



**Independent Communications Authority of South Africa**

<b>MINUTES OF A SPECIAL COUNCIL MEETING</b>		
<b>Date</b>	06 June 2017	
<b>Time:</b>	09h30	
<b>Venue:</b>	Block B, Council Boardroom	
<b>Present</b>	████████████████████	Acting Chairperson
	████████████████████	Member
	████████████████████	Member
	████████████████████	Member
<b>By invitation</b>	████████████████████	CEO
	████████████████████	COO
	████████████████████	Manager: Internal Audit o.b.o CAE
	████████████████████	Manager: Managements Accounts o.b.o CFO
	████████████████████	Acting SM: Office of Chairperson
	████████████████████	Secretariat Officer
<b>Partial Attendees</b>	████████████████████	SM:Legal (Regulatory Support)
	████████████████████	Acting Executive:HR
	████████████████████	Specialist: Employee Relations
<b>Apologies</b>	████████████████████	Member
	████████████████████	CFO
	████████████████████	CAE



	<b>Action Item</b>	<b>Person Responsible</b>
1.	<p><b>Opening and apologies</b></p> <p>The Acting Chairperson, Cllr [REDACTED] opened the meeting at 10:00am and welcomed all present.</p> <p><b>The following Apologies were noted</b></p> <ul style="list-style-type: none"> <li>• Cllr [REDACTED] attended CRASA meeting in Zimbabwe</li> <li>• The CFO attended a course at Harvard University, Massachutes, Boston, USA;</li> <li>• Mr [REDACTED] was the Acting CFO</li> <li>• The CAE attended a course at Harvard University, Massachutes, and Boston.</li> <li>• Mr [REDACTED] was the Acting CAE</li> </ul>	<b>Chairperson</b>
2.	<p><b>Ratification of the Agenda</b></p> <p><b>The following amendments were made to the agenda:</b></p> <p>Councillor [REDACTED] requested to be excused after 15:00 to attend the Head Office Relocation</p> <p><b>It was resolved that;</b></p> <ul style="list-style-type: none"> <li>• Public Notice on Priority Markets Study as; regulatory issue should come after item 12</li> </ul> <p><b>Additions to the Agenda</b></p> <ul style="list-style-type: none"> <li>• ITU Regional Office Request for South Africa to host the Regional Regulators Forum was approved at the previous meeting</li> <li>• Planned Governance Review</li> <li>• Radio Frequency Plan for Publication, A letter confirming approval from the Minister was received. Council requested to be briefed on the matter.</li> </ul> <p><b>Items to be deferred for the next meeting of Council.</b></p>	<b>Council</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Council resolved to defer the following items.</p> <p><b>Item 6.2</b> -6<sup>th</sup> CRASA AGM was deferred because Cllr [REDACTED] was in Zimbabwe</p> <p><b>Item 8:</b> Update on the SADC Home and Away Roaming.</p> <p><b>Item 11:</b> Change and Update of ICASA Licensee Information-Virtual Card Acquiring (Pty) Ltd T/A Linkinc Telecommunications (Pty) Ltd.</p> <p><b>Item 12</b> Publication of a Notice and Discussion Document for Public Comment on Call -Termination</p> <p><b>Item 13.:</b> Records Management Policy</p> <p><b>Item 14.</b>Occupational Health and Safety Policy.</p> <p><b>Item 16.(i)</b> The South African Communications Forum: Request for meeting with ICASA Council on the ICT White Paper Policy</p> <p><b>It was resolved the Agenda be ratified with the above additions and amendments.</b></p>	
3.	<p><b>Declaration of interest</b></p> <p>No conflict of interest was noted at the meeting.</p>	All
4.	<p><b>Minutes of the Meeting held on 28<sup>th</sup> March 2017 for Ratification by members Cllrs [REDACTED] and [REDACTED] who were present during that Meeting</b></p> <p>The following corrections were effected:</p> <p><b>Section 5.4:</b> Delete the whole paragraph on the Strike Report after 14 March 2017</p> <p><b>Item 19:</b>Standard Operating Procedures was deferred to the next meeting of Council</p>	Council

