



**Independent Communications Authority of South Africa**

<b>MINUTES OF AN ORDINARY COUNCIL MEETING</b>		
<b>Date</b>	<b>09 February 2018</b>	
<b>Time:</b>	<b>14:00</b>	
<b>Venue:</b>	<b>Block B, Council Boardroom</b>	
<b>Present</b>	██████████	Acting Chairperson
	████████████████████	Member
	██████████	Member
	██████████	Member
	████████████████████	Member
	████████████████████	Member
	██████████	
<b>By Invitation</b>	████████████████████	CEO
	██████████	Specialist: Finance
	████████████████████	CAE
	██████████	Acting SM: Office of Chairperson
	██████████	Secretariat Officer
<b>Partial Attendees</b>	████████████████████	Manager: Content Services
	██████████	GM: Engineering and Technology
	██████████	
	████████████████████	Manager: Wholesale Services
	████████████████████	Manager: Cost Modelling
	██████████	GM: Compliance and Consumer Affairs
<b>Apologies</b>	████████████████████	Chairperson
	██████████	Member
	████████████████████	CFO



	<b>Action Item</b>	<b>Person Responsible</b>
1.	<p><b>Opening and apologies</b></p> <p>The meeting opened at 14h00</p> <p>Cllr ██████ presided on this meeting</p> <p><b>The following apologies were noted: -</b></p> <ul style="list-style-type: none"> <li>• Cllr ██████ was on maternity leave</li> <li>• Cllr ██████ as on leave</li> <li>• Cllr ██████ attended an external meeting</li> </ul>	Chairperson
2.	<p><b>Ratification of agenda</b></p> <p><b>This was a continuation of a meeting of the 07<sup>th</sup> February 2017.</b></p> <ul style="list-style-type: none"> <li>• Update on the Implementation of the Southern African Development Community ("SADC) Roam Like at Home Initiative.</li> </ul>	Council
3.	<p><b>Declaration of interest</b></p> <p>No conflict of interest was noted at the meeting.</p>	All
4.	<p><b>CRASA 2017/18 Programme</b></p> <p><b>Update on the Implementation of the Southern African Development Community("SADC) Roam Like at Home Initiative</b></p> <p>The purpose of this memorandum was to provide Council with an update on the implementation of the SADC Roam-Like –at Home initiative by South Africa in order to provide a progress update to the Department of</p>	Cllr ██████



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Telecommunications and Postal Services (“DTPS”).</p> <p>The Manager: Cost Modelling and Manager: Wholesale Services.</p> <p>The following was noted:</p> <p>In July 2007,SADC ICT Ministers convened an urgent meeting of policy makers ,national regulatory authorities (NRAs) and mobile operators to look into the reduction of retail roaming tariffs within the SADC Region</p> <p>The SADC ICT Ministers decided to intervene at SADC level after recognising the jurisdictional challenges faced by NRAs in regulating international roaming</p> <p>The SADC roaming project was thus established and is being implemented in three phases as follows            Phase I:Roaming tariff transparency guidelines            Phase II: Roam –Like at Home (RLAH)            Phase III:Cost –based roaming regulation</p> <p>The SABC Roaming project has so far managed to deliver the following deliverables:</p> <ul style="list-style-type: none"> <li>• Two regulatory impact assessments reports</li> <li>• Roaming tariff transparency guidelines, which came into effect on 1 June 2013 and</li> <li>• The implementation of wholesale cost and retail roaming tariff glide path by some member states.</li> </ul> <p>Implementation of Phase III of the SADC roaming project began in October 2017. This is in line with instruction received from the Ministers at the SADC ICT Ministerial meeting held in Durban, South Africa from 4-7 September 2017</p> <p>CRASA was specifically tasked at the aforementioned meeting to solicit funding for phase III of the project from member states and complete develop of the regional cost model in 2018.</p>	



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Based on the successful bid ,it is projected that the SHAR Phase III project will cost US\$120,000 for acquisition of consultancy fees</p> <p>CRASA will utilise an already budget allocated US\$50,000 as initial payment for consulting services.CRASA members ,through the CRTT shall assume responsibility for the shortfall gap of US\$70,000 and other costs such as convening of CRTT meetings and collection of data from operators</p> <p>In considering to fund its equitable portion Council resolved the following:</p> <ul style="list-style-type: none"> <li>➤ South Africa is obliged to pay its equitable portion</li> <li>➤ ICASA should be mindful of the requirements of the Public Finance Management Act.</li> <li>➤ CRASA should write a letter to clarify and justify ICASA's equitable portion</li> <li>➤ Member states should make an undertaking to fund their portions.</li> <li>➤ An advice from National Treasury should be obtained.</li> <li>➤ The funding will be approved on condition that all members pay proportionate amount.</li> <li>➤ The DTPS to be engaged on the matter.</li> </ul> <p><b>It was resolved that the update on the implementation of the Southern African Development Community (SADC) Roam Like at Home Initiative be approved</b></p>	
5.	<p><b>Discussion Document on Priority Markets in the Electronic Communication Sector.</b></p> <p>The purpose of this memorandum was to request Council to approve the publication of the Discussion Document on Priority Markets for Public Comment.</p> <p>The Manager: Wholesale Services presented this item:</p> <p><b>The following was noted:</b></p>	Cllr <span style="background-color: black; color: black;">[REDACTED]</span>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>On 25<sup>th</sup> August 2017 , the Authority published the notice in the <i>Gazette</i> indicating its intention to conduct an inquiry in terms of section 4B of the ICASA Act read with section 67(4) of the ECA</p> <p>Section 4B(1)(a) of the ICASA Act of 2000 states that:</p> <p><i>"The Authority may conduct an inquiry into any matter with regard to the achievement of the objects of this Act or the underlying statutes.</i></p> <p>Sec 67 (4) of the ECA of 2005 states that :</p> <p><i>"The Authority must following an inquiry ,prescribe regulations defining the relevant markets and market segments and impose appropriate and sufficient pro-competitive license conditions on licensees whether there is ineffective competition."</i></p> <p>The purpose of the inquiry is to :</p> <p>identify markets and or markets segments in the electronic communications sector that are susceptible to ex ante regulations ;and determine which of these should be prioritised for future market reviews and potential regulation subject to section 67(4) of the ECA</p> <p>The Inquiry is to be conducted in four phases(i.e. Phase I-Market study, Phase II-Discussion Document ,Phase III-Public Hearings and Phase IV-Findings Document)</p> <p>As part of Phase I (Market Study), the Authority published a questionnaire requesting information and opinions from stakeholders (including the general public) to inform its market study.</p> <p>The dates on the document should be corrected.</p> <p><b>It was resolved that the publication of the discussion document on priority markets be approved.</b></p>	



	Action Item	Person Responsible
6.	<b>Closure</b>  The meeting adjourned at 15:20pm as the Acting Chairperson had an emergency to attend. .	
7.	<b>Date of next meeting: 13 February 2018</b>	

Signed: \_\_\_\_\_  
(Chairperson)

A handwritten signature in black ink, which is partially obscured by a black redaction bar. The signature appears to be written in a cursive or semi-cursive style.

Date: \_\_\_\_\_

22/04/18