



**Independent Communications Authority of South Africa**

<b>MINUTES OF AN ORDINARY COUNCIL MEETING</b>		
<b>Date</b>	<b>31 October 2017</b>	
<b>Time:</b>	<b>09h30</b>	
<b>Venue:</b>	<b>Southern Sun on Katharine, Sandton</b>	
<b>Present</b>		
	[REDACTED]	Acting Chairperson
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
<b>By Invitation</b>		
	[REDACTED]	CEO
	[REDACTED]	CFO
	[REDACTED]	Acting CAE
	[REDACTED]	Acting SM: Office of Chairperson
	[REDACTED]	Secretariat Officer
<b>Partial Attendees</b>		
	[REDACTED]	Manager: Broadcasting Frequency Co-ordination: Licensing
	[REDACTED]	Manager: Service Broadcasting: Licensing
	[REDACTED]	Liquid Telecom
	[REDACTED]	Liquid Telecom
	[REDACTED]	Vodacom
	[REDACTED]	Vodacom
	[REDACTED]	Vodafone
	[REDACTED]	Vodacom
	[REDACTED]	Vodafone
	[REDACTED]	Vodacom
<b>Apologies</b>		
	[REDACTED]	CAE
	[REDACTED]	Member



	<b>Action Item</b>	<b>Person Responsible</b>
<p><b>1.</b></p>	<p><b>Opening and apologies</b></p> <p>The Acting Chairperson, Cllr [REDACTED] opened the meeting at 10h30 and welcomed all present.</p> <p><b>The following apologies were noted: -</b></p> <ul style="list-style-type: none"> <li>• Cllr [REDACTED]s attending the DTSPS presentation on Cost to Communicate at Parliament in Cape Town.</li> <li>• The CAE [REDACTED] is on annual leave.</li> </ul> <p><i>Council resolved to move the meeting to Southern Sun on Katharine in Sandton due to lack of water at ICASA Head Office.</i></p>	<p><b>Chairperson</b></p>
<p><b>2.</b></p>	<p><b>Ratification of the Agenda</b></p> <p><b>The following amendments were made to the agenda:</b></p> <p><b>The following items were deferred:</b></p> <ul style="list-style-type: none"> <li>• Progress on the Automated Spectrum Management System (ASMS)</li> <li>• 2017/18 HR Operational Report</li> <li>• The role and responsibility of the Authority on Cybersecurity</li> <li>• Finance Policies – SUPPLY Chain Management Policy 2017 and Subsistence &amp; Travel Policy</li> <li>• Finance quarterly report – Quarter 2 of 2017-2018</li> <li>• Potential disregard for Legislative requirements: Vodacom and Wireless Business Solutions Propriety Limited (“WBS”)</li> <li>• Corporate Secretary- Job specification</li> </ul> <p><b>The following items were added:</b></p> <ul style="list-style-type: none"> <li>• Corporate Secretary -Job specification</li> <li>• SABC application for extension of the DAB plus trial licence</li> </ul> <p><b>It was resolved that the agenda be ratified with the above amendments.</b></p>	<p><b>Council</b></p>



