internet universally available at competitive prices.	<ul style="list-style-type: none"> <li>• Universal service obligations</li> <li>• Licensing of IMT spectrum for broadband infrastructure deployment</li> <li>• Implement measures to reduce communication costs (particularly for broadband and data services)</li> </ul>

The National Development Plan	
Milestones	ICASA's alignment to NDP
	<ul style="list-style-type: none"> <li>• Prescribe regulations to facilitate rapid and universal deployment of broadband infrastructure</li> </ul>
<p><b>Milestone 14:</b> Broaden social cohesion and unity while redressing the inequities of the past.</p>	<ul style="list-style-type: none"> <li>• Regulation of local broadcasting content</li> <li>• Licensing and regulation of community broadcasting services</li> <li>• Regulating and monitoring the broadcast coverage of elections.</li> </ul>

A Report on the the Review of the NDP - Advancing Implementation towards a more Capable Nation, 2020 (The NDP Review 2020) makes the following observation in relation to the ICT sector:

“The role of the ICT sector as a critical aspect of the country’s economic infrastructure has been reviewed since 2012. This sector forms part of the economic infrastructures required to operate an industrial and increasingly services-based economy effectively. It is evident that the poor performance of the economy has compounded sectoral uncertainties created by a lack of continuity in policy formulation and leadership in the communications sector. There have been enormous costs associated with failure by government to free up spectrum for mobile Internet services, high-demand spectrum for 4G GSM services and this has also contributed to the high prices of data in the country.

In this sector there has been lack of leveraging of public and private investments to connect public buildings in underserved areas, through smart public procurement and the provision of anchor tenancies that would drive services into these areas (NPC 2019) . To prepare for the inevitable global digital developments of the Fourth Industrial Revolution, South Africa must clear then regulatory backlogs that have resulted in a lack of effective competition in the communications sector while simultaneously devising alternative access and use strategies to getting those who remain unconnected, online (NPC 2019)“.

As part of its recommendations to revitalize the economy, the NDP Review 2020 states that faster implementation towards digital readiness for 4IR must be a priority and that the sector must ensure completion of digital migration (including 4G spectrum auction, based on agreed competitive result) and fast track the programme to make Wi-Fi universally accessible.

In line with the above, the Authority, outlines its contribution to the priority outcomes in table 2 below.

### **2.2.1.1 Medium Term Strategic Framework**

The Medium Term Strategic Framework (MTSF) is a government development planning instrument which sets out the national strategic priorities, indicators and targets. It is the five-year building block of the NDP and gives effect to the electoral mandate of the governing party. It also provides a framework for the other plans of national, provincial and local government.

Government has outlined seven priorities for the MTSF period which are derived from the NDP and Electoral Mandate, which are then outlined in the respective annual State of the Nation Address (SONA):

- Priority 1: A Capable, Ethical and Development State
- Priority 2: Economic Transformation and Job Creation
- Priority 3: Education, Skills and Health
- Priority 4: Consolidating the Social Wage through Reliable and Quality Basic Services
- Priority 5: Spatial Integration, Human Settlements and Local Government
- Priority 6: Social Cohesion and Safe Communities
- Priority 7: A better Africa and World

The priorities are cross cutting in focus and are aimed to benefit the most marginalised in society i.e. women, youth and persons with disabilities.

South Africa entered a technical recession at the time the MTSF 2019-2024 was being implemented. This was compounded by the impacts of the COVID-19 pandemic which was declared a National State of Disaster by the President on 15 March 2020. As a result, the National Treasury undertook a budget reprioritization exercise to meet the challenges of the covid19 pandemic via the Supplementary Budget. The Supplementary Budget had impact on some departmental baselines and consequently the MTSF 2019-2024 targets. Thus, as the MTSF 2019-2024 was revised to account for the changes articulated above.

Further, government has announced the South African Economic Reconstruction and Recovery Plan, 2020<sup>4</sup> (the 2020 Economic Plan) which aims “not merely to return our economy to where it was before the coronavirus, but to forge a new economy in a new global reality”. The 2020 Economic Plan recognises the significance of communications and the digital technologies as key enablers for South Africa’s economic reconstruction and recovery. It acknowledges that the sector can – through lowering businesses costs, enabling better government service provision, increasing productivity, encouraging innovation - provide the poor with access to productive opportunities, and thus significantly reduce unemployment. Of fundamental importance, the 2020 Economic Plan identifies the following priorities for purposes of expanding digital inclusion:

- Expediting digital migration;
- Releasing high demand spectrum;
- Licensing I-ECNS for the Wireless Open Access Network (WOAN) and ensuring that licensing of spectrum is set aside for new entrants; and
- Providing learners and workers with tools and training to be able to learn and work online.

The Authority’s Annual Performance Plan 2021/22 was informed by the MTSF 2019-2024 as well as the 2020 Economic Plan as developed and approved by Cabinet. The Authority’s Annual Performance Plan 2022/23 continues to be informed by the seven national priorities. The Authority contributes to the following two priorities out of the seven:

- Priority 2: Economic Transformation and Job Creation, and
- Priority 6: Social Cohesion and Safe Communities.

#### **2.2.1.1.1 District Development Model**

In his presentation of the Presidency Budget Vote to the National Assembly on 17 July 2019, the President identified the “pattern of operating in silos” in government as a challenge which led to lack of coherence in planning, implementation and monitoring and oversight of government’s programme. The consequence of this

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<sup>4</sup> See Address by President Cyril Ramaphosa to the Joint Sitting of Parliament on South Africa’s Economic Reconstruction and Recovery Plan (15 October 2020). Available at <https://www.gov.za/speeches/president-cyril-ramaphosa-south-africa%E2%80%99s-economic-reconstruction-and-recovery-plan-15-oct> (accessed on 21 January 2021)

challenge is non-optimal delivery of services and diminished impact on the triple challenges of poverty, inequality and unemployment.

In view of government's own recognition of shortcomings in service delivery and in response to demands by citizens and institutions of civil society for improved delivery, Cabinet adopted a new integrated district-based approach to enabling development in the 44 districts and 8 Metros across the country.

The new district-based coordination model aims to address service delivery and economic development challenges through the synchronization of planning across all spheres of government, working alongside social partners such as business and the communities.

On 17 September 2019, the President officially launched the first pilot site of the district-based coordination model dubbed "Khawuleza" at a Presidential Imbizo in OR Tambo District Municipality in the Eastern Cape Province.

In line with this new service delivery approach, the Authority will – to the extent possible - align the execution of its mandate through implementation of development interventions across the various districts in accordance with the prioritization as proclaimed in terms of the district-based coordination model. Some of the details of the projects which will be implemented with specific focus and alignment with the District-based Coordination Development Model are listed in Annexure D.

### **2.2.2 The National Infrastructure Plan**

The National Infrastructure Plan was adopted in 2012 with the objective to transform the economic landscape, facilitate job creation and strengthen the delivery of basic services. To execute on the goals of the National Infrastructure Plan, 18 strategic integrated projects (SIPs) were initiated. The Authority must contribute to these projects in several ways. Table 3 below shows how ICASA will contribute to the SIPs.

**Table 2: SIP Projects**

<b>Project</b>	<b>Description</b>
<b>SIP 15: Expanding access to communication technology</b>	The expansion of communication technologies and infrastructure lies at the core of ICASA’s mandate. ICASA contributes to such expansion through <i>inter alia</i> the licensing of spectrum to facilitate deployment of broadband infrastructure and regulating wholesale access to infrastructure at cost-orientated rates.
<b>SIP 16: SKA and MeerKat</b>	The Authority is responsible for protection of the SKA and MeerKat from harmful radio frequency interference.

### **2.2.3 The National Treasury Economic Policy Paper, 2019**

In a paper titled “Economic transformation, inclusive growth and competitiveness: towards an economic strategy for South Africa”<sup>5</sup> (the 2019 NT Policy) the Department of National Treasury outlined short, medium and long-term scenarios to stimulate the country’s economic growth and recovery. In respect of the ICT sector, the 2019 NT Policy identifies the following as critical interventions in the short-term to stimulate the economy:

- issuing rapid deployment guidelines,
- releasing spectrum through an auction process, and
- leveraging the private sector for rolling out broadband.

In the medium term, the 2019 NT Policy contemplates policy reforms to encourage new entrants into the sector and improve the regulator’s independence and capacity to fulfil its mandate.

The above-mentioned interventions are expected to reduce prices (by at least 25% over the short term i.e. three years; with even further reductions contemplated over the medium term). However, it is the meaningful effects of these interventions on efficiency and capital dipping that are critical for the stimulation

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<sup>5</sup> The Draft Paper was published by National Treasury for public comment on 27 August 2019

of the economy. Hence, the Authority recognizes the intrinsic value of spectrum as an “enabler of economic growth”.

#### **2.2.4 South Africa Connect - South Africa’s Broadband Policy**

South Africa Connect, South Africa’s Broadband Policy, was published in 2013 (Government Gazette 37119). South Africa Connect - Broadband Policy, promulgated in 2013<sup>6</sup> gives expression to the NDP. This Policy sets specific targets for the country to achieve the vision of a dynamic, connected and vibrant information society.

The Authority is committed to the policy and will continue to contribute to achievement of its objectives through:

- Planning the use of frequency spectrum to promote broadband deployment. The focus is on making sure that adequate spectrum is available for broadband deployment, in the short and longer term (more specifically spectrum for International Mobile Telecommunication (IMT) services).
- Licensing IMT spectrum by means of invitations to apply in terms of competitive bidding processes, for both current and new operators including making provision for a prospective wireless (wholesale) open-access operator.

#### **2.2.5 Broadcasting Digital Migration Policy**

South Africa’s TV Broadcasting Digital Migration Policy (BDM Policy) was originally published in 2008 (Government Gazette 31408). The policy was amended in 2012 (Government Gazettes 35014 and 35501) and 2015 (Government Gazette 38583).

The Authority has been and still is contributing to this policy through its mandate for frequency planning. To this end, the Authority has developed BDM Regulations, broadcasting frequency plans for a regime when migration will be completed (and analogue TV switched off) as well as implemented measures for interim regime during which dual illumination will take place. These measures include the establishment of the Joint Spectrum Advisory Group (JSAG) and Digital Terrestrial

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<sup>6</sup> South Africa Connect: Creating Opportunities Ensuring Inclusion (20 November 2013) Government Gazette No. 37119 Notice No. 953 dated 6 December 2013



Content Advisory Group (DTCAG) to advise the Authority spectrum and content related matters pertaining to migration respectively.

Furthermore, the Authority has also been involved in the development of the technical standards required to facilitate a seamless migration process<sup>7</sup>.

### **2.2.6 National Integrated ICT White Paper**

The National Integrated ICT White Paper (“the ICT White Paper”) was published in Government Gazette No. 40325 Notice 1212 of 16 October 2016. The ICT White Paper was promulgated in terms of section 85 of the Constitution, read with section 3 of the ECA.

The ICT White Paper contains far reaching policy proposals and positions that seek to change the landscape and future trajectory of the ICT sector. In this regard, the ICT White Paper is a combination of both specific policy directions directed at the Authority for execution in respect of identified matters requiring regulatory intervention as well as expressions of national government policy in respect of evolution of the sector going forward. As stated above, ICASA is duty bound – in terms of section 3(4) of the ECA - to consider policies made and policy directions issued by the Minister in exercising its powers and performing its duties.

### **2.2.7 Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network, 2019**

During March 2022, Cabinet announced that it has approved the amendment of the Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network (“2019 Policy Direction”) which was published on 26 July 2019, to be published for public comment. The 2019 Policy Direction aimed to achieve the following:

- a) encourage service-based competition in the ICT sector through the licensing of an Individual Electronic Communications Network Service Licensee for the purposes of providing Wireless Open Access Network (“WOAN”);
- b) enable effective participation by new entrants in the ICT sector;

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<sup>7</sup> The Authority recently updated the Official List of Regulated Standards for Technical Equipment and Electronic Communications Facilities (Government Gazette No. 43132, Notice 357 dated 24 March 2020)

- c) develop and promote SMMEs;
- d) promote empowerment of historically disadvantaged individuals;
- e) maximize efficient use of radio frequency spectrum (including technical considerations such as carrier aggregation);
- f) encourage investment, including strategic infrastructure investment, with predictability and innovation in communications sector; and
- g) encourage and promote universal broadband coverage, with focus in rural and underserved areas.

The 2019 Policy Direction directed the Authority to assign high demand spectrum to the WOAN and the 'remaining' high demand spectrum to other electronic communications network service licensees. It identifies the WOAN as "an important policy instrument to lower barriers to entry for smaller players, improve the ownership of the ICT sector by historically disadvantaged individuals and to promote service-based competition."

More importantly, the 2019 Policy Direction states that to the extent that there are differences between it and the National Integrated ICT White Paper, 2016 on the assignment of high demand spectrum, the 2019 Policy Direction shall prevail.

According to the Cabinet statement, the proposed amendments to be published for public comment remove the requirements to licence the WOAN.

### **2.2.8 Alignment to Operation Vulindlela and other Policy Priorities**

The Authority has further taken account of the national priorities as outlined in terms of the Cabinet-approved Operation Vulindlela as well as those outlined in terms of the performance agreement entered between the President and the Minister DCDT.

The table below provides an overview of ICASA's key priorities for 2022-23FY and the extent of alignment to national structural reforms and goals.

**Table 3: Alignment to Operation Vulindlela**

<b>ICASA Priorities / Output Indicators 2022/23FY</b>	<b>Alignment with National Policy Priorities (as per DCDT's 2022/23FY APP)</b>	<b>Alignment to Operation Vulindlela</b>
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<b>100% of the process to assign broadband spectrum completed (IMT spectrum auction)</b>	80% of population have access to the internet by 2024 [Provision of broadband services to 970 connected sites, monitored and sustained]	Structural reform 2.1 Issue ITA for spectrum Complete spectrum auction
<b>Percentage of the process for licensing of an Individual Electronic Communications Network Service Licence completed (WOAN licensing process)</b>	80% of population have access to the internet by 2024 [Provision of broadband services to 970 connected sites, monitored and sustained]	Structural reform 2.1 Issue ITA for spectrum
<b>Percentage of the process to review of 2018 Call Termination Regulations</b>	Study on cost to communicate conducted to incorporate recommendations into the Cost to Communicate Programme of Action	
<b>Number of Regulations into Mobile Broadband Services Market</b>	[SA will be in the top 10 in Africa for the price of 1GB data pricing by 2024] [Reduce the current cost of data by 50%]	
<b>Percentage of National Radio Frequency Plans updated</b>	Final Policy Direction on 5G issued	
<b>Number of Regulations on rapid deployment of electronic communications infrastructure and facilities</b>		Structural reform 2.3.b Issue regulations under rapid deployment policy

### 2.2.9 Pending legislative and policy amendments

To give effect to the ICT White Paper, several legislative amendments and strategies are contemplated for implementation in the 2020/21 to 2024/25 strategic planning period. The contemplated legislative amendments – if promulgated and or adopted during the strategic planning period – will have an impact on the Authority and or its mandate. The contemplated legislative amendments include the following:

- Electronic Communications Amendment Bill

- The Postal Services Amendment Bill
- The Digital Development Fund Bill

The Authority has also noted the publication by the Minister: DCDT of both long and short versions of the Report of the Presidential Commission on the 4th Industrial Revolution (“PC4IR Report”) for general information<sup>8</sup>. The publication of PC4IR Report was preceded by the release of a report commissioned by the National Planning Commission titled ‘Digital futures: South Africa’s readiness for the Fourth Industrial Revolution’, dated August 2020<sup>9</sup> (“the NPC Digital Futures Report”).

Furthermore, the DCDT initiated a holistic review of the audio and content services policy framework with the publication of Draft White Paper on Audio and Visual Content Services Policy Framework: A new Vision for South Africa 2020<sup>10</sup>, for stakeholder comment.

### **3. Updates to Institutional Policies and Strategies over the five-year period**

The Authority will focus on the implementation of the following policies, initiatives and strategies during the five-year period:

- Implementation of the 2019 Policy Direction to ensure release of spectrum in order to increase access to communications services of a high quality by all South Africans;
- Continue engagement on the review of the Authority’s funding model with key stakeholders (particularly the National Treasury and the Department Communications and Digital Technologies) to ensure that the Authority is well-resourced and in good stead to deliver fully on its mandate;
- Continuous implementation of a comprehensive programme to reduce cost to communicate;
- A program to ensure the country’s 5G-readiness which includes participating in the locally-established and international 5G fora to ensure

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<sup>8</sup> Government Gazette No. 43834 Notice 591 of 23 October 2020.

<sup>9</sup>[https://www.nationalplanningcommission.org.za/assets/Documents/Digital%20Futures\\_South%20Africa's%20Digital%20Readiness%20for%20the%20Fourth%20Industrial%20Revolution\\_%20August%202020.pdf](https://www.nationalplanningcommission.org.za/assets/Documents/Digital%20Futures_South%20Africa's%20Digital%20Readiness%20for%20the%20Fourth%20Industrial%20Revolution_%20August%202020.pdf)

<sup>10</sup> Government Gazette No. 43797 Notice 1081 of 09 October 2020.

that the country is not left behind the communication technology advancement and innovation. This will need a thorough understanding of the 5G ecosystem;

- A program to deploy a system for monitoring of quality of service across all electronic communications service network licensees;
- Maintenance of the current level of organisational performance and seek to improve it through various organisational support initiatives to the core business of the organisation including but not limited to strict adherence to supply chain processes and procedures that will eliminate unauthorised and fruitless expenditure, payment of suppliers within 30 days, deliberate procurement of goods and services from Historically Disadvantaged Individuals, particularly women, youth and people with disabilities;
- The Authority will also reduce the number of vacancies and ensure that it has all the necessary skills which it requires to fulfil its mandate.

## **4. Updates on Relevant Court Rulings**

One of the key strategic risks faced by the Authority in executing its mandate is litigation. As an administrative body, the Authority is subject to PAJA and its decisions constitute administrative action as defined in terms PAJA. As such, its decisions and processes are subject to judicial review and legal challenge by any affected parties and or stakeholders. The reviews and legal challenges have a bearing on the Authority's ability to execute its mandate and enforce / implement its decisions. Furthermore, the reviews and challenges have resulted in court rulings providing much needed clarity on the powers of the Authority as well as its status as an independent statutory and constitutional body.

There have been several notable court rulings over the past five years which are relevant to the Authority which dealt with *inter alia* the status of the Authority as an independent constitutional body, the scope and extent of its powers as well as the lawfulness of its decisions. Some of these decisions are highlighted below.

### **4.1 The Independence of ICASA**

Section 3(3) of the Independent Communications Authority of South Africa Act (Act No. 13 of 2000) ("the ICASA Act") clearly stipulates that "*the Authority is*

*independent and only subject to the Constitution and the law...*" Section 3(4) of the Electronic Communications Act (Act No. 36 of 2005) (ECA) stipulates that "the Authority or the Agency, as the case maybe, in exercising its powers and performing its duties in terms of this Act and the related legislation must consider policy made by the Minister in terms subsection (1) and policy directions issued by the Minister in terms of subsection (2)." Section 4(3A) of the ICASA Act places the same requirement on the Authority.

In **Minister of Telecommunications and Postal Services v Acting Chairperson, ICASA**,<sup>11</sup> the court established that the Authority is an independent body created by the ICASA Act to be governed by it and other underlying statutes and as an independent body it had to "consider" the policy and policy directions when performing its functions and exercising its power within the ambit of its empowering legislation. The court held that the Authority has a duty to take national policy into account when considering its own decisions but that the Minister's substantive ideas in a policy or policy direction do not bind the Authority. In this regard, though the Authority is not bound to act on the policy direction, it is duty bound to consider such policy.

In relation to the binding nature of a policy, the Constitutional Court in **Electronic Media Network Limited and Others v E.tv (Pty) Limited and Others** held that "...The same law that binds both the Minister and the relevant agencies provides essentially that USAASA may "consider" the impugned policy. It is known not to be binding in terms of the law that gives ICASA or USAASA the power to be exercised with reference or due regard to that policy. In other words, before they can have regard to or apply the impugned policy in terms of their statutory powers, the agencies must first determine what that self-same statute says about the binding effect of that policy. And the statute makes it abundantly clear that they need only consider the policy."<sup>12</sup> (own emphasis)

Regarding the independence of ICASA, the Constitutional Court held that "section 192 of the Constitution has got very little, if anything, to do with the Minister's exercise of her policy-making powers. **It explains the existence of ICASA, the constitutional obligations it bears and the guarantee of its independence.**

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<sup>11</sup> Case No 2016/59722, para 31, 32.

<sup>12</sup> [2017] ZACC 17, para 34

*Properly understood, this provision informs us that ICASA is an independent authority whose mandate is to regulate broadcasting for the good of the public. When unfair reporting or a biased or inexcusable exclusion of some views happens, it is to ICASA that any aggrieved party may turn to lodge a complaint for possible intervention. ICASA is also constitutionally enjoined to level the broadcasting playing-field so that a diversity of views that broadly reflects the thinking of South African people, as opposed to one-sided propaganda-like narratives, may find expression.”<sup>13</sup> (own emphasis)*

The Authority is therefore compelled to consider the provisions of the Constitution, ICASA Act, underlying statutes and other laws of general application prior to executing or not executing a policy direction. The Authority is a creature of statute and subject only to the law. However, any conduct which purports to require the Authority to implement policies and policy directions, without requiring the Authority to think carefully before deciding on same, infringes on the Authority’s independence and is therefore in contravention of section 3(3) of the ICASA Act and section 192 of the Constitution. ***Similarly, any action by the Authority which ignores or fails to consider policies and policy directions issued by the relevant Minister constitutes a contravention of section 3(4) of the ICASA Act.***

#### 4.2 The regulator has no powers to regulate the governance and management structures of broadcasters

The governance and management of broadcasting service licensees has been the subject of contention over the years (including in particulate as it pertains to community broadcasting service licensees and the public service broadcaster). The court has provided some clarity as to the role and powers of the Authority in this regard, particularly in the context of the public broadcaster.

In the **SOS Support Public Broadcasting Coalition and Others v South African Broadcasting Corporation SOC Limited and Others; SOS Support Public Broadcasting Coalition and Others v South African Broadcasting Corporation SOC Limited and Others**,<sup>14</sup> the Court found that –

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<sup>13</sup> *Ibid*, para 70.

<sup>14</sup> (81056/14) [2017] ZAGPJHC 289 (17 October 2017), para 8 to 11.

