



Independent Communications Authority of South Africa

MINUTES OF AN ORDINARY COUNCIL MEETING		
Date	6 November 2017	
Time:	09h30	
Venue:	Block B, Council Boardroom	
Present		
	[REDACTED]	Acting Chairperson
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
By Invitation		
	[REDACTED]	CEO
	[REDACTED]	CFO
	[REDACTED]	Acting CAE
	[REDACTED]	Secretariat Officer
Partial Attendees		
	[REDACTED]	Number Database Administrator: Licensing
	[REDACTED]	Manager: Numbering
	[REDACTED]	SM:HR
	[REDACTED]	Information Specialist: HR
Apologies		
	[REDACTED]	CAE
	[REDACTED]	Member
	[REDACTED]	Acting SM: Office of Chairperson

	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>The Acting Chairperson, Cllr ██████ opened the meeting at 9h30 and welcomed all present.</p> <p>The following apologies were noted: -</p> <ul style="list-style-type: none"> • Cllr ██████ is attending CCC meeting • The CAE, Anneal Sookharan is on annual leave • SM: Office of the Chairperson, ██████ is attending the ITU Study Group in Geneva <p><i>Cllr kadi is delayed and will join the meeting late.</i></p>	Chairperson
3.	<p>Declaration of interest</p> <p>No conflict of interest was noted at the meeting.</p>	All
4.	Adoption of previous minutes	Council
4.1	<p>Meeting held on 31 October 2017</p> <p>The minutes were deferred to the next Council meeting.</p> <p>There was a request to defer the minutes of the meeting held on 31 October 2017, Secretariat will capture the narration and recommendations on all CCC matters in order to provide context.</p>	Council
5.	Matters arising from previous minutes	Secretariat/CEO
5.1	<p>Imminent expiry of the terms of contract for three (3) members of the Complaints and Compliance Committee</p> <p>Process is ongoing. The advertisement has been closed. Interviews will be scheduled.</p>	CEO

	Action Item	Person Responsible
	<p>Council resolved that 7 days advertising period does not give candidates enough time to apply for positions, it was resolved that HR will be advised to provide for 14 calendar days for advertising of posts pending the review of the policy.</p> <p>Cllr [REDACTED] and Cllr [REDACTED] will form part of the panel of interviews.</p>	
5.2	<p>Council performance agreements and bilateral meeting with Minister</p> <p>The Department of Communications to confirm dates for the workshop.</p>	Council
5.3	<p>Council Decisions for Website publication</p> <p>Item is on the agenda.</p>	Council
5.4	<p>CRASA</p> <p>"Standing Item on the agenda"</p>	Cllr [REDACTED]
5.5	<p>Status report on the 5G Forum Project</p> <p>The inaugural meeting took place from 1-2 November 2017.</p> <p>5 Working groups were formed during the inaugural meeting and the ToR have to be concluded. A Steering Committee was also formed and will be meeting by the end of November 2017.</p>	Cllr [REDACTED]
5.6	<p>Developments around participation and contributions made within the ITU-R Study Group 5</p> <p>Remove the item from the matters arising list.</p>	Cllr [REDACTED]

	Action Item	Person Responsible
5.7	<p>Competition Commission Market Enquiry</p> <p>Meeting with the Competition Commission has been scheduled to take place on 14 November 2017, at ICASA.</p>	Council
5.8	<p>Inquiry into subscription tv</p> <p>Status has not changed; the inquiry is ongoing.</p>	Cllr [REDACTED]
5.9	<p>Draft Code for Persons with Disabilities Regulations</p> <p>Status has not changed.</p>	Cllr [REDACTED]
5.10	<p>SADC Roaming Cost Model Funding</p> <p>Report will be submitted to Council.</p> <p>South Africa will have to contribute to the Roaming Cost Model Funding.</p> <ul style="list-style-type: none"> • There is ongoing consultation on the funding model. • CFO indicated that the PFMA is not clear on this kind of funding, however National Treasury advised that should the Authority approve the SADC Roaming Cost Model Funding, this will be in a form of sponsorship. 	Cllr [REDACTED]
5.11	<p>SANGONet Proposal</p> <p>Remove the item from the matters arising list.</p>	Office of the Chairperson
5.12	<p>Nomination of beneficiaries for Deukom (Pty) Ltd in pursuance of clause 9.1 of its licence conditions</p> <p>Remove the item from the matters arising list.</p>	CEO