	<b>Action Item</b>	<b>Person Responsible</b>
<b>3.</b>	<b>Declaration of interest</b>  No conflict of interest was noted at the meeting.	<b>All</b>
<b>4.</b>	<b>Adoption of previous minutes</b>	<b>Council</b>
<b>4.1</b>	<b>Meeting held on 24 October 2017</b>  <b>The following corrections were noted:</b> <ul style="list-style-type: none"> <li>• Page 1 – Cllr ██████ should be indicated as a member and Cllr ██████ as the Acting Chairperson.</li> <li>• Page 2 – Africon – was corrected to Africa-Com.</li> <li>• Page 13, point 5.62 – The paragraph should be reworded to indicate the MTN matter.</li> <li>• Page 13, point 5.64 – should indicate that Council noted the submission.</li> <li>• Page 15, point 7 – remove the reason for approval.</li> <li>• Page 19, point 17.3 – should indicate that Cllr ██████ will attend the AfricaCom Conference</li> <li>• Page 19, point 17.4 – should indicate that CEO will attend the Gov-Tech meeting.</li> <li>• Page 20 – ICT BBBEE Sector Council</li> </ul> <p><b>It was resolved that the minutes of 24 October 2017 be approved subject to the above changes.</b></p>	<b>Council</b>
<b>5.</b>	<b>Matters arising from previous minutes</b>	<b>Secretariat/CEO</b>
<b>5.1</b>	<b>Imminent expiry of the terms of contract for three (3) members of the Complaints and Compliance Committee</b>  Process is ongoing. The advertisement has been published.	<b>CEO</b>
<b>5.2</b>	<b>Council performance agreements and bilateral meeting with Minister</b>	<b>Council</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	Department of Communications to confirm the date of the workshop.	
5.3	<b>Council Decisions for website publication</b> Item will be tabled at the next Council meeting.	<b>Council</b>
5.4	<b>Industrial Relations</b> An I-NEWS stating that the 8% final offer will remain open until 15 November, has been sent out to employees for consideration, Council is awaiting a response thereto.	<b>Council</b>
5.5	<b>CRASA</b> "Standing Item on the agenda"	Cllr [REDACTED]
5.6	<b>Status report on the 5G Forum Project</b> The inaugural meeting will take place from 1-2 November 2017.	Cllr [REDACTED]
5.7	<b>Developments around participation and contributions made within the ITU-R Study Group 5</b> Process in ongoing.	Cllr [REDACTED]
5.8	<b>Competition Commission Market Enquiry</b> Update will be given at the next Council meeting.	<b>Council</b>
5.9	<b>Inquiry into subscription TV</b> Remove the paragraph that talks to Cell C Capitalization. The write up to be corrected. Correct the write up by removing the paragraph that talks to Cell C Capitalization.	Cllr [REDACTED]



	<b>Action Item</b>	<b>Person Responsible</b>
5.10	<p><b>Draft Code for Persons with Disabilities Regulations</b></p> <p>An update will be given in the next Council meeting. Cllr Mokhele will follow-up with the Legal, Risk and CCC division on the vetting status.</p>	Cllr [REDACTED]
5.11	<p><b>SADC Roaming Cost Model Funding</b></p> <p>A revised report will be submitted to Council for consideration.</p>	Cllr [REDACTED]
5.12	<p><b>SANGONet Proposal</b></p> <p>ICASA will not contribute any funding to the SANGONet function. However, ICASA will attend the function and decide to be one of the exhibitors. Status remain the same.</p> <p><i>CEO is responsible for the item and not Cllr [REDACTED] as indicated.</i></p>	Office of the Chairperson
5.13	<p><b>Nomination of beneficiaries for Deukom (Pty) Ltd in pursuance of clause 9.1 of its licence conditions</b></p> <p>The item is on the agenda.</p>	CEO
5.14	<p><b>Cell C v ICASA –Universal Service Obligations (USO)</b></p> <p>Status has not changed.</p>	CEO
5.15	<p><b>Cell C Recapitalisation Transaction</b></p> <p>A letter was sent to CellSaf inviting written representations on the legal questions pertaining to the issue of "transfer of control" for purposes of enabling the Authority to consider arguments by all affected parties to finalise its determination on Cell C's notification of change of shareholding.</p>	CEO