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>It was resolved that the Draft Minutes of Council held on the 28<sup>th</sup> March 2017 be ratified and approved by Council with the above changes</b></p>	
<p><b>4.1</b></p>	<p><b>Minutes of a Meeting held on the 16<sup>th</sup> May 2017</b></p> <p>The following corrections were effected:</p> <p>Pg2 –Indicate that Cllr [REDACTED] was on official duty in Amsterdam. Page 1-COO was Acting CEO not acting on behalf of CEO</p> <p>Correct [REDACTED] name on page 1.</p> <p><b>Page -3 FISC</b> remove the repeated word 'and' <b>Page. 5.14-</b> It should read as, "A comprehensive memo with all information to be tabled at Council"</p> <p>Terms of Relocation Committee to be finalised and tabled at Council</p> <p><b>Item 7-</b> Call Termination- was a Council Committee and was presented by Project leader.</p> <p><b>Item-9-</b> Include GM engineering as an attendee <b>Item 14-</b> Type Approval- Resolution- Subject the decision to the Type Approval Committee before it comes to Council. <b>Item 16-</b> There is no decision.</p> <p><b>It was resolved that the Minutes of a meeting held on the 16<sup>th</sup> May 2017 be approved with corrections</b></p>	<p><b>Council</b></p>
<p><b>4.2</b></p>	<p><b>Minutes of a Meeting held on the 17<sup>th</sup> May 2017</b></p> <p><b>Page 2-</b>Councillor Modimoeng rendered apology.</p> <p><b>Page 7- Rephrase the statement on the Membership of the Audit, Risk and Disclosures Committee to State that that "With the passing of Prof Anton du Toit and the vacancy not being timeously filled, the AREDC is finding it difficult to meet due to quorum challenges and availability of members. This should be prioritised and promptly attended to.'</b></p>	<p><b>Council</b></p>

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Page 10 –Item 9 The nominee for the Council on the Head Office Relocation Committee was Ms [REDACTED] not Ms [REDACTED]</p> <p>Page 13 Item 12-- there was contradiction between 1<sup>st</sup> paragraph and last one-</p> <p>Separate decision and submission</p> <p>Letter should not be signed subject to legal opinion on Moratorium</p> <p>Bold the decisions</p> <p><b>It was resolved that the Minutes of a meeting held on the 17<sup>th</sup> May be approved with corrections</b></p>	
4.4	<p><b>Minutes of a Meeting held on the 18<sup>th</sup> March 2017.</b></p> <p><b>It was resolved that the Minutes of a meeting held on the 18<sup>th</sup> may 2017 be approved as is.</b></p>	Council
5.	<p><b>Matters Arising from the previous minutes.</b></p>	Council
5.1	<p><b>Imminent expiry of the terms of contract for three (3) members of the Complaints and Compliance Committee</b></p> <p>The purpose of this submission is to advise Council that, of the six part-time members of the Complaints and Compliance Committee (the "CCC"), three (3) members' contracts are expiring on 31 January 2017.</p> <p><b>Interviews were conducted on the 25<sup>th</sup> May 2017, three names were recommended and a submission will be made to Council for appointment.</b></p> <p><b>Council is requested to consider administering oath of office for the new appointees.</b></p>	Cllr [REDACTED]
5.2	<p><b>Council performance agreements</b></p>	Acting SM: Office of Chairperson