	Action Item	Person Responsible
5.13	Cell C v ICASA –Universal Service Obligations (USO) Status has not changed.	CEO
5.14	Release of existing bandwidth An updated report will be submitted at the meeting of 14 November 2017.	CEO
5.15	Update on the settlement agreement with Ministry of DTSP The status has not changed.	CEO
5.16	Appeal to renew a Class Community Sound Broadcasting Service License – Lephalale Community Radio A submission will be tabled in the next Council meeting.	CEO
5.17	Investigation into possible fraudulent activities conducted by [REDACTED] [REDACTED] [REDACTED]	CEO
5.18	Appointment of Company Secretary Item is on the agenda.	Council
5.19	Inter Operator Disputes Item is on the agenda.	CEO
5.20	2016-17FY AFS	Council

	Action Item	Person Responsible
	Remove the item from the matters arising list.	
5.21	<p>Phase 1 of Standard Operating Procedures Optimisation Project</p> <p>Item will be tabled in the next Council meeting.</p>	CEO
5.22	<p>Feedback on moderation sessions and Contracting for 2017/18 FY</p> <p>Contracts for Executives and General Managers were approved by Council on 19 September 2016.</p> <p>Remove the item from the matters arising list.</p>	Council
5.23	<p>Governance Framework</p> <p>Secretariat will confirm date of the workshop between the DoC entity oversight team and ICASA for Council Contracting.</p>	Secretariat
5.24	<p>SANDF and SAPS outstanding licensing fees</p> <p>The draft letters to the Minister (DoC) to engage both SANDF and the SAPS on the outstanding spectrum fees are with Legal Risk and CCC for vetting.</p> <p>The CFO will make recommendations to Council on the way forward with regard to the outstanding Radio Frequency Spectrum Licence Fess owed by the SANDF and the SAPS.</p>	CEO
5.25	<p>Proposed amendments to the organisational structure of ICASA</p> <p>The Human Resources Division is working on revising the submission.</p>	CEO

	Action Item	Person Responsible
	The submission will be tabled for Council on 21 November 2017.	
6.	Standing items	
6.1	<p>Inter Operator Disputes</p> <p>The CEO presented the item.</p> <p>Duct Disputes</p> <ul style="list-style-type: none"> • Awaiting representation from both Telkom and Vodacom. <p>Cell C Recapitalization</p> <ul style="list-style-type: none"> • A request has been send CellSaf to make representations on Cell C recapitalization before a decision is made by Council on the Cell C notification for change of shareholding. • CellSaf was given until the 2nd November to respond to the request. • CellSaf has requested the deadline of 7 days to be extended to 21 days, the Authority has extended the deadline by 10 days. <p>Vodacom and WBS</p> <p>Item is on the agenda.</p>	ACEO
6.2	<p>CRASA update ('Standing item')</p> <p>Cllr ██████ presented the item.</p> <ul style="list-style-type: none"> • CRASA Strategic Plan session update will take place from 14-16 November 2017. • The CRASA Extra-Ordinary meeting to approve the strategic plan will take place on the 17th November 2017. • There will be a preparatory meeting prior to the Strategic Planning Session and Council members are invited to attend. 	Cllr ██████
6.3	Update on the relocation process	Cllr ██████

	Action Item	Person Responsible
	<ul style="list-style-type: none"> The CEO reported that a new tender (BID) will be advertised before the month of November 2017. 	
7.	<p>Establishment of the Digital Migration Advisory Council (DMAC)</p> <p>Cllr ██████ presented the item</p> <p>The purpose of this memo is to request Council to note the establishment of the Digital Migration Advisory Council (DMAC) and to approve the appointment of the two ICASA senior officials, support of two RF Specialist, to serve on DMAC.</p> <p>The Minister has dissolved the Digital Migration Advisory Council, item has been withdrawn from the agenda .</p>	Cllr ██████
8.	<p>The role and responsibility of the Authority on Cybersecurity</p> <p><i>Item deferred to the next Council meeting.</i></p>	CEO
9.	<p>Report on the International Institute of Communications 2017: Communications regulation policy week Belgium – 9 to 12 October 2017</p> <p>Cllr ██████ presented the item</p> <p>The purpose of the memorandum is to present a report on the International Institute of Communications 2017 Communications Regulation and Policy week for Council's noting.</p> <p>It was resolved that the report on the International Institute of Communications 2017: Communications regulation policy week Belgium – 9 to 12 October 2017 be noted.</p>	Cllr ██████
10.	Request for approval of the draft Number Portability	Cllr ██████

