



Independent Communications Authority of South Africa

MINUTES OF AN ORDINARY MEETING OF COUNCIL		
Date	04 August 2022	
Time:	09:00	
Venue:	Microsoft Teams	
Present	██████████	Acting Chairperson
	██████████	Councillors
	██████████	Councillors
	██████████████████	Councillors
By Invitation	██████████████	CEO
	██████████████	CFO
	██████████████████	CAE
	██████████████	Corporate Secretary
	██████████████	Secretariat Officer
	██████████████	Secretariat Officer
	██████████████	Secretariat Officer
Partial Attendees	██████████████	Executive: Legal Risk and CCC
	██████████████	Executive: Corporate Services
	██████████	Executive: Licensing and Compliance
	██████████████	Senior Manager: Talent and Performance Management
	██████████████	SM: Numbering and Type Approval
	██████████████	Risk and Compliance Management Specialist
	██████████████████	Manager: Broadcasting Frequency Broadcasting
	██████████████	Specialist: Monitoring and Evaluation
Apologies	None	



No.	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>1.1. The Chairperson opened the meeting at 08:00 and welcomed all present.</p> <p>1.2. There were no apologies noted.</p> <p>The opening and apologies were noted.</p>	Chairperson
2.	<p>Declaration of interest</p> <p>No conflict of interest was noted.</p>	Council
3.	<p>Ratification of the Agenda</p> <p>3.1 Item D1.1 (Dark Fibre Applications) was deferred to the next meeting of Council, given that the submission was circulated late to Council.</p> <p>The agenda was ratified.</p>	All
4.	<p>Matters Arising</p> <p>The updates on the Matters Arising document was noted by Council.</p>	CEO
5.	<p>Licensing of IMT (“Standing Item”)</p> <p><u><i>Adhoc International Engagements For September</i></u></p> <p>The Executive: Corporate Services presented the item.</p> <p>5.1.1 The purpose of this memo was to request Council to note the list of international engagements for September as received and nominate specific Councillors to attend those engagements.</p> <p>5.1.2 The Corporate Services: IR unit received several invitations for Council’s attention following the submission made by Corporate Services on Q2 international engagements.</p>	CEO / Exec: Corporate Services



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	<p>5.1.3 The ITU Radiocommunication Bureau made an announcement that the World Radiocommunication Conference 2023 (WRC-23) will be hosted in Dubai, United Arab Emirates (UAE). The conference will take place from 20 November and 15 December 2023.</p> <p>5.1.4 The flagship conference will be preceded by the Radiocommunication Assembly (RA-23), taking place from 13 to 17 November 2023 at the same venue. There's a dedicated team at ICASA, which is currently participating in various national and regional preparatory meetings in the lead-up to the conference.</p> <p><u>Recommendation to Council:</u></p> <p>5.1.5 It was recommended that Council note the meeting requests and the recommendations on the nominations of Councillors to attend those engagements.</p> <p>The submission was approved as per the recommendations in the submission.</p>	
<p>5.2</p>	<p>International Engagements</p> <p>Update on bilateral engagements between Cote D'ivoire (HACA AND ARTCI) and South Africa (ICASA)</p> <p>The Executive: Corporate Services presented the item.</p> <p>5.2.1 The purpose of this submission was to provide Council with an update on the bilateral meetings held between the High Authority for Audio-visual Communication (HACA) and The Telecommunications / ICT Regulatory Authority of Côte d'Ivoire (ARTCI).</p> <p>5.2.2 The CEO and Chairperson of ICASA were invited to be a part of the South African delegation that would accompany the President of South Africa on the official State visit from 02 – 03 December 2021. The CEO and Chairperson were not able to meet with the regulatory counterparts in Côte d'Ivoire. However, a proposal to establish bilateral relations was shared with ARTCI.</p> <p>5.2.3 On the 20th and 21st of July 2022, ICASA hosted two bilateral meetings with HACA and ARTCI, respectively. The meetings</p>	<p>CEO / Exec: Corporate Services</p>