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Council indicated that it is still waiting for the Ministers' feedback of the performance agreements sent to the Department of Communications.</p> <p>Communication sent to DoC to propose a new date for workshop. A follow up letter will be prepared for the DoC.</p> <p><b>To be raised with the New Minister of Communications. It was partially raised in Cape Town when Council met the Minister</b></p> <p><b>The Office of the Minister and the Office of the Acting Chairperson should be requested to schedule two more meetings for the year</b></p> <p><b>With regards the Settlement, it is apparent that the Minister is not keen to settle. Legal division should write a letter to the Minister and if no response in seven days the matter can proceed to court</b></p>	
5.3	<p><b>Council Decisions for Website publication</b></p> <p>The purpose of the submission was to request Council to approve the decisions of Council for the period starting June 2015 to February 2016 for publication to the ICASA website.</p> <p>The team has requested more time to work on the document. A preliminary summary on what has been so far will be submitted to Council.</p> <p>Legal and Acting SM: Office of the Chairperson and COO to relook at the decision register for verification.</p> <p>The team completed working on the Minutes and will be circulated to Council for approval to be Round Robin.</p> <p><b>The Minutes will be published preferably on a Monthly basis</b></p>	
5.4	<p><b>Strike Report</b></p> <p>Council resolved to table this item at a Special meeting after the meeting of the 14<sup>th</sup> March 2017.</p> <p>Additional information provided did not address the concerns</p>	Executive: HR

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>previously raised by Council.</p> <p>Minutes of the meeting of the 21<sup>st</sup> October 2016 be re-sent to the CEO for reference.</p> <p>Council requested that Councillors submit proposed Terms of Reference (ToRs) for the proposed Forensic Audit.</p> <p>Council will then decide whether it resolve to proceed on commissioning a Forensic Audit.</p> <p><b>On the Agenda</b></p>	
5.5	<p><b>6<sup>th</sup> CRASA AGM</b></p> <p>“Standing Item”</p> <p><b>On the Agenda</b></p>	Cllr [REDACTED]
5.6	<p><b>Bilateral Meeting</b></p> <p>A bilateral with the new Minister took place, the following items were discussed, Governance, Policy and Regulatory issues, (White paper, Audio Visuals, SABC Compliance Matters, SABC editorial policy).</p> <p>Subsequent quarterly meetings will be scheduled</p>	<b>Acting SM: Office of the Chairperson</b>
	<p><b>Request for Meeting between ICASA and Kagiso Media (Pty) Ltd</b></p> <p><b>This matter can be removed from Matters Arising</b></p>	CEO
5.7	<p><b>Nomination of beneficiaries for Deukom (Pty) Ltd in pursuance of clause 9.1 of its licence conditions</b></p> <p>Update on the engagement will be tabled by the end of the financial year.</p> <p><b>Council is awaiting a finalisation of the Agreement between</b></p>	

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	<b>Action Item</b>	<b>Person Responsible</b>
	<b>the licensee and beneficiaries.</b>	
5.8	<p><b>Documents requested from ICASA by the Ad hoc Committee on the SABC enquiry</b></p> <p>The opinion was received and will be shared with Council. The Legal counsel to meet with our attorneys and to provide a resolution on the matter. <b>A follow up will be made</b></p>	
5.9	<p><b>Cell C v ICASA –Universal Service Obligations (USO)</b></p> <p>ICASA filed its Notice of intention to oppose Cell C court application on USO.</p> <p>Secretariat has received written legal opinion from Adv. David Uternhalter SC. The opinion will be circulated to Councillors</p> <p>Legal opinion was circulated.</p>	
5.10	<p><b>Cellsaf</b></p> <p>Request for a meeting with ICASA to discuss the transaction Errors on the opinion A new legal opinion will be resubmitted to Council</p>	
5.11	<p><b>CRASA/SAPRA AGM – Progress report on the investigation by Hawks</b></p> <p>For purposes of control measures for the 6<sup>th</sup> CRASA AGM that has been proposed by Council, management will use the PWC Forensic Report of 2015 to mitigate and ensure quality control on supply management.</p> <p><b>PWC Report still to be circulated</b></p>	
5.13	<p><b>Investigation into possible fraudulent activities conducted by</b> [REDACTED]</p> <p>The purpose of the submission was:</p> <ul style="list-style-type: none"> <li>• [REDACTED]</li> </ul>	