	Action Item	Person Responsible
	<p>Regulations and Publication in the Gazette</p> <p>Number Database Administrator: Licensing presented the item.</p> <p>The purpose of this memo was to request Council to approve the Draft Number Portability Regulations for publication in Government Gazette.</p> <p>The following inputs were noted: -</p> <ul style="list-style-type: none"> • Amend the definition of SIM (Subscriber Identity Model) to indicate a SIM as chip and not a circuit. • Point 2 under porting procedure, amend to also include Sunday. • Point 12 under Contravention of policies, was corrected to “a fine of not”. • Definitions should be aligned to ITU definitions. • Cross referencing between Annexures and the Regulations to be verified and corrected • The effective date of the regulations must be aligned with the finalisation of porting specifications (and other dependent requirements). <p>It was resolved that request for approval of the draft Number Portability Regulations and Publication in the Gazette be approved.</p> <p><i>Number Database Administrator: Licensing and Manager: Licensing Numbering joined the meeting at 12h45- 13h05.</i></p>	
11.	<p>Report on the ITU Telecom World 2017 conference</p> <p><i>Item deferred to the next Council meeting.</i></p>	Cllr [REDACTED]
12.	<p>Dissolution of the Committee Establishment for the application for amendment of on Individual Commercial Free-to-Air Television Broadcasting Service Licence –e.tv (Pty)Ltd</p> <p>Cllr [REDACTED] presented the item.</p>	Cllr [REDACTED]

	Action Item	Person Responsible
	<p>The purpose of the memorandum was to request Council to dissolve the committee established to consider the licensing process for Individual Commercial Subscription Broadcasting services licences.</p> <p>It was resolved that the dissolution of the committee established for the application for amendment of Individual Commercial Free-to-Air Television Broadcasting Service Licence –e.tv (Pty) Ltd be approved.</p>	
13.	<p>Progress on the Automated Spectrum Management System (ASMS) Project</p> <p><i>Item deferred to the next Council meeting.</i></p>	CEO
14.	<p>Finance quarterly report – Quarter 2 of 2017 -2018</p> <p>The CFO presented the item.</p> <p>The purpose of this memo was to table the Finance Quarterly Reports – Quarter 2, 2017-2018.</p> <p>It was resolved that the Finance quarterly report – Quarter 2 of 2017 -2018 be approved.</p>	CFO
15.	<p>Finance Policies – SUPPLY Chain Management Policy 2017 and Subsistence & Travel Policy</p> <p><i>Item deferred to the next Council meeting.</i></p>	CFO
16.	<p>2017/18 HR Operational Report</p> <p>Information Specialist: HR presented the item</p> <p>The purpose of this memorandum was to share the monthly HR Operational Dashboard as at 30 September 2017 (financial year end 017/18), for noting.</p>	CEO

	Action Item	Person Responsible
	<p>The following inputs were noted: -</p> <ul style="list-style-type: none"> • The HR dashboard should also be reported per Divisions, to indicate statistics per Division. • Council requested HR Division to report in numbers instead of percentages, as the average does not show the impact. • Analyse and make a recommendation to Council on how the 51 excess employees can be used meaningfully, with a breakdown of their skills and qualifications. This group of employees should be prioritised and specifically addressed as part of the organisational structure reassessment / review. • Persons with disabilities should be included in the headcount. <p>It was resolve that 2017/18 HR Operational Report be noted.</p> <p><i>Information Specialist: HR joined the meeting at 13h10 – 14h00.</i></p>	
17.1	<p>Council decisions</p> <p>Item deferred to the next Council meeting.</p>	Secretariat
17.2	<p>Potential disregard for Legislative requirements: Vodacom and Wireless Business Solutions Propriety Limited (“WBS”)</p> <p><i>Item deferred to the next Council meeting.</i></p>	CEO
17.3	<p>Cell C and Cellsaf matter</p> <p><i>Item deferred to the next Council meeting.</i></p>	CEO
17.4	<p>Corporate Secretary- Job Specification</p> <p>SM: HR presented the item.</p> <p>The purpose of this submission was for Council to approve the advert and job profile for the above mentioned.</p> <p>The following inputs were noted: -</p>	CEO

	Action Item	Person Responsible
	<ul style="list-style-type: none"> • HR was requested to inquire from CSSA on other qualifications that might be relevant to the position. • The job advert will be advertised for a period of 14 days. • Cllr [REDACTED] has volunteered to sit in the panel for the interviews. <p>It was resolved that the Corporate Secretary- Job Specification be approved subject to the above changes.</p> <p><i>SM: HR joined the meeting at 15h00 0 15h40.</i></p>	
17.5	<p>CTO- Digital Broadcasting in Kingston, Jamaica-21-22 November 2017</p> <p>Cllr [REDACTED] will be attending the CTO- Digital Broadcasting in Kingston, Jamaica from the 21 – 22 November 2017.</p> <p>Two official from PRA or CCA will join Cllr kadi to the Digital Broadcasting Conference.</p>	Cllr [REDACTED]
18.	<p>Closure</p> <p>The Acting Chairperson, Cllr [REDACTED] thanked all present at the meeting and adjourned the meeting at 16h00.</p>	
19.	<p>Date of next meeting: 14 November 2017</p>	Secretariat

Signed: [REDACTED]
(Chairperson)

Date: 01/12/2017