	<b>Action Item</b>	<b>Person Responsible</b>
<b>5.17</b>	<p><b>Release of existing bandwidth</b></p> <p>An updated report will be tabled at the next Council meeting.</p>	<b>CEO</b>
<b>5.18</b>	<p><b>Update on the settlement agreement with Minister DTPS</b></p> <p>A counter settlement proposal was sent to the Minister for consideration, there is no response to date. However, unofficial information is that DTPS will respond to ICASA counter-proposal after finalisation (and Cabinet acceptance) of the CSIR study on spectrum requirements for a WOAN. The timelines for finalisation (and Cabinet acceptance) of the study are tentatively indicated as early December 2017.</p>	<b>CEO</b>
<b>5.19</b>	<p><b>Appeal to renew a Class Community Sound Broadcasting Service License – Lephalale Community Radio</b></p> <p>A revised submission will be tabled in the next Council meeting.</p>	<b>CEO</b>
<b>5.20</b>	<p><b>Investigation into possible fraudulent activities conducted by Thabo Khakhane</b></p> <p>A follow up letter has been sent to the Hawks. Secretariat will follow up with Legal, Risk and CCC to set up a meeting with the Hawks. A meeting with the Haws will be proposed for end of November.</p>	<b>CEO</b>
<b>5.21</b>	<p><b>Relocation committee update</b></p> <p>A new tender will be advertised by 06 November 2017.</p>	<b>CIlr</b> [REDACTED]
<b>5.22</b>	<p><b>Appointment of Company Secretary</b></p> <p>Item is on the agenda.</p>	<b>Council</b>
<b>5.23</b>	<p><b>Inter Operator Disputes</b></p>	<b>CEO</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	Item is on the agenda.	
<b>5.24</b>	<b>2016-17FY AFS</b> Audit action plan has been submitted to the Minister.	<b>Council</b>
<b>5.25</b>	<b>Phase 1 of Standard Operating Procedures Optimisation Project</b> To be discussed at a special Council meeting.	<b>CEO</b>
<b>5.26</b>	<b>Feedback on moderation sessions and Contracting for 2017/18 FY</b> Contracting is underway.	<b>Council</b>
<b>5.27</b>	<b>Governance Framework</b> Three (3) possible dates for Council workshop should be proposed.	<b>Secretariat</b>
<b>5.28</b>	<b>SANDF and SAPS outstanding licensing fees</b> Draft letters need to be updated. The new Minister will be briefed on the item.  The draft letters to the Minister (DoC) to engage both SANDF and the SAPS on the outstanding spectrum fees are with the Legal Risk and CCC for vetting.  The CFO will make recommendations to Council on the way forward with regard to the outstanding Radio Frequency Spectrum Licence Fees owed by the SANDF and the SAPS.	<b>CEO</b>
<b>5.29</b>	<b>Proposed amendments to the organisational structure of</b>	<b>CEO</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>ICASA</b></p> <p>The HR is working on revising the submission.</p>	
6.	<b>Standing items</b>	
6.3	<p><b>Inter Operator Disputes</b></p> <p>The CEO presented the item.</p> <p><b>Vodacom vs Telkom Duct Dispute</b></p> <ul style="list-style-type: none"> <li>A report has been sent to both Vodacom and Telkom, parties were given until 24 November 2017 to comment on the report.</li> </ul> <p><b>Cell C Recapitalization</b></p> <ul style="list-style-type: none"> <li>A final submission with recommendations will be prepared for Council upon receipt and consideration of CellSaf's representations.</li> </ul>	CEO
6.4	<p><b>CRASA ('Standing item')</b></p> <p>Cllr ██████ presented the item.</p> <ul style="list-style-type: none"> <li>CRASA Strategic Plan session will take place from 14-16 November 2017.</li> <li>The CRASA extra-ordinary meeting to approve the strategic plan will take place on the 17<sup>th</sup> November 2017.</li> <li>There will be a preparatory meeting prior to the Strategic Plan Session and Councillors are invited to attend.</li> </ul>	Cllr ██████
7.	<b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Computer FX CC</b>	Cllr ██████





	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Cllr ██████████ presented the item.</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Computer FX CC.</p> <p>Computer FX failed to commence operations within the pre-requisite twelve (12) and twenty-four (24) months for ECS and ECNS respectively from the date of issue of the licence.</p> <p><b>Recommendation to Council: -</b></p> <p>Computer FX is ordered, in terms of section 17E (2) of the ICASA Act, to desist in future from not complying with Regulation 5 of the ECNS and/or ECS Regulations (as amended in 2016); and</p> <p>Computer FX is granted 30 working days from the date on which this judgement is published to comply with regulations and file the necessary application with ICASA.</p> <p><b>It was resolved that the recommendation by CCC be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (as amended)</p>	
8.	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division of ICASA and REDCOM (Pty)Ltd</b></p> <p>Cllr ██████████ presented the item.</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Redcom (Pty) Ltd.</p> <p>The licensee has failed to submit Annual Financial Statement for the financial years 2011-2012; and</p> <p>The licensee has failed to pay Annual General Licensing fees and USAF contributions for the period mentioned above.</p>	Cllr ██████████