*"[8] the ICASA Act does not purport to oust the power of the Court to determine the legal and constitutional issues arising in the matter even if the Authority has jurisdiction to determine some of the issues. There is a strong presumption against such ouster. The Constitution empowers the High Court to decide any matter determined by an Act of Parliament.*

*[9] The Authority's mandate is to regulate electronic communications and postal services in the public interest. It is a licensing body of broadcasters, signal distributors providers of telecommunication services and postal services. It is a regulator and a quasi-judicial body because it licenses, regulates, adjudicates complaints and issues sanctions and gives effect to Electronic Communications Act 36 of 2005.*

*[10] ICASA is not empowered to determine and regulate the relationship between a broadcaster and its shareholders, nor between a broadcaster and the Executive, or the legal and constitutional issues arising in this matter. It is also not empowered to determine the constitutionality or otherwise of the governance and management structures of broadcasters, including the SABC."*

Therefore, the Authority is not empowered to determine and regulate the constitutionality of the governance and management structures of broadcasters.

#### 4.3 A Regulator cannot extend its powers beyond those conferred in terms of the law

The courts have also made it abundantly clear that as a creature of statute, ICASA must exercise only those powers that have been duly conferred upon it in terms of the law. Its decisions and actions should not exceed the scope and extent of its legislative powers.

The illustrative case in this regard related to the interpretation and application of the empowerment provisions set out in terms of section 9 of the ECA. Section 9(2)(b) of the ECA provides *"that the Authority must give notice of the application in the gazette and include the percentage of equity ownership to be held by persons from historically disadvantaged groups, which must not be less than 30%, or such other conditions or higher as may be prescribed under section 4(3)(k) of the ICASA Act"*.

Section 4(3)(k) of the ICASA Act provides that *"... the Authority may make regulations on empowerment requirements to promote broad-based black*



*economic empowerment”.*

In interpreting the provisions of sections 9(2)(b) and 13 of the ECA, the Court in the matter between **Telkom SA SOC Limited v ICASA**<sup>15</sup> held that –

*“[78] Section 13 makes provision for the transfer of the control of an individual licence and subsection (6) thereof provides that the provisions of section 9(2) to (6) apply, with the necessary changes, to this section. Given the use of the word “must” in section 9(2)(b), it appears that the provisions of this section, regarding the minimum requirement of 30% equity ownership, are peremptory. To the extent that there is a discretion, it appears that such discretion relates only to a higher percentage or such other conditions as may be prescribed under section 4(3)(k) of the ICASA Act.” (own emphasis)*

To this end, the Court held that the applicant must arrive at ICASA’s door with a minimum of 30% [HDGs] shareholding when applying for an Individual licence. An applicant does not have an opportunity to garner the necessary shareholding after the application has been made, let alone where the application has been approved. *ICASA cannot condone the applicant’s failure to meet the threshold requirements, contrary to the express intention of the ECA.*<sup>16</sup> (own emphasis).

#### 4.4 ICASA has a duty to consider competition implications of licence transfer applications in the ICT sector, the duty cannot be deferred to another authority

One of the objects of the ECA is to promote competition within the ICT sector. In the matter between **Telkom SA SOC Limited and ICASA**, the Court held that:

*“[74] Having regard to all these considerations, I have to conclude that competition within the ICT sector was a relevant consideration about the Neotel/Vodacom application. Facts placed before ICASA also demonstrated that the Neotel/Vodacom application raised various competition concerns. Furthermore, having regard to the statutory provisions referred to above, I am of the view that ICASA had a statutory duty to also consider the*

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<sup>15</sup> Telkom SA Soc Limited v Mncube NO and Others; Mobile Telephone Networks (Pty) Ltd v Pillay NO and Others; Cell C (Pty) Limited v The Chairperson of ICASA and Others; Dimension Data Middle East & Africa (Pty) Ltd t.a. Internet Solutions v ICASA and Others (55311/2015; 77029/2015; 82287/2015) [2016] ZAGPPHC 93 (26 February 2016)

<sup>16</sup> Telkom SA Soc Limited v Mncube NO and Others; Mobile Telephone Networks (Pty) Ltd v Pillay NO and Others; Cell C (Pty) Limited v The Chairperson of ICASA and Others; Dimension Data Middle East & Africa (Pty) Ltd t.a. Internet Solutions v ICASA and Others (55311/2015; 77029/2015; 82287/2015) [2016] ZAGPPHC 93 (26 February 2016), para 80.

*issue of competition to promote the objects of the EC Act before a decision was taken. Put differently, the statutory obligation to promote competition within the ICT sector implies an obligation to also consider and consider competition which is part of the decision-making process and cannot be delegated or deferred to another organ of state. ICASA's failure to do so and its decision to defer to the Competition Commission were both, in my view, wrong in law. I therefore find that ICASA's failure to also consider competition and to defer to the Competition Commission in this regard was materially influenced by an error of law within the meaning of section 6(2) of PAJA."*

Wherein the Authority is enjoined by a statute (in this case, the ECA) to promote competition in the ICT sector – it is duty bound to consider the issue of competition to promote the objects of the ECA before taking a decision. It cannot therefore, delegate and or defer this statutory duty to another authority, including those with whom it enjoys concurrent jurisdiction, such as the Competition Commission.

## **Part B: Our Strategic Focus**

### **5. Vision**

An inclusive digital economy.

### **6. Mission**

To regulate electronic communications, broadcasting and postal services in the public interest.

### **7. Values**

All the Authority's regulatory activities are centred around five core values: innovation, collaboration, accountability, and being results-driven and stakeholder-centric.

#### **Innovation**

- We have the willingness and ability to generate viable, new approaches and solutions
- We find different and better ways of applying best solutions to meet stakeholder needs

#### **Collaboration**

- We eradicate silos by developing a conscious mind-set that aligns our work with organisational vision and strategy
- We create synergies internally to fast-track organisational performance

#### **Accountability**

- We execute our daily work in a proactive manner
- We take full responsibility for the work that we do in collaboration with others

#### **Results-Driven**

- We achieve high-quality results that are consistent with organisational standards

- We do goal-specific performance assessments and identify areas of improvement

### **Stakeholder-Centric**

- We carry out our duties with the stakeholder in mind. Stakeholders are central to what we do, and we welcome their feedback for a consistent and effective partnership

## **8. Situational Analysis**

### **8.1. External Environment Analysis**

In addition to the legislative and policy mandate, the Authority must consider the context of its performance environment. In this regard, it is critical that the Authority considers the impact of global, regional and national trends in executing its mandate together with the political, economic, social, technological, legal and environmental factors within the performance environment.

The performance environment in the context of the ICT sector and the Authority's role as a regulator is aptly summarised by the World Bank Digital Economy Diagnostic Report for South Africa<sup>17</sup> which states:

"There is a growing economic and social urgency for South Africa to develop its digital economy. Over the past decade, the economy has not been growing fast enough to create jobs. The unemployment rate is 27%, inequality has increased, and half the population lives in poverty. The dualism that stems from the legacy of demographic and spatial exclusion in South Africa is reflected in the digital economy landscape, and a large share of South Africans remains disconnected from the opportunities it has created. Whereas the Government of South Africa has been consistent in trying to leverage ICT for socio-economic development since the 1990's, policy choices have not always been optimal, or there has been difficulty to implement outlined reforms and programs as demonstrated under many of the foundational pillars. The policy and regulatory uncertainty have undermined and slowed down private investment. Advances in digital technology present an opportunity for South Africa to reverse declines in competitiveness and service delivery, and push towards dynamic and inclusive growing economy in line with the goals of the National Development Plan."

The ICT sector – and the associated rapid technological evolution – is a vector of social development and transformation of the economy. It is through effective leveraging of ICTs that solutions to the most pressing national challenges in our country can be found. The ubiquity of broadband internet, the democratization of technologies, and the accelerating pace of innovation has so far not reached all

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<sup>17</sup>World Bank Group. 2019. South Africa Digital Economy Diagnostic *World Bank, Washington, DC. © World Bank.*

parts of the country. The majority of those who stand to gain the most from it are not yet connected. In order to better leverage ICTs for development, a higher level of preparedness and better infrastructure and access are needed. In this context, government leadership and vision are critical. In this context, it is observed that digital divides exist within countries. Even in the most advanced economies, only certain segments of the population are benefitting from ICTs. Many are left behind because of their age, limited digital literacy, lack of access, or remoteness.

In September 2020, the Minister of Communications and Digital Technologies published the National Digital and Future Skills Strategy,<sup>18</sup> which envisages a society of digitally skilled South Africans. The Strategy recognises digital skills as one of the key skills sets required for the creation of new kinds of 21<sup>st</sup> century jobs. Furthermore, originality, agility, critical thinking and problem-solving are recognised as important 21<sup>st</sup> century skills that must be interwoven with digital skills.

It is widely recognised that going forward; digital infrastructure is critical to ensuring digital transformation and enabling the leveraging of the fourth industrial revolution. Digital infrastructure is the unseen enabler of modern digital life and business - scalable and reliable connectivity is important in providing enough infrastructure to facilitate more demanding real-time IT requirements. A failure to recognise the importance of putting optimal digital infrastructure in place, would inevitably limit South Africa's agility, result in lost opportunities and potentially lead to spending more than necessary on infrastructure as we try to optimise our connectivity, internet usage and cyber security much later on. Ensuring the right levels of connectivity is all about connecting organisations to their most critical applications and data more swiftly and efficiently whilst providing a platform for growth, development and innovation.

The provision of digital infrastructure cuts across all the ICT sector. In this regard, it is recognised that South Africa's delays in completing the digital migration process has had an adverse impact on innovation and content development in the creative media and broadcasting sector. At the same time and despite the delays, digital television sets are already available in the market, a phenomenon that will

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<sup>18</sup> Government Gazette No. 43730 dated 23 September 2020.

help speed up DTT migration and proliferation of digital television choice as the Authority licenses the various multiplexes going forward.

The INTERNET also contributes a lot to digital broadcasting with proliferation of DTT in the broadcasting environment. The broadband network pipes are being used as part of digital broadcast infrastructures like IPTV. The advent of Industry 4.0 (4IR) has taken the concept of “convergence” to another level by adding the biological dimension to fusion of technologies.

According to the 2019 Stats SA’s general household survey (GHS) report, the proportion of households who have access to the Internet anywhere was at 63% nationally. The Authority reported that the national population coverage for 3G increased from 99.7% in 2019 to 99.8% in 2020. National population coverage for 4G/LTE increased from 92.8% in 2019 to 96.4% in 2020. 5G population coverage was at 0.7% in 2020.

More importantly the 2020 Reconstruction and Recovery Plan for the South African Economy has identified the ICT in general, and communications and digital economy in particular, as key enablers for South Africa’s economic reconstruction and recovery plan “It is geared towards ensuring that beyond just returning the economy to its pre-COVID19 levels, it adds more GDP growth and job”.

In illustrating the significance of connectivity in the context of covid19 pandemic, the National Planning Commission (“NPC”) Digital Futures Report<sup>19</sup> highlights the following:

“The pandemic has brought digital inequality into stark relief, highlighting the urgency with which digital inequality needs to be addressed in order to prepare the country for the next inevitable disaster or pandemic. Only a relatively small elite within the formal economy has been able to manage Covid-19-related public health lockdowns by moving their work, schooling, food sourcing and business relief applications online. Although half of the country do own smartphones and have access to the Internet, for many this is intermittent and at low capacity. For the significant numbers of South Africans concentrated in rural areas, townships and informal settlements without access to online services, the lockdowns have resulted in the rupture of informal value chains, disruption of schooling and access to feeding schemes, inability to receive social security pay-outs or to apply for Covid-19 relief. This has resulted in a major food security crisis. The potential destruction of these survivalist

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<sup>19</sup> Digital Futures: South Africa’s Digital Readiness for the ‘Fourth Industrial Revolution’, 2020.)

economies demonstrates that the informal economy is unable to serve as the usual buffer to economic shocks for many families and communities.”

Access to affordable data is becoming essential for every citizen. The high cost of data remains a growing concern. ICASA conducted an inquiry into mobile broadband services market and made certain regulatory proposals to address ineffective competition in the identified markets.<sup>[4]</sup> In December 2019, the Competition Commission concluded an inquiry into data services market and made certain short-term regulatory interventions (i.e. immediate relief on data pricing) as well as medium to long term legislative and regulatory proposals to promote competition.

In April 2020, in order to ensure that there was continuation of the provision of ICT services during COVID-19 pandemic, the Authority issued International Mobile Telecommunications (“IMT”)/ high demand spectrum on a temporary basis. The temporary spectrum was intended to deal with the anticipated rise in demand for network capacity or data services as well as to lower cost of access to consumers during the COVID-19 pandemic. The validity of the temporary spectrum was extended to 30 November 2021.

On 11 November 2021, the Authority published the ICT COVID-19 National State of Disaster Regulations, 2021 (“Regulations”) which introduced a new provisional radio frequency spectrum regime. The new provisional radio frequency spectrum licenses are valid from 1 December 2021 until 30 June 2022 or until three months after the termination of the National State of Disaster, whichever occurs first. The Regulations seeks to, *inter alia*, promote competition within the ICT Sector with respect to the assignment of provisional spectrum; and promote the universal provision of electronic communications networks and electronic communications services and connected for all.

Cognizant of the need to focus its efforts on the permanent licensing of spectrum which will result into a long-lasting connectivity solution for the benefit of consumers – on 10 December 2021, after consultation with the interested parties, the Authority re-published an Invitation to Apply (“ITA”) for IMT Spectrum. The

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<sup>[4]</sup> Published in Government Gazette No. 44337 dated 26 March 2021.

Authority received six (6) applications in response to the ITA and proceeded to auction the IMT Spectrum by March 2022.

Women, youth and people with disabilities have been given priority by government in the country due to the discrimination they continue to face due to a myriad of reasons. Establishment of the Department of Women Youth and Persons with Disabilities was heralded as a bold step by the South African government towards addressing the scourge of discrimination against them. While much progress has been made in different spheres of society to deal with the scourge, much work still remains to be done to deal with it in its entirety.

The ICT sector is another part of the South African economy where discrimination of women, youth and persons with disabilities is still rife. There is still room to mainstream women and give opportunities to the youth. Communication manufacturers still have not mainstreamed production of communication devices that accommodate people with disabilities.

Considering the overview of the situational external environment, several key threats and opportunities have been identified by the Authority in relation to the strategic planning period. These key threats and opportunities are presented in a PESTLE analysis in Table 5 below.

**Table 4: PESTLE Analysis**

Opportunities	Threats
<b>Political</b>	
<ul style="list-style-type: none"> <li>▪ ITU / WRC-19 outcomes on spectrum allocation(Implementation)</li> <li>▪ WRC -23 outcomes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Industry driven by technology trends: failure of regulation to keep up with rapid technological trends</li> <li>▪ Lack of policy certainty (and policy inconsistency) on key regulatory matters</li> </ul>
<ul style="list-style-type: none"> <li>▪ A sustainable self funding model for the organisation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lack of an enabling funding model to deliver on the Authoity’s mandate</li> </ul>
<ul style="list-style-type: none"> <li>▪ Governemnt’s decision on review of 2019 Policy Direction on High Demand Spectrum</li> </ul>	<ul style="list-style-type: none"> <li>▪ Coordinated collaboration with policymaker</li> </ul>
	<ul style="list-style-type: none"> <li>▪ Uncertainty in institutional arrangements for the sector.</li> </ul>
<ul style="list-style-type: none"> <li>▪ 4IR Vision for RSA</li> </ul>	<ul style="list-style-type: none"> <li>▪ Suitable skills for the adoption of 4IR</li> </ul>
<ul style="list-style-type: none"> <li>▪ Policy Direction on the Introduction on Digital Sound Broadcasting in South Africa</li> </ul>	<ul style="list-style-type: none"> <li>▪ Low level of digital Sound broadcasting uptake.</li> </ul>
<b>Economic</b>	



<ul style="list-style-type: none"> <li>▪ Strategic regulatory interventions to promote economic growth through ICTs</li> <li>▪ Regulatory framework that reduces regulatory burden and facilitate ease of entry and sustainability of SMMEs in ICT Sector</li> </ul>	<ul style="list-style-type: none"> <li>▪ Low levels of GDP growth may curtail investment in ICT infrastructure</li> <li>▪ Poor financial performance of ICT Sector &amp; COVID-19 pandemic – potential instability of the sector due to some key players facing financial ruin</li> </ul>
<ul style="list-style-type: none"> <li>▪ Consolidation in the ICT sector</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ineffective competition and anti-competitive effects</li> <li>▪ Difficulty of entering the sector (application fees, licencing fees, obligations, administrative burden)</li> </ul>
<ul style="list-style-type: none"> <li>▪ Release of spectrum will increase fiscus of the country.</li> </ul>	<ul style="list-style-type: none"> <li>▪ High prices / low affordability levels of data services</li> </ul>
	<ul style="list-style-type: none"> <li>▪ Potential revenue loss for the fiscus due to unregulated services (OTT services)</li> <li>▪ Covid-19 Pandemic is threatening the economy of South Africa.</li> <li>▪ COVID-19 has had an impact on the earning power of some licensees predominantly broadcasters that make a large chunk of their revenue from advertising.</li> </ul>
<b>Social</b>	
<ul style="list-style-type: none"> <li>▪ Digital migration presents opportunities to improve social cohesion and create opportunities for socio-economic growth</li> </ul>	<ul style="list-style-type: none"> <li>▪ High rate of unemployment</li> <li>▪ Increase in levels of Unemployment as a result of the COVID-19 Pandemic and resultant restrictions</li> <li>▪ Technology having a displacement effect on labour / jobs</li> <li>▪ Lack of digital skills to meet the requirements of the 4IR.</li> <li>▪ Lack of quality access especially in rural / outlying areas</li> </ul>
<ul style="list-style-type: none"> <li>▪ Release of high-demand spectrum presents opportunity to advance universal access/ service (through obligations)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advancement in ICT infrastructure deployment undermined by acts of criminality and sabotage (theft of ICT infrastructure), and COVID-19 pandemic</li> </ul>
<ul style="list-style-type: none"> <li>▪ Increased social activism: <ul style="list-style-type: none"> <li>- Build a positive reputation / image for ICASA</li> <li>- Increased stakeholder participation in all regulatory processes</li> <li>- Greater sensitivity of the Regulator to ICT sector developments</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Increased social activism: <ul style="list-style-type: none"> <li>Promotion of narrow interests and political agendas at expense of the broader public interest</li> <li>Covid-19 pandemic is causing an increase in unemployment.</li> <li>Vandalism due to unrest in the country.</li> </ul> </li> </ul>
<b>Technological</b>	
<ul style="list-style-type: none"> <li>▪ 5G deployment could enable South Africa to leapfrog technological trends (South Africa 'can be' amongst the first to launch commercial 5G services)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Increased need for the deployment of new technologies to deal with the new working and living needs of the population as a result of the COVID-19 pandemic and resultant restrictions</li> </ul>

	<ul style="list-style-type: none"> <li>Increased need to accommodate persons with disabilities in the ICT space</li> </ul>
<ul style="list-style-type: none"> <li>4IR advancement: AI, Robotics, Nanotechnology, IoTs, etc.</li> </ul>	<ul style="list-style-type: none"> <li>New technological advances bring about regulatory challenges</li> <li>Legislative / regulatory framework lacks agility to keep abreast of rapid technological change</li> <li>Cybersecurity concerns</li> <li>Lack of relevant skills for the execution of 4IR</li> </ul>
<ul style="list-style-type: none"> <li>Enabling innovative technologies to promote broadband deployment (dynamic spectrum access)</li> <li>Spectrum allocation and increases online service offering, such e-learning, e-medical services and working home platforms.</li> </ul>	<ul style="list-style-type: none"> <li>Disruption of traditional models for spectrum management and assignment</li> </ul>
<b>Legal</b>	
<ul style="list-style-type: none"> <li>An institutional and legislative framework that supports regulatory independence</li> </ul>	<ul style="list-style-type: none"> <li>A sub-optimal funding model could undermine independence</li> </ul>
<ul style="list-style-type: none"> <li>Clearly defined mandate with broad powers to regulate the sector</li> </ul>	<ul style="list-style-type: none"> <li>Inherent threat of litigation to all regulatory processes and administrative decisions</li> <li>Multiple policy and legislative review processes may create uncertainty</li> </ul>
<ul style="list-style-type: none"> <li>Partnerships and collaborations with other agencies enhance the ability of ICASA to deliver across all disciplines of its mandate</li> </ul>	<ul style="list-style-type: none"> <li>Poorly coordinated concurrent jurisdiction and mandate creep</li> </ul>
<ul style="list-style-type: none"> <li>MOUs with international and national entity to expand service offering.</li> </ul>	<ul style="list-style-type: none"> <li>Non compliance to contractual obligations</li> </ul>
<b>Environmental</b>	
<ul style="list-style-type: none"> <li>A regulatory framework for rapid deployment of broadband infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Lack of coordination for permits / approvals for infrastructure deployment</li> </ul>
	<ul style="list-style-type: none"> <li>EMF concerns regarding human exposure to radiation because of high cell density using millimeter wave frequencies</li> </ul>
	<ul style="list-style-type: none"> <li>Risk of dumping of 'technologically outdated', 'inferior', 'cheap' devices / equipment due to high poverty (unemployment) levels</li> <li>Pollution due to increased IT waste (decommissioning of sites, unsafe disposal of non-compliant/redundant electronics equipment)</li> </ul>

The situation in the Authority's external environment outlined above is a result of the influence that the stakeholders have in the Authority's external environment, on the Authority and the Authority on the stakeholders. The

table below presents an analysis of the stakeholders in terms of four interaction dimensions: “keep satisfied”, “engage and consult”, “monitor” and “keep informed”.

**Stakeholders Analysis**

<b>Stakeholder</b>	<b>Keep Satisfied</b>	<b>Engage and Consult</b>	<b>Monitor</b>	<b>Keep Informed</b>
Department of Planning Monitoring & Evaluation	x	x		x
Parliament	x		x	x
ICT Service Providers (licencees)	x	x	x	x
Department of Communications and Digital Technologies	x	x		x
Academic Institutions		x	x	
ICT Services Consumers	x	x	x	x
International Affiliate Bodies	x	x	x	x
Public Institutions	x	x	x	

The Authority must pay attention to the four dimensions of analysis to ensure that the stakeholders make as opposed to break delivery of the Authority’s outputs.

**8.2. Internal Environment Analysis**

The Authority’s internal environment defines its required attack formation to implement interventions in its external environment (performance environment). In analysing its internal environment, the Authority evaluated its strengths, weaknesses, opportunities and threats against the key elements that are critical for the effective execution of its mandate. The key elements are based on the McKinsey 7s model: Structure, Strategy, Skills, Staff, Style, Systems, and Shared Values. The key objective of the evaluation was to assess whether all the seven

areas are aligned for effective execution of the Authority’s mandate and to determine whether any change is required in one or more areas for the Authority to function efficiently and effectively. That is, to determine whether the Authority has enough capacity to implement the interventions it plans to implement in the year of planning going into the medium-term period.