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	Action Item	Person Responsible
	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p><b>This item needs to be linked with Previous CRASA AGM and the PWC Report</b></p>	
5.13	<p><b>Head Office relocation</b></p> <p>A comprehensive memo for Council with all information, specifications and project plan including DPW engagement.</p> <p>The submission will be tabled on the 7<sup>th</sup> March 2017(On Agenda).</p> <p>ICASA met with Department of Public Works (DPW) Property Management Team on Thursday 19 January 2017.</p> <p>A Project Team was established. The Terms of Reference have been approved by Council The Tender has been advertised and a tender briefing will be held this week.</p>	
5.14	<p><b>Feedback from the meeting held with the DTPS</b></p> <p>It was then agreed that a workshop be held and that the administrative heads (the Director General of the Department and the CEO of ICASA) will map a way forward for presentation to the Minister and Council.</p> <p>A memo to be prepared on engagement with Minister and subsequent meetings between the DoC DTPS led team and CEO, for next Council Meeting.</p> <p>The Report and the proposal are being finalised. The report to be tabled at the next meeting.</p> <p><b>Further engagement on settlement will be left to the Committee.</b></p>	

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	<b>Action Item</b>	<b>Person Responsible</b>
	<b>ICASA 's position should be made clear to the Director General</b>	
5.15	<p><b>Durban Public Awareness</b></p> <p>A request for an investigation on the conduct of the Executive: Corporate Services handling of this campaign including suspected fraud with the service providers.</p> <p><b>This item was tabled and noted by Council at the previous meeting</b></p> <p><b>It should be removed from Matters Arising</b></p>	
5.16	<p><b>Re-grading of positions within Legal, Risk and CCC division- An update from HR on the re-grading process.</b></p> <p><b>The following was noted:</b></p> <ul style="list-style-type: none"> <li>• A discussion will be held separately with Council, Executive: HR, and the CEO.</li> <li>• Council will relook at the salary grading as far as the claw back strategy is concern.</li> <li>• Council requested Human Resources to provide a detailed explanation as to why it took over a year to resolve the issue.</li> <li>• The issue from legal division should be prioritised and resolved by the end of February 2017.</li> <li>• Human Resource should explain the difference between generic positions and technical positions.</li> </ul> <p>This item should be the first item to be considered by Council at the first meeting of the financial year.</p> <p><b>A comprehensive Submission covering all divisions will be submitted to Council</b></p>	CEO
5.17	<p><b>Claw back strategy- An update on the Claw back strategy.</b></p> <p>The strategy was considered and removed by Council. This should be incorporated under item four(4) to be renamed "<b>Industrial Relations</b>"</p>	

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	<b>Action Item</b>	<b>Person Responsible</b>
5.18	<p>██████████ (Secretariat Officer)</p> <p>The employee is back at work in good health.</p> <p>Council took a moment to welcome her back.</p> <p>The Matter should be removed from Matters Arising</p>	
5.19	<p><b>Round Robin of the Final Radio Frequency Plan 2017</b></p> <p>Done</p> <p>Letter has been sent to the Minister</p> <p>Minister has indicated that the plan has been approved by Cabinet</p>	
6.	<p><b>Inter Operator Disputes</b></p> <p>The COO presented this item:</p> <p>The following was noted.</p> <p>The first report served at the Operations Committee (OPCO).</p> <ul style="list-style-type: none"> <li>• In order to bring structure to the management of the disputes, a Working Group consisting of the CCA, PRA, E&amp;T, Licencing and Chaired by the SM: Compliance was formed which will report to Council.</li> <li>• Management will hold a meeting with MTN (Pty) Ltd ('MTN') on the 14<sup>th</sup> May 2017.</li> <li>• Council will receive a report on the Investigation carried by E&amp;T on the allegations made by MTN regarding the alleged spectrum sharing between Vodacom (Pty) Ltd and WBS.</li> <li>• Council will also receive a list on Inter Operator Disputes.</li> </ul> <p><b>It was resolved that the report on Inter Operator Disputes be noted</b></p>	CEO
6.2	6 <sup>th</sup> CRASA AGM	Council