	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>Recommendation to Council: -</b></p> <p>The charge that Redcom did not file a financial statement for the year 2011-2012 is dismissed. There was no duty to file such a statement where the licences had not been operational. As indicated, the earlier financial years are not, constitutionally, permitted to have been part of the charge.</p> <p>Since Redcom was not charged for not having applied for more time to make its licences operational, no finding may be made in this regard. The charge is upheld.</p> <p><b>It was resolved that the recommendation by CCC be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (as amended)</p>	
9.	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Netwide Internet Services CC</b></p> <p>Clr [REDACTED] presented the item.</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Netwide Internet Services cc.</p> <p>The licensee has failed to submit Annual Financial Statement for the financial period 2011-2012.</p> <p>That the licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p> <p>Netwide Internet Services cc is ordered to desist in future from not filing its financial statement (as duty confirmed), paying its USAF contributions and, if applicable, its licence fees as prescribed.</p>	Clr [REDACTED]



	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>It was resolved that recommendation by be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (as amended)</p>	
<p>10.</p>	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Pluto Internet (Pty)Ltd</b></p> <p>Cllr [REDACTED] presented the item.</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Pluto Internet (Pty) Ltd.</p> <p>The licensee has failed to submit Annual Financial Statement for the financial period 2011-2013.</p> <p>That the licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p> <p>The licence of Pluto Internet (Pty) Ltd be revoked in terms of section 4(3) (e) of the ICASA Act, declaring that the licence no longer exist; and</p> <p>Such notice by Council must be placed in the Government Gazette and placed on the ICASA website.</p> <p><b>It was resolved that the recommendation by CCC be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (as amended).</p>	<p>Cllr [REDACTED]</p>
<p>11.</p>	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Enverge Communications (Pty) Ltd</b></p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and</p>	<p>Cllr [REDACTED]</p>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Enverge Communications (Pty) Ltd.</p> <p>The licensee has failed to submit Annual Financial Statement for the financial period 2011-2013.</p> <p>That the licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p> <p>The licence of Enverge Communications (Pty)Ltd be revoked in terms of section 4(3)(e) of the ICASA Act, declaring that the licence no longer exist; and</p> <p>Such notice by Council must be placed in the Government Gazette and placed on the ICASA website.</p> <p><b>It was resolved that recommendation by CCC be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (as amended).</p>	
12.	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Powerline Communications (Pty) Ltd</b></p> <p>Cllr [REDACTED] presented the item</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Powerline Communications (Pty) Ltd.</p> <p>The licensee has failed to submit Annual Financial Statement for the financial years 2011-2012.</p> <p>That the licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p>	Cllr [REDACTED]



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The licence of Powerline Communications (Pty)Ltd be revoked in terms of section 4(3)(e) of the ICASA Act, declaring that the licence no longer exist; and</p> <p>Such notice by Council must be placed in the Government Gazette and placed on the ICASA website.</p> <p><b>It was resolved that Recommendation by the CCC be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (as amended).</p>	
13.	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and WSI Solutions CC T/A WSI T/A WSI NET</b></p> <p>Cllr [REDACTED] presented the item</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and WSI Solutions cc t/a WSI Global t/a WSI net.</p> <p>The licensee has failed to submit Annual Financial Statement for the financial years 2011-2013.</p> <p>That the licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p> <p>WSI Solution cc t/a WSI Global t/a WSI net is ordered to desist in future from not filing its financial statement, as duly confirmed and paying its USAF contributions. As prescribed.</p> <p><b>It was resolved that the recommendation by be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000(As amended).</p>	Cllr [REDACTED]



	Action Item	Person Responsible
14.	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Openvoice Service Provider (Pty) Ltd</b></p> <p>Cllr [REDACTED] presented the item</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Openvoice Service Provider (Pty) Ltd</p> <p>The licensee has failed to submit Annual Financial Statement for the financial years 2011-2013.</p> <p>That licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p> <p>The licence of Openvoice Service Provider (Pty) Ltd be revoked in terms of section 4(3)(e) of the ICASA Act, declaring that the licence no longer exist; and</p> <p>Such notice by Council must be placed in the Government Gazette and placed on the ICASA website.</p> <p><b>It was resolved that the recommendation by CCC be approved.</b></p> <p><b>Reason:</b> In line with section 4(3) (e) of the ICASA Act No. 13 of 2000 (As amended).</p>	Cllr [REDACTED]
15.	<p><b>Recommendation by CCC to Council in the matter between the Compliance Division ICASA and Singa-Tel (Pty) Ltd</b></p> <p>Cllr [REDACTED] presented the item</p> <p>The purpose of the submission was to table the recommendation of the CCC in the matter between Compliance Division of ICASA and Singa-Tel (Pty) Ltd.</p>	Cllr [REDACTED]



