



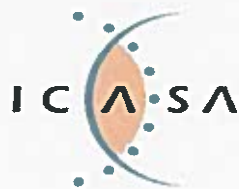
MINUTES OF AN ORDINARY MEETING OF COUNCIL

Date	13 February 2018	
Time:	09h30	
Venue:	Block B, Council Boardroom	
Present	████████████████████	Chairperson
	██	Member
	████████████████	Member
	████████████████████	Member
	██	Member
	██	Member
	████████████████	
By invitation	████████████████	Executive: Legal, Risk and CCC ob. CEO
	██	CFO
	████████████████████	Manager: IT Audit o.b.o CAE
	████████████████████	Secretariat Officer
Partial Attendees	████████████████	SM: Compliance
	██	GM: Consumer and Compliance Division
	██	Broadcasting Compliance Officer
	██	Manager: National Spectrum Monitoring
	████████████████████	Manager: Quality of Services Monitoring
	██	GM: Engineering and Technology
	████████████████	SM: Spectrum Licensing
	████████████████████	GM: Licensing
	██	SM: ICT Licencing
Apologies	████████████████	Member
	██	Member
	██	Member
	██	CEO
	██	CAE
	████████████████	Acting SM: Office of the Chairperson



Independent Communications Authority of South Africa


	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>The Chairperson open the meeting at 09:45am.</p> <p>Apologies</p> <p>Cllr [REDACTED] was attending the FSR Communication and Media Annual Training in Florence, Italy Cllr [REDACTED] was on maternity leave Cllr [REDACTED] was in Barcelona, Spain. The CEO was attending the IoDSA The CAE was attending the CRASA Finance and Audit Committee in Namibia The Acting SM: Office of the Chairperson was on annual leave.</p>	Chairperson
2.	<p>Ratification of the Agenda</p> <p>The following amendments were made to the agenda:</p> <p>Items to be deferred</p> <p>Item 5:" Matters Arising" Item 6.1-Inter Operator Disputes Item 7. Allocation of Council Committees on Regulatory Projects</p> <p>It was resolved that the agenda be approved with additions.</p>	Council
3.	<p>Declaration of interest</p> <p>No conflict of interest was noted at the meeting.</p>	All
4	Minutes of the Previous Meetings	Council



	Action Item	Person Responsible
4.1	<p>Draft minutes of the meeting held on 26 January 2018 The following corrections were made:</p> <ul style="list-style-type: none"> • Correct the name of the Chairperson on pg.1 <p>It was resolved that the draft minutes of a meeting held on 26 January 2018 be approved with corrections.</p>	Council
4.2	<p>Draft minutes of the meeting held on 29 January 2018</p> <p>The following corrections were made:</p> <ul style="list-style-type: none"> • Correct "OORDINARY on top of pg. 1 to "ORDINARY" • Pg3, Item 4-bullet two-correct the word "Isopin" to USO's. • Correct the spelling of "Senetech" to "Sentech". <p>It was resolved that the draft minutes of a meeting held on 29 January 2018 be approved with corrections.</p>	Council
4.3	<p>Draft minutes of a meeting held on 30 January 2018</p> <p>The following correction was made:</p> <p>On Apologies: Cllr [REDACTED] was not on leave but was Chairing deliberations on the Community Broadcasting Committee.</p> <p>It was resolved that the draft minutes of a meeting held on 30 January 2018 be approved with corrections.</p>	Council
5.	<p>Matters Arising</p> <p>It was resolved that the matters arising be deferred to the next meeting.</p>	Council
6.	'Standing Items'	Council

	Action Item	Person Responsible
6.1	<p>Inter-Operator Disputes ('Standing Item')</p> <p>It was resolved that a detailed report will be tabled at the next meeting of Council.</p> <p>The report should be circulated to Councillors and Secretariat.</p>	CEO
6.2	<p>CRASA 2017/18 Programme</p> <p>Cllr [REDACTED] reported on the following CRASA Meetings:</p> <ul style="list-style-type: none"> • 12-14 February 2018-Human Resources and 14-16 Postal Committee meetings to be held in Harare, Zimbabwe. • 19-21 February 2018-Finance Committee to be held Namibia. • 21-23 February 2018- Electronic Communications Committee, to held in Namibia • 14-16 CRASA Roaming Task Team, Mozambique. • 02 February 2018 EXCO Meeting, ICASA, Sandton. • 20-23 Southern African Postal Operators Annual Conference-Cllrs [REDACTED] and [REDACTED] will attend. • Extra ordinary SADC Meeting organised by the Departments of Communications and DTPS. <p>Councillors and staff keen on attending these meetings should prepare for attendance.</p> <p>It was resolved that the update on the CRASA 2017/2018 Programme be noted.</p>	Cllr [REDACTED]
6.3	<p>Update on the Relocation Progress</p> <p>The CFO presented this item:</p> <ul style="list-style-type: none"> • The process was still on procurement stage. • On 02 February 2018, there will be a due diligence and verification visit. • A report on the due diligence and verification will be submitted to the BAC. • By mid-March a submission will be tabled at Council. <p>The update on the relocation process was noted.</p>	Cllr [REDACTED]