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Cllr [REDACTED] was in Zimbabwe and could not present this item.</p> <p><b>It was resolved that this item be deferred to the next meeting of Council.</b></p>	
7.	<p><b>Appointment of Company Secretary</b></p> <p>Cllr [REDACTED] and [REDACTED] presented this item:</p> <p>The purpose of this submission was to request Council to appoint a Company Secretary as recommended by the Audit, Risk, Ethics and Disclosure Committee (AREDC)</p> <p>The Audit, Risk, Ethics and Disclosures Committee recommended to Council to appoint the Company/Corporate Secretary in order to comply with corporate governance and the King Codes.</p> <p>The following was noted:</p> <p>Despite repeated tabling at Council this item has never come to conclusion.</p> <p>The position has been vacant since the previous incumbent resigned.</p> <p>The position existed side by side with the position of the Senior Manager: Office of the Chairperson.</p> <p>The Company Secretary position was structured as an executive position.</p> <p>The two positions responsibilities and duties often overlap during their tenure resulting in conflict between the incumbents.</p> <p>The position of Company Secretary was never filled since the previous incumbent resigned</p> <p>The bulk of the work previously done by the Company Secretary was done by the SM: Office of the Chairperson</p> <p>The SM: Office of the Chairperson is currently vacant since the resignation of the previous incumbent six months ago.</p> <p>Council to consider the following three options</p>	Council

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>(i) Advertise the vacant position of a Company Secretary.            (ii) Fuse the two positions*Company Secretary and SM:Office of Chairperson ) to form a new position of a Senior Manager: Secretariat Services or;            (iii) Let the status quo remain.</p> <p>Council should consider in coming to the decision, the need for knowledge and experience on advisory, governance and higher qualifications.</p> <p>Take into account the Secretariat function as a Governance unit.</p> <p><b>It was resolved that this item be deferred for the next meeting of Council for a final decision</b></p>	
8.	<p><b>Update on the SADC Home and Away Roaming.</b></p> <p><b>Councillor [REDACTED] was in Zimbabwe</b></p> <p><b>It was resolved that this item be deferred to the next meeting of Council</b></p>	<b>Council</b>
9.	<p><b>Resolution for the Establishment of a Special Committee to consider applications for the Individual Commercial Free to Air Television Broadcasting Service and Radio Frequency Spectrum licence for MUX 3 Frequency</b></p> <p>The purpose of this memorandum was to recommend that Council approves the attached updated resolution for the establishment of a special committee to consider applications for individual commercial free to air television broadcasting service and radio frequency spectrum licence for MUX 3 frequencies;</p> <p><b>It was resolved that the recommendation that the updated resolution for the establishment of a special committee to consider applications for the individual commercial free to air television broadcasting service and radio frequency spectrum licence for mux 3 frequencies be approved</b></p>	<b>Cllr [REDACTED]</b>
10.	<p><b>Resolution for the Establishment of a Council Committee on Digital Sound Broadcasting.</b></p> <p>The COO presented this item</p>	<b>CEO</b>

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The purpose of this submission was to request Council to establish a Council Committee on digital Sound broadcasting and to appoint Councillors to serve on the Committee.</p> <p>The following was noted: The project was one of Engineering and Technology APP 2017/208. Its Strategic objective is to promote effective competition and reduce cost of electronic communications, electronics communications networks, postal and broadcasting services by 2020.</p> <p>The purpose of the Council Committee is to develop a findings document on the use of Digital Sound broadcasting. The Committee will be assisted by members of staff from Policy Research and Analysis, Licensing, CT Licensing services and Type approval, Compliance and Consumer Affairs, Engineering and Technology and the Legal division.</p> <p>It was resolved that Councillors Zimri and Modimoeng will join the Committee. Cllr Zimri will chair the committee and Cllr Modimoeng will be his deputy.</p> <p><b>It was resolved that the attached updated resolution be approved</b></p>	
11.	<p><b>Change and Update of ICASA Licensee Information-Virtual Card Acquiring (Pty) Ltd T/A Linkinc Telecommunications (Pty) Ltd</b></p> <p><b>It was resolved that this item be deferred to the next meeting of Council</b></p>	CEO
12.(i)	<p><b>Publication of a Notice and Discussion Document for Public Comment-Call Termination.</b></p> <p>Cllr [REDACTED] presented this item:</p> <p>The purpose of this memorandum was to request Council to approve a notice together with a Discussion document on the review of the pro-competitive conditions imposed on licensees in terms of the 2014 Call Termination Regulation for public comments</p> <p>The authority undertook a review of the 2014 Call Termination Regulations in line with Regulation 8 of the 2014 Call Termination</p>	Cllr [REDACTED]