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	<p>took place on the occasion of the State visit by President Alassane Ouattara hosted by President Cyril Ramaphosa.</p> <p>5.2.4 HACA is responsible for regulating Audio-visual Communication in Côte d'Ivoire. Its main mission is to guarantee and ensure the freedom and protection of audio-visual communication within the framework of the law.</p> <p>5.2.5 ARTCI is an independent administrative authority with legal personality and financial autonomy. ARTCI carries out several Regulatory Missions as guided by Ordinance No. 2012-293. The Missions include the following:</p> <p>5.2.5.1 Regulation of the Telecommunications/ICT sector,</p> <p>5.2.5.2 Regulation of the postal sector,</p> <p>5.2.5.3 Security of networks and information systems,</p> <p>5.2.5.4 Protection of personal data,</p> <p>5.2.5.5 Management of electronic transactions,</p> <p>5.2.5.6 Management of domain names and Internet addresses of Côte d'Ivoire,</p> <p>5.2.5.7 Management of the Internet exchange point of Côte d'Ivoire.</p> <p>5.2.6 Following the engagements between the regulators, ICASA has identified several areas of mutual agreement, and such deem it necessary to establish an international cooperation agreement with the two regulators.</p> <p><u>Recommendation to Council:</u></p> <p>It was recommended that Council:</p> <p>5.2.7 Notes the update on the meeting between HACA, ARTCI and ICASA; and</p> <p>5.2.8 Approves ICASA to pursue an international cooperation agreement with ARTCI and HACA.</p> <p>The submission was approved.</p>	



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6.	<p>Licensing of IMT (Standing Item)</p> <p>6.1 A SteerCo will be convened with regard to the issue of Social Obligations.</p> <p>6.2. The Committee has requested a legal opinion in relation to the Cell C payment arrangement issue.</p> <p>6.3 The Telkom 2300MHz Amendment application will be brought to Council for tabling.</p> <p>6.4 The 2nd Information Memorandum will be tabled at Council on 16 August 2022.</p> <p>The update was noted by Council.</p>	Cllr [REDACTED]
7.	<p>Anglo Corporate Services SA: Application for a trial licence in the 915MHz band</p> <p>The Executive: Licensing and Compliance presented the item.</p> <p>7.1. The purpose of the submission was to request Council to approve the online application submitted by Anglo Corporate Services South Africa (Pty) Ltd, (“the Applicant”) for a temporary test licence in the 915 MHz band for a period of eight (8) months. The submission to Executive and Operations Committee was approved on 30 June 2022 for tabling at Council.</p> <p>7.2. The Authority received an online application, 63727, from the Applicant for a trial licence in the 915 MHz radio frequency spectrum band on 15 July 2021. A further confirmation letter stating that the applicant still wishes to continue with the trial was received on 10 February 2022.</p> <p>7.3. The application is brought in terms of section 31 (1) of the Electronic Communications Act (Act No. 36 of 2005) as amended and Regulation 40 of the Radio Frequency Spectrum Regulations, published in government gazette No. 38641 on 30 March 2015 (“RFSR”).</p> <p>7.4. The frequencies are required to enable the Applicant to trial a new microwave technology in the mining industry. The trial</p>	CEO / Exec Licensing and Compliance



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	<p>will test the amenability of ores to microwave treatment. The testing will take place on site, using the GET 2024 microwave system.</p> <p>7.5. The GET 2024 is an industrial microwave oven used to heat mined rocks resulting in inter-granular fracture needed for analysis by Anglo American.</p> <p>7.6. The GET 2024 oven is different from the microwave dish generally used in electronic communications network services. Therefore, the Applicant does not need a Private Electronic Communications Network (PECN) licence as the trial is not in relation to electronic communications services.</p> <p>7.7. However, the Applicant needs the radio frequency spectrum trial licence as the GET 2024 operates in the licenced radio frequency spectrum band.</p> <p>7.8. The testing will take place for a period of eight (8) months, commencing from the date on which the licence was granted and issued.</p> <p>7.9. The radio frequency spectrum applied for is used for Global System for Mobile services and is assigned in line with the National Radio Frequency Plan (NRFP) and International Telecommunication Union Regulations.</p> <p>7.10. There would be no technical impact to any other services or other users in the requested band. Installation addresses and other technical parameters are as per the online application 63727.</p> <p>7.11. The licensee shall pay the following annual radio frequency spectrum fees for the Temporary test licence, which currently is R166.00 minimum fee.</p> <p><u>Recommendation to Council</u></p> <p>7.12. It was recommended that Council approves the application submitted by the Applicant for an eight (8) months trial period in the 915 MHz band. The application meets the requirements</p>	