	Action Item	Person Responsible
7.	<p>Allocation of Council Committees on Regulatory Projects</p> <p>The following was noted:</p> <ul style="list-style-type: none"> • The current financial year of 2017/18 was coming to an end on 30 March 2018, and there was little time to allocate new projects. • New Councillors may attend any committees as invitees to familiarise themselves with work done at committees. • The secretariat should be alerted on the schedule of Council Committees. • A two-day Council Strategy Session should be organised preferably outside Johannesburg. <p>It was resolved that the allocation of Council Committees on Regulatory Projects be deferred until the beginning of the new financial year of 2018/19.</p>	Council
8.	<p>Notification of the Complaints and Compliance Committee to Council in the matter between Vodacom (Pty) Ltd and Telkom SA SOC Limited.</p> <p>The purpose of this submission was to notify Council of the decision of the Complaints and Compliance Committee in the matter between Vodacom (Pty) Ltd and Telkom SA SOC Limited in terms of s43 (5)(c) of the ECA.</p> <p>The following background was noted;</p> <p>On the 22nd February 2017, the Independent Communications Authority of South Africa (ICASA) referred a dispute to the CCC in terms of s 43 (5) (c) (4) of the Electronic Communications Act (ECA).</p> <p>The dispute concerned a request by Vodacom to lease Telkom's electronic communication network equipment/poles.</p> <p>On 17 August 2017, a pre-hearing conference was held in terms of section 17(c) (4) of the ICASA Act. At this conference, Vodacom argued that the CCC should consider appointing an expert to establish what the technical and physical capacity of the relevant</p>	Cllr [REDACTED]

	Action Item	Person Responsible
	<p>poles of Telkom is. It was agreed by the CCC that Vodacom should formally apply to call such an expert witness.</p> <p>After documents were received from both parties, the CCC decided that the dispute in terms of section 43(5) should first be argued at the hearing.</p> <p>Telkom opposed the appointment of an expert, arguing that it was not within the ambit of the CCC to allow experts.</p> <p>At the CCC hearing held on 10, 11 and 13 October 2017, Telkom stated that Vodacom did not provide sufficient details relating to its technical and physical parameters that satisfies its request.</p> <p>Notification to Council by CCC in terms of S43(5)(c)</p> <p>The CCC decided that on or before the 07th February 2018, Vodacom and Telkom nominate a person from its technical division to inspect the poles and determine what is technically, practically and economically feasible within Vodacom's request. The inspection would be limited to matters which both deem necessary to inspect and report.</p> <p>It was resolved that the Notification to Council by CCC in terms of section 43(5)(c) be approved</p>	
9.	<p>Notification of the Complaints and Compliance Committee to Council in the matter between Intercel Online Africa (Pty) Ltd("IOLA") and Telkom SA SOC Limited.</p> <p>The purpose of this submission was to notify Council of the decision of the Complaints and Compliance Committee in the matter relating to facilities leasing dispute between Intercel Online Africa (Pty) Ltd ("IOLA") and Telkom SA SOC Limited in terms of s43 (5)(c) of the ECA.</p> <p>The following background was noted:</p> <p>On the 06th April 2016, Intercel Online concluded an interconnection agreement with Telkom. Before the signing the agreement, Intercel disputed the amount of the Telkom interconnection charges and have communicated this to Telkom representatives.</p>	Cllr 