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The licensee has failed to submit Annual Financial Statements for the financial years 2011-2012.</p> <p>That the licensee has failed to pay Annual General Licensing fees and USAF contributions for the same years as mentioned above.</p> <p><b>Recommendation to Council: -</b></p> <p>The charge that Singa-Tel did not file financial statements for the year 2011-2012 is dismissed. There was no duty to file such a statement where the licences had not been made operational. As indicated, their earlier financial years are not, constitutionally, permitted to have been part of the charge.</p> <p>Since Singa-Tel was not charged for not having applied for more time to make its licences operational, no finding may be made in this regard. The charge is upheld.</p> <p><b>The following clarity was being noted: -</b></p> <ul style="list-style-type: none"> <li>• <b>There is no penalty regime on cases.</b></li> <li>• Most of the licensees at CCC have not been operational, those that have been operational claimed not to be aware of their obligations.</li> <li>• The CFO gave clarity that invoices are issued to licensees and non-payment has an impact of the Authorities books due to debts being written off.</li> <li>• The Licensing Division is making sure the Authority does not invoice inactive licensees.</li> </ul> <p><b>It was resolved that the recommendation by CCC be approved.</b></p> <p><b>Reason:</b> In line with section 17D of the ICASA Act No.13 of 2000 (As amended)</p>	
16.	<p><b>Applications for the Transfer of I-ECS and I-ECNS licences from Infovan (Pty) Ltd to T-Systems South Africa (Pty)Ltd</b></p> <p>Manager: Broadcasting: Licensing presented the item.</p>	CEO



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The purpose of the memo was to request Council to approve applications for the Transfer of I-ECS and I-ECNS licences from Infovan (Pty) Ltd to T-Systems South Africa (Pty) Ltd.</p> <p><b>The following inputs were noted:</b></p> <ul style="list-style-type: none"> <li>• Confirm how T-System has been operating (possibly without a licence)</li> <li>• T- System should confirm their ownership structure and directorship across the group (not merely in the entity that holds the licence).</li> </ul> <p><b>It was resolved that the Applications for the Transfer of I-ECS and I-ECNS licences from Infovan (Pty) Ltd to T-Systems South Africa (Pty)Ltd be re-submitted after the above inputs are addressed.</b></p> <p><b>Reason:</b> The application meets the requirement of the Electronic Communication Act, 2005 and the processes and Procedures Regulations, 2010.</p> <p><i>Manager: Service Broadcasting: Licensing and Manager: Broadcasting Frequency Co-ordination: Licensing joined the meeting at 14h30.</i></p>	
17.	<p><b>Capricorn FM: Application for amendment of the Radio Frequency Spectrum Licence</b></p> <p>Manager: Broadcasting Frequency Coordination presented the item.</p> <p>The purpose of this memo was to request Council to decline the amendment application of the Radio Frequency Spectrum Licence of Capricorn FM for the introduction of Nystrom transmitter.</p> <p><b>It was resolved that the application for amendment of the Radio Frequency Spectrum Licence be declined as recommended.</b></p> <p><b>Reason:</b> It is recommended that the Authority declines the application for amendment of the Radio Frequency Spectrum</p>	CEO