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Regulations read with section 67(8)(a) of the ECA</p> <p>The Authority published a media release statement and questionnaire on the Authority 's website on 30 January 2017,an also Government Gazette no 40603 on 08 February 2017,announcing its intention to review the pro-competitive in the 2014 Call Termination Regulations in line with section 67(8) (a) of the ECA.</p> <p>Licencees were given ten(10) business days from the date of publication of the aforementioned questionnaire(i.e. until the 10<sup>th</sup> February 2017) to review the questionnaire and submit written questions of clarity</p> <p>Council resolved that the 10 working days provided were inadequate,</p> <p>Instead 21 working days should be provided.</p> <p>Develop draft regulations in parallel with other processes.</p> <p>The report should be forward looking.</p> <p>Indicate what the end game was.-What was the expected outcome of this process.</p> <p>Address review of pro-competitive conditions of pre 2014.</p> <p><b>It was resolved that the notice together with a Discussion document on the review of the pro-competitive conditions imposed on licensees in terms of 2014 Call Termination be retabled at Council</b></p> <p><i>The SM:Litigation and General Support joined the meeting 14:45</i></p>	
12(ii)	<p><b>Publication of the revised notice to conduct Priority Markets Study;</b></p> <p>The purpose of this memorandum was to request Council to:</p> <p>Approve the revised notice of intention to conduct an inquiry to identify Priority Markets in the telecommunications sector to be published in the Government Gazette</p>	Cllr <span style="background-color: black; color: black;">[REDACTED]</span>

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Note the Media release statement on priority markets study to be distributed to media stakeholders and publish on the authority 's website</p> <p><b>It was resolved that the notice to publish the revised notice on the Priority Markets Study should be retabled at Council.</b></p>	
13.	<p><b>Records Management Policy</b></p> <p>The following was noted:</p> <p>The Executive: Corporate Services was attending the meeting on the Head Office Relocation and thus was unable to present this item.</p> <p><b>It was resolved that the Record Management Policy be deferred to the next meeting of Council.</b></p>	CEO
14.	<p><b>Occupational Health and Safety Policy</b></p> <p>The Executive: Corporate Services was attending the meeting on the Head Office Relocation and thus was unable to present this item.</p> <p><b>It was resolved that the Occupational Health and Safety Policy be deferred to the next meeting of Council</b></p>	CEO
15.1	<p><b>Feedback on the Meeting with the Union (NTUC) on the Discontinuation of the Claw Back Strategy.</b></p> <p>The Acting Human Resource Executive presented this item:</p> <p>The purpose of this submission was to update Council on the feedback provided to the Union(NTUC) on discontinuing of the Clawback Strategy</p> <p>After the Council resolution on the 2<sup>nd</sup> of May 2017, to discontinue the clawback strategy HR had a meeting with the Union on the Council resolution. Feedback was presented and it was highlighted to the Union that the discontinuation of the clawback was effective from 01<sup>st</sup> April 2016, but however implementation was with immediate effect (May 2017 payroll) .A detailed variable allowance</p>	CEO