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	<p>of the Radio Frequency Spectrum Regulations and the National Radio Frequency Plan.</p> <p><u>The following comments were made:</u></p> <p>7.13. Council sought clarity regarding the use of the spectrum and further inquired if the use would be above ground.</p> <p>7.14. Council further inquired if Annexure B is talking to the frequency 2.5GHz and not the 915GHz, and further inquired if no other entity was currently using the 915GHz.</p> <p>7.15. Council inquired if the application was an additional application or if it was a revised application.</p> <p>7.16. Management informed Council that the manner in which the license is drafted makes it clear that should there be any interference arising the trial would need to stop.</p> <p>7.17. Management informed Council that the tests will be above ground in one of the sights and the other site testing will be below ground. However, the Applicant has promised that the microwave will not emit any signals, and that no harmful interference will be emitted, and further that if there is interference the trial will come to an end.</p> <p>The submission was approved.</p>	
8.	<p>Dark Fibre Transfer Applications</p> <p>The item was deferred to the next meeting of Council.</p>	Cllr [REDACTED]
9.	<p>Terms and Conditions of Employment Policy</p> <p>The Senior Manager: Talent and Performance Management presented the item.</p> <p>9.1. The purpose of this submission was for Council to approve the revised Terms and Conditions of Employment Policy.</p>	CEO / Exec: HR



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	<p>9.2. The purpose of the Terms and Conditions of Employment Policy is to provide guidelines of the Terms and Conditions of Employment procedure at the commencement of employment of an employee with ICASA. It is good practice that the employer provides new employees with a written statement of their terms and conditions of employment when joining the organisation.</p> <p>9.3. This policy outlines the basic requirements and benefits provided to employees and for employees to have written terms and conditions of employment for purposes of clarity and certainty on relevant questions a new employee may have. This is in line with section 29 of the Basic Conditions of Employment Act.</p> <p>9.4. This policy also markets ICASA's Employee Value Proposition. The current Terms and Conditions of Employment Policy was last reviewed in 2018. The Policy and Procedure Framework specifies that all policies within ICASA should be reviewed every three (3) years.</p> <p>9.5. The Terms and Conditions of Employment Policy was reviewed in consultation with the Trade Union, Management Forum, Internal Audit and vetted by Legal & CCC, where inputs were received and duly incorporated into the updated version of this policy.</p> <p>9.6. Extensive discussions with Management Forum, Internal Audit and Legal & CCC were done where further inputs were received and duly incorporated, as well as inputs from EXCO/OPCO and HR & REMCO, hence the Human Resources Division brings the policy before Council for Council approval.</p> <p><u>Recommendation to Council:</u></p> <p>9.7. It was recommended that Council approves the revised Terms and Conditions of Employment Policy.</p> <p><u>The following comments were made:</u></p> <p>9.8. Council requested alignment with other Policies, regarding the compulsory exiting interviews, under resignations.</p>	