	Action Item	Person Responsible
	<p>On the 12th October 2016, IOLA informed ICASA that it had disputed the interconnection charges from inception of the negotiations.</p> <p>ICASA investigated the matter and concluded that there is no information to indicate Telkom was in breach of section 37 of the ECA or the Interconnection Regulations of 2010. IOLA was advised by ICASA to approach Telkom and resolve the matter in line with the dispute resolution clauses in the interconnection agreement and the matter was closed.</p> <p>On 20 July 2017, IOLA lodged a complaint with the CCC. IOLA averred that Telkom was unwilling to negotiate the dispute relating to interconnection charges and that IOLA was prejudiced as a small operator. IOLA stated that it reserved the right for further investigation and negotiation.</p> <p>IOLA added that the fact that Telkom agreed to subsequent meetings on the issue indicated, according to IOLA, Telkom accepted IOLA's right to negotiate after signing the agreement.</p> <p>The main issue with the agreement was why IOLA was carrying the costs of the link between Telkom Infrastructure.</p> <p>In terms of sec 40 of the ECA, the CCC must resolve the dispute on an expedited basis.</p> <p>Notification to Council in terms of Section 40 of the ECA.</p> <p>The CCC decided section 37(6) of the ECA, which pertains to concluded contracts was not applicable to the present contract since there was no difference in pricing in pricing principle and thus there was no discrimination between IOLA's rate and that of other entities with which Telkom has concluded similar interconnection contracts.</p> <p>It was resolved that the recommendation of the CCC relating to facilities leasing dispute between Intercel Online Africa (Pty) Ltd and Telkom SOC Limited be approved.</p>	
10.	<p>Submission of Ten (10) Broadcasting Annual Compliance Reports for Sound and Television Services Licensees</p> <p>The GM: Compliance and Consumer Affairs presented this item:</p>	CEO

	Action Item	Person Responsible
	<p>The purpose of this memorandum was to request Council to consider and approve the Ten (10) Broadcasting Annual Compliance Reports (ACRs) compiled for the period under review as part of the fifty (50) ACRs to be compiled in terms of the Annual Performance Plan (APP).</p> <p>The following was noted:</p> <p>Currently there are approximately 330 broadcasting services licensees in the broadcasting market, broken down as follows;</p> <ul style="list-style-type: none"> • 271-Community Sound Licensees. • 5-Community TV Licensees. • 9-Subscription TV Licensees. • 4-Free to Air TV Licensees (e-tv, SABC 1, SABC2, SABC 3). • 27-Commercial Sound Licensees. • 15 Public Sound Licensees. <p>There are approximately 247 licenses that are operational whilst the remainder are non-operational.</p> <p>Section 192 of the Constitution of the Republic of South Africa enjoins the Authority to regulate broadcasting services in the public interest.</p> <p>Section 17F (5) read with section 4(3) of the ICASA Act provides for the monitoring of compliance with terms and conditions</p> <p>Council requested the following:</p> <ul style="list-style-type: none"> ▪ The five (5) % shareholding of the Students of University of the North on Capricorn FM should be confirmed. ▪ The Compliance division should ascertain the exact number of licensees. ▪ Cllr Modimoeng and the Compliance, Regions divisions and CCC should hold a meeting to populate red flags of non - compliance by community broadcasting licensees. ▪ The Report should be send to all relevant stakeholders including the Department of Communications, Portfolio Committee on Communications, MDDA, and NCRF. ▪ The report should be published on the ICASA website. <p>It was resolved that submission of Ten (10) Broadcasting Annual Compliance Reports for Sound and Television Services Licensees be approved.</p>	

	Action Item	Person Responsible
11.	<p>2017/2018 Q2: North West Province Quality of Service Monitoring Report</p> <p>The Manager: Quality of Service Monitoring presented this Item:</p> <p>The purpose of this memorandum was to request Council to approve the Quality of Service Monitoring Report (QoS) on measurements conducted during Q2 of 2017/18 in the North-West Province for publication.</p> <p>The following was noted:</p> <p>The Annual Performance Plan (APP) on Engineering and Technology sets out a target to conduct Quality of Service Monitoring (QoS) bi-quarterly, to take snapshot drive tests in the following provinces. Mpumalanga, Limpopo, North West, Free State, Gauteng and the Northern Cape.</p> <p>The Authority conducted measurements in the North-West Province between 31 July to 22 August 2017, covering over 2500 kilometres, targeting areas around Makapanstad, Moretele, Lethabile, Ventersdorp and Potchefstroom.</p> <p>The aim of monitoring was to assess the QoS provided by mobile operators as perceived by the user.</p> <ul style="list-style-type: none"> • The report should be published on the ICASA website. • The report should be send to licensees, the Mayors' offices and the Premier's office. <p>It was resolved that the 2017/2018 Q2: North-West Province Quality of Service Monitoring Report be approved for publication.</p>	CEO
12.	<p>2017/2018 Q2: Free State Province Quality of Service Monitoring Report</p> <p>The Manager: Quality of Service Monitoring presented this item:</p>	CEO

