



**Independent Communications Authority of South Africa**

<b>MINUTES OF A SPECIAL MEETING OF COUNCIL</b>		
<b>Date</b>	<b>15 September 2023</b>	
<b>Time:</b>	<b>09:00am</b>	
<b>Venue:</b>	<b>EP-CF Thabo-Mbeki</b>	
<b>Present</b>		
	[REDACTED]	Acting Chairperson
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
<b>By Invitation</b>		
	[REDACTED]	CEO
	[REDACTED]	Acting CFO
	[REDACTED]	Acting CAE
	[REDACTED]	Executive: LCCC
	[REDACTED]	Corporate Secretary
	[REDACTED]	Secretariat Officer
	[REDACTED]	Secretariat Officer
<b>Partial Attendees</b>		
	[REDACTED]	Executive: Licensing, and Compliance
	[REDACTED]	Executive: HR
	[REDACTED]	Executive: Corporate Services
	[REDACTED]	Executive: Engineering and Technology
	[REDACTED]	Chairperson: HR & REMCO
	[REDACTED]	Manager: Service ECS\ECNS\Post: Licensing
	[REDACTED]	Chief Information Officer
	[REDACTED]	Senior Manager: Compliance
	[REDACTED]	Manager: Wholesale Services
	[REDACTED]	Manager: Retail Service

<b>No.</b>	<b>Action Item</b>	<b>Person Responsible</b>
1.	<p><b>Opening and apologies</b></p> <p>1.1. The Chairperson declared the meeting open at 09:00 and welcomed all present.</p> <p><b>The opening was noted.</b></p>	<b>Chairperson</b>
2.	<p><b>Ratification of agenda</b></p> <p>The agenda was adopted as is.</p>	<b>Council</b>
3.	<p><b>Declaration of interest</b></p> <p>No conflict of interest was noted.</p>	<b>Council</b>
4.	<p><b>Transfer of ownership of the I-ECS and I-ECNS licences from Epilite to Kyrascene (Pty) Ltd</b></p> <p>The Executive: Licensing and Compliance presented the item.</p> <p>4.1. The purpose of the submission dated 11 September 2023 was to recommend that Council approves the transfer of ownership of the I-ECS and I-ECNS licences from Epilite 102 CC (“the Applicant”) to Kyrascene (Pty) Ltd (“the Transferee”) as well as the vetted Reasons Document.</p> <p><u>Recommendations to Council:</u></p> <p>4.2 It is recommended that Council approves the transfer of ownership of the I-ECS and I-ECNS licences for the following reasons:</p> <p>4.2.1 The Applicant has not been found guilty of any contravention by the CCC;</p> <p>4.2.2 The Applicant has paid the licence fees due and payable at the date of the applications; and</p> <p>4.2.3 The Transferee has 100% ownership interest held by HDIs.</p> <p>4.3 It was further recommended that Council approves the vetted reasons document.</p>	<b>Executive: Licensing and Compliance</b>

No.	Action Item	Person Responsible
	<p><u>Comments made:</u></p> <p>4.4 Council noted that there are contradictions regarding the dates stated in the memo and those on some of the Annexures. Council was informed that the contradictions will be addressed.</p> <p>4.5 Council sought clarity on whether it can be assumed that licence fees, as stated in the memo, refer to both USAF user and general license fees, given that in the Petropos 36 CC transfer of control matter which is on the agenda, this is expressly indicated. Council was informed that USAF and General License Fees payments are applicable to licensees who are in operation. Epilite was not in operation and did not generate any revenue.</p> <p><u>Council resolution:</u></p> <p>4.7. Council resolved to approve the submission.</p> <p><b>The submission was approved.</b></p>	
5.	<p><b>Transfer of ownership of the I-ECS and I-ECNS licences from Petprops36 CC to Motlhale Holding Investment (Pty) Ltd</b></p> <p>The Executive: Licensing and Compliance presented the item.</p> <p>5.1 The purpose of the submission dated 07 September 2023 was to recommend that Council approves the transfer of ownership of the I-ECS and I-ECNS licences from Petprops36 CC (“the Applicant”) to Motlhale Holding Investment (Pty) Ltd (“the Transferee”) as well as the vetted Reasons Document.</p> <p><u>Recommendation to Council</u></p> <p>5.2 It is recommended that Council approves the transfer of I-ECS and I-ECNS licences for the following reasons:</p> <p>5.2.1. Applicant has not been found guilty of any contravention by the CCC;</p> <p>5.2.2. The Applicant has paid the licence fees due and payable at the date of the applications; and;</p>	<p><b>Executive: Licensing and Compliance</b></p>