Table 6 below presents the findings of a SWOT analysis that was done to determine the capacity of the Authority to implement its strategy over the medium-term period.

**Table 5: SWOT Analysis**

Element	Strengths	Weaknesses	Opportunity	Threats
Structure	<ul style="list-style-type: none"> <li>▪ Executive board (Council)</li> <li>▪ Clear and documented DoA Framework</li> <li>▪ Approved organisational structure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lack of funding (sub optimal funding model)</li> <li>▪ An operating model premised on Council Committees (structural misalignment of reporting and accountability lines)</li> <li>▪ Highly hierarchical structure (with beauracratic processes)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation of the approved organisational structure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Proposed rationalisation of public entities – ICASA may cease to exist in its current form</li> <li>▪ Fixed term contracts at Council and executive level (potential threat to business continuity)</li> </ul>
Strategy	<ul style="list-style-type: none"> <li>▪ Clear legislative mandate (regulate in the public interest)</li> <li>▪ Improved organisational performance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inadequate strategic planning capacity and processes</li> <li>▪ Inadequate budget allocation for strategy execution / implementation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legislative amendments for implementation of self-funding model</li> <li>▪ Legislative amendments - strengthening of ICASA mandate</li> <li>▪ Increased collaboration with other</li> </ul>	<ul style="list-style-type: none"> <li>▪ Litigation – legal challenges to execution and implementation of ICASA strategy</li> <li>▪ Lack of funding (sub optimal funding model)</li> <li>▪ Possible amendment of mandate due to legislative amendments and</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Constitutionally guaranteed independence</li> <li>▪ Customer oriented</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inflexible framework for strategy planning, execution and implementation</li> <li>▪ Poor financial compliance and internal control environment</li> <li>▪ Lack of border presence – get equipment before it comes into the country. MoU with SARS</li> </ul>	<p>regulatory agencies and law enforcement agencies for effective execution of mandate– cross broader regulating and enforcement activities</p> <ul style="list-style-type: none"> <li>▪ Improved service delivery model – offices in all Provinces</li> <li>▪ Full one-stop service in all Regional Offices</li> <li>▪ Improve Enforcement</li> <li>▪ Strengthen Stakeholder Management</li> </ul>	<p>or rationalisation of public entities</p> <ul style="list-style-type: none"> <li>▪ Inconsistent national policy positions</li> <li>▪ COVID-19 pandemic will adversely affect the execution of the strategy (particulary for programmes that are customer facing and or require community engagements)</li> <li>▪ Global pandemic</li> </ul>
Staff	<ul style="list-style-type: none"> <li>▪ Highly experienced &amp; qualified staff</li> <li>▪ Low staff turnover (long service / employee loyalty)</li> <li>▪ Institutional knowledge</li> <li>▪ National presence (across all 9 provinces)</li> <li>▪ Diversity in employee base</li> </ul>	<ul style="list-style-type: none"> <li>▪ Weakened employee value proposition (lack of funding)</li> <li>▪ No clear succession policy / guidelines (lack of career opportunities)</li> <li>▪ Key functional areas understaffed (due to lack of funding)</li> <li>▪ Uncompetitive salaries/ incentives relative to market – cost of living inflation is out weighting the rate of</li> </ul>	<ul style="list-style-type: none"> <li>▪ Fixed term contracts for executives – upward mobility for internal senior staff / and regular refresh of leadership team</li> <li>▪ Extension of graduate development programs – opportunity to bring in new blood and create strong pool from which to attract entry level staff</li> <li>▪ Opportunity to introduce work life balance, Lockdown has proven that colleagues can still deliver on the projects while working from home.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Poor value proposition (no work-life balance)</li> <li>▪ Moratorium on recruitment / filling of vacancies</li> <li>▪ Budgetary constraints (inability to implement the new structure)</li> <li>▪ Harzadous work environment – security risks for staff (field work, lack of appropriate equipment)</li> <li>▪ Staff turnover</li> <li>▪ Loss of critical skills (poaching by the sector)</li> <li>▪ Risk of unfavourable industrial actions</li> <li>▪ Low staff morale (risk of unstable industrial relations environment)</li> </ul>

		<p>salary increases</p> <ul style="list-style-type: none"> <li>▪ Low staff morale</li> <li>▪ Lack of innovation (long service may also mean no entrenched traditions/culture and new way of doing doings)</li> <li>▪ No retention strategy for critical skills</li> </ul>		<ul style="list-style-type: none"> <li>▪ COVID-19 pandemic (programmes that require community engagement as well as field work) pose serious risks for employees</li> </ul>
Skills	<ul style="list-style-type: none"> <li>▪ Highly experienced staff</li> <li>▪ Institutional Knowledge and skills</li> <li>▪ Availability of wide range of competencies (legal, engineering and policy and research etc).</li> <li>▪ Sound Qualifications framework</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inadequate funding to implement IDPs for new / future skills – process of procuring training delays the implementation of training interventions</li> <li>▪ Inadequate training in place to address gaps</li> <li>▪ Lack of skills transfer and succession planning</li> <li>▪ Misalignment of staff skills with job requirements</li> <li>▪ Lack of implementation of dual career streams – not plausible in</li> </ul>	<ul style="list-style-type: none"> <li>▪ Collaboration with knowledge based institutions</li> <li>▪ Upskilling staff using Continuous Professional Development (CPD) model</li> <li>▪ Partnering with skills development institutions (SETA)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Low staff morale</li> <li>▪ Budgetary constraints (inability to keep up with technology developments)</li> <li>▪ Obsolete competency framework (non alignment to meet 4IR era challenges)</li> </ul>

		<p>the approved structure</p> <ul style="list-style-type: none"> <li>▪ Lack of coaching and mentorship</li> </ul>		
Style	<ul style="list-style-type: none"> <li>▪ There are levels of escalations (delegation of authority)</li> <li>▪ Interactive management style</li> <li>▪ Transparency</li> <li>▪ Consumer rights advocacy</li> <li>▪ Consultative leadership style</li> </ul>	<ul style="list-style-type: none"> <li>▪ Hierarchical structure</li> <li>▪ Ineffective communication</li> <li>▪ Slow/cumbersome processes of enforcement and regulation development</li> <li>▪ Bureaucratic processes</li> </ul>	<ul style="list-style-type: none"> <li>▪ Leadership development (incl. executive &amp; management development programmes)</li> <li>▪ Modernise the organisation: <ul style="list-style-type: none"> <li>- adopt paperless and automated processes</li> <li>- decrease bureaucracy</li> </ul> </li> <li>▪ DoA framework that fosters empowerment and accountability</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lack of leadership continuity (fixed terms contracts for Council and executive management)</li> <li>▪ Budgetary constraints – limited funding for leadership development - procurement of leadership development programmes</li> </ul>
Shared Values	<ul style="list-style-type: none"> <li>▪ Performance driven</li> <li>▪ Clearly articulated organisational values</li> <li>▪ Positive organisational culture</li> <li>▪ Adopted shared values</li> </ul>	<p>Not fully living the adopted values:</p> <ul style="list-style-type: none"> <li>▪ Innovation still lacking in most areas</li> <li>▪ Instances of poor ethics (i.e. breach of confidentiality)</li> <li>▪ Information asymmetry</li> </ul>	<ul style="list-style-type: none"> <li>▪ Effective stakeholder engagement framework</li> <li>▪ Enhance corporate culture</li> </ul>	<ul style="list-style-type: none"> <li>▪ Instability (due to rationalisation)</li> <li>▪ Poor Reputation</li> <li>▪ Employees' behaviour incongruent with ICASA's value</li> </ul>
Systems	<p>Implementation of new systems:</p> <ul style="list-style-type: none"> <li>▪ ASMS</li> <li>▪ EDRMS</li> </ul> <p>Enhancement of existing systems:</p> <ul style="list-style-type: none"> <li>▪ Implementation of Microsoft Teams to ensure business continuity during</li> </ul>	<p>Inadequate funding for information technology needs:</p> <ul style="list-style-type: none"> <li>▪ Inadequate Bandwidth (especially for Regional Offices)</li> <li>▪ Limited number of licences for use of systems</li> </ul>	<ul style="list-style-type: none"> <li>▪ Framework for implementation of a paperless environment</li> <li>▪ Drive use of full functionality of the automated applications</li> <li>▪ Integration of automated system (reduction in duplication of system functions)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inability to execute mandate, as a result of not having relevant and well maintained systems and equipment.</li> <li>▪ Cyber threats</li> <li>▪ COVID-19 pandemic has put tremendous pressure on IT resources and systems</li> </ul>

	<ul style="list-style-type: none"> <li>▪ COVID-19 pandemic Automated systems for applications etc.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Outdated systems</li> <li>▪ Lack of intergration between systems</li> <li>▪ Slow uptake and or implementation of productivity tools</li> <li>▪ No innovative or modern systems</li> <li>▪ Lack of resources (test equipment)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Establish a customer facing unit (Customer Relations Management)</li> </ul>	
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## Structure

The work of the Authority is organised around five programmes as follows:

Programme 1: Administration

Sub-Programme: Corporates Services

Sub-Programme: Finance

Sub-Programme: Human Resources

Sub-Programme: Internal Audit

Sub-Programme: Legal Risk & Consumer Complaints Committee

Programme 2: Licensing & Compliance

Programme 3: Policy Research & Analysis

Programme 4: Engineering & Technology

Programme 5: Regions and Consumer Affairs

The above organisational structure is a result of a revision of the organisational structure which the Authority had developed in 2014. The revised organisational structure was approved by the Authority's Council in 2020/21 financial year. The idea behind the revision was to ensure alignment of the organisational structure with the Authority strategic direction which was formulated in 2020/21 year of strategic planning.



## **Strategy**

The Authority strength regarding its strategy is made possible by its clear legislative mandate that flows from section 92 of the constitution. Being a constitutional institution also guarantees its independence. However, there are some weaknesses and threats which the Authority must bear in mind as it enters the 2022/23 financial year.

The Strategy & Programme Management Unit in the Office of the CEO came up with an idea of Programme-based coordinators to assist with planning and performance monitoring. Full utilisation of the idea is hampered by the fact that the programme coordinators must share their time for their permanent roles with the Strategy & Programme Management Unit, a situation which is not ideal. Thus, the need to build human resources capacity of the Strategy & Programme Management Unit cannot but be emphasised.

The Authority also operates in a very litigious environment. Troves of litigation cases that the Authority must deal with on a regular basis presents a threat to an unfretted implementation of its strategy. Some projects come to a standstill while the Authority handles litigation cases.

Possible amendment of mandate due to legislative amendments and rationalisation of public entities, inconsistent national policy positions and COVID-19 pandemic pose a threat to the execution of the strategy, particularly for programmes that are customer facing and or require community engagements.

## **Staff**

Due to the moratorium that has been put in place as a result of the rationalisation of public entities reporting to the Ministry of Communications and Digital Technologies, the Authority is faced with a situation where it can only fill critical positions on the approved revised organisational structure to maintain enough capacity to deliver on its medium-term targets.

## **Skills**

The Authority skill set contains some of the rarest in the country due to the uniqueness of its line of business. Rarity of the skills makes the Authority a gaping chasm for poaching by the ICT service providers who need the same skills for them

to be able to succeed in regulation compliance. In this connection, the need to incentivise staff members has become a stark reality for the Authority.

Another factor that always faces the Authority is the ever-dynamic ICT environment in which it operates, where technological advancements are the only constant. As a result, the authority must be nimble in the way it acquires relevant courses for training of employees to update their skills in the latest technologies that respond to the ever-changing ICT environment. However, the key weakness in living up to the task is inadequate funding to implement IDPs for new / future skills. As a interim solution, the Authority has been looking at collaboration with knowledge-based institutions opportunities.

### **Style**

Corporate plan implementation is a function of an organisational style of leadership. Setting of the tone at the top. The upward trend in performance that the Authority realised from 2015/16 financial year to 2019/20 financial year could be attributed in part to the delivery-focused style of leadership that the Authority adopted over that period and which it continues to nurture among its employees.

However, one of the key weaknesses that Authority faces at leadership level is the issue of fixed contracts of Councilors and Executives which hampers continuity. Contracts of two Councilors came to an end during the year of planning and the Authority must wait for Parliament to complete the recruitment process. It has no control of the process. The phenomenon is not new, the Councilors that remain in office have had to improvise over the years. However, if something could be done about it, it should be, to bring certainty to the leadership capacity of the Authority.

The COVID – 19 pandemic also challenged the Authority's leadership and management style. With employees not being physically in the office most of the time, management had to adapt to a "management by results" style of management. Despite the fact that the country is now at an adjusted national disaster level level 1 which is the lowest national disaster level, the Authority's leadership and management style capacity of *management by results* will remain the same until the national state of disaster is lifted permanently.

## **Shared Values**

The Authority's shared values were developed to transcend time. They have remained the same since 2014/15 financial year. Thus, they have become the Authority's credo and they form part of the Authority's employees performance management system. Each employee is assessed on whether they are living the Authority's values. The capacity value element of shared values is that they inculcate a common set of principles in terms of approach to work, making all employees to pull in the same direction in implementing the organisation's plans. The shared values remain a credo in the planning year into the medium-term period.

## **Systems**

Over and above the normal non-IT codified and IT-codified government prescribed systems that the Authority runs, it also has systems that are specific to its core business. The Automated Spectrum Management System (ASMS) is an IT-based system which is customised for radio communications system licensing, equipment type approval, broadcasting spectrum and overall spectrum management. The system was launched mid-year 2021. It has bolstered the Authority's effort in efficient and effective spectrum management in a paperless way. Thus, it lessens the administrative burden that the Authority had in the past. Not all the modules came online during its launch. Thus, there is need to implement the rest of the modules over the medium-term period for the Authority to gain full value out of it.

The Authority procured an IT-based system called Electronic Document and Records Management System (EDRMS). The system is also part of the Authority's effort to move to a paperless work environment. The uptake on the system has been below. There is need to increase uptake during the year of planning to the rest of the medium-term period.

With the advent of COVID – 19 pandemic, the Authority, the country and the rest of the world had to move from the traditional way of working to teleworking. The Authority has adopted Microsoft Teams as its system of preference for teleworking. Most conferences, meetings and workshops are conducted virtually. Given that the COVID – 19 pandemic is still with us, the need to exploit the system to its full potential remains an open opportunity for the Authority.

With the increased use of IT-based systems comes the cyber threats which the Authority must bear in mind as it conducts its business. It must come up with pertinent mitigation measures to ward-off any cyber-attacks that may compromise its data integrity and impair business continuity.

Due to inadequate funding for IT systems' needs, the Authority does not have enough Bandwidth, especially for its regional offices. This is one of the weaknesses that it would need to be addressed in the year of planning into the medium-term period.

### **Financials**

The grant allocation for the Authority is expected to increase from R469.4 million in 2022/23 to R495.2 million in 2024/25, at an average annual inflation rate of 4.4%. However, the business of the Authority keeps expanding with new developments in the ICT field. The expansion has made clear the fact that the Authority requires a new funding model that can ensure that it lives up to its expanding business and continue to be sustainable. To that end, the Authority tabled a proposal to National Treasury in 2020/21 financial year for a hybrid funding model which will see the Authority supplement the budget allocation it gets from the Department of Communications and Digital Technologies parliamentary vote with a portion of the revenue it collects on behalf of government from licensees. Discussion of the proposal is continuing with the National Treasury.

### **The Broad-Based Black Economic Empowerment**

The Broad-Based Black Economic Empowerment Act (Act No. 53 of 2003) is one of the restorative legislations that the Authority must comply with. It facilitates broader participation in the economy by black people to redress inequalities created by apartheid.

The Authority has been ensuring that its procurement spend supports advancement of enterprises owned by historically disadvantaged individuals over the years.

**Stakeholder Management**

The Authority’s internal stakeholder landscape is best explained in terms of a cobweb of interactions that must take place between executing and decision-making structures towards delivery of outputs and the overall accountability that the accountability structures must make to government oversight bodies and the South African public.

<b>Stakeholder</b>	<b>Keep Satisfied</b>	<b>Engage and Consult</b>	<b>Monitor</b>	<b>Keep Informed</b>
Office of the CEO	x	x		x
Programmes			x	
Council	x			
Audit Risk and Disclosure Committee	x	x		x
Human Resource & Remuneration Committee	x	x		x
Information Technology Commttee	x	x		x
Complaints & Consumer Committee	x			x
Council Committees			x	
Consumer Advisory Panel		x	x	x

One group of stakeholders that the Authority has given attention to over the years is women, youth and people with disabilities. At its full complement of nine (9) in 2019/20 financial year, the Authority’s Council had four (4) women. Three (3) of the women’s contracts ended in 2021/22 financial year bringing the number down to one (1). The Executive Management of the Authority has six (6) women out of a total of ten (10) Executives. The total organisational ratio of women to men is 49:51 which is close to parity between the genders.

The youth form a sizeable number of the Authority’s workforce as depicted in the table below.

Under 30	Thirties	Forties	Fifties	60 years and Older
4%	31%	39%	22%	3%

The Authority also has a Graduate Development Programme which targets young graduates who require work experience to enable them to join the world of work easily. The programme was launched in 2015/16 financial year. The graduates remain in the Authority for a period of two (2) years at after which they can either apply for positions internally or externally.

People with disabilities are accommodated within the Authority through the recruitment process. All the advertisements that go out encourage persons with disabilities to apply. Currently there are five (5) persons with disabilities within the Authority’s permanent staff members. There are also two (2) within the Consumer Advisory Panel which is a Council governance committee that advises Council on consumer issues.

## **9. Institutional Programme Performance Information**

### **9.1 Programme 1: Administration**

**Purpose:** The Programme provides coordinated strategic leadership, management and support to the Authority to deliver on its mandate.

#### **9.1.1 Sub-Programme: Corporate Services**

**Purpose:** To provide corporate support services to the Authority through communications, information technology and facilities, security, and administration of high quality.

The sub-programme consists of three units

#### **Facilities Unit**

The Facilities Unit has a responsibility to ensure the “well-being” and optimal use of ICASA’s physical infrastructure, resources, and facilities, through the efficient and effective provision of facilities and support services.

#### **Information Technology Unit**

The Information Technology Unit has the responsibility to ensure that the Authority has the most up-to-date IT infrastructure that enables the Authority to execute its business which requires IT infrastructure support efficiently and effectively.

### Communications and International Relations

The Communications and International Relations Unit is responsible for ensuring that the Authority's plans, policies, and regulatory interventions are effectively communicated to all stakeholders and for ensuring that the Authority participates in programmes that advance South Africa's interests.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Organisational service delivery maintained	Communication services provided through monitoring of the media environment	Value of communication services provided through monitoring of the media environment	-	-	-	R 6mil	R 10 mil	R 15 mil	R 15 mill
Organisational service delivery maintained	Communication products published to grow the share of voice of ICASA	Number of communication products published to grow the share of voice of ICASA	-	-	-	9	9	9	9
Organisational service delivery maintained	International engagements facilitated	Number of International engagements facilitated by ICASA	-	-	-	-	4	4	4
Organisational service delivery maintained	OHS annual plan implemented	Percentage of OHS annual plan implemented	-	-	-	85%	100%	100%	100%
Organisational service delivery maintained	EDRMS roll-out plan implemented	Percentage of EDRMS roll-out plan implemented	-	-	-	85%	100%	100%	100%
Organisational service delivery	Business intelligence gathered from	Amount of business intelligence	-	-	1	2	2	2	2

maintained	analysis of integrated business systems data	gathered from analysis of integrated business systems data							
Organisational service delivery maintained	Security incidents being monitored on IT Systems	Number of security incidents being monitored on IT Systems	-	-	-	-	52	52	52
Organisational service delivery maintained	IT Systems efficiency	Percentage of IT Systems efficiency	-	-	-	-	98%	98%	98%

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Value of communication services provided through monitoring of the media environment	R10 mill	R10 mill	R10 mill	R10 mill	R10 mill
Number of communication products published to grow the share of voice of ICASA	9	2	2	3	2
Number of International engagements facilitated by ICASA	4	1	1	1	1
Percentage of OHS annual plan implemented	100%	20%	40%	60%	100%
Percentage of EDRMS roll-out plan implemented	100%	20%	40%	60%	100%
Amount of business intelligence gathered from analysis of integrated business systems data	2				2
Number of security incidents being monitored on IT Systems	52	13	13	13	13
Percentage of IT Systems efficiency	98%	98%	98%	98%	98%

#### 9.1.1.1 Explanation of Planned Performance over the Medium-Term Period

The sub-programme outputs must contribute towards the *organisational service delivery-maintained* outcome that is outlined in the Authority's Strategic Plan 2020/21 -2024/25.

In the 2020/21 financial year, the sub-programme delivered several outputs which ended in that financial year. At the beginning of the 2021/22 financial year, the sub-programme began implementation towards delivery of a suite of outputs outlined in the table above, which it will continue to implement throughout the 2022/23 financial year into the medium-term period. All the outputs delivered will contribute towards organisational service delivery-maintained outcome over the



medium-term period, and support the core business functions towards realisation of the overall impact the Authority would like to make by the end of the current political implementation five-year cycle which ends in the 2024/25 financial year.

### **Facilities Unit**

Over the medium-term period, the Unit will continue to implement its statutory obligation on Occupation Health and Safety (OHS) by implementing the Authority's OHS plan, as part of its contribution towards the organisational service delivery maintained outcome.

Furthermore, the world is moving towards a paperless way of working and the Authority has made a conscious decision not to be left behind. To that end, the Authority procured an Electronic Documentation Records Management System (EDRMS) which it plans to roll-out over the medium-term period.

At the sub-level to the organisational service delivery maintained outcome level, successful delivery of the above two outputs by the Unit will result in the following:

- compliance with statutory requirements on occupational health and safety (OHS) in the workplace, including COVID-19,
- work collaborations, through EDRMS, and offering real added value to the organization's core business,
- proper and centralized management of its records and information, using EDRMS,
- continuous improvement on office ergonomics for optimum employee productivity,
- the efficient allocation and management of infrastructure, resources and facilities across the organisation,
- provision of safety and security to its resources and assets,
- the optimum location of its premises for service delivery,
- improved clients' experience at its premises

### **Information Technology Unit**

In order to contribute to the organisational service delivery maintained outcome, the Unit plans to deliver business intelligence reporting. The business intelligence

reports generated will assist in decision-making on IT's contribution towards improved organisational delivery. Based on last year's baseline of 2 reports, the Unit aims to achieve 2 reports per year over the medium-term period.