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	<p>9.9. Council inquired if the Policy needed to be updated to incorporate the working from home prescripts.</p> <p>9.10. Management informed Council that the Policies will be aligned.</p> <p>9.11. Management further informed Council that there is a separate Work from Home Policy and further that reference to the Work from Home Policy will be incorporated in the policy.</p> <p>The submission was approved subject to the inputs made.</p>	
<p>10.</p>	<p>Q1 Comprehensive Quarterly Report</p> <p>The SM: Strategy and Programme Management presented the item.</p> <p>10.1. The purpose of the submission was to table the ICASA Quarter 1 Comprehensive Quarterly Report to Council for approval so that it can be submitted to the Department of Communications and Digital Technologies.</p> <p>10.2. On the 2nd March 2021, the Authority held a meeting with the DCDT Entity Oversight Branch. One of the resolutions of the meeting was that the Authority must report to the DCDT in a more comprehensive fashion on a quarterly basis to allow the Minister to have a holistic picture of the performance of the Authority and its general state of health.</p> <p>10.3. The Production of ICASA's comprehensive quarterly report follows a similar format to the one that has been followed to produce the quarterly performance information report over the years. Data is collected from Programmes and consolidation using all the inputs received.</p> <p>10.4. The report presents the Authority's quarter one performance in terms of its governance, predetermined objectives, human resources status, financial status, risk and fraud management efforts, audit assurance and litigation cases. Its aim is to give a holistic picture of the state of organisational health of the Authority. It is also an</p>	<p>CEO / SM: Strategy and Programme Management</p>



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	<p>accountability tool on the activities that the Authority has expended resources on within a quarter.</p> <p>10.5. During quarter one, Council functioned with a complement of only four (4) Councillors and the Chairperson, instead of the statutory complement of eight (8) Councillors and a Chairperson. Nonetheless, this did not hamper Council from efficiently delivering in terms of its mandate. It is specifically noted that during quarter one, Council had the highest number of meetings relatively to the same quarter during the previous financial year, as well as 100% attendance and participation at those meetings.</p> <p>10.6. The Authority has achieved eighty-four percent (84%) of all the targets it set for the quarter in review. This marks the highest level of performance for the first quarter when compared to the past two financial years.</p> <p>10.7. Revenue collected for the quarter under review is R██████████, bringing a total of 88% of the revenue collected against target. Sixty-three percent (47.1%) of the year-to-date organisational budget has been utilised to carry out the work of the Authority as at the end of the quarter under review. The debt-to-assets ratio sits at 2.1 which indicates a solvent position for the Authority.</p> <p>10.8. The Authority's risk strategy continued to be monitored on a quarter-to-quarter basis. Controls were put in place by management to mitigate the outcomes and output risks from materialising. Despite controls and mitigating factors put in place by management, four (4) output risks materialised. The respective Programmes have formulated mitigation measures to improve on the root causes in respect of all identified risks.</p> <p>10.9. There were 4 new cases that were lodged against the Authority during the quarter in review, two of those were review applications lodged on urgent basis challenging the decision of the Authority refusing to grant approval for the renewal of a class licence that was submitted outside the prescribed timeframe.</p>	



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	<p>10.10. A total of twenty-five (25) targets were set for the quarter under review, out of which the Authority achieved twenty-one (21) and did not achieve four (4).</p> <p><u>Recommendation To Council:</u></p> <p>10.11. It was recommended that Council approve the ICASA Quarter 1 Comprehensive Quarterly Report so that it can be submitted to the Department of Communications and Digital Technologies.</p> <p><u>The following comments were made:</u></p> <p>10.12. Council inquired about the non-compliance to the 30 days Payment Plan and further how the non-compliance would impact the Annual Audit of the Authority for the current Financial Year.</p> <p>10.13. Council inquired about the lack information on spending for Training of Staff.</p> <p>10.14. Management informed Council that the Finance Division would interrogate the population of the unpaid invoices to establish reasons for delay, as some had disputes which would affect the current percentage as reported.</p> <p>10.15. Management further informed Council that Human Resources have put out the TOR's for an establishment of a panel and the process is currently at BAC, following which the training would commence once the service providers have been appointed.</p> <p>10.16. Council resolved that Management should provide notes in the report going forward regarding the figure that will be provided for the 30 days Payment Plan.</p> <p>10.17. Council resolved to amend the document to separate the number of vacancies and the approved structure of the Authority and the positions that are currently unfilled.</p>	