	Action Item	Person Responsible
	<p>The purpose of this memorandum was to request Council to approve the Quality of Service Monitoring Report (QoS) on measurements conducted during Q2 of 2017/18 in the Free State Province for publication.</p> <p>The Authority conducted measurements in the Free State Province between 28 August and 11 October 2017, covering over 2500 kilometres, targeting areas around Botshabelo, Bethlehem, Ladybrand, Kroonstad and Sasolburg.</p> <p>The aim of monitoring was to assess the QoS provided by mobile operators as perceived by the user.</p> <ul style="list-style-type: none"> • The report should be published on the ICASA website. • The report should be send to licensees, the Mayors' offices and the Premier's office. <p>It was resolved that the 2017/2018 Q2: Free State Province Quality of Service Monitoring Report be approved for publication.</p>	
13.	<p>Council Resolution for Code for Persons with Disabilities</p> <p>GM: Compliance and Consumer Affairs presented this item:</p> <p>The purpose of this submission was to request Council to approve the Council Resolution for Code for Persons with Disabilities.</p> <p>The regulations of the Code of Persons with Disabilities (2007) were developed in terms of Chapter 12 of the Electronic Communications Act of 2005 (ECA).</p> <p>The Committee is in the process of finalising the regulations. A new Deputy Chairperson has been assigned to the Committee hence the amendment of the resolution.</p> <p>It was resolved that the Council resolution for Code of Persons with Disabilities be approved.</p>	Cllr [REDACTED]
14.	<p>Quarter 3 (Q3) Inspection Report for the South African Maritime Safety Authority (SAMSA)</p>	CEO



	Action Item	Person Responsible
	<p>The Manager: National Spectrum Monitoring presented this item:</p> <p>The purpose of this submission was for Council to note Q3 SAMSA Inspection Report.</p> <p>The following was noted:</p> <p>SAMSA is authorised to act on behalf of the Independent Communications Authority of South Africa (ICASA) to perform Maritime functions. A memorandum of understanding (MoU) stipulates the functions that SAMSA performs.</p> <p>This include marine radio -technology training and certification. ICASA was previously responsible for issuing these certificates. ICASA is still responsible for overseeing the process and conducting quarterly inspections.</p> <p>The report highlights the means and actual times taken to process a range of applications by SAMSA and is based on figures provided by SAMSA up to the end of Q2 of the 2017/18 Financial Year.</p> <p>A total of 3339 valid applications were processed in Q2 and certificates issued. This was more than four times the amount of applications that were processed in Q1</p> <p>It was resolved that the Quarter 3 (Q3) Inspection Report for the South African Maritime Safety Authority (SAMSA) be noted</p>	
15.	<p>Feedback Report on Umhlabayalingana Coverage Report</p> <p>The Manager: Quality of Service Monitoring presented this item:</p> <p>The purpose of this submission was to request Council to note the Quality of service (QoS) monitoring Report on measurements conducted in uMhlabayulingana Local Municipality, Kwazulu Natal Province.</p> <p>The following was noted:</p> <p>ICASA received a letter from the Department of Telecommunications and Postal Services (DTPS) to assist in assessing the level of cellular network coverage in uMhlabayulingana Local Municipality.</p>	CEO

	Action Item	Person Responsible
	<p>The Minister shared challenges experienced in areas with poor network coverage. The targeted areas were visited, including the 2017 Freedom Day celebration venue (Thengani Sports Ground), Gazini, Manguzi and Mbazwana.</p> <p>ICASA teamed up with other stakeholders such as the Executive Mayor, Ward Councillors, DTSPS and operators and conducted a drive test investigation on affected areas. The aim was to assess the level of cellular network coverage before the Freedom Day celebration and future connectivity.</p> <p>Monitoring Results</p> <ul style="list-style-type: none"> • Thangani Sports Ground (Venue for Freedom Day Celebrations) <p>The network coverage analysis showed no GSM and 3G coverage in and around the Stadium.</p> <ul style="list-style-type: none"> • Gazini <p>The network coverage analysis showed no GSM coverage for Vodacom, this could be due to the fact that Vodacom device was booked on the 3G network for the duration of the route and not necessarily that the area does not have coverage 2G. However, MTN and Cell C have poor GSM throughout the route.</p> <p>Cell C had poor coverage 3G, and Vodacom only has a good 3G coverage on the route P522 which leads to Kosi Bay Border. MTN had poor coverage on a minimal part of the route close to the border. Telkom was excluded from this route.</p> <ul style="list-style-type: none"> • Manguzi and Engozini <p>Vodacom had poor GSM coverage, which was very scattered. Cell C, MTN and Vodacom had good 3G coverage between Hagaza and Mbazwana from R22 towards Nhlamu, as well as on the split of R22 and P444. However, the three operators had similar areas where there was no coverage on the R22 onwards Hagaza.</p> <p>Operators Response</p> <p>The operators were notified about the lack of coverage in Umhlabayulingana and were given right to reply which they duly did.</p>	