The Unit further plans to deliver security reports on IT Systems. The reports will assist in decision-making on the Authority's IT Systems security towards maintenance of organisational service delivery. Last year's baseline was 52 reports and the Unit aims to maintain performance of 52 reports in the year of planning and maintain the figure over the medium-term period.

Lastly, the Unit plans to deliver IT systems efficiency. The aim of delivering the outputs is to ensure a high level of network and systems availability for the Authority in order to certain business continuity. Based on last year's baseline of 98%, the Unit aims to maintain 98% each year over the medium-term period.

### **Communications and International Relations Unit**

The Unit intends to provide communication services and products that will increase the Authority's share of voice amongst its consumers and customers. Monitoring the media environment and coverage received will be analysed in order to gain a better understanding of the communications environment in which the Authority operates and to develop counterstrategies that will inform the impact of ICASA's messages.

The Unit will facilitate the Authority's participation in the international programme in order to stay abreast of regulatory developments and to equip the Authority with current, relevant information and developments in select areas of expertise to support the regulatory Programmes and to advance the national interest. The Unit's facilitation of the Authority's international programme will be ensured by successful implementation of the foregoing.

#### **9.1.2 Sub-Programme: Finance**

**Purpose:** To provide an efficient and effective support services to the Authority from a finance perspective, through implementation of sound financial management and ensuring compliance with all applicable legislation and policies.

The sub-programme consists of three Units.

### Management Accounts Unit

The Unit is responsible for budgeting and maintenance of the integrity of the Authority's books of accounts in line with relevant legislative prescripts and acceptable international accounting principles.

### Supply Chain Management Unit

The Unit is responsible for all procurement of goods and services by the Authority. It ensures compliance with constitutional, public finance management and preferential procurement policy framework prescripts.

### Staff Services Support Unit

The Unit is responsible for providing financial support to all the Authority's Programmes in the execution of their business activities as well as management of staff salaries payment.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Organisational service delivery maintained	Audit	Audit opinion	Unqualified audit	Unqualified audit	Unqualified audit	Unqualified audit	Clean audit	Clean Audit	Clean Audit
Organisational service delivery maintained	Licence Fees Collected	Percentage of Licence Fees Collected	99%	99%	99%	99%	99%	99%	99%

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Audit opinion	Clean audit		Clean audit		
Percentage of Licence Fees Collected	99%	20%	60%	75%	99%

### **9.1.2.1 Explanation of Planned Performance over the Medium-Term Period**

The sub-programme's yearly outputs must contribute to the *organisational service delivery maintained* outcome outlined in the Authority's Strategic Plan 2020/21 – 2024/25.

The sub-programme will maintain the current level of the Authority's performance from a financial perspective and seek to improve it through various organisational support initiatives to the core business of the Authority including but not limited to strict adherence to supply chain processes and procedures that will eliminate unauthorised and fruitless expenditure, payment of suppliers within 30 days and deliberate procurement of goods and services from Historically Disadvantaged Individuals, particularly women, youth and people with disabilities.

The above planned finance sub-programme initiatives combined with planned initiatives on planning, monitoring and evaluation of the performance of the Authority by the Strategy & Programme Management Unit in the Office of the CEO, must enable the Authority to make an improvement from achievement of an unqualified audit to a clean audit in the year of planning and over the medium-term period.

Furthermore, the Authority levies various fees on licensees it issues to communications service providers in terms of *inter alia*; section 4(1)(c)(iv) and (v) and (d) of the ECA. All the fees collected by the Authority are paid into the National Revenue Fund in terms of section 15(3) of the ICASA Act. The fulfilment of this revenue collection mandate is critical for the sustainability of the national fiscus. Sustainability of the national fiscus has been embedded in the Ministers' service delivery agreements with the President. Thus, it remains a key strategic focus for the Authority for the medium-term period. The sub-programme aims to maintain the 99% licence fees collection rate each year over the medium-term period.

### 9.1.3 Sub-Programme: Human Resources

**Purpose:** To ensure that the Authority can plan for required human resources, recruit the right talent in the right positions at the right time, continuously develop the talent to maintain the required levels of competence and create a conducive environment that enables employee engagement and a high-performance culture.

#### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Organisational service delivery maintained	Staff Vacancies Maintained	Staff vacancy rate maintained	2.5%	3.7%	4.2%	7%	7%	7%	7%
Organisational service delivery maintained	SABPP Audit Completed	Number of SABPP audits completed	-	-	1	1	1	1	1
Organisational service delivery maintained	Employee Engagement Surveys Completed	Number of Employee Engagement Surveys Completed	-	-	1	1	1	1	1
Organisational service delivery maintained	Workplace Skills Plan implemented	Percentage of Workplace Skills Plan implemented	-	100%	100%	100%	100%	100%	100%

#### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Staff vacancy rate maintained	7%	7%	7%	7%	7%
Number of SABPP audits completed	1				1
Number of Employee Engagement Surveys Completed	1				1
Percentage of Workplace Skills Plan implemented	100%	25%	25%	25%	25%

#### 9.1.3.1 Explanation of Planned Performance over the Medium-Term Period

In alignment with the seven (7) national priorities, the sub-programme must contribute to the following national priorities(s) through its outcomes:

- economic transformation and job creation.

The contribution must happen through the Graduate Development Programme which the Authority has been implementing since 2014/15 financial year.

At the organizational outcomes level, the sub-programme's yearly outputs must contribute to the *organisational service delivery maintained* outcome outlined in the Authority's Strategic Plan 2020/21 – 2024/25.

The Authority's human capital forms a centripetal part to its capacity to deliver on its policy and legislative mandates; and ensure the Authority makes a meaningful contribution to government priorities. Staff vacancy must be at minimum levels, staff must be trained to keep abreast of international thinking in their respective fields of expertise, there must be compliance with necessary human resources industry norms and standards, government policy and legislative prescripts and staff morale must always be at a level that necessitates productivity.

While the Authority has maintained a well-skilled complement of staff that has given it capacity to implement its long-term strategic direction, there is always room for improvement. Therefore, the Authority has set itself a seven percent (7%) vacancy rate target in the 2021/22 financial year. It plans to maintain the seven percent (7%) vacancy rate over the medium-term period. The rationale for maintaining the vacancy rate is to ensure that the Authority does not lose the current crop of qualified talent so that it can continue to fulfil its mandate.

The South African Board of Personnel Practitioners (SABPP) is the professional body for HR practitioners in South Africa. It audits HR practices. The SABPP has developed 13 HR Management Standards. It audited the Authority's HR processes in 2018 against the standards. They found eight of Authority's processes compliant with the standards, and five did not reach the 60% minimum threshold. They requested the Authority to prioritise updating its human resources and organisational development strategies; These two strategies will form a foundation for full compliance with the SABPP standards. The Authority plans to invite SABPP for a re-audit of its human resources processes and procedures to determine the Authority's level of compliance with the SABPP norms and standards. Based on the results of the audit in the year of planning, one audit per year will be done over the medium-term period.

The purpose of the employee engagement surveys is to benchmark and monitor employee attitudes and commitment level towards the Authority, leadership, their roles, and the different stakeholders they serve - to find out the factors that drive employees to perform at their best. These surveys' data measure employee engagement, identify specific drivers of employee engagement at the Authority, provide report results through team lenses, and provide actionable results and supporting tools to create an environment that empowers employees to be responsive and engaged within the Authority.

The Authority completed one engagement survey in the 2020/21 financial year. One further engagement survey was completed in the 2021/22 financial year. The Authority plans to continue to do one engagement survey per year over the remainder of the medium-term period.

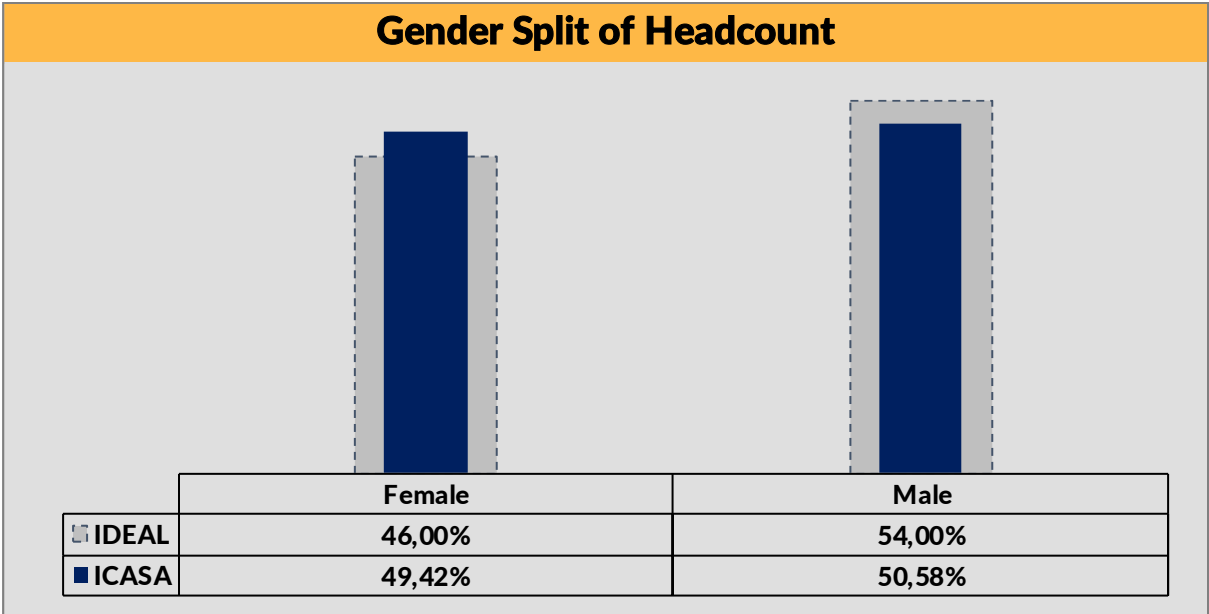
The Workplace Skills Plan and Annual Training Report (WSP & ATR) are a requirement of Media, Information and Communication Technologies (MICT) Seta, which the Authority affiliated. Compliance with the MICT Seta requirements enables the Authority to provide occupationally directed learning activities to enhance the knowledge, practical skills and work experience of individuals and teams based on current and future occupational requirements to drive optimal organisational performance. In 2021/22, the sub-programme submitted the Authority's Workplace Skills Plan and Annual Training Report to MICT Seta. These submissions lay a foundation for implementation of the Authority's Workplace Skills Plan in 2022/23 financial year going into and over the medium-term period.

Redress of imbalances of the past forms the cornerstone of the country's democracy. It finds pronouncement in different forms of legislation that government has put in place for implementation across all its three spheres. While noticeable progress has been made on implementation, the previously disadvantaged groups, women, youth and persons with disability continue to lack behind in gaining parity with the rest of the South African society.

In compliance with the Employment Equity Act, the Authority plans to continue to

ensure women are represented in its professional staff structures to share the opportunities for career development and growth equitably. Consequently, ICASA has developed its strategic employment equity plan, which details the vacancies for which ICASA will advertise or fill positions with an inclination towards equity.

The Authority further believes that the demographics of South Africa represent the population we serve and inspire confidence in our stakeholders. The Authority is also committed to a policy of non-discrimination in recruitment, promotion and training. Applicants with disabilities who meet the criteria will be given preferential consideration in line with Section 6(1) of the Employment Equity Act No. 55 of 1998 (as amended). The graph below shows the Authority’s gender split status.



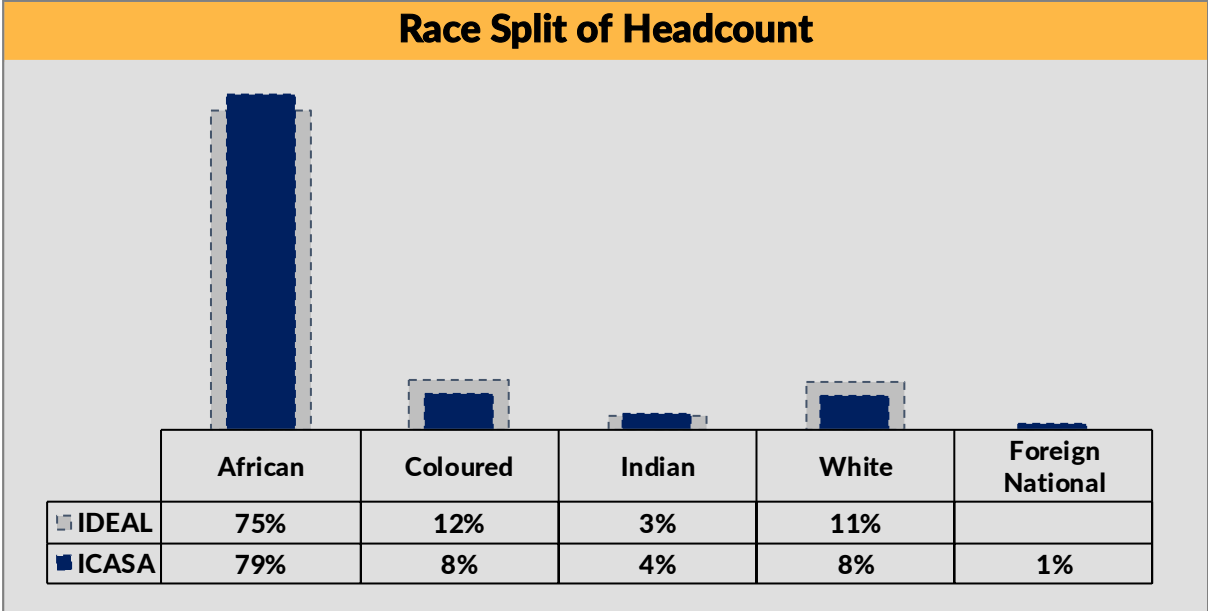
The graph shows that the Authority has exceeded the 46% headcount target aligned to the economically active population of South Africa. Women also occupy senior positions critical to the Authority's strategic goals and the service delivery mandate. Of the seven (7) Council members in office two (2) are women. The Executive Committee consists of eight (8) members. Four (4) of them are women giving the Authority a 50/50 ratio of women to men among its Executive Management.

The sub-programme plans to assist the Authority to maintain the current gender split and improve it further over the medium-term period. As opposed to having specific output targets, preferential recruitment of women and their consideration in positions of leadership will continue to be done and mainstreamed as a manner



of doing things in the management of the Authority’s human capital.

Race was thee one axis of discrimination in South Africa during the apartheid period. The graph below presents the Authority’s race split during the year of planning.



The sub-programme plans to maintain the Authority status where it has exceeded the national ideal statistical figures and improve it further in the year of planning. Where the current statistical figures are below the national ideal, the sub-programme plans to improve the situation to bring it at par with the national ideal over the medium-term period. The intention will be implemented as *a manner of doing things* across the board as opposed to having a specific output with targets. However, every year, an analysis will be done to determine progress being made.

The Authority is in tandem with the nation in recognising the importance of youth and the role they can play in contributing to the national effort of socio-economic development that aims to ensure a better life for all. To this end, the Authority initiated a graduate development programme in 2015 to give employment opportunities to young graduates who need experience that is always required when they enter the world of work. The recruited graduates stay in the Authority for a two-year period, after which they can use the experience, they have gained to seek long-term employment within or outside the Authority. Since 2014, three cohorts of graduates who completed the programme have either found long-term

employment within or outside the Authority.

Based on the success the graduate development programme has made thus far, the sub-programme made a fourth intake of a cohort of graduates in 2020/21 financial year whose two-year stay with the Authority ended in 2021/22 financial year and plans to make a fifth intake over the medium period.

Persons with disability form an unignorable sect of the country's society. Cognisant, the Authority has always made it its policy to ensure that persons with disability are judged on the basis of their ability than their physical impairment. The Authority has a Council consumer advisory panel which it reconstitutes every two years, some of the members of the panel are persons with disability. One of the advisories that the panel put forward to the Authority's Council is development of ICT regulations that take cognisance of persons with disability. The panel also advised Council to develop regulations that will ensure that telecommunications service providers make room for development of communication devices that are suitable for use by persons with disability. The Authority plans to continue discussions with the panel in order to make their advisory a reality over the medium-term period.

The initiatives that the Authority plans to implement through the sub-programme will contribute to national priorities on women, youth and persons with disabilities over the medium-term period as reflected in the GRPBMEA whose goal is to achieve gender equality and the full realisation of the rights of women and girls, men and boys.

#### **9.1.4 Sub-Programme: Internal Audit**

**Purpose:** To provide reasonable assurance to Audit, Risk, Ethics and Disclosures Committee (AREDC) and management by evaluating the adequacy and effectiveness of the governance, risk management and internal control processes.

### **Outcomes, Outputs, Performance Indicators and Targets**

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Organisational service delivery maintained	Assurance provided	Level of assurance provided	-	-	Level 4	Level 4	Level 4	Level 4	Level 4
Organisational service delivery maintained	Consulting assignments completed	Number of consulting assignments completed	4	4	21	4	4	4	4

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Level of assurance provided	Level 4	Level 1	Level 2	Level 3	Level 4
Number of consulting assignments completed	4	1	2	3	4

#### 9.1.4.1 Explanation of Planned Performance over the Medium-Term Period

The National Treasury Internal Audit Framework of 2009 2<sup>nd</sup> edition establishes "a minimum guideline for the development and operation of internal auditing in the Public Service" [p.1]. It ascertains compliance with the Constitution of South Africa, the Public Finance Management Act (PFMA) and Treasury Regulations, the Institute of Internal Auditors International Standards for Professional Practice of Internal Auditing and COSO framework on internal control as well as risk management framework.

Assurance to the AREDC and management on the effectiveness of governance, risk management and internal control processes enables management to make informed strategic decisions on the achievement of the Authority's outputs and outcomes.

The assurance will similarly indicate whether both inherent and residual risks are managed within the acceptable risk appetite.

The consulting engagements in the form of project involvement and ad hoc reviews will assist management in understanding risks and implementing controls in a proactive manner to enable effective management thereof. During the 2019/20 financial year, Internal Audit had included value added activities like the Risk Control Self- Assessment, Combined Assurance facilitation and Continuous Monitoring to assist management in understanding risks and implementing

controls in the Regions in a pro-active manner, align to good governance practices and enable an acceptable control environment for the Authority. However, since the 2020/21 financial year, these value-added activities have been excluded as Internal Audit resources are utilised in assurance and consulting activities where control weakness were repeatedly raised by the Auditor General in prior audit reports. The efforts by Internal Audit in the value-added activities now remains with management to adopt and continue henceforth as these are typical Risk Management activities.

The sub-programme plans to continue offering assurance to the Authority at level 4 in the year of planning and over the medium-term period. It also plans to continue to execute four (4) consulting assignments per year over the medium-term period.

**9.1.5 Sub-Programme: Legal Risk & CCC**

**Purpose:** The Legal, Risk and Complaints and Compliance Committee sub-programme’s primary role is to safeguard the Authority’s interests and to ensure that all its actions and decisions are legally compliant with the Constitution, enabling legislation and other applicable laws. The ICASA Act provides that the actions, findings or decisions of the Authority are subject to judicial review. The sub-Programme advises the Authority and ensures that the Authority is properly represented in judicial reviews. The sub-Programme also promotes good governance through ensuring effective risk management, including fraud risk management; regulatory compliance and business continuity.

The sub-programme also supports the Complaints and Compliance Committee (CCC) in discharging its mandate as prescribed in terms of the ECA and the ICASA Act.

**Outcomes, Outputs, Performance Indicators and Targets**

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited / Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Organisational service delivery maintained	Legal services provided to client within SLA turnaround times	Percentage of legal services provided to client within SLA	75%	85%	95%	80%	80%	80%	80%

		turnaround times							
Organisational service delivery maintained	Risk maturity of the organisation	Risk maturity level of the organisation	Level 2	Level 3	Level 3	Level 3	Level 3	Level 3	Level 4
Organisational service delivery maintained	Compliance maturity of the organisation	Compliance maturity level of the organisation	Level 2	Level 2	Level 2	Level 3	Level 3	Level 3	Level 4
Organisational service delivery maintained	Cases assessed for adjudication by the Complaints and Compliance Committee (CCC)	Percentage of cases assessed for adjudication by the CCC in accordance with the CCC Handbook	100%	100%	100%	90%	90%	90%	90%

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of legal services provided to client within SLA turnaround times	80%	80%	80%	80%	80%
Risk maturity level of the organisation	Level 3				Level 3
Compliance maturity level of the organisation	Level 3				Level 3
Percentage of cases assessed for adjudication by the CCC in accordance with the CCC Handbook	90%	90%	90%	90%	90%

#### 9.1.5.1 Explanation of Planned Performance over the Medium-Term Period

The sub-programme outputs must contribute to the *organizational service delivery maintained* outcome as stated in the Authority Strategic Plan 2020/21 – 2024/25.

Legal services provided to client (i.e. the Authority’s business units, Council, Council Committees etc.) include legal advice, the drafting and vetting of regulations, regulatory documents<sup>20</sup>, contracts, policies; provision of legal opinions as well as management of litigation. The provision of legal services ensures that the Authority executes its mandate within the prescribed legislative framework. The management of litigation ensures that the Authority is properly represented in legal actions.

Legal services provided to client, within the SLA turnaround times, assists the

<sup>20</sup> This may include Explanatory Memorandums, Reasons documents, Memorandums of Understanding with other regulatory institutions, etc.

Authority in finalizing its deliverables within the projected timelines.

Through improved risk maturity, the Authority's outcomes are likely to be achieved. As a risk maturing organisation, the Authority continues to implement risk action plans to manage risks that have been identified and assessed, which might hinder the achievements of outcomes. Without improved risk maturity level, the organization's risk management efforts will be of little value towards the achievement of outputs and the outcomes.

Adherence to the compliance obligations relevant to the Authority is a mandatory requirement which is managed through the LRCCC sub-programme. This includes compliance to applicable requirements set out in statutory, regulatory and supervisory requirements, as well as relevant industry and general codes, requirements and best practice guidelines (collectively) that the Authority subscribes to. Through implementation of compliance programme, the Authority prevents (and reduces) non-compliance with relevant prescripts and contribute towards achievement of outcomes.

Adjudication of cases ensures that the industry is compliant with the legislation governing the ICT industry. The CCC, as an enforcement arm of the Authority, must ensure that the sector is compliant with the applicable legislation that governs the industry. This guarantees that the Authority achieves its mandate, which is to regulate in the public interest and primarily to protect consumer rights (with specific emphasis on women, children and people living with disabilities).