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	<p>The submission was approved subject to the proposed amendments made by Council.</p>	
<p>11.</p>	<p>Terms of Reference of the Loss Control Subcommittee</p> <p>The Executive: Legal Risk and CCC presented the item.</p> <p>11.1. The purpose of this submission was to present to Council revised Terms of Reference (“TOR”) of the Loss Control Subcommittee (“the Subcommittee”), for approval.</p> <p>11.2. The review clause of the TOR dictates that the review of the TOR must take place every three (3) years or sooner to ensure that they remain consistent with the Subcommittee’s objectives and responsibilities. The current version of the TOR was signed off in September 2021.</p> <p>11.3. The review of the TOR is necessitated by the need to augment the Subcommittee’s membership, to ensure that matters before the Subcommittee are dealt with expeditiously. This will ensure compliance with the timelines set out in the Irregular Expenditure Framework and the Fruitless and Wasteful Expenditure Framework for purposes of clearing the items on the UIFW Register.</p> <p>11.4. During the 2019/2020 period, National Treasury issued two Instructions that prescribed the Irregular Expenditure Framework, and Fruitless and Wasteful Expenditure Framework. These Frameworks prescribe the procedures to be followed by Accounting Officers when dealing with irregular expenditure and fruitless and wasteful expenditure, including previous cases of irregular expenditure and fruitless and wasteful expenditure.</p> <p>11.5. The Frameworks are mostly focussed on the recovery of losses suffered by organisations as a result of the actions of officials that result in the incurrance of irregular expenditure or fruitless and wasteful expenditure. It is worth</p>	<p>CEO / Exec: Legal Risk and CCC</p>



No.	Action Item	Person Responsible
	<p>noting that the Authority has an Unauthorised, Irregular, Fruitless and Wasteful Expenditure Policy (“UIWF Policy”) which was approved in March 2017. However, this Policy is currently outdated, as it was not updated when the Frameworks were issued, and the UIWF Policy relies on the recovery process prescribed by the National Treasury Regulations.</p> <p>11.6. The Frameworks expand on the recovery process, which is outlined in the National Treasury Regulations, and prescribe several steps that must take place as the recovery process unfolds. The Frameworks speak to a loss control function or another relevant function, which must play an instrumental role in the recovery of losses.</p> <p><u>Recommendation to Council:</u></p> <p>11.7. It was recommended that Council should considers the revised TOR and approve the same.</p> <p>The submission was approved.</p>	
12.	<p>Q1 Policy Review Register</p> <p>The Executive: Legal Risk and CCC presented the submission.</p> <p>12.1. The purpose of this submission was to provide Council with a progress report on the review of the Organisation’s policies, for noting.</p> <p>12.2. In order for the organisation to operate effectively, active policies are required to ensure consistent, fair and standardised implementation of programmes and to guide all employees in the performance of their duties. Regular review of the policies is critical for ICASA to operate optimally.</p> <p>12.3. ICASA’s Policy and Procedure Review Framework (“the Framework”) was approved in June 2019. The Policy framework provides that all policies should be reviewed after three years from the date of approval or earlier where required.</p>	<p>CEO / Exec: Legal Risk & CCC</p>



No.	Action Item	Person Responsible
	<p>12.4. The Legal, Risk & CCC Division has tracked the progress made by the Divisions to review their policy documents in line with the Framework and continues to advise the divisions on the policy documents that are due for review.</p> <p>12.5. During the first quarter of the 2022/2023 financial year, the following was notable:</p> <p style="padding-left: 40px;">12.5.1 A total of 5 Policies; 3 Frameworks and 3 TORs became due for the year under review.</p> <p style="padding-left: 40px;">12.5.2 The review of only 3 Policies was finalised during the quarter.</p> <p style="padding-left: 40px;">12.5.3 There are still a number of policy documents overdue for review by over a year (9 Policies; 3 Frameworks/Procedure Manuals; and 4 TORs)</p> <p><u>Recommendation to Council:</u></p> <p>12.6. It was recommended that Council notes the quarter one progress report on the review of policies.</p> <p><u>The following comments were made:</u></p> <p>12.7. Council sought clarity regarding the long outstanding Policies that are up for review.</p> <p>12.8. Council requested that the Work from Home Policy be reviewed in the current Quarter.</p> <p>12.9. Management informed Council that seven Finance Policies are outstanding, and further that the Supply Chain Management Policy is currently undergoing review, which has an impact on the other outstanding Policies. Management informed Council that once the review of the SCM Policy has been completed and approved the remaining Policies will then be subjected to the full review process.</p>	