	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Licence of Capricorn FM for the introduction of Nystrom transmitter for the following reason</p> <p>The introduction of the Nystrom transmitter will introduce severe and harmful interference with the first adjacent spare frequency of 103.6 MHz in Nystrom which is coordinated for public sound broadcasting services.</p>	
18.	<p><b>Application for Radio Frequency Spectrum Licence amendment: South African Broadcasting Corporation</b></p> <p>Manager: Broadcasting Frequency Coordination presented the item</p> <p>The purpose of this memo was to request Council to approve:</p> <ol style="list-style-type: none"> <li>1. SABC's application for the amendment of Radio Frequency Spectrum Licence to swap the recently licensed frequency of Lesedi FM in Louis Trichardt with Mughana Lonene's frequency in Louis Trichardt.</li> <li>2. Reject the substitution of the recently licensed FM frequency of Lotus FM in the Nelspruit transmitter and replace it with Ikwekwezi FM.</li> </ol> <p><b>The following inputs were noted:</b></p> <ul style="list-style-type: none"> <li>• The Authority cannot swap frequency without notification to the public.</li> <li>• A technical analysis should be done on the application.</li> <li>• Decision to swap frequency has external impact on audiences.</li> </ul> <p><b>It was resolved that the application for Radio Frequency Spectrum Licence amendment: South African Broadcasting Corporation be rejected and;</b></p> <p><b>It was resolved that the substitution of the recently licensed FM frequency of Lotus in the Nelspruit transmitter and replace it with Ikwekwezi FM be submitted separately.</b></p>	CEO



	<b>Action Item</b>	<b>Person Responsible</b>
	<i>Manager: Broadcasting Frequency Co-ordination: Licensing left the meeting.</i>	
19.	<p><b>Request for partnership with WWRF for the next Huddle meeting to be held in South Africa in 2018</b></p> <p>The CEO presented the item.</p> <p>The purpose of this submission was to request Council to approve the hosting of the 5<sup>th</sup> Wireless World Research Forum (WWRF) 5G Huddle in partnership with ICASA (and CSIR) in South Africa next year.</p> <p><b>The following inputs were noted:</b></p> <ul style="list-style-type: none"> <li>• Council resolved that there should be an international engagement strategy plan in place.</li> <li>• The international engagement strategy plan will promote meaningful engagements.</li> <li>• The proposal to host the WWRF will be tabled at the 5G forum scheduled for 1-2 November 2017, to allow further engagements on co- hosting the WWRF huddle meeting.</li> <li>• The value add of the Forum should be identified.</li> </ul> <p><b>It was resolved that request for partnership with WWRF for the next Hurdle meeting to be held in South Africa in 2018 be deferred to the next Council meeting.</b></p>	CEO
20.	<p><b>Establishment of the Digital Migration Advisory Council</b></p> <p>The item was withdrawn as the matter has already been considered by Council during September 2017.</p>	CEO
21.	<p><b>Potential disregarded for legislative requirements: Vodacom and Wireless Business Solutions Priority Limited “WBS”</b></p> <p><i>The item is deferred to Friday 3 November 2017.</i></p>	CEO



	Action Item	Person Responsible
22.	<p><b>Reasons document for Decision on the application for transfer of I-ECNS and I-ECS licences from SEACOM South Africa (Pty) Ltd to SEACOM Business (Pty)Ltd</b></p> <p>The CEO presented the item.</p> <p>The purpose of this memo was to request Council to approve the vetted reasons document for publication in the Government Gazette.</p> <p><b>It was resolved that reasons document for the application for transfer of I-ECNS and I-ECS licences from SEACOM South Africa (Pty) Ltd to SEACOM Business (Pty) Ltd be approved.</b></p> <p><b>Reason:</b> To provide clarity on the administrative processes and procedures followed by ICASA in arriving at its decision, as well as to provide reasons for ICASA's decisions on this matter as required in terms of section 9(5) of the ECA.</p>	CEO
23.	<p><b>The role and responsibility of the Authority on Cybersecurity</b></p> <p><i>The item has been deferred to the next Council meeting.</i></p>	CEO
24.	<p><b>Digital Sound Broadcasting International Study Visits</b></p> <p>Cllr ██████ presented the item.</p> <p>The purpose of this memo was to provide Council with the reasons behind the Digital Sound Broadcasting Committee having chosen to conduct international benchmarking research into digital sound broadcasting, and study visits to various identified countries, to understand the impact of introducing digital sound broadcasting into the South African market.</p> <p><b>The following input was noted: -</b></p> <ul style="list-style-type: none"> <li>• Council requested that BRICS countries should be considered for benchmarking.</li> <li>• It was clarified that the digital sound broadcasting benchmark</li> </ul>	Cllr ██████