Assessing cases for adjudication by the CCC within the SLA turnaround times assists the Authority to resolve complaints expeditiously.

In the year of planning and over the medium-term period, the sub-programme will continue to offer the services that it has been offering the Authority since the 2018/19 financial year to support the Authority's Programmes, Council and Council Committees.

## **9.2 Programme 2: Licensing and Compliance**

**Purpose:** To issue, renew, amend, and transfer broadcasting service, electronic communications service, electronic communications network service, postal service, and radio frequency spectrum licenses; authorize use of numbering and other scarce resources; grant equipment type approval; authorize channels as well

as licence exemptions for the purposes of facilitating socio-economic development and promotion of competition. This Programme also monitors compliance by licensees with licence terms and conditions, the requirements of the enabling legislation and underlying regulations.

In alignment with the seven (7) national priorities, the programme is required to contribute to the following two national priorities through its outcomes:

- social cohesion and safe communities, and
- economic transformation and job creation.

At the organisational outcomes level, the programmes outputs must contribute to access to quality broadband services increase and promotion of competition in the ICT sector.

**Outcomes, Outputs, Performance Indicators and Targets**

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Access to quality broadband services increased	Process to issue radio frequency spectrum licences to successful bidders from the IMT Spectrum Auction completed	Percentage of the process to issue radio frequency spectrum licences to successful bidders from the IMT Spectrum Auction completed	-	10%	90%	100%	100%	No Target	No Target
Competition in the ICT Sector promoted	Process to review the Numbering Plan Regulations	Percentage of the process to review the Numbering Plan Regulations completed	-	-	-	50%	100%	No Target	No Target
Competition in the ICT Sector promoted	Process to amend Standard Terms and Conditions Regulations for Individual Licences	Percentage of the process to amend the Standard Terms and Conditions Regulations for Individual Licences completed	-	-	-	50%	100%	No Target	No Target
Competition in the ICT Sector Promoted	Process to amend Processes and Procedures Regulations for Individual Licences	Percentage of the process to amend Processes and Procedures Regulations for Individual Licences completed	-	-	-	50%	100%	No Target	No Target
Status of Social Cohesion (inclusive of Diversity)	Process on the Licensing of digital community television	Percentage of the process to license digital community television	-	-	-	-	50%	100%	No Target

of Views) enhanced	broadcasting services on MUX 1 completed	broadcasting services on MUX 1 completed							
Competition in the ICT Sector Promoted	Process to develop a benchmarking report in respect of the licensing of a Wireless Open Access Network Operator	Percentage of the process to develop a benchmarking report in respect of the licensing of a Wireless Open Access Network Operator	-				100%	No Target	No Target
Status of Social Cohesion (inclusive of diversity of views) enhanced	Process to Licence Community Sound Broadcasting Services completed	Percentage of the process to licence Community Sound Broadcasting Services completed	-	-	-	50%	100%	No Target	No Target
Status of Social Cohesion (inclusive of diversity of views) enhanced	Process to Monitor 2021 Municipal Elections Coverage completed	Percentage of the process to monitor the 2021 Municipal Elections Coverage completed	-	-	-	50%	100%	No Target	No Target

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of the process to issue radio frequency spectrum licences to successful bidders from the IMT Spectrum Auction completed	100%	100%	-	-	-
Percentage of the process to review the Numbering Plan Regulations completed	100%	-	75%	-	100%
Percentage of the process to amend the Standard Terms and Conditions Regulations for Individual Licences completed	100%	-	75%	-	100%
Percentage of the process to amend Processes and Procedures Regulations for Individual Licences completed	100%	-	75%	-	100%
Percentage of the process to licence digital community television broadcasting services on MUX 1 completed	50%	25%	-	-	50%



Percentage of the process to develop a benchmarking report in respect of the licensing of a Wireless Open Access Network Operator	100%	-	50%	-	100%
Percentage of the process to licence Community Sound Broadcasting Services completed	100%	-	50%	-	100%
Percentage of the process to monitor the 2021 Municipal Elections Coverage completed	100%	-	75%	-	100%

### 9.2.1 Explanation of Planned Performance over the Medium-Term Period

South Africa's demand for electronic communications services – by extension electronic communications devices and access to spectrum – continues to grow as the country moves towards realizing the ideals of universal service and access to ICT services in terms of the vision set out in the National Development Plan.

The Authority's mandate requires it to regulate broadcasting, electronic communications, and spectrum in the public interest whilst promoting a plurality of views. This is achieved by ensuring that bottlenecks and barriers to entry are mitigated by having a simple but efficient licensing framework. The Authority also seeks to ensure that its licensing and authorization regime is adequate to protect consumers from poor quality devices and/or spectrum interference whilst facilitating access.

The outputs planned by the Programme for the 2020/21 – 2022/23 period seek to (i) streamline the Authority's licensing processes; (ii) reduce regulatory burden with respect to the authorization of electronic communications devices; (iii) release spectrum for the provision of broadband services; and (iv) promote competition in the ICT sector.

Finally, in fulfilment of its mandate to promote universal service and access to broadband services, the Programme will finalise specifications for connectivity of TVET campuses to broadband services.

Delivery of the above planned outputs will come to an end by the end of the year

of planning. New projects, with new outputs and indicators will be developed in the 2023/24 financial year and for the rest of the medium-term period. The new outputs will be based on the next logical steps that would need to be undertaken for the Authority to continue to contribute to its outcomes.

### 9.3 Programme 3: Policy Research and Analysis

**Purpose:** To conduct research and policy analysis into all the regulatory sectors in line with the mandate of the Authority.

In alignment with the seven (7) national priorities, the programme must contribute to the national priority *economic transformation and job creation* through its promotion of competition in the ICT sector outcome delivery.

#### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Rights of Consumers Protected.	SAPO tariffs analysis report	Number of SAPO tariffs analysis reports approved	1	1	1	1	1	1	1
Rights of Consumers Protected	Discussion document on the Conveyance of Mail	Number of discussion documents on the Conveyance of Mail produced	-	-	-	-	1	1	1
Rights of Consumers Protected	Assessment of Regulated Financial Statements (RFS)	Number of SAPO Regulation Financial Statements assessed	-	-	-	-	1	1	1
Rights of Consumers Protected.	Regulation relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting service	Number of regulations relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting service developed	-	1	1	1	0.75	1	No Target
Rights of Consumers Protected.	Bi-annual tariff analysis reports	Number of bi-annual tariff analysis reports produced	2	2	2	2	2	2	2
Competition in the ICT Sector Promoted	Findings document on subscription television broadcasting market	Number of findings documents on subscription television broadcasting market developed	1	1	1	1	1	1	No Target
Competition in the ICT Sector Promoted	Findings documents on Signal Distribution Services	Number of findings documents on Signal Distribution Services produced	-	-	-	1	1	No Target	No Target

Competition in the ICT Sector Promoted	Regulations on Call Termination	Number of regulations on Call Termination developed	1			1	1	No Target	No Target
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### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Number of SAPO tariffs analysis reports approved	1			0.50	1
Number of discussion documents on the Conveyance of Mail approved	1	0.25	0.50	0.75	1
Number of SAPO Regulation Financial Statements assessed	1	0.33		0.66	1
Number of regulations relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting service developed	0.75	0.25		0.50	0.75
Number of bi-annual tariff analysis reports produced	2		1		1
Number of findings documents on subscription television broadcasting market developed	1				1
Number of findings documents on Signal Distribution Services produced	1	0.25	0.50	1	No Target
Number of regulations on Call Termination developed	1	0.25	0.50	0.75	1

#### 9.3.1 Explanation of Planned Performance over the Medium-Term Period

The Programme plans to deliver five (5) outputs in the 2022/23 financial year to *protect the rights of consumers*, three (3) of the planned outputs are aimed at addressing mainly postal services, one (1) planned output is aimed at broadcasting services and one (1) planned output addresses telecommunication retail tariffs.

The SAPO Tariffs Analysis project aims to protect the rights of consumers by ensuring affordable postal services in the reserved postal services market by regulating and monitoring prices charged by SAPO in each financial year.

The regulations relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting service project is aimed at protecting viewers from both excessive advertisements in programming and from surreptitious advertising. Furthermore, it is to ensure that viewers can make a distinction between editorial content<sup>21</sup> and advertising and to ensure that undue prominence is not (unlawfully or unfairly) given to a product, service or trademark during broadcasts.

<sup>21</sup> Editorial content is content intended to inform, educate or entertain and is not created to attempt to sell something

The bi-annual tariff analysis reports project seeks to promote the transparency of telecommunications tariffs charged by licensed operators to assist consumers to shop for better deals.

Discussion Document on the Conveyance of mail project seeks to review the regulations regarding the Conveyance of Mail, 2009. The review of the regulations on the Conveyance of Mail will assess the effectiveness of Regulations in dealing with current consumer issues.

The assessment of SAPO's regulated financial statements (RFS) project seeks to assess SAPO Operators Procedure Manual (OPM) and SAPO (RFS) in accordance with Accounting Separation Regulations, 2011. The project aims to determine the financial status of SAPO through the assessment of financial information in respect to revenue, cost structure, expenditure, and profits. The project will assist in the assessment of, *inter alia*, the following:

- Provision of reserved postal services to consumers
- Cross-subsidisation activities
- Pricing/Costing of reserved postal services

*To promote competition*, the Programme plans to deliver three (3) outputs in the 2022/23 financial year.

The subscription broadcasting television services output will enable the Authority to understand the factors that may have contributed to new subscription broadcasting service licensees' inability to gain traction in the market in terms of attracting subscribers and launching their services. To create an enabling environment for effective competition, the Authority may impose pro-competitive terms and conditions on licensee(s) who have SMP and/or remove any regulatory barriers to entry.

The Findings documents on Signal Distribution Services output will provide information on the competitive landscape in the wholesale signal distribution market. Signal distribution services are an important input especially for the provision of broadcasting services.

The Regulations on Call Termination output will assist in the review of the 2018 call termination regulations. The 2018 call termination rates glide path was due for review in September 2021. The regulation of inter-operator call termination rates is important to promote effective competition between operators. The reduction in the call termination rates benefits the consumers as the lower rates are passed on through lower voice call rates.

Delivery of two of the outputs will end during the 2023/24 financial year and two more will end during the 2022/23 financial year. What will flow after their delivery will require new indicators and targets to be developed in the relevant years in which they will commence during the medium-term period.

**9.4 Programme 4: Engineering and Technology**

**Purpose:** To develop, coordinate and manage the regulatory framework for management of radio frequency spectrum including development of equipment technical standards and representing ICASA at international regulatory forums. Among the seven (7) national priorities, the programme must contribute to:

- economic transformation and job creation.

**Outcomes, Outputs, Performance Indicators and Targets**

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Access to quality broadband Services Increased	Radio Frequency Migration plan implemented	Percentage of Radio Frequency Migration plan implemented	-	-	-	50%	100%	No Target	No target
Access to quality broadband Services Increased	IMT roadmap implemented	Percentage of IMT roadmap implemented	-	-	-	75%	100%	No Target	No Target
Access to quality broadband Services Increased	Monitoring Report on the impact of the 5G deployment in the ICT sector in South Africa produced	Number of reports on the monitoring of the impact of the 5G deployment in the ICT sector in South Africa produced	1	1	2	1	1	1	1

Status of Social Cohesion (inclusive of diversity of views) enhanced	Position Paper for Optimisation of the Frequency Modulation Sound Broadcasting produced	Number of Position Papers for Optimisation of the Frequency Modulation Sound Broadcasting produced	-	-	-	1	1	No Target	No Target
Access to quality broadband Services Increased	Discussion Document on Dynamic Spectrum Access and Opportunistic Spectrum Management produced	Number of Discussion Documents on Dynamic Spectrum Access and Opportunistic Spectrum Management produced	-	-	-	-	1	No Target	No Target
Rights of consumers protected	Provinces monitored for Quality of service	Number of provinces monitored for Quality of Service			4	6	7	8	9
Rights of consumers protected	Regulations on Rapid Deployment as required under Chapter 4 of the ECA produced	Number of Regulations on Rapid Deployment as required under Chapter 4 of the ECA produced	-	-	-	1 <sup>22</sup>	0.5	1	No Target
Rights of consumers protected	Amended Regulations on End-User and Subscriber Service Charter produced	Number of Amended Regulations on End-User and Subscriber Service Charter produced	-	-	-	-	1	No Target	No Target

## Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of Radio Frequency Migration Plan Implemented	100%		75%		100%
Percentage of IMT roadmap Implemented	100%				100%
Number of reports on the monitoring of the impact of the 5G deployment in the ICT sector in South Africa produced	1				1
Number of Position Papers for Optimisation of the Frequency Modulation Sound Broadcasting produced	1				1

<sup>22</sup>The Draft Regulations on Rapid Deployment as required under Chapter 4 of ECA was not produced during 2021-22 FY due to Policy and Policy Direction not been finalised by the Minister as contemplated in Chapter 4 of ECA. Policy and Policy Directions should precede the development of the Regulations on Rapid Deployment under Chapter 4 of ECA. The target for 2021-22 was one Draft Regulations. The output and indicator is corrected for MTEF period to state the draft regulation been finalised during 2022-23 FY as 0.5 and Final regulations developed in 2023-24 as 1.

Number of Discussion Documents on Dynamic Spectrum Access and Opportunistic Spectrum Management produced	1				1
Number of provinces monitored for Quality of Service	7	1	2	2	2
Number of Regulations on Rapid Deployment as required under Chapter 4 of the ECA produced	0.5				0.5
Number of Amended Regulations on End-User and Subscriber Service Charter produced	1				1

#### **9.4.1 Explanation of Planned Performance over the Medium-Term Period**

The outputs listed below that the Programme has planned to deliver in the year of planning and the Medium-Term Period must contribute to South Africa's *access to quality broadband services* outcome:

- Frequency Migration Plan implemented,
- IMT Road Map implemented,
- Optimisation of the Frequency Modulation Sound Broadcasting,
- Monitoring reports on the impact of the 5G deployment in the ICT sector in South Africa,
- Framework on Dynamic Spectrum Access.

The Frequency Migration Plan governs the migration of the services identified in the National Radio Frequency Plan (NRFP). This process is followed to avail the identified broadband spectrum including IMT allocated spectrum in the IMT roadmap. The availability of broadband services to the entire population of South Africa will drive active participation in the digital economy as envisaged by the Fourth Industrial Revolution which will be enabled by 5G technology.

Delivery of planned outputs for implementations of both the Frequency Migration Plan 2019 and IMT Roadmap 2019 will be completed in 2022/23 financial year. New outputs and indicators will be developed commencing 2023-24 FY for development of the 2023 Frequency Migration Plan and development of the 2023 IMT Roadmap based on the National Radio Frequency Plan 2021. The implementation that is to be completed in 2022/23 FY is for the Radio Frequency Migration Plan 2019. Therefore, development of the new Radio Frequency Plan will commence in 2023/24 financial year and a new indicator and target will be developed for it.

Once the Frequency Migration Plan 2019 and IMT Roadmap 2019 have been implemented during 2022-23 FY, the Authority will initiate the Spectrum Licensing Process in accordance with the Radio Frequency Spectrum Assignment Plans developed as part of the implementation of Frequency Migration Plan 2019 and IMT Roadmap 2019, and in line with the Radio Frequency Spectrum Regulations 2015.

The Spectrum Licensing process will continue in the 2023-24 FY for Standard Application and Extended Application Processeses will extend beyond 2022-23 FY.

Optimisation of the Frequency Modulation Sound Broadcasting aims to optimise the sound broadcasting plan with the view of re-planning the terrestrial broadcasting frequency plan 2013 in accordance with the re-planning process of the Geneva 84 plan regarding FM. The planned output for the 2022-23 FY is a Position Paper on Optimisation of the Frequency Modulation Sound Broadcasting.

The 2023/24 financial year will see the commencement of the process to update the Terrestrial Broadcasting Frequency Band by the Authority taking into consideration the outcome of the FM Optimisation process which ends in 2022/23 financial year. As a result, a new indicator and target will be developed in 2023/24 financial year to allow monitoring of progress.

5G services now widely available, and mobile 5G deployments under way in all regions, operators, service providers and users alike are facing the early phase of massive 5G adoption. The aim is to perform an impact analysis on the early phase of the deployment and experiences. Therefore, provide a monitoring report to assist with future recommendations.

The Dynamic Spectrum Access aims to develop the framework for the second phase of Dynamic Spectrum Access and Opportunistic Spectrum Management. The first phase was the framework for the Television White Spaces (TVWS), which has been developed and implemented. The second phase is looking into introducing Dynamic Spectrum Access beyond the TVWS bands.

Delivery of the Discussion Document on Dynamic Spectrum Access and Opportunistic Spectrum Management output will happen in 2022/23 financial year. In 2023/24 financial year, the Programme plans to deliver a findings document on



Dynamic Spectrum Access and Opportunistic Spectrum Management for Bands beyond Broadcasting Bands. A new indicator will be developed to measure progress in delivering the output. In 2024-25 financial year, Draft Regulations on Dynamic Spectrum Access and Opportunistic Spectrum Management for Bands beyond Broadcasting Bands will be developed. A new indicator will be developed to measure progress in delivering the output.

In line with government's district-based coordination delivery model the Programme will ensure that the priority districts are accommodated in the execution of quarterly quality of service monitoring assessments which will be undertaken through drive tests during the 2022/23FY.

The development of Rapid Deployment Regulations for Electronic Communications Networks and Electronic Communications Facilities ("the Regulations") will support speedy access to Electronic Communications services by the consumers. The Regulations will be promulgated in line with Policy and Policy Directions on Rapid Development of Electronic Communications and Electronic Communications Facilities to be issued by the Minister of Communications and Digital Technologies. The Authority aims to finalise the Draft Regulations during the 2022/23 FY and the Final Regulation finalised during 2023-24 FY. The Authority will commence implementing the regulations during 2024-25 FY onward, including monitoring compliance of the regulations by affected stakeholders/licensees.

The Amendment of "End-user service charter regulations of 2016" will focus on the review and updating of current Chapter 8 (A, B and C) and Chapter 12 on Quality of Service (QoS) parameters and others. Chapter 8 deals with roll-over/transfer of voice, SMS and data. Chapter 12 deals with additions of data measurements parameters. The amendment process is scheduled to be completed in the 2022/23FY. Once the amended regulations have been gazetted, the Authority will commence monitoring compliance with the regulations by the licensees.

The Programme plans to continue to monitor the quality of service provided by the operators in provinces over the medium-term period.

## 9.5 Programme 5: Regions and Consumer Affairs

**Purpose:** To enable unimpeded national provision of electronic communications, broadcasting and postal services through compliance monitoring and enforcement.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Rights of consumers protected	Reported Radio Frequency interference cases resolved in 30 working days	Percentage of reported Radio Frequency interference cases resolved in 30 working days	100%	96%	96%	97%	97%	98%	98%
Maintained organisational service delivery	Processed licence applications / registrations within turn-around time	Level of service delivery with respect to Licence applications / registrations processed within turn-around time	-	-	Level 1	Level 2	Level 2	Level 3	Level 4
Rights of consumers protected	Consumer complaints resolved	Percentage of consumer complaints resolved	85%	85%	86%	87%	87%	88%	89%
Rights of consumers protected	Consumer Advisories provided to ICASA by the Consumer Advisory Panel	Number of Advisories provided to ICASA by the Consumer Advisory Panel	1	1	1	1	1	1	1

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of reported Radio Frequency interference cases resolved in 30 working days	97%	97%	97%	97%	97%
Level of service delivery with respect to Licence applications / registrations processed within turn-around time	Level 2	Level 2	Level 2	Level 2	Level 2
Percentage of Consumer complaints resolved	87%	50%	60%	70%	87%
Number of Advisories provided to ICASA by the Consumer Advisory Panel	1	-	-	-	1

### **9.5.1 Explanation of Planned Performance over the Medium-Term Period**

The Authority's mandate requires it to regulate in the interest of all South African consumers including women, children and people with disabilities and protect them against harmful business practices by licensees and illegal operators within the sector.

This is achieved by ensuring that the resolution of reported cases of interference is done in an efficient and effective manner and conducting of inspections on licensees to ensure that they adhere to consumer protection regulations.

During this medium-term period, in line with government's district-based coordination delivery model the Programme will prioritise the relevant districts as identified in executing all its outputs.

## **10. Programme Resources Considerations**

In terms of section 15 of the ICASA Act, the Authority is financed from funds appropriated by Parliament. To this end, 96.3% of the Authority's revenue over the medium term is derived via transfers (grants) from the DCDT and 3.7% is generated from interest earned from short-term investments. Grant allocation is expected to increase from R769.4 million in 2022/23 to R495.2 million in 2024/25, at an average annual rate of 5.8%. Tables 7, 8 and 9 below outlines the Authority's projected revenues, expenditure estimates and overall financial position for the ENE period.