No.	Action Item	Person Responsible
	<p>12.10. Management informed Council that the Work from Home Policy will be incorporated in the current Policy register.</p> <p>The submission was noted.</p>	
<p>13.</p>	<p>Q1 Risk and Compliance Management Report</p> <p>The Risk and Compliance Management Specialist presented the item.</p> <p>13.1. The purpose of this submission was to provide Council with quarter one Risk and Compliance Management progress report, for noting.</p> <p>13.2. Risk management continues to be integral part of the management’s programme, which includes having to report progress to RCMC/EXCO/AREDC and Council on a quarterly basis.</p> <p>13.3. A total number of six (6) strategic outcome risks were identified. For all six risks identified, four (4) mitigation plans were identified during the quarter. Three (3) (80%) mitigation plans were implemented and whereas one (1) or (20%) is progress.</p> <p>13.4. The risk of “potential delays in regulatory interventions due to litigation by stakeholders resulting in delays to achieve ICASA mandate” is still assessed cautionary given the litigious environment ICASA is operating in. However, steps are in progress to take some of the risks through risk acceptance in cases where ICASA cannot do anything to minimise the impact of the risk.</p> <p>13.5. Two (2) risks were assessed at medium from quarter to quarter due some of the controls beyond ICASA’s control. These risks continue to receive attention from management. Three risks were assessed low due to implementation of controls which were assessed as adequate and effective.</p> <p>13.6. During the quarter twenty-five (25) Output risks were identified. Out of that, twenty-five (21) risk controls implemented by management were adequate and effective.</p>	<p>CEO / Exec Legal Rick & CCC</p>



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	<p>Four (4) risks controls were either inadequate or ineffective. This represents a total of 84% effective and adequate controls and 16% inadequate and ineffective controls during the quarter.</p> <p>13.7. The four output risks related to (i) Corporate Services - Number of communication products published to grow the share of voice of ICASA. (ii) Policy, Research Analysis - Number of findings documents on Signal Distribution Services produced, due to delays due to lack of stakeholders' response to the questionnaire. (iii) Number of regulations on Call Termination developed and (iv) Regions Percentage of reported Radio Frequency interference cases resolved in 30 working days.</p> <p>13.8. The operational risks report reflects a total of 174 risk identified in this quarter, with 164 risk assessed as effective and adequate, - this equated to 94%. Off the remaining 10 (6%) risks, controls were assessed as inadequate and ineffective and mitigation action plans were still in progress for implementation.</p> <p>13.9. Crisis Management Committee (CMC) continue to assess the impact of COVID-19 within the organization. While the state of National Disaster has lapsed, some of the risks will continue to post threats to ICASA. The risks of infections inside and outside of the premises will continue to post threats. Assessment on the job function was conducted and based on the assessment, the majority of ICASA positions were assesses at medium and some few at cautionary. The cautionary position related to employees who interact with external stakeholders. A comorbidities risk assessment was also conducted. The assessment reflects that approximately 69 employees have comorbidities. All these employees have been assessed at cautionary after consideration of controls in place. The status of vaccination for all employees is approximately at 70%.</p> <p>13.10. The risk and compliance management plan had 25 planned actions for the quarter, of which 13 (52%) have been</p>	



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	<p>achieved and 12 (48%) are still outstanding and work is still in progress.</p> <p>13.11. During the quarter, the IT department had fifteen (15) risks identified. Out of fifteen (15) risks, ten (10) risks controls were assessed as adequate and effective to minimise the impact of risk to an acceptable level. Five risks were assessed medium to cautionary even after controls assessment.</p> <p>13.12. During the quarter, the Finance division identified eighteen (18) risks. Six (6) were classified as Compliance related, Seven (7) as operational, Two (2) relating to Reporting and the last Three (3) were Fraud related. Eleven (11) risks were assessed as adequate and effective to minimise the impact of risk to an acceptable level. Five (5) risks were assessed as cautionary and last two (2) as medium</p> <p>13.13. During the quarter, there were no risks elevated as either emerging or dependency. Continued monitoring of emerging risks will be escalated as and when identified. Those emerging risks identified by the divisions, were in fact operational risks that already existed.</p> <p><u>Recommendation to Council:</u></p> <p>13.14. It was recommended that Council notes quarter one Risk and Compliance Management report.</p> <p><u>The following comments were made:</u></p> <p>13.15. Council raised that there is an impact not reported as a risk affecting the Authority being the current composition of Council.</p> <p>13.16. Management informed Council that the Council Committee Risk Register has recorded that the current composition of Council is a risk. Management informed Council that the risk as recorded in the Projects Risk Register will be elevated.</p>	




