



Independent Communications Authority of South Africa

MINUTES OF AN ORDINARY MEETING OF COUNCIL		
Date	15 February 2024	
Time:	11:30	
Venue:	Virtual – Microsoft Teams	
Present		
	██████████ ██████████	Acting Chairperson
	████████████████████	Councillor
	██████████ ██████████	Councillor
	████████████████████	Councillor
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	████████████████████	Councillor
	██████████	Councillor
By Invitation		
	████████████████████	CEO
	████████████████████	Acting CFO / Executive: Regions & Consumer Affairs
	████████████████████	Acting CAE
	████████████████████	Executive: LCCC
	████████████████████	Secretariat Officer
	████████████████████	Secretariat Officer
	████████████████████	Graduate Secretariat
Partial Attendees		
	████████████████████	Executive: PRA
	██████████ ██████████	Executive: HR
	████████████████████	Executive: Regions & Consumer Affairs
	████████████████████	Executive: Licensing and Compliance
	████████████████████	Chief Information Officer
	████████████████████	Specialist: Monitoring and Evaluation
	████████████████████	Senior Manager: Engineering Facilities & Research
	████████████████████	Specialist: Programme Management
Apologies		
	████████████████████	Corporate Secretary

No.	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>1.1. The Chairperson declared the meeting open at 11:30 and welcomed all present.</p> <p>1.2. Apologies were tendered for the Corporate Secretariat who was attending training.</p> <p>The opening and apology were noted.</p>	Chairperson
2.	<p>Ratification of agenda</p> <p>The agenda was not amendment.</p>	Council
3.	<p>Declaration of interest</p> <p>No conflict of interest was noted.</p>	Council
4.	<p>Draft ICASA 2024/25 Annual Performance Plan</p> <p>The CEO and Specialist: Monitoring and Evaluation presented the submission:</p> <p>4.1. The purpose of the submission dated 12 February 2024 was to table and get Council approval of the draft ICASA Annual Performance Plan for the 2024/25FY (“the APP”), for submission to DCDT and for tabling in the National Assembly in line with statutory prescripts.</p> <p><u>Recommendation to Council:</u></p> <p>4.2. It was recommended that Council should consider and approve that the APP be submitted to the DPME and the DCDT, and further, be tabled in the National Assembly.</p> <p><u>Comments made:</u></p> <p>4.3. Council sought clarity on 2.2.1.7 (Policy on High Demand Spectrum and Policy Direction on the</p>	CEO / Senior Manager: SPM

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	<p>Licensing of a Wireless Open Access Network, 2019), which indicated that “the Authority successfully completed the auctioning, and issuing of the high demand spectrum”. Council cautioned of the inaccuracy of the latter statement, mindful that there is remaining spectrum yet to be auctioned.</p> <p>4.4. Council indicated that the paragraph relating to Rapid Deployment, did not mention draft municipal bylaws, given that these have an impact on the work of the Rapid Deployment Committee.</p> <p>4.5. Council indicated that under the paragraph dealing with the PESTLE, the word “independence” (under political factors) must be specific. It should rather read “Regulatory Independence”.</p> <p>4.6. Council sought clarity on whether the revised APP being presented to Council at the meeting, was the same version previously circulated to Council. Council was informed that the APP presented, was the same one which was circulated to Councillors for a round of inputs.</p> <p>4.7. Council indicated that a motivation must be included in the APP on why IMT Spectrum Licensing was removed from the APP. This insert should further indicate that preparations are underway for the second round of the auctioning of spectrum, which is envisaged to take place in the 2025/26FY.</p> <p>4.8. Council highlighted that there was no formal signed settlement agreement in relation to the Telkom litigation, which was interdicting the year 2022 spectrum auction from taking place. However, Council was cognisant that the correspondence between Telkom and the Authority, which culminated to the settlement of</p>	

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	<p>the litigation, provided that the Authority would conduct a competition/market enquiry.</p> <p>4.9. Council indicated that the APP must indicate that some of the targets could not be achieved as a result of the suboptimal funding model and budgetary constraints. The SWOT analysis needed to be reworded.</p> <p>4.10. Council pointed that the indicated target with respect to “<i>percentage of the process for licensing of community sound broadcasting services</i>”, has no stated percentage targets for quarter 1,2 and 4 in the APP. Council sought clarity on whether this meant that no work will be done during those quarters. Council was informed that the publication of the ITPR will be in the third quarter. In the fourth quarter, the Authority will be conducting workshops regarding the I-TPR process and educating the potential applicants in the different regions.</p> <p>4.11. Council sought clarity on the <u>actual</u> amount which was received from the spectrum auction. Council was informed that the actual amount was R██████████ Council resolved that the statement about this amount should be general / high-level and not indicate specific amounts received from the respective successful bidders.</p> <p>4.12. Council requested the SPM Unit to verify with the divisions some of the assertions in the SWOT analysis.</p> <p>4.13. Council directed that the paragraph under “International Engagements” be reworded.</p> <p>4.14. There was a view from a Councillor that the IMT spectrum licensing process should not be removed from the APP.</p>	

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	<p>4.15. Council indicated that there was an in-principle agreement to <u>postpone</u> (not abandon) the licensing of IMT spectrum in the 2024/25 financial year, pending the finalisation o the competition assessment. Therefore, the paragraph in the APP report needed to reflect this.</p> <p>4.16. Council resolved that Councillors be afforded time to make further inputs on the draft APP by 17:00 on 15 February 2024 and further that by 20:00 on 15 February 2024, the final version of the APP should be submitted to the Acting Chairperson for signature.</p> <p>The submission was approved in-principle, pending the incorporation of further inputs to be made by Council as indicated in paragraph 4.18 infra.</p>	
5.	<p>Closure</p> <p>The Acting Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 12:57.</p>	Acting Chairperson

Signed: _____

Date: _____