## Table 6: Financial Performance

Financial Performance									
Revenue	2021/22	2022/23	2023/24	2024/25	Trend	2022/23	2023/24	2024/25	Ave Ann
Tax revenue	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Sale of goods and services other than capital assets	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Other non-tax revenue	16 084	-	17 511	18 297		-100,0%	0,0%	4,5%	4,4%
Transfers received	508 190	769 431	473 947	495 232		51,4%	-36,4%	4,5%	-0,9%
<b>Total</b>	<b>524 274</b>	<b>769 431</b>	<b>491 458</b>	<b>513 529</b>		<b>46,8%</b>	<b>-36,1%</b>	<b>4,5%</b>	<b>-0,7%</b>
<b>Composition of revenue (% of Total)</b>									
Tax revenue	0,0%	0,0%	0,0%	0,0%					
Sale of goods and services other than capital assets	0,0%	0,0%	0,0%	0,0%					
Other non-tax revenue	3,1%	0,0%	3,6%	3,6%					
Transfers received	96,9%	100,0%	96,4%	96,4%					
<b>Expenses</b>									
Compensation of employees	354 013	368 988	374 992	390 828		4,2%	1,6%	4,2%	3,4%
Goods and services	151 718	379 030	95 101	100 331		149,8%	-74,9%	5,5%	-12,9%
Depreciation	18 543	21 412	21 365	22 370		15,5%	-0,2%	4,7%	6,5%
Interest, dividends and rent on land	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Transfers and subsidies	-	-	-	-		0,0%	0,0%	0,0%	0,0%
<b>Total</b>	<b>524 274</b>	<b>769 431</b>	<b>491 458</b>	<b>513 529</b>		<b>46,8%</b>	<b>-36,1%</b>	<b>4,5%</b>	<b>-0,7%</b>
<b>Composition of expenses (% of Total)</b>									
Compensation of employees	67,5%	48,0%	76,3%	76,1%					
Goods and services	28,9%	49,3%	19,4%	19,5%					
Depreciation	3,5%	2,8%	4,3%	4,4%					
Interest, dividends and rent on land	0,0%	0,0%	0,0%	0,0%					
Transfers and subsidies	0,0%	0,0%	0,0%	0,0%					
<b>Consolidation</b>									
Receipts	2021/22	2022/23	2023/24	2024/25	Trend	2022/23	2023/24	2024/25	Ave Ann
Tax receipts	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Sales of goods and services other than capital assets	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Transfers received	508 190	769 431	473 947	495 232		51,4%	-36,4%	4,5%	-0,9%
Fines, penalties and forfeits	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Interest and rent on land	16 084	16 765	17 511	18 297		4,2%	4,5%	4,5%	4,4%
Sales of capital assets	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Financial transactions in assets and liabilities	695	724	757	791		4,2%	4,5%	4,5%	4,4%
<b>Total</b>	<b>524 969</b>	<b>786 920</b>	<b>492 214</b>	<b>514 319</b>		<b>49,9%</b>	<b>-37,5%</b>	<b>4,5%</b>	<b>-0,7%</b>
<b>Composition of revenue (% of Total)</b>									
Tax receipts	0,0%	0,0%	0,0%	0,0%					
Sales of goods and services other than capital assets	0,0%	0,0%	0,0%	0,0%					
Transfers received	96,8%	97,8%	96,3%	96,3%					
Fines, penalties and forfeits	0,0%	0,0%	0,0%	0,0%					
Interest and rent on land	3,1%	2,1%	3,6%	3,6%					
Sales of capital assets	0,0%	0,0%	0,0%	0,0%					
Financial transactions in assets and liabilities	0,1%	0,1%	0,2%	0,2%					
<b>Expenditure</b>									
Compensation of employees	354 206	369 189	385 618	402 932		4,2%	4,5%	4,5%	4,4%
Goods and services	229 892	239 616	250 279	261 516		4,2%	4,5%	4,5%	4,4%
Interest and rent on land	6	6	7	7		4,2%	4,5%	4,5%	4,4%
Transfers and subsidies	-	-	-	-		0,0%	0,0%	0,0%	0,0%
Payments for capital assets	57 700	60 141	62 817	65 637		4,2%	4,5%	4,5%	4,4%
Payments for financial assets	-	-	-	-		0,0%	0,0%	0,0%	0,0%
<b>Total</b>	<b>641 804</b>	<b>668 952</b>	<b>698 720</b>	<b>730 093</b>		<b>4,2%</b>	<b>4,5%</b>	<b>4,5%</b>	<b>4,4%</b>
<b>Composition of spending (% of Total)</b>									
Compensation of employees	55,2%	55,2%	55,2%	55,2%					
Goods and services	35,8%	35,8%	35,8%	35,8%					
Interest and rent on land	0,0%	0,0%	0,0%	0,0%					
Transfers and subsidies	0,0%	0,0%	0,0%	0,0%					
Payments for capital assets	9,0%	9,0%	9,0%	9,0%					
Payments for financial assets	0,0%	0,0%	0,0%	0,0%					

Source: 2022 ENE

## Table 7: Expenditure Estimates

	2022/23	2023/24	2024/25
	Revised budget estimate	Revised budget estimate	Planning budget estimate
<b>Rand thousand</b>			
<b>Objective/Activity</b>			
Administration	306 524	241 194	251 870
Licensing	230 608	70 095	73 324
Engineering and technology	55 674	19 080	19 943
Policy research and analysis	31 269	24 537	25 702
Compliance and consumer affairs	40 426	36 962	38 622
Regions	104 929	99 590	104 069
<b>Total</b>	<b>769 431</b>	<b>491 458</b>	<b>513 529</b>
<b>Economic classification</b>			
<b>Current payments</b>	<b>769 431</b>	<b>491 458</b>	<b>513 529</b>
Compensation of employees	<b>368 988</b>	<b>374 992</b>	<b>390 828</b>
Salaries and wages	367 602	373 544	389 316
Social contributions	1 386	1 447	1 512
Goods and services	<b>379 008</b>	<b>95 078</b>	<b>100 307</b>
Of which			
Administrative fees	3 914	842	872
Advertising	18 449	1 216	1 469
Minor assets	80	83	87
Audit costs: External	5 295	5 330	5 379
Bursaries: Employees	2 064	-	-
Catering: Internal activities	3 181	300	313
Communication (G&S)	1 738	1 780	1 841
Computer services	21 403	2 097	2 595
Consultants: Business and advisory services	54 900	4 640	4 763
Infrastructure and planning services	-	-	-
Maintenance and repairs: Buildings: Consultants	-	-	-
Maintenance and repairs: Other fixed structures: Consultants	-	-	-
Other	-	-	-
Laboratory services	-	-	-
Legal services (G&S)	1 996	2 007	2 476
Science and technological services	-	-	-
Contractors	2 048	998	1 043
Maintenance and repairs of other fixed structures	327	92	96
Maintenance and repairs of other machinery and equipment	1 722	906	947
Agency and support/outsourced services	944	-	-
Fleet services (including government motor transport)	1 542	1 611	1 683
Consumables: Stationery, printing and office supplies	1 328	1 079	1 127
Operating leases	53	-	-
Rental and hiring	7 636	314	332
Property payments	57 790	56 792	58 432
Transport provided: Internal activities	-	-	-
Travel and subsistence	11 999	3 603	3 789
Training and development	5 381	620	872
Operating payments	174 234	11 496	12 951
Venues and facilities	3 034	271	283
Depreciation	21 412	21 365	22 370
Losses from	22	23	24
Sale of fixed assets	-	-	-
Impairments and adjustments to fair value	-	-	-
Adjustments to fair value of assets	-	-	-
Impairments to assets	-	-	-
Other	22	23	24
<b>Total Expenditure</b>	<b>769 431</b>	<b>491 458</b>	<b>513 529</b>

## **Expenditure analysis**

### Programme 1: Administration

The R306 524 000.00 outlayed for the Programme for the medium-term period of planning includes salaries. The rest of the funds will be spent to deliver outputs planned by sub-programmes Corporates Services, Finance, Human Resources, Internal Audit and Legal Risk & Consumer Complaints Committee which must contribute towards the *organisational service delivery maintained* outcome achievement.

### Programme 2: Licensing and Compliance

The R230 608 000.00 allocated to the Programme for the 2022/23 financial year will be spent to deliver all the outputs planned by the Programme, the key of which include licensing of the international mobile telecommunications spectrum thereby ensure delivery of the following outcomes:

- increase access to wireless broadband services,
- protection of consumers against unfair practices by service providers, and
- increase competition in the telecommunications and broadcasting sectors.

Delivery of the outcomes must lead to realisation of the organisational expected impact - *Access for all South Africans to a variety of safe, affordable & reliable communication services for inclusive economic growth.*

The estimated figures for the two financial years that conclude the medium-term period will be used to deliver new projects that normally flow out of the projects that are concluded during the year of planning which normally cannot be determined a priori. After issuing of spectrum though, the next phase is monitoring of compliance with licence terms and conditions. Part of the funds estimated for the 2023/24 financial year in the order of R70 458 000.00 will be used to complete the process on the Licensing of digital community television broadcasting which will be followed by monitoring in the 2024/25 financial where the estimated amount of R73 621 000.00 will be used.

### Programme 3: Policy Research and Analysis

The focus of the estimated spending to the tune of R31 268 900.00 over the medium-term period is to deliver all the outputs that have been planned for the

2022/23 financial year. The rest of the funds will be used to deliver the outputs which will flow from the 2022/23 financial year outputs which cannot be known a priori.

#### Programme 4: Engineering and Technology

The R55 674 000.00 allocated to the Programme for the 2022/23 financial year will be spent to deliver the outputs below:

- Frequency Migration Plan implemented,
- IMT Road Map implemented,
- Optimisation of the Frequency Modulation Sound Broadcasting,
- Monitoring reports on the impact of the 5G deployment in the ICT sector in South Africa,
- Framework on Dynamic Spectrum Access.

The projected figures for the 2023/24 and 2024/25 financial years will be utilised to implement projects that will be dictated by the next stages which normally follow what will be completed in 2022/23 financial year. For example, after completion of the frequency migration plan implementation, a new frequency migration plan must be developed. After completion of the IMT Road Map implementation, a new IMT Road Map must be developed.

#### Programme 5; Regions and Consumer Affairs

The R145 356 000.00 total allocation to the Programme over the medium-term period will be used to deal with interference cases, process licence applications/registrations within turn-around times, resolve consumer complaints and finance activities of the Council Advisory Panel. Delivery of outputs will contribute to the organisational delivery maintained and consumer rights protected.

Indicator	Programme/Activity/ Objective	Current		Projected		
		2020/21	2021/22	2022/23	2023/24	2024/25
		Access to high-demand spectrum from 566.695 megahertz (MHz) to 958 MHz per year	Licensing	958MHz	958MHz	958MHz
Number of community television licences issued per	Licensing	14	13	13	13	13
Number of tariff analysis reports produced per year	Policy research and analysis	2	2	2	2	2
Number of Broadcasting licensees monitored per year	Compliance and consumer affairs	70	75	85	85	85
Percentage of consumer complaints resolved per year	Compliance and consumer affairs	85%	85%	85%	85%	85%
Number of electronic communications network service licensees monitored per year	Compliance and consumer affairs	70	75	85	85	85

As the Authority requires personnel with highly specialized skills to conduct its work, spending on compensation of employees' accounts for an estimated 60.8% (R1.9 billion) of total expenditure over the medium term. The table below shows the number and cost of personnel posts filled or planned over the ENE period. Total expenditure is set to increase from R 608.8 million in 2022/23 to R 664.4 million in 2024/25 at an average annual rate of 4%.

Salary level	Medium-term expenditure estimate									Number	
	2022/23			2023/24			2024/25			Average growth rate (%)	Salary level/ total: Average (%)
	Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost		
											2021/22 - 2024/25
Salary level	398	368 988	927	398	385 408	968	398	402 713	1 012	4,4%	100,0%
1 – 6	22	3 793	172	22	3 962	180	22	4 140	188	2,8%	5,5%
7 – 10	191	162 053	848	191	162 312	850	191	176 864	926	6,8%	47,9%
11 – 12	118	110 579	937	118	115 500	979	118	120 685	1 023	2,8%	29,7%
13 – 16	65	88 603	1 363	65	97 978	1 507	65	96 701	1 488	2,5%	16,4%
17 – 22	2	3 961	1 980	2	5 656	2 828	2	4 323	2 161	1,5%	0,5%

**Source:** 2022 ENE



**Table 8: Financial Position**

R Thousand Statement of Financial Position	Notes	2022/23	2023/24	2024/25
		Revised budget estimate	Revised budget estimate	Planning budget estimate
<b>ASSETS</b>				
<b>Current assets</b>		<b>1 584 943</b>	<b>1 655 473</b>	<b>1 729 804</b>
Current investments	<a href="#">101</a>	-	-	-
Inventory	<a href="#">102</a>	1 070	1 117	1 167
Short-term loans	<a href="#">103</a>	-	-	-
Accrued interest	<a href="#">104</a>	-	-	-
Trade and other receivables from exchange transactions	<a href="#">105</a>	9 579	10 005	10 454
Other receivables from non-exchange transactions, including taxes, fines and transfers	<a href="#">106</a>	1 010 887	1 055 871	1 103 280
Prepayments	<a href="#">107</a>	10 125	10 576	11 051
Cash and cash equivalents	<a href="#">108</a>	553 283	577 904	603 852
<b>Non-current assets</b>		<b>186 078</b>	<b>194 359</b>	<b>203 085</b>
Property, plant and equipment	<a href="#">115</a>	163 556	170 834	178 505
Intangible assets	<a href="#">116</a>	22 522	23 525	24 581
<b>Total assets</b>		<b>1 771 021</b>	<b>1 849 832</b>	<b>1 932 889</b>
<b>LIABILITIES</b>				
<b>Current liabilities</b>		<b>1 616 953</b>	<b>1 688 907</b>	<b>1 764 739</b>
Payments received in advance	<a href="#">131</a>	7 572	7 909	8 264
Trade and other payables from exchange transactions	<a href="#">132</a>	1 574 312	1 644 369	1 718 202
Other payable from non-exchange transactions, including taxes, fines and transfers		25	26	27
Current provisions	<a href="#">138</a>	35 011	36 569	38 211
Leave		-	-	-
Severance		-	-	-
Provisions for operational liabilities		-	-	-
Provisions for outstanding claims		35 011	36 569	38 211
Current portion of finance lease liability	<a href="#">145</a>	33	34	36
Current portion of operating lease liability		-	-	-
Managed funds	<a href="#">146</a>	-	-	-
Derivatives financial instruments	<a href="#">147</a>	-	-	-
<b>Non-current liabilities</b>		<b>12 312</b>	<b>12 860</b>	<b>13 438</b>
Operating Lease Liability	<a href="#">152</a>	12 312	12 860	13 438
Derivatives financial instruments	<a href="#">159</a>	-	-	-
<b>Total liabilities</b>		<b>1 629 265</b>	<b>1 701 768</b>	<b>1 778 177</b>
<b>NET ASSETS</b>		<b>141 756</b>	<b>148 064</b>	<b>154 712</b>
Accumulated surplus / (deficit)	<a href="#">160</a>	141 756	148 064	154 712
Reserves	<a href="#">161</a>	-	-	-
Cash reserves		-	-	-
Non_cash reserves		-	-	-
Capital fund/ Deferred government grant	<a href="#">162</a>	-	-	-
<b>Total net assets and liabilities</b>		<b>1 771 021</b>	<b>1 849 832</b>	<b>1 932 889</b>
Contingent liabilities		-	-	-

## 11. Updated Key Risks

**Table 9: Key Risks**

#	Outcome	Key Risks	Risk Mitigation
1	Access to quality broadband Services Increased	<ul style="list-style-type: none"> <li>▪ Potential delays in regulatory interventions due to litigation by stakeholders [# 1,2,3,4]</li> <li>▪ Inability/Limitation to execute our mandate independently due to political interference and/or undue influence (lobbying) [#1, 2,3 &amp; 4]</li> </ul>	<ul style="list-style-type: none"> <li>▪ Transparency</li> <li>▪ Adherence to Process and Procedures</li> <li>▪ Effective engagement with the policy makers.</li> <li>▪ Effective Monitoring and Enforcement</li> </ul>
2	Status of Social Cohesion (inclusive of Diversity of Views) enhanced	<ul style="list-style-type: none"> <li>▪ Possible delays in the assignment of spectrum to radio communication services in SA due to late approval of the National Radio Frequency Plan [#1 &amp; 4]</li> </ul>	<ul style="list-style-type: none"> <li>▪ Transparency</li> <li>▪ Adherence to Process and Procedures</li> </ul>
3	Rights of Consumers Protected	<ul style="list-style-type: none"> <li>▪ Non-adherence by licensees to licence terms and conditions and regulatory requirements [#1, 2, 3 &amp; 4]</li> </ul>	<ul style="list-style-type: none"> <li>▪ Transparency</li> <li>▪ Adherence to Process and Procedures</li> <li>▪ Continuous Monitoring and Market Scanning</li> <li>▪ Periodical review of regulatory measures in place</li> <li>▪ Enhance research and development activities</li> </ul>
4	Competition in the ICT Sector Promoted		<ul style="list-style-type: none"> <li>• Transparency</li> <li>• Adherence to Process and Procedures</li> <li>• Monitoring and Enforcement</li> </ul>
5	Organisational service delivery maintained	Failure to achieve regulatory targets due to inadequate funding, reductions in MTEF allocations and mandate changes due to reconfiguration of entities and or policy/legislative changes	<ul style="list-style-type: none"> <li>• Proposal on revision of ICASA funding model</li> <li>• Stakeholder management</li> <li>• Effective consultation with the Ministry</li> </ul>
		Failure to ensure business continuity due to the COVID-19 pandemic	<ul style="list-style-type: none"> <li>• Acquisition / enhancement of organisational IT and related systems to automate functions and allow for remote / online</li> </ul>

		<ul style="list-style-type: none"><li>• Provision of tools necessary for remote working to all staff</li><li>• Provision of protective clothing and associated tools to all field workers</li><li>• Disinfection activities carried out across all ICASA premises and for all ICASA vehicles</li><li>• Implementation of a cleansing routine to keep the premises clear of potential infections</li></ul>
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## Part D: Technical Indicator Descriptions (TID)

### 12. Programme 1: Administration

#### Sub-Programme: Corporate Services

Indicator Title	Value of communication services provided through monitoring of the media environment
Definition	The indicator measures the rand value of what it would have cost to place an advertisement on various media platforms – the advertising value equivalent (AVE). The media platforms are Print and Broadcast (Radio and Television). In the context of ICASA, the AVE is the media coverage received through media relations. The media relations is the number of media statements issued by ICASA thought leadership articles published and the broadcast interviews undertaken by ICASA spokespeople.
Source of Data	Media statements, radio and television interviews
Method of Calculation/assessment	The AVE is calculated by measuring the column centimetres (in the case of print), or the number of seconds of an interview (in the case of broadcast media) and multiplying the numbers by the respective medium’s advertising rates (rate card). The various numbers are aggregated (amongst all the platforms), the resulting number is the media coverage achieved, ie. the overall AVE within a specific period.
Means of verification	Media monitoring report
Assumptions	ICASA spokespeople available to conduct interviews timeously
Disaggregation of beneficiaries (where applicable)	All ICASA customers
Spatial transformation (where applicable)	Across South Africa
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	An AVE of R10 million quartely average
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Number of communication products published to grow the share of voice of ICASA
Definition	This is the number of communication products published to grow the share of voice of ICASA. The voice of ICASA means the brand visibility of the Authority and its products amongst current customers and potential customers. The voice will be determined by the products published. The identified communication products are <ol style="list-style-type: none"> <li>1. Quarterly newsletters (4)</li> <li>2. Annual report (1),</li> <li>3. Quarterly thought leadership articles (4).</li> </ol>

Source of Data	Published documents
Method of Calculation/ assessment	Counting
Means of verification	Published documents
Assumptions	The organisation, more specifically regulatory divisions, will provide all the content required timeously
Disaggregation of beneficiaries (where applicable)	All ICASA customers
Spatial transformation (where applicable)	Across South Africa
Calculation Type	Cumulative year-end
Reporting Cycle	Quarterly
Desired Performance	A total of 9 publications by the end of the year.
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Number of international engagements facilitated by ICASA
Definition	<p>The indicator measures the number of international engagements facilitated by ICASA.</p> <p>ICASA facilitates engagements across the following international platforms:</p> <ul style="list-style-type: none"> <li>• Multilateral bodies (International Telecommunications Union, Universal Postal Union, Commonwealth Telecommunications Organisation etc.)</li> <li>• Regional cooperation and technical working committees (Communication Regulator of Southern Africa, African Telecommunications Union, Pan African Postal Union, SmartAfrica)</li> <li>• International Fora (Wireless World Research Forum and International Institute Communications)</li> <li>• Bilateral engagements</li> </ul> <p>ICASA officials provide technical expertise and support to specific country mandates and positions in the international fora</p> <p>The quarterly target breakdown will be as follows</p> <p>Q1:</p> <p>One (1) Report on International Engagements, The report will incorporate meetings that have taken place in the fourth quarter of the previous financial year (2021/22) and the half of the first quarter of the current financial year (2022/23). The lagging time frame is due to the fact that certain meetings take place inbetween quarters.</p> <p>Q2:</p> <p>One (1) Report on International Engagements, The report will incorporate meetings that have taken place during the latter part of the first quarter of the 2022/23 FY and half of</p>

	<p>the engagements from the second quarter of the 2022/23 FY. The lagging time frame is due to the fact that certain meetings take place inbetween quarters.</p> <p>Q3:</p> <p>One (1) Report on International Engagements, The report will incorporate meetings that have taken place during the latter part of the second quarter of the 2022/23 FY and half of the engagements from the third quarter of the 2022/23 FY. The lagging time frame is due to the fact that certain meetings take place inbetween quarters.</p> <p>Q4:</p> <p>One (1) Report on International Engagements, The report will incorporate meetings that have taken place during the latter part of the third quarter of the 2022/23 FY and half of the engagements from the fourth quarter of the 2022/23 FY. The lagging time frame is due to the fact that certain meetings take place inbetween quarters.</p>
Source of Data	Electronic Communications Act, International schedule of engagements and reports received from the engagements
Method of Calculation/ assessment	Counting
Means of verification	International engagements reports of contributions by ICASA Officials for the financial year
Assumptions	All ICASA nominated officials will participate and provide the required expertise and support to the programme and submit the reports
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Across South Africa
Calculation Type	Cumulative year end
Reporting Cycle	Quarterly
Desired Performance	International engagements facilitated in pursuance of South Africas interests
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Percentage of OHS Annual Plan implemented
Definition	<p>The indicator measures the percentage of implementation of the OHS Plan.</p> <p>Q1 – 25%</p> <p>OHS quarterly report comprising of OHS Committee meeting.</p> <p>Q2- 50%</p>

	<p>OHS quarterly report comprising of OHS Committee meeting and 9 emergency evacuation drills.</p> <p>Q3 – 75%</p> <p>OHS quarterly report comprising of OHS Committee meeting and OHS appointment letters.</p> <p>Q4 – 100%</p> <p>OHS Committee meeting and OHS appointment letters, mplementation report signed by OHS committee Chair.</p>
Source of Data	Occupational Health & Safety legislation, regulations & guidelines
Method of Calculation/ assessment	Total percentage of OHS Annual Plan achieved divided by the total percentage of OHS Annual Plan activities, multiplied by 100
Means of verification	OHS annual plan
Assumptions	Employees’ willingness to comply with the control measures put in place to meet the legislative requirements of the Occupational Health & Safety Act.
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired Performance	Meet or exceed the set target to increase compliance with OHS legislation, regulations & guidelines
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Percentage of EDRMS roll-out plan implemented
Definition	<p>This indicator measures the percentage of Electronic Documents Records Management System (EDRMS) roll-out plan implemented within the specified timeframes.</p> <p>Q1 - 25% Quarterly EDRMS report on:</p> <ul style="list-style-type: none"> <li>• EDRMS usage,</li> <li>• EDRMS migration,</li> <li>• EDRMS awareness campaign</li> </ul> <p>Q2 - 50% Quarterly report on:</p> <ul style="list-style-type: none"> <li>• EDRMs usage,</li> <li>• EDRMS migration,</li> <li>• EDRMS awareness campaign,</li> <li>• EDRMS training</li> </ul>