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	The submission was noted.	
14.	<p>Risk and Compliance Management Plan 2022/23</p> <p>The Risk and Compliance Management Specialist presented the item.</p> <p>14.1. The purpose of this submission was to present to Council the Risk and Compliance Management Plan for 2022-23 for approval.</p> <p>14.2. Organisations of all types and sizes face internal and external factors which contribute to uncertainty on the achievement of objectives. Identifying, assessing, managing and reporting these factors are at the heart of corporate governance and organizational performance. To this end, the Risk and Compliance Management Plan is a tool that Risk, and Compliance Unit uses to manage risk and compliance function in the organisation.</p> <p>14.3. This document sets out the annual Risk, Fraud, Business Continuity, Compliance and Ethics Management Implementation Plan which outlines detailed activities to be undertaken to implement the Risk Management Policy, Risk and Opportunity Management Strategy, Business Continuity Framework, Compliance Management Policy, Code of Ethics and Disclosure of Interest and Fraud policies for the financial year 2022/23. It further provides reasonable assurance that the key risks are being addressed by the Organisation.</p> <p>14.4. The achievement of outcomes is dependent on effective risk management, compliance, ethics and business continuity.</p> <p>14.5. The Risk Management success factors refers to those elements of Risk Management implementation that must be given special and continual attention to bring about high performance and expected returns on Risk Management investment. These elements are:</p> <p>14.5.1 Management support</p>	<p>CEO / Exec: Legal Risk & CCC</p>



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	<p>14.5.2 Capacity and infrastructure to implement Risk Management</p> <p>14.5.3 Assurance providers and</p> <p>14.5.3 Governance Structures.</p> <p>14.6. Secretariat Functions- The department continue to provide secretariat functions to the following Committee:</p> <p>14.6.1 Loss Control Committee</p> <p>14.6.2 Crisis Management Committee</p> <p>14.5.3 Audit Steerco</p> <p>14.6.4 Risk and Compliance Management Committee.</p> <p>14.7. Risk Management- The risk department will review or develop 9 policies during the year;</p> <p>14.7.1 No new actions have been identified during the financial year, however, the current action plans will be enhanced to embed the risk management function.</p> <p>14.8. Business Continuity Management</p> <p>14.8.1 Business Impact Analysis will be updated in line with Internal Audit recommendations-workshops with all the divisions will be done to reflect on RTOs</p> <p>14.9. Compliance Management-</p> <p>14.9.1 Four legislations will be assessed as they reflect high-risk areas of non-compliance or high risk of requirement to be complied with. The legislations include PFMA, OHS, POPIA Audit Act.</p> <p>14.9.2 POPIA act has been included to ensure compliance. Law firm will be appointed to assist ICASA with readiness programme</p> <p><u>Recommendation to Council:</u></p>	



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	14.10. It was recommended that Council approves the Risk and Compliance Management Plan for 2022-23. The submission was approved.	
15.	General <u>Invitation sent to Councillors in relation to the launch of the Association of Comms and Technology (ACT)</u> 15.1 Council resolved that Councillors who are available to do so, may attend the event. <u>Naming Convention of Documents</u> 15.2 Council resolved that Secretariat and the Corporate Services Division should look into creating a formal naming convention for the Authority.	Chairperson
16.	Closure The Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 12:21 pm.	Council

Signed:  _____

Date: 2023-03-16 _____

Dr Charles Lewis
(Acting Chairperson)