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>is aligned to the Geneva 2006 agreement.</p> <p><b>It was resolved that Digital Sound Broadcasting International Study Visits be approved.</b></p>	
25.	<p><b>Progress on the Automated Spectrum Management System (ASMS) Project</b></p> <p><i>The item has been deferred to the next Council meeting.</i></p>	
26.	<p><b>Remuneration of ICASA Committees AREDC, CCC, ITRC and REMCO</b></p> <p>The CFO presented the item.</p> <p>The purpose of this submission was to provide extensive feedback to Council on the Remuneration of ICASA Committee (AREDC, CCC, ITRC and REMCO)</p> <p><b>The following input was noted:</b></p> <ul style="list-style-type: none"> <li>• A further benchmarking needs be done on the matter.</li> <li>• The ARC Chairperson will be engaged on the exercise.</li> <li>• The Consumer Advisory Panel should be included in the scope of the submission</li> </ul> <p><b>It was resolved that Remuneration of ICASA Committees AREDC, CCC, ITRC and REMCO be re-submitted incorporating the above-mentioned inputs.</b></p>	CFO
27.	<p><b>Finance quarterly report – Quarter 2 of 2017-2018</b></p> <p><i>The item has been deferred to the next Council meeting.</i></p>	CFO
28.	<p><b>Finance Policies – SUPPLY Chain Management Policy 2017 and Subsistence &amp; Travel Policy</b></p>	CFO



	<b>Action Item</b>	<b>Person Responsible</b>
	<i>The item has been deferred to the next Council meeting.</i>	
29.	<b>2017/18 HR Operational Report</b>  <i>The item has been deferred to the next Council meeting.</i>	<b>CEO</b>
30.	<b>General</b>	
30.1	<b>Introductory Meeting with Liquid Telecom</b>  The presentation and introduction of the new Liquid Telecom CEO was noted.  <i>Liquid Telecoms joined the meeting at 12h20 -13h00.</i>	<b>Council</b>
30.2	<b>Meeting with Vodacom</b>  The presentation by Vodacom was noted.  <b>The following issues were discussed:</b> <ul style="list-style-type: none"> <li>• Cost to communicate and pricing.</li> <li>• 5G applicationf that Vodacom is conducting.</li> <li>• Council requested Vodacom to share information on the impact of spectrum availability on data pricing.</li> </ul> The Vodacom/Vodafone team joined the meeting from 15h30 – 16h15.	<b>Council</b>
30.3	<b>SABC application for extension of the DAB plus trial licence</b>  Cllr █████ presented the item.  It was reported the SABC is applying for an extension of its 8 months DAB plus trial licence. The proposed extension will be for a period of 6 months. In response to a council member’s question,	<b>CEO</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Licencing advised that the SABC has provided reports on the trial this far.</p> <p>It was resolved that the SABC application for extension of the DAB plus trial licence be approved.</p> <p><i>Manager: Broadcasting Frequency Coordination left the meeting at 15h30.</i></p>	
30.4	<p><b>Corporate Secretary – Job Advert</b></p> <p>The item has been deferred to Council meeting scheduled for 3 November 2017.</p>	CEO
30.5	<p><b>Nomination of beneficiaries for Deukom (Pty) Ltd in pursuance of clause 9.1 of its licence conditions</b></p> <p>The purpose of this memo was to advise Council of the Terms of Reference between the National Film and Video Foundation (NFVF), regarding the appointment of NFVF as the nominated beneficiary, in fulfilment of clause 9.1 of the Deukom (Pty) Ltd licence and to request Council to consider and approve same.</p> <p><b>The following input was noted:</b></p> <ul style="list-style-type: none"> <li>Names should be removed under point 4.3 and 4.5 of the submission.</li> </ul> <p><b>It was resolved that Nomination of beneficiaries for Deukom (Pty) Ltd in pursuance of clause 9.1 of its licence conditions be approved. It was further resolved that the Authority not be party to the agreement between the licensee and the nominated beneficiary as this would compromise the Authority's oversight role.</b></p> <p><i>Cllr Qocha requested to be excused from the item as she is a Board member at NFVF.</i></p>	CEO



	Action Item	Person Responsible
31.	<b>Closure</b>  The Acting Chairperson thanked all who attended the meeting and adjourned the meeting at 18h30.	
32.	<b>Date of next meeting: 7 November 2017</b>	<b>Secretariat</b>

Signed:   
(Chairperson)

Date: 01/12/2017