	<p>Q3 - 75% Quarterly report on:</p> <ul style="list-style-type: none"> <li>• EDRMS awareness campaign,</li> <li>• EDRMS usage,</li> <li>• EDRMS migration,</li> <li>• user access rights,</li> <li>• EDRMS user access rights</li> </ul> <p>Q4 - 100% Quarterly report on:</p> <ul style="list-style-type: none"> <li>• EDRMS awareness campaign,</li> <li>• EDRMS usage,</li> <li>• EDRMS migration,</li> <li>• EDRMS training,</li> <li>• Closeout Report (signed by Chair of EDRMS Steering committee)</li> </ul>
Source of Data	Approved EDRMS roll-out plan
Method of Calculation/assessment	Total percentage of EDRMS roll-out plan achieved divided by the total percentage of EDRMS roll-out activities, multiplied by 100
Means of verification	EDRMS implementation report
Assumptions	Continued usage of EDRMS by divisions
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired Performance	Meet or exceed the set target of EDRMS roll-out plan
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Amount of business intelligence gathered from analysis of integrated business systems data
Definition	The indicator measures the number of new Business Intelligence (BI) reports created
Source of Data	Power BI system
Method of Calculation/assessment	Counting
Means of verification	Reports from Power BI system
Assumptions	Availability of credible data to analyse
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	2 new integrated reports from the Power BI System
Indicator Responsibility	Executive: Corporate Services



Indicator Title	Number of security incidents being monitored on IT Systems
Definition	The indicator measures the amount of activities undertaken to safeguard the IT environment from cyber threats.
Source of Data	Security Information and Event Management (SIEM) solution
Method of Calculation/ assessment	Counting
Means of verification	Reports from SIEM system
Assumptions	Availability of credible data to analyse
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Cumulative year-end
Reporting Cycle	Weekly/Quarterly
Desired Performance	52 weekly reports
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Percentage of IT Systems efficiency
Definition	The indicator measures the efficiency of the ICASA IT operational environment
Source of Data	Uptime Reports Voice Operated Switch (VOX)
Method of Calculation/ assessment	$(\text{Server uptime}\% + \text{Internet uptime}\% + \text{network uptime}\% + \text{helpdesk SLA}\%) / 4$
Means of verification	System Center Configuration Manager (SCCM) Reports Internet Statistical reports Wide area network availability reports Helpdesk stats
Assumptions	Availability of credible data to analyse
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Monthly/ Quaterly
Desired Performance	IT Efficiency > 98%
Indicator Responsibility	Executive: Corporate Services

### Sub-Programme: Finance

Indicator Title	Audit Opinion
Definition	The indicator measures ICASA's compliance with all relevant laws, regulations, accounting standards and corporate governance
Source of data	Annual Financial Statements, Audit Report, Annual Report
Method of Calculation / Assessment	Qualitative
Means of verification	Report issued by Auditor General South Africa (AGSA)
Assumptions	None

Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	Not Applicable
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired performance	Clean audit
Indicator Responsibility	Chief Financial Officer

Indicator Title	Percentage of Licence Fees Collected
Definition	The indicator measures the percentage of licence fees collected based on licences issued. In terms of the ECA, read with the ICASA Act and the relevant regulations, ICASA must collect licence fees and transfer such collections to the National Revenue Fund.
Source of data	Bank statements for amount collected List of invoices for amounts billed
Method of Calculation / Assessment	Licence fees collected from licencees divided by licence fees invoiced multiplied by 100
Means of verification	Bank statements for amount collected List of invoices for amounts billed
Assumptions	All licensees will pay their annual license fees on time without requesting payment plans.
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	Not Applicable
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	99%
Indicator Responsibility	Chief Financial Officer

### Sub-Programme: Human Resources

Indicator Title	Staff vacancy rate maintained
Definition	The indicator measures the rate of vacancies in the organisation.  The organisation seeks to ensure that the vacancy rate is maintained at 7% during the 2022FY while maintaining its commitment to long-term vacancies reduction in line with the government's long-term HRD Strategy and HR Development Framework. In the same vein, the organisation will also strive for long-term improvement of its Employment Equity status as required under the Employment Equity Act.
Source of data	Recruitment, resignation and dismissal information
Method of Calculation / Assessment	Number of staff vacancies divided by the number of approved positions multiplied by 100
Means of verification	HR Operational Report

Assumptions	Enough funding to fill positions. Presence of qualified pool of potential employees from which to recruit. No blanket moratorium against recruitment for vacancies
Disaggregation of Beneficiaries (where applicable)	Women, Youth and People with Disabilities
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired performance	All budgeted positions filled
Indicator Responsibility	Executive: Human Resources

Indicator Title	Number of SABPP audits completed
Definition	The indicator measures the number of SABPP audits completed. South African Board of Personnel Practitioners (SABPP), is a professional body for HR practitioners in South Africa which audits HR practices. The SABPP has developed 13 HR Management Standards, and they will audit ICASA's HR processes and policies against each of these Standards. This audit will support the ongoing development and professionalisation of ICASA's HR Function. It will also enable the Authority to provide the best services possible to all ICASA employees and clients.
Source of data	SABPP Audit Report
Method of Calculation / Assessment	Counting
Means of verification	SABPP Audit report
Assumptions	Availability of funds
Disaggregation of Beneficiaries (where applicable)	Women, youth and people with disability within ICASA
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired performance	To achieve an overall average rating of 60% score
Indicator Responsibility	Executive: Human Resources

Indicator Title	Number of Employee Engagement Surveys completed
Definition	The indicator measures the number of employee engagement surveys completed. The purpose of the employee engagement surveys is to benchmark and monitor employee attitudes and commitment level towards the organisation, leadership, their roles, and the different stakeholders they serve. To find out the factors that drive employees to perform their best. This surveys data measures employee engagement, identify specific drivers of employee engagement at ICASA, provide report results through team lenses, and provide actionable results and supporting tools to create an environment that empowers and employees to be responsive and engaged within ICASA.

Source of data	Employees of ICASA
Method of Calculation / Assessment	Counting
Means of verification	Employee Engagement Survey
Assumptions	Low participation rate amongst employees
Disaggregation of Beneficiaries (where applicable)	Women, youth and people with disability within ICASA
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired performance	The successful completion of the employee engagement surveys
Indicator Responsibility	Executive: Human Resources

Indicator Title	Percentage of Workplace Skills Plan implemented
Definition	<p>The indicator measures implementation of the Workplace Skills Plan (WSP).</p> <p>A Workplace Skills Plan is a requirement of Media, Information and Communication Technologies (MICT) Seta, which ICASA subscribes to. Compliance with the Seta requirements enables ICASA to provide occupationally directed learning activities to enhance the knowledge and practical skills, of its workforce to meet current and future occupational requirements for optimal organisational performance.</p> <p>WSP refers to a plan to train and develop employees to close performance gaps and to develop future capacity.</p> <p>WSP is directed at effective learning and development within the Authority.</p> <p>The Annual Training Report (ATR) is a follow-up on the WSP, as it reports on the education and training interventions that were delivered in the previous year. This report also consists of all training attendance registers, proof of expenditure, training providers used.</p> <p>The plan and the report will be implemented in one year divided into four stages:</p> <p>Q1 – 25% - Submit WSP/ATR to Media Information and Communication Technologies (MICT) Seta  Q2 – 25% - Compile a training needs analysis  Q3 – 25% - Receive approval letter from MICT Seta  Q4 – 25% - Consolidated IDPs for 2023/24</p>
Source of data	Acknowledgement letter from MICT Seta, Training Tracker, and Consolidated Individual Development Plans (IDP).
Method of Calculation / Assessment	Amount of WSP/ATR implemented divided by the total WSP/ATR multiplied by 100
Means of verification	SETA approval letter
Assumptions	Compliance with MICT Seta requirements

Disaggregation of Beneficiaries (where applicable)	Women, youth and people with disability within ICASA
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Cumulative year end
Reporting Cycle	Quarterly
Desired performance	Full implementation of WSP/ATR
Indicator Responsibility	Executive: Human Resources

### Sub-Programme: Internal Audit

Indicator Title	Level of assurance provided
Definition	<p>The indicator measures the level of audit assurance provided to Audit, Risk, Ethics and Disclosures Committee (AREDC) and Management.</p> <p>Quarter 1: Level 1: Complete 20% to 30% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p> <p>Quarter 2: Level 2: Complete 31% to 50% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p> <p>Quarter 3: Level 3: Complete at least 51% to 70% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p> <p>Quarter 4: Level 4: Complete 71% to 90% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p>
Source of data	Data will be collected from the approved annual audit plan, subsequent changes approved by the AREDC and issued quarterly Internal Audit progress reports
Method of Calculation / Assessment	<p>The level of assurance will be measured as per defined measurement criteria. Method of calculation to determine level will be:</p> <ul style="list-style-type: none"> <li>Number of completed audits divided by the total number of audits in the audit plan multiplied by 100 and this will signify the level achieved.</li> </ul>
Means of verification	Internal Audit Assurance reports issued and progress reports produced for AREDC.
Assumptions	Availability of resources, the auditees and information.
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	Meet or exceed level 4 as per defined criteria

Indicator Responsibility	Chief Audit Executive
Indicator Title	Number of consulting assignments completed
Definition	The indicator measures the number of consulting assignments completed. They include: <ul style="list-style-type: none"> <li>• Involvement in projects; and</li> <li>• Ad Hoc requests.</li> </ul>
Source of data	Data will be collected from the approved annual audit plan, subsequent changes approved by the AREDC and quarterly reports issued.
Method of Calculation / Assessment	Counting: <ul style="list-style-type: none"> <li>• number of projects; and</li> <li>• number of ad hoc requests completed.</li> </ul>
Means of verification	Internal Audit Consulting reports issued and progress reports produced for AREDC.
Assumptions	Availability of resources, the auditees and information
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	Execute all consulting assignments taken-up
Indicator Responsibility	Chief Audit Executive

### Sub-Programme: Legal Risk & CCC

Indicator Title	Percentage of legal services provided to client within SLA turnaround times
Definition	The indicator measures the percentage of legal services provided within SLA turnaround times. The service comprises the following: <ol style="list-style-type: none"> <li>1. Legal advice to Committees - 20 working days</li> <li>2. Vet, draft regulations and other regulatory documents: 15 working days</li> <li>3. Contracts: 10 working days</li> <li>4. Internal legal opinions: 10 working days</li> <li>5. Policy vetting: 15 working days</li> <li>6. Informing Council of legal actions: 4 working days</li> </ol>
Source of Data	Instructions received, vetting requests, draft regulations and other regulatory documents vetting/drafting requests, contract/addendum drafting requests, internal legal opinions requests, policy vetting requests and legal suits received
Method of Calculation	Number of legal advice, vetting and drafting provided, as per SLA turnaround times; divided by legal advice, vetting and drafting requested multiplied by 100 The method of calculation will be as follows:

	<ol style="list-style-type: none"> <li>1. Number of legal advices provided to Committees within 20 working days - divided by the number of legal advices requested - multiplied by 100</li> <li>2. Number of regulations and other regulatory documents vetted/drafted within 15 days - divided by the number of vetting/drafting requests - multiplied by 100</li> <li>3. Number of contracts drafted / vetted within 10 working days - divided by the number of contracts requested - multiplied by 100</li> <li>4. Number of internal legal opinions provided within 10 days - divided by the number of internal legal opinions requested - multiplied by 100</li> <li>5. Number of policy vettings provided within 15 days - divided by the number of policy vettings requested - multiplied by 100</li> <li>6. Number of legal notices provided to Council - divided by the number of legal suits received - multiplied by 100</li> </ol> <p>Total calculation: Legal services provided / Legal services requested multiplied by 100</p>
Means of verification	Legal advice report; vetting memo, emails/correspondence sent, draft regulations and other regulatory documents report; Contracts and General Legal Support report; Internal legal opinions report.
Assumptions	Cooperation by other Programmes
Disaggregation of Beneficiaries (where applicable)	All women, youth and people with disabilities
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	80% of legal services provided within SLA turnaround times
Indicator Responsibility	Executive: Legal, Risk and CCC

Indicator Title	Risk maturity level of the organisation
Definition	<p>The indicator measures the risk maturity of the organisation in accordance with Risk Capability Model.</p> <ol style="list-style-type: none"> <li>1. Initial- the organisation is at initial stages of the risk management processes. Functions are not intended. Management has no confidence that enterprise risk management has been embedded into the organisation.</li> <li>2. Repeatable-some function appear to be effective, however there still major deficiencies in the process. Significant process gaps need to be closed</li> <li>3. Defined-Clearly outline enterprise Risk Management processes. There is a room for improvement in the process.</li> <li>4. Managed- The Enterprise Risk Management (ERM) function is well directed and controlled. Most functions are designed correctly and are in place and effective</li> </ol>

	5. Optimised-The ERM function is totally effective and efficient, totally implemented, user friendly and is best practice. Nothing more to be done except monitor and review
Source of Data	Data will be collected from survey on risk maturity
Method of Calculation / Assessment	The organisation's risk maturity level will be measured using the acceptable risk maturity level standards whose custodian is LRCCC
Means of verification	Risk maturity report based on Risk framework
Assumptions	Availability of resources
Disaggregation of Beneficiaries (where applicable)	Internal and external stakeholders
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Risk maturity level 3
Indicator Responsibility	Specialist: Risk and Compliance

Indicator Title	Compliance maturity level of the organisation
Definition	<p>The indicator measures compliance maturity of the organisation in accordance with Compliance Institute Framework</p> <ol style="list-style-type: none"> <li>1. Initial -Compliance function is siloed and inconsistent.</li> <li>2. Development- Compliance function is organised but reactive.</li> <li>3. Managed- Compliance function is actively managed and proactive.</li> <li>4. Optimal- Compliance function is fully integrated and embedded.</li> </ol>
Source of Data	Data will be collected from survey on compliance maturity
Method of Calculation / Assessment	The organisation's compliance maturity level will be measured using the acceptable compliance maturity level standards whose custodian is LRCCC
Means of verification	Compliance maturity report based on the Framework
Assumptions	Cooperation by other Programmes
Disaggregation of Beneficiaries (where applicable)	Internal and external stakeholders
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	Compliance maturity level 3
Indicator Responsibility	Specialist Risk and Compliance

Indicator Title	Percentage of cases assessed for adjudication by the CCC in accordance with the CCC Handbook
Definition	The indicator measures the percentage of cases assessed within the timelines stipulated in the CCC Handbook



Source of Data	Data will be collected from Regulatory Divisions of ICASA and/or Complainants (Members of the public and Licensees)
Method of Calculation	Number of cases assessed within specified timelines in terms of CCC handbook (5 working days) divided by total number of cases received by CCC multiplied by 100
Means of verification	Report of assessed CCC cases
Assumptions	Availability of all relevant information for assessment of cases.
Disaggregation of Beneficiaries (where applicable)	All South Africans
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	90% of all the cases referred for adjudication assessed within specified timelines
Indicator Responsibility	Executive: Legal, Risk and CCC

### 13. Programme 2: Licensing and Compliance

Indicator title	Percentage of the process to issue radio frequency spectrum licences to successful bidders from the IMT Spectrum Auction completed
Short definition	<p>This indicator measures the completion of the process to issue radio frequency spectrum licences to the bidders that were successful during the 2021/22FY This is a one year project with the drafting, vetting, approval and final issuance of the radio frequency spectrum licence to the respective bidders constituting 100% of the entire process.</p> <p>The quarterly targets are as follows:</p> <p>Q1: 100% [Issuance of spectrum licences to successful bidders]</p> <p>Q2: No Target</p> <p>Q3: No Target</p> <p>Q4: No Target</p>
Source/collection of data	Quarterly and Annual reports.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Council Minutes, Issued Licenses
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens

Reporting cycle	Annual
spatial Transformation	N/A
Calculation Type	Non-cumulative
Desired performance	100% ([Issuance of spectrum licences to successful bidders])
Indicator responsibility	Senior Manager: Spectrum Licensing

Indicator title	Percentage of the process to review the Numbering Plan Regulations completed
Short definition	<p>The indicator measures the percentage of the process to review the Numbering Plan Regulations completed</p> <p>The process will span a period of two financial years initiated by the publication of a Draft Regulation (50% of the process) in the 2021/22 FY. The process is concluded by the publication of the Final Numbering Plan Regulations which constitutes 100% of the process in the 2022/23 FY.</p> <p>The quarterly breakdown is as follows:</p> <p>Q1: No target</p> <p>Q2: 75% (Numbering Plan Regulations submitted to Legal for vetting)</p> <p>Q3: No target</p> <p>Q4: 100% (Council decision on publication of Numbering Plan Regulations)</p>
Source/collection of data	Quarterly and Annual reports.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Council Minutes, Approved Regulations
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Q4: 100% (Council decision on the publication of Numbering Plan regulations)
Indicator responsibility	Senior Manager: Type Approval and Numbering

Indicator title	Percentage of the process to amend the Standard Terms and Conditions Regulations for Individual Licences completed
Short definition	<p>The indicator measures completion of the process to amend the Standard Terms and Conditions Regulations for Individual Licences</p> <p>The process is initiated by the publication of the draft Amendment Standard Terms and Conditions Regulations Individual Licences which constitutes 50% of the process in the 2021/22 Financial Year. The process is concluded by the publication of the Amended Standard Terms and Conditions Regulations for Individual Licences which constitutes 100% of the process in the 2022/23 Financial Year.</p> <p>Q1 = No Target;</p> <p>Q2 = 75% (Public Hearings)</p> <p>Q3 = No target</p> <p>Q4 = 100% (Publication of amended Regulations on Standard Terms and Conditions Regulations for Individual Licences)</p>
Source/collection of data	Quarterly and Annual reports/minutes of meetings in which decisions are taken, Government Gazette.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Published notice of amended Regulations on Standard Terms and Conditions Regulations for Individual Licences
Assumptions	budget
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	100% (Publication of amended Regulations on Standard Terms and Conditions Regulations for Individual Licences)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process to amend the Processes and Procedures Regulations for Individual Licences completed
Short definition	<p>The indicator measures completion of the process to amend the Processes and Procedure Regulations for Individual Licences</p> <p>The process is initiated by the publication of the draft Amendment Regulations on the process to amend Processes and Procedures Regulations for Individual Licences which constitutes 50% of the process in the 2021/22 financial year. The process is concluded by the publication of the final Amended regulations on Processes and Procedure</p>

	<p>Regulations for Individual Licences which constitutes 100% of the process in 2022/23 Financial Year.</p> <p>Q1 = No Target</p> <p>Q2 = 75% (Public Hearings)</p> <p>Q3 = No Target</p> <p>Q4 = 100% (Publication of amended Regulations on processes and procedure for Individual Licences)</p>
Source/collection of data	Quarterly and Annual reports/minutes of meetings in which decisions are taken, Government Gazette.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Published notice on amendment of the Processes and Procedure Regulations for Individual Licences
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	100% (Publication of amendment regulations on Processes and Procedure Regulations for Individual Licences completed)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process to licence Digital Community Television Broadcasting services on MUX 1 completed
Short definition	<p>The indicator measures completion of the process for licensing of Digital Community Television Broadcasting Services on MUX 1.</p> <p>The 2022/23 licensing process is initiated by the drafting and publication of the invitation to Pre-Register (ITP-R), which constitutes 25% of the entire process. The process is concluded by the publication of the Notice regarding applications for Digital Community Television Broadcasting services on MUX 1 constituting 50% of the entire process.</p> <p>Q1 = 25% (Publication of ITP-R)</p> <p>Q2 = No Target</p> <p>Q3 = No Target</p> <p>Q4 = 50% (Published Notice regarding received applications for digital community television broadcasting services on MUX 1).</p>
Source/collection of data	Government gazette and website.

Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Report regarding applications for digital community television broadcasting services on Multiplexer (MUX) 1
Assumptions	Budget and receipt of applications
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	50% (Published Notice regarding received applications for digital community television broadcasting services on MUX 1)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process to develop a benchmarking report in respect of the licensing of a Wireless Open Access Network Operator
Short definition	<p>This is to measure the completion of the process for the development of a benchmarking report for the licensing of a Wireless Open Access Network Operator</p> <p>The research informing the benchmarking report will commence in April 2022 and will culminate in the Final benchmarking report.</p> <p>Q1: No Target;</p> <p>Q2: 50% (Interim benchmarking report adopted by the Committee);</p> <p>Q3: No Target;</p> <p>Q4: 100% (Final Benchmarking Report adopted by Council)</p>
Source/collection of data	Annual reports/minutes of meetings in which decisions are taken, gazette.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Council Minutes, Final Benchmarking Report
Assumptions	Budget and receipt of applications
Disaggregation of Beneficiaries	All South African citizens
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	100% (Final benchmarking report)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process to licence Community Sound Broadcasting Services completed
Short definition	<p>The indicator measures completion of the process for licensing of Community Sound Broadcasting Services.</p> <p>The licensing process is initiated by the publication of the Invitation to Pre-Register in the 2021/22 financial year, which constitutes 40% of the entire process. The 2022/23 financial year is concluded by the Report regarding the licensing process of Community Sound Broadcasting Services constituting 100% of the entire process.</p> <p>Q1 = No Target</p> <p>Q2 = 50% (Published Notice regarding applications to pre-register);</p> <p>Q3 = No Target;</p> <p>Q4 = 100% (Report regarding the licensing process of Community Sound Broadcasting Services)</p>
Source/collection of data	Government gazette and website
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Report regarding the licensing process of Community Sound Broadcasting Services
Assumptions	Budget and receipt of applications
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	100% (Report regarding licensing of Community Sound Broadcasting Services)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process to monitor the 2021 Municipal Elections Coverage completed
Short definition	<p>The indicator measures the percentage of the process to monitor coverage of 2021 Municipal Elections</p> <p>The process will span a period of two financial years initiated by the 25% (allocation of PEB Slots to political Parties) in the 2021/22 FY. The process is concluded by the 100% publication of Elections Monitoring Report on the Authority's website of in the 2022/23 FY.</p> <p>Q1: No target</p> <p>Q2: 75% (Draft Elections Monitoring Report submitted to Council)</p> <p>Q3: No target</p> <p>Q4: 100% (Final Elections Monitoring Report published on the ICASA website.</p>
Source/collection of data	Quarterly and Annual reports.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Final Elections Monitoring Report published on the ICASA website
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens
Reporting cycle	Quarterly
spatial Transformation	N/A
Calculation Type	Cumulative
Desired performance	100% (Final Elections Monitoring Report published on the ICASA website.)
Indicator responsibility	Senior Manager: Compliance

## 14. Programme 3: Policy Research and Analysis

Indicator title	Number of SAPO tariffs analysis reports approved
Definition	<p>The indicator measures the analysis report of South African Post Office (SAPO)'s annual tariffs application. This process will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:</p> <p>Q1: No deliverable</p> <p>Q2: No deliverable</p> <p>Q3: Draft tariff analysis report – 0.50</p> <p>Q4: Approved tariff analysis report and gazetted tariffs – 1</p>
Source data	Current Government Gazette on SAPO Tariffs, submissions from SAPO

Method of calculation/ assessment	Counting
Means of Verification	Approved analysis report of SAPO's annual tariffs application and gazetted tariffs.
Assumptions	Provision of required information by SAPO
Disaggregation of beneficiaries (where applicable)	All consumers, SAPO
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	SAPO tariffs analysis report approved by Council and gazetted tariffs
Indicator responsibility	Executive: PRA

Indicator title	Number of discussion documents on the Conveyance of Mail approved
Definition	<p>The indicator measures number of discussion documents on the regulations regarding the Conveyance of Mail. The review of the regulations on the Conveyance of Mail will assess the effectiveness of the 2009 Regulations in dealing with current consumer issues. The review will happen in stages as quarterly deliverables which are assigned ratios of completion as follows:</p> <p>Q1: Constitution of Council Committee – 0.25  Q2: Research on Mail Conveyance – 0.50  Q3: Draft Discussion Document – 0.75  Q4: Discussion Document approved by Council and published for comments - 1</p>
Source of data	Regulations on the Conveyance of Mail 2009 reviewed, submissions from stakeholders
Method of calculation/ assessment	Counting
Means of Verification	Discussion Document approved by Council
Assumptions	No litigation, stakeholder responses
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Discussion Document approved by Council and published for comments



Indicator responsibility	Executive: PRA
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Indicator title	Number of SAPO Regulated Financial Statements analysis reports assessed
Definition	<p>The indicator measures the assessment of SAPO Regulated Financial Statements (RFS) in accordance with Accounting Separation Regulations, 2011. The result is the analysis report of the SAPO RFS. The review and analysis will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:</p> <p>Q1: Approval of SAPO Operators Procedure Manual (OPM) analysis report by Council – 0.33  Q2: No Deliverable  Q3: Draft SAPO RFS analysis report – 0.66  Q4: Approval of RFS analysis report by Council -1</p>
Source data	Current regulations, stakeholder submissions (OPM & RFS)
Method of calculation/ assessment	Counting
Means of Verification	RFS analysis report approved by Council
Assumptions	Stakeholders submissions
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Evaluated RFS analysis report approved by Council
Indicator responsibility	Executive: PRA

Indicator title	Number of regulations relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting services developed
Definition	<p>The indicator measures delivery of the regulation of advertising, infomercials and Programme Sponsorship in respect of broadcasting services.</p> <p>The delivery of the regulation will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:</p> <p>Q1: Draft Regulations – 0.25  Q2: No deliverable  Q3: Public hearings – 0.50  Q4: Post hearing report - 0.75</p>

Source data	Stakeholder submissions, research report, current regulations, discussion document, public hearing, draft regulations
Method of calculation/assessment	Counting
Means of Verification	Regulation relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting services
Assumptions	Absence of litigation
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Regulation relating to the definition of advertising, Infomercials and Programme Sponsorship in Respect of Broadcasting services approved by Council
Indicator responsibility	Executive: PRA

Indicator title	Number of bi-annual tariff analysis reports produced
Definition	<p>The indicator measures analyses of tariffs analysis reports produced.</p> <p>The delivery of the tariff analysis reports will happen in stages as quarterly deliverables as follows:  Q1: No deliverable – 0  Q2: Tariff analysis report – 1  Q3: No deliverable – 0  Q4: Tariff analysis report – 1</p>
Source data	Tariff notifications from licensees
Method of calculation/assessment	Counting
Means of Verification	Tariff analysis reports
Assumptions	Tariff notifications by licensees
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Tariff analysis reports produced and approved by OPCO/EXCO
Indicator responsibility	Executive: PRA

Indicator title	Number of findings documents on subscription television broadcasting market developed
Definition	<p>The indicator measures delivery of findings documents on subscription television broadcasting market.</p> <p>Delivery of the findings document will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: No deliverable  Q2: No deliverable  Q3: No deliverable  Q4: 1 - Findings document</p>
Source data	Stakeholder submissions
Method of calculation/ assessment	Counting
Means of Verification	Findings documents on subscription television broadcasting market
Assumptions	Availability of resources, absence of litigation, stakeholder responses
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Non Cumulative
Reporting cycle	Annual
Desired performance	Findings document on subscription television broadcasting market produced (and approved by Council )
Indicator responsibility	Executive: PRA

Indicator title	Number of findings documents on Signal Distribution Services produced
Definition	<p>The indicator measures delivery of findings document on signal distribution services.</p> <p>Delivery of the findings document will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: Hearings on the Discussion Document – 0.25  Q2: Draft Findings document - 0.50  Q3: Final Findings document - 1  Q4: No deliverable</p>
Source of data	Discussion document, submissions from stakeholders
Method of calculation/ assessment	Counting
Means of Verification	Final findings document on the signal distribution services market

Assumptions	No litigation, stakeholder responses
Disaggregation of beneficiaries (where applicable)	All broadcasters and all consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Final findings document on the signal distribution services market approved by Council
Indicator responsibility	Executive: PRA

Indicator title	Number of regulations on Call Termination developed
Definition	<p>The indicator measures the review of the Call Termination Amendment Regulations, 2018 in order to determine new wholesale voice call termination rates. The result is amended call termination regulations arising from the review the wholesale voice call termination market in terms of section 67(8) of the ECA in order to achieve effective competition of the retail voice market.</p> <p>The review will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: Review of Findings Report on pro-competitive conditions – 0.25  Q2: Draft Call Termination Amendment Regulations – 0.50  Q3: Public Consultations on draft regulations – 0.75  Q4: Final Call Termination Amendment Regulations – 1</p>
Source data	Current regulations, Licensees' information
Method of calculation/ assessment	Counting
Means of Verification	Amended Call Termination Regulations
Assumptions	Stakeholders submissions
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Approval of the Call Termination Amendment Regulations by Council
Indicator responsibility	EXECUTIVE: PRA

## 15. Programme 4: Engineering and Technology

Indicator Title	Percentage of Radio Frequency Migration Plan Implemented
Definition	<p>The indicator measures the percentage of the process to implement the Radio Frequency Migration Plan completed. The process spans a period of two financial years. Radio Frequency migration is the migration of users of radio frequency spectrum within the same band or other Radio frequency bands in accordance with the National Radio Frequency Plan. The process is initiated by conducting study within and amongst affected users and uses in the identified radio frequency bands and public consultation process on implementation of the Radio Frequency Migration Plan 2019 (50% of process) in 2021/22 FY. The process is concluded by implementation of the Radio Frequency Migration Plan 2019 which constitutes 100% of the process in 2022/23FY.</p> <p>The quarterly breakdown for 2022/23 FY is as follows:</p> <p>Q1: No Deliverable  Q2: Consultation on the Radio Frequency Spectrum Assignment Plans (RFSPAP) (75%)  Q3: No Deliverable  Q4: Radio Frequency Migration Plan implemented (100%)</p>
Source of data	National Radio Frequency Plan 2018 and Radio Frequency Migration Plan 2019. Information on existing spectrum licences Spectrum Data.
Method of calculation	Completed stages as per allocated percentage weightings.
Means of verification	A report on implementation of the Radio Frequency Migration Plan 2019
Assumptions	Sources of data available, submissions from the industry
Disaggregation of beneficiaries	All Citizens of SA
Calculation type	Cumulative
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	100% of the Radio Frequency Migration Plan implemented
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Percentage of IMT Roadmap implemented
Definition	<p>The indicator measures the percentage of the process to implement the International Mobile Telecommunications (IMT) roadmap. The IMT roadmap identifies frequency bands for IMT services as per International Telecommunication Union Radio Communications Sector (ITU-R) Recommendations. The process spans a period of two financial years. The process is initiated by conducting Feasibility studies on bands identified and public consultation process on implementation of the IMT Roadmap (75% of process) in 2021/22 FY. The process is concluded by</p>

	<p>implementation of the IMT Roadmap which constitutes 100% of the process in 2022/23FY.</p> <p>The quarterly breakdown for 2022/23 FY is as follows:</p> <p>Q1: No Deliverable Q2: No Deliverable Q3: No Deliverable Q4: IMT Roadmap implemented (100%)</p>
Source of data	National Radio Frequency Plan 2018, Radio Frequency Migration Plan 2019 and IMT roadmap 2019
Method of calculation	Completed stages as per allocated percentage weightings.
Means of verification	Report on the implementation of 100% of the IMT Roadmap
Assumptions	Sources of data available, submissions from the industry
Disaggregation of beneficiaries	All Citizens of SA
Calculation type	Non-Cumulative
Spatial Transformation	National
Reporting cycle	Annual
Desired performance	100% of IMT Roadmap implemented
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Number of reports on the monitoring of the impact of the 5G deployment in the ICT sector in South Africa produced
Definition	<p>The indicator measures monitoring reports produced on the impact of the 5G deployment in the ICT sector in South Africa.</p> <p>The quarterly breakdown for 2022/23 FY is as follows:</p> <p>Q1: No deliverable Q2: No deliverable Q3: No Deliverable Q4: Monitoring report of the impact of the 5G deployment in the ICT sector in South Africa produced</p> <p>("5G") is the Fifth Generation technology standard for broadband cellular network.</p>
Source of data	5G Forum meetings, local and international engagements, international 5G Fora, ITU study groups, International Standardisation Development Organisations (SDOs), and publications on 5G. World Radio Conference)WRC-19 Final Acts.
Method of calculation	Counting
Means of verification	Monitoring report of the impact of the 5G deployment in the ICT sector in South Africa produced.
Assumptions	Sources of data available, inputs from the 5G Forum
Disaggregations of beneficiaries	All Citizens of SA
Calculation type	Non-cumulative
Spatial Transformation	National

Reporting cycle	Annually
Desired performance	Monitoring report of the impact of the 5G deployment in the ICT sector in South Africa produced.
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Number of Position Papers on the Optimisation of the Frequency Modulation Sound Broadcasting produced
Definition	<p>The indicator measures the process to develop the position paper for the optimisation of the Frequency Modulation (FM) Sound Broadcasting in South Africa. The aim is to optimise the sound broadcasting plan with the view of replanning the terrestrial broadcasting frequency plan 2013 in accordance with the replanning process of the Geneva 84 plan regarding FM. This will be undertaken under the International Telecommunications Union planning process.</p> <p>The quarterly breakdown for 2022/23 FY is as follows:</p> <p>Q1: No Deliverable  Q2: No Deliverable  Q3: No Deliverable  Q4: Position Paper for the Optimisation of the Frequency Modulation Sound Broadcasting</p>
Source of data	National Radio Frequency Plan 2021, Terrestrial Broadcasting Frequency Plan 2013, ITU-R reports, recommendations, handbooks, Geneva 84 plan, African Telecommunications Union (ATU) and Southern African Development Community (SADC) guidelines and the Optimisation of the Frequency Modulation Sound Broadcasting Discussion document
Method of calculation	Counting
Means of verification	Position Paper for the Optimisation of the Frequency Modulation Sound Broadcasting
Assumptions	Sources of data available, submissions from the industry
Disaggregations of beneficiaries	All Citizens of SA
Calculation type	Non-cumulative
Spatial Transformation	National
Reporting cycle	Annually
Desired performance	Position Paper on Optimisation of the Frequency Modulation Sound Broadcasting
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Number of the Discussion Documents on Dynamic Spectrum Access and Opportunistic Spectrum Management produced
Definition	<p>The indicator measures the number of discussion documents produced in respect of the framework for the second phase of Dynamic Spectrum Access and Opportunistic Spectrum Management.</p> <p>The quarterly deliverables are as below:</p> <p>Q1: No Deliverable</p>

	Q2: No Deliverable Q3: No Deliverable Q4: Discussion document for public consultation on Dynamic Spectrum Access and Opportunistic Spectrum Management
Source of data	Position Paper Dynamic Spectrum Access and Opportunistic Spectrum Management 2017, National Radio Frequency Plan 2021, International Benchmark Research Studies and ITU Recommendations and Reports
Method of calculation	Counting
Means of verification	Discussion Document
Assumptions	Sources of data available, Budget
Disaggregation of beneficiaries	All Citizens of SA
Calculation type	Non-Cumulative
Spatial Transformation	National
Reporting cycle	Annually
Desired performance	Discussion Document on Dynamic Spectrum Access and Opportunistic Spectrum Management
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Number of Provinces monitored for Quality of Service
Definition	The indicator measures the number of provinces monitored for Quality of Service (QoS). The aim of the monitoring is to assess the QoS provided by the mobile operators as perceived by the user.  The quarterly breakdown for 2022/23 FY is as follows:  Q1 = 1 Q2 = 2 Q3 = 2 Q4 = 2
Source of data	Measurements collected through Drive Testing using South African Bureau of Standards (SABS) 1725-1/2 standards
Method of calculation	Counting
Means of verification	Provinces QoS monitoring report
Assumptions	Monitoring equipment functioning properly.
Disaggregation of beneficiaries	Citizens of SA
Calculation type	Cumulative year end
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	Acceptable levels of network performance
Indicator responsibility	Senior Manager: Engineering Facilities and Research



Indicator Title	Number of Regulations on Rapid Deployment as required under Chapter 4 of the ECA produced
Definition	<p>The indicator measures completion of the number of Regulations as required to be promulgated under chapter 4 of the ECA</p> <p>The Regulations will be delivered over Two (2) year period as follows:</p> <p>Draft Regulations will be delivered in 2022-23 FY and the Final Regulation in 2023-24 FY.</p> <p>The quarterly breakdown for 2022/23 FY is as follows:</p> <p>Q1: No deliverable  Q2: No deliverable  Q3: No deliverable  Q4: Draft Regulations on Rapid Deployment considered by Council (0.5).</p>
Source of Data	<p>Electronic Communications Facilities Leasing Regulations 2010.</p> <p>Policy and Policy Directions on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities</p>
Method of Calculation/ Assessment	Counting
Means of verification	Draft Regulations on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities
Assumptions	Policy and Policy Directions on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities issued by the Minister of Communications and Digital Technologies as contemplated in chapter 4 of ECA.
Disaggregation of beneficiaries	Citizens of SA
Calculation Type	Non-Cumulative
Spatial Transformations	National
Reporting Cycle	Annually
Desired Performance	Draft Regulations on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities
Indicator Responsibility	Senior Manager: Engineering Facilities and Research

Indicator Title	Number of Amended Regulations on End-User and Subscriber Service Charter produced
Definition	The indicator measures completion of the number of Amended Regulations on End-User and Subscriber Service Charter. The quarterly breakdown for 2022/23 FY is as follows:  Q1: No deliverable Q2: No deliverable Q3: No deliverable Q4: Amended Regulations on End-User and Subscriber Service Charter considered by Council.
Source of Data	End-User and Subscriber Service Charter Regulations of 2016.
Method of Calculation/ Assessment	Counting
Means of verification	Amended Regulations on End-User and Subscriber Service Charter
Assumptions	Budget
Disaggregation of beneficiaries	Citizens of SA
Calculation Type	Non-Cumulative
Spatial Transformations	National
Reporting Cycle	Annually
Desired Performance	Amended Regulations on End-User and Subscriber Service Charter
Indicator Responsibility	Senior Manager: Engineering Facilities and Research

## 16. Programme 5: Regions and Consumer Affairs

Indicator Title	Percentage of reported Radio Frequency Interference cases resolved in 30 working days
Definition	The indicator measures the reported Radio Frequency Interference cases resolved within 30 working days
Source of Data	Customer Relationship Management (CRM)
Method of Calculation/ Assessment	Number of reported interference cases resolved within 30 working days divided by the total interference cases resolved multiplied by 100
Means of verification	CRM evidence
Assumptions	Budget availability for equipment and relevant training
Disaggregation of beneficiaries	All consumers and stakeholders in the ICT sector

Calculation Type	Non-Cumulative
Spatial Transformations	Not applicable
Reporting Cycle	Quarterly
Desired Performance	97% of Radio Frequency Interference cases resolved within 30 working days.
Indicator Responsibility	Executive: Regions and Consumer Affairs

Indicator Title	Level of service delivery with respect to License Applications / Registrations processed within turn-around time
Definition	<p>The indicator measures the processing of license applications / registrations processed.</p> <p>Level 1:</p> <ul style="list-style-type: none"> <li>• 70% Class Electronic Communications System (EC)/Electronic Communications Network System (ECNS) and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>• 97% of pre-assigned applications within 15 working days</li> <li>• 90% Maritime Mobile Service Identity (MMSI) numbers issued within 7 working days</li> <li>• 60% of type approval applications processed within 30 working days</li> </ul> <p>Level 2:</p> <ul style="list-style-type: none"> <li>• 71% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>• 97% of pre-assigned applications within 15 working days</li> <li>• 91% MMSI numbers issued within 7 working days</li> <li>• 61% of type approval applications processed within 30 working days</li> </ul> <p>Level 3:</p> <ul style="list-style-type: none"> <li>• 72% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>• 97% of pre-assigned applications within 15 working days</li> <li>• 92% MMSI numbers issued within 7 working days</li> <li>• 62% of type approval applications processed within 30 working days</li> </ul> <p>Level 4:</p> <ul style="list-style-type: none"> <li>• 73% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new,</li> </ul>

	<p>amendments, transfer, renewal, and exemptions applications)</p> <ul style="list-style-type: none"> <li>• 98% of pre-assigned applications within 15 working days</li> <li>• 93% MMSI numbers issued within 7 working days</li> <li>• 63% of type approval applications processed within 30 working days</li> </ul>
Source of Data	Customer Relationship Management (CRM)
Method of Calculation/ Assessment	<p>Number of applications processed within TAT divided by total applications processed multiplied by 100.</p> <p>This will be calculated for each service type i.e. Class ECS/ECNS and/or unreserved postal license applications, Pre-assigned applications, MMSI and Type approval applications processed within turnaround time</p>
Means of verification	CRM evidence
Assumptions	Budget availability for recruitment and training of staff
Disaggregation of beneficiaries	All consumers and stakeholders in the ICT sector
Calculation Type	Non-Cumulative
Spatial Transformations	n/a
Reporting Cycle	Quarterly
Desired Performance	Processing of applications and registrations within Type Approval Test (TAT). Annual improvement in service delivery
Indicator responsibility	Executive: Regions and Consumer Affairs

Indicator Title	Percentage of Consumer Complaints resolved
Definition	The indicator measures consumer complaints resolved
Source of Data	Actual consumer complaints received on the CRM system
Method of Calculation/ Assessment	The number of complaints resolved divided by the number of complaints received multiplied by 100
Means of verification	CRM evidence
Assumptions	No downtime of CRM system
Disaggregation of beneficiaries	All consumers
Calculation Type	Cumulative
Spatial Transformations	Not Applicable
Reporting Cycle	Quarterly
Desired Performance	Resolution of complaints within TAT
Indicator Responsibility	Executive: Regions and Consumer Affairs

Indicator Title	Number of Advisories provided to ICASA by the Consumer Protection Panel
Definition	The indicator measures the number of Advisories produced by Consumer Advisory Panel (CAP) for consumer protection
Source of Data	CAP consumer protection initiatives undertaken
Method of Calculation/ Assessment	Counting
Means of verification	Council approved CAP advisory report
Assumptions	Budget availability for advisory work
Disaggregation of beneficiaries	All consumers
CalculationType	Non-Cumulative
Spatial Transformations	N/A
Reporting Cycle	Annually
Desired Performance	Improved level of consumer protection
Indicator Responsibility	Executive: Regions and Consumer Affairs

## Annexure A: Amendments to the Strategic Plan

There are no amendments to the Strategic Plan. This Annual Performance Plan is based on the Strategic Plan 2020/21 – 24/25 as tabled and approved by Parliament.

## Annexure B: Conditional Grants

The National Treasury allocated an amount of R300-million as conditional funding to ICASA for the 2022/23 financial year. The funding will be used for licensing of the high demand Spectrum, and it's split between Programmes 2, 4 and 5.

## Annexure C: District Development Model

Areas of Intervention	Medium Term (3 Years – MTEF)					
	Project Description	Budget Allocation	District Municipality	Location: GPS Coordinates	Project Leader	Social Partners
Communication	Licensing of community sound broadcasting services	<b>Part of Programme 2:</b> Licensing budget	Various District Municipalities per province	N/A	Senior Manager: ICT Licensing Services	Communities in the Municipality
Communication	Access to quality broadband services increased  (Licensing of IMT Spectrum)	<b>Part of Programme 2:</b> Licensing budget	Underserved district municipalities as identified in terms of the ITA, and designated as USOs to licensees during the licensing process	To be confirmed as part of the licensing process	Senior Manager: Spectrum Licensing	Licensees to be assigned spectrum  Communities in identified municipalities  Businesses operating in identified municipalities
Communication	Licensing of an Individual Commercial Sound Broadcasting Services in	<b>Part of Programme 2:</b> Licensing budget	All District municipalities in Northern	N/A	Senior Manager: ICT Licensing Services	Licensee to be assigned service and spectrum licence

	the Northern Cape		Cape Province			Communities in identified municipalities  Businesses operating in identified municipalities
Communication	Licensing of I-ECNS and RF spectrum licences for WOAN	<b>Part of Programme 2:</b> Licensing budget	Nationally	N/A	Senior Manager: ICT Licensing Services	Successful applicant for the I-ECNS and RF spectrum Licence.  Existing MNO's and MVNO's  End Users/Consumer/Businesses  DCDT
Communication	Licensing of digital community television broadcasting services on MUX 1	<b>Part of Programme 2:</b> Licensing budget	Various district municipalities per province	N/A	Senior Manager: ICT Licensing Services	Licensees to be assigned service and spectrum licenses  Communities in identified municipalities  Businesses operating in identified municipalities
Communication	Quality of service monitoring	<b>Part of Programme 4:</b> Engineering & Technology budget	OR Tambo District Municipality	31.4632° S, 29.2321° E	Eastern Cape Regional Manager	ECNS licensees (MNOs)  Consumer Groups in

						the Municipality
Communication	Resolution of radio frequency interference cases	<b>Part of Programme 5:</b> Regions budget	OR Tambo District Municipality	31.4632° S, 29.2321° E	Eastern Cape Regional Manager	Licensees operating in the area Consumer Groups in the Municipality

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