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>breakdown was presented to the Union.</p> <p>Subsequent to that ,the Union raised concerns about how the following were going to be addressed:            The double deductions for the Industrial action that employees embarked on, on the 4<sup>th</sup> July 2016,and;            The five days that were unpaid in August 2016 payroll.</p> <p>The Specialist: Employee Relations explained to the Union that the purpose of the meeting was to give feedback on the discontinuation of the variable pay.</p> <p><b>It was resolved that the feedback on the discontinuation of the Claw Back Strategy which was communicated to the Union during the meeting of the 11<sup>th</sup> May 2017 be noted.</b></p>	
15.2	<p><b>Feedback on the Meeting Cllr [REDACTED] had with the Union.</b></p> <p>The purpose of this submission was to give feedback to Council on the meeting Councillor [REDACTED] had with the meting requested by the Union.</p> <p>Council delegated Councillor Modimoeng on the 30<sup>th</sup> May 2017 to meet the National Trade Union Congress.            The items discussed with the Union included the:</p> <ul style="list-style-type: none"> <li>• Settlement Agreement.</li> <li>• Variable Allowance.</li> <li>• Implications of the discontinuation of the Claw back.</li> <li>• Alleged unlawful double deductions.</li> <li>• Alleged unlawful suspension of Ms Mashinini- the Union. suggested that Council revoke the suspension of Ms Mashinini.</li> </ul> <p>Councillor reported that it became apparent to him that the issues raised need to be subjected to a bargaining forum.            Councillor made it clear that Council does not get involved in disciplinary matters of employees.            Issues of unfairness can be raised at the disciplinary hearing</p> <p>The Union already has submitted names for the proposed forum</p> <p>The Union and Management should sign a recognition agreement</p>	Cllr [REDACTED]

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	<b>Action Item</b>	<b>Person Responsible</b>
	<p>that would trigger a bargaining forum with decision making forum. Management should urgently tabled the proposed recognition agreement to Council for approval.</p> <p>The parties agreed that the bargaining forum should be tabled by an independent external person.</p> <p><b>It was resolved that the feedback on the meeting Councillor [REDACTED] and the Union be noted</b></p>	
16.	<p><b>General</b></p> <p><b>(a) South African Communications Forum (SACF):</b> Request for a Meeting with ICASA Council on the ICT Policy White Paper.</p> <p><b>It was resolved that the request to defer the meeting between ICASA Council and the South African Communications Forum on the ICT Policy White Paper be approved</b></p> <p><b>(b) South African Maritime Authority (SAMSA) Request for Meeting</b> The COO presented this item The purpose of this submission was to request Council to note</p> <p>(a) Management 's position on the request made by the South African Maritime Safety (SAMSA) to the Independent Communications Authority of South Africa (ICASA) to exempt fees related to Maritime Radio Frequency Spectrum ("MRFS") Licences for subsistence fishers and;</p> <p>(b) The submission made by SAMSA in anticipation of the latter's presentation to Council on the matters</p> <p><b>It was resolved that Council cannot grant an exemption on the licence fees, however there was a proposal to grant a payment plan for the application fee, the division will negotiate the terms of the payment plan and resubmit to Council for approval</b></p> <p><i>Reasons: Regulations do not allow for fees exemption Exemption will be in contravention of the ECA To allow for exemption will be amending the ECA</i></p>	<b>Council</b>

A handwritten signature in blue ink, appearing to be 'ML', is located in the bottom right corner of the page.



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>ITU Regional Office Request for South Africa to Host African Regulators Forum</p> <p><b>It was resolved that the request to host the African Regulators forum by the ITU Regional Office be approved.</b></p> <p><b>(c)Governance Review</b></p> <p>The Manager :Internal Audit presented this item:</p> <p>The Internal Audit is undertaking the Governance Review of all governance committees. The division request time from Councillors for short interviews</p> <p><b>Council resolved that the division should arrange with Council Personal Assistants to arrange for short meetings.</b></p> <p><b>(d)Radio Frequency Plan for Publication</b></p> <p>The item was retabling to Council</p> <p><b>The Questionnaire deferred to the next meeting.</b></p>	
17	<p><b>Closure:</b></p> <p><b>The Chairperson thank all who attended the meeting and adjourned at 16:55</b></p>	
9.	<p><b>Date of next meeting: 13 June 2017</b></p>	<b>Secretariat</b>

Signed:   
 (Chairperson)

Date: 06/07/2017