No.	Action Item	Person Responsible
	<p>5.2.3. The Transferee has 100% ownership interest held by HDIs.</p> <p>5.3. It was further recommended that Council approves the vetted Reasons Document.</p> <p><u>Comments made:</u></p> <p>5.4. Council raised concerns regarding the delayed turnaround time. Council was informed that the division is short-staffed, and this caused the delay.</p> <p><u>Council resolution:</u></p> <p>5.5. Council resolved to approve the submission.</p> <p><b>The submission was approved.</b></p>	
6.	<p><b>2023-24 FY Q2 Bi-annual Tariff Analysis Report</b></p> <p>The Executive: PRA presented the item.</p> <p>6.1. The purpose of the submission dated 08 September 2023 was to request Council to note the report on the analysis of tariff notifications submitted to ICASA for the period 01 January 2023 to 30 June 2023, which will be published on the Authority's website.</p> <p><u>Recommendation</u></p> <p>6.2. It was recommended that Council notes the report on the analysis of tariff notifications which were submitted to ICASA for the period 01 January 2023 to 30 June 2023, which will be published on the Authority's website.</p> <p><u>Comments made:</u></p> <p>6.3. Council sought clarity on the status of the voice traffic information. Council was informed that on an annual basis the operators are requested to submit information/data relating to voice traffic. This information is published as part of the state of the ICT sector report.</p> <p>6.4. Council sought clarity on how the report can be used to address the cost to communicate issue. Council was informed that Authority made inputs into the</p>	Executive: PRA

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	<p>Competition Commission Data Services Market Inquiry by submitting the tariff information. Internally, this information is used to monitor the competition within the sector. Further, licensees are afforded an opportunity to make inputs into the report.</p> <p>6.5. Council sought clarity as to what happens regarding the costs in instances where consumers who have bought minutes or data are unable to use services due to loadshedding. Council was informed that costing falls beyond the scope of this project. This report only covers information submitted by operators through tariff notifications.</p> <p>6.6. Council noted that the report is descriptive and requested that the next report should be analytical .</p> <p><u>Council decision</u></p> <p>6.6 Council resolved to note the submission.</p> <p><b>The submission was noted.</b></p>	
7.	<p><b>Recommendation to approve COLA for Executives</b></p> <p>The HR &amp; REMCO Chairperson presented the item.</p> <p>7.1 The purpose of the [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p><u>Recommendation to Council:</u></p> <p>7.2 It was recommended [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p><u>Comments made:</u></p> <p>7.3 Council [REDACTED] [REDACTED] [REDACTED]</p>	Executive: HR

No.	Action Item	Person Responsible
	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>7.4 Council [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>7.5 Council indicated [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p><u>Council resolution:</u></p> <p>7.6 Council resolved to approve the submission.</p> <p><b>The submission was approved</b></p>	
8.	<p><b>Loss Control Committee Report - Removal of Irregular expenditure from the financial statements</b></p> <p>The Executive: LCCC presented the item.</p> <p>8.1 The purpose of the submission [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p><u>Recommendation</u></p> <p>8.2 It was recommended t [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	Executive: LCCC

No.	Action Item	Person Responsible
	<p><u>Comments made</u></p> <p>8.3 Council sought clarity [REDACTED]  [REDACTED]  [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED]</p> <p>8.4 Council queried as [REDACTED]  [REDACTED]  [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]  [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]</p> <p>8.5 Council indicated that [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED]  [REDACTED]</p> <p>8.6 Council indicated that [REDACTED]  [REDACTED]  [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]</p> <p><u>Council decision</u></p> <p>8.8 Council resolved to defer the submission, subject to the implementation of abovementioned inputs.</p>	

No.	Action Item	Person Responsible
	<b>Submission was deferred, subject to the implementation of the abovementioned inputs.</b>	
9.	<b>General</b>	<b>Acting Chairperson</b>
9.1	<b>Invitation to the NAB 30-year milestone event</b> 9.1.1. Council resolved that Councillor ██████ should represent the Authority at the event.  9.1.2. Councillors who wish to attend the event were requested to submit their names for the Secretariat to RSVP timeously.	<b>Acting Chairperson</b>
9.2	<b>Invitation to ICASA: Guest speaker and participation in Webinar: Towards Digital Equality and Freedoms for the (Rural) Poor</b>  9.2.1 Council approved that Councillor ██████ should attend the event.	<b>Acting Chairperson</b>
10.	<b>Closure</b>  The Acting Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 12:39.	<b>Council</b>

Signed:  \_\_\_\_\_  
**Yolisa Kedama**  
**(Acting Chairperson)**

Date: 07-11-2023