	Action Item	Person Responsible
	<p>It was resolved that feedback report on uMhlabayulingana Coverage Report be approved.</p> <p>➤ <i>The Update Report should be shared with the Presidency, the DTPS and the Municipality.</i></p>	
16.	<p>Request to Condone Unauthorised, Irregular, Fruitless and Wasteful Expenditure</p> <p>The CFO presented this item:</p> <p>The purpose of this submission was to request Council to approve expenditure identified for condonation and provide and update on the Audit Action Plan, to address the issues raised by the Auditor General and the Audited Financial Statements for the year ended 31 March 2017.</p> <p>The following was noted;</p> <p>The Authority is required to prepare Annual Financial Statements(AFS) that are free from material misstatements, and these AFS must be submitted to the Auditor General and National Treasury (NT) by the 31st of May of each year in terms of section 40(1) (6) (c) of the Public Finance Management Act 1999(Act no1 of 1999) as amended.</p> <p>The Authority's AFS were submitted to the Auditor General as required by section 40(1)(b)(c) of the Public Finance Management Act,1999(Act no 1 of 1999) as amended.</p> <p>During the Audit, the AG noted material misstatements in the Annual Financial Statements submitted for Audit.</p> <p>The following are some of the material misstatement noted by the AG during the 2016/17 regulatory audit.</p> <ul style="list-style-type: none"> ▪ Effective steps were not taken to prevent fruitless and wasteful expenditure amounting to [REDACTED] as disclosed in note 34 on the Annual Financial Statement as required by s38 (1) (c)(ii) of the PMFA and Treasury Regulation 9.11. 	CFO

	Action Item	Person Responsible
	<ul style="list-style-type: none"> ▪ Effective steps were not taken to prevent irregular expenditure amounting to [REDACTED] as disclosed in note 33 on the Annual Financial Statement as required by s38 (1) (c)(ii) of the PMFA and Treasury Regulation 9.11. ▪ Quotations were accepted from prospective suppliers who did not submit a declaration on whether they are employed by the state or connected to any person employed by the state, which is prescribed to comply with Treasury Regulations 16 A8.3. ▪ Contracts and quotations were awarded to suppliers whose tax matters have not been declared by the South African Revenue Service (SARS) to be in order as required by Treasury Regulation 16A 9.1 and Preferential Procurement Regulations. ▪ Goods and Services of a transaction value of [REDACTED] were procured without inviting competitive bids, as required by Treasury Regulations 16A 6, 1. ▪ Deviations were approved by Accounting Officer (CEO) even though it was not impractical to invite competitive bids in contravention of Treasury Regulations 16A 6, A. ▪ Bid documentation for procurement of commodities designated for local content and production did not stipulate the minimum threshold for local production and content as required by Preferential Procurement Regulation 9(i). <p>Treasury Regulation 9.1.5 and 28.2.1 requires Accounting Officers to disclose the above-mentioned expenditure that is incurred as a note to the financial statements and according to section 38,45, and 81 of the PMFA, to be investigated and where applicable to take disciplinary steps against any official who makes, or permits irregular, fruitless and wasteful expenditure as well as unauthorised expenditure.</p> <p>Council deliberated on this item and decided that it needs further inputs from the Chairperson of the Audit, Risk, Ethics and Compliance Committee.</p> <p>It was resolved that this item be deferred to the next meeting of Council and Secretariat to confirm the availability of the</p>	

	Action Item	Person Responsible
	Chairperson of AREDC to attend the meeting of Council for further inputs.	
17.	<p>Proposed Terms and Conditions of Employment, Contract of Employment and Letter of Appointment.</p> <p>It was resolved that this item be deferred to the next meeting of Council.</p>	CEO
18.	<p>Wecodec Technical Report</p> <p>SM: Spectrum Licencing presented this item</p> <p>Council at a previous meeting requested a technical report to assist it to make a proper decision regarding the rejection of the application.</p> <p>It was resolved to approve the rejection of Wecodec 's application for trial broadcasting radio frequency spectrum licence in the L-Band and UHF based on the following reason:</p> <p>Reason for rejection.</p> <p><i>The proposed frequency of 599.25 MHz will interfere with e-TV and Soweto TV</i></p>	CEO
19.	<p>Recommendation by the CCC to Council in the matter between Compliance Division of the Independent Communications Authority of South Africa("ICASA") and Blue IQ Investment Holdings</p> <p>Cllr Modimoeng presented this item:</p> <p>The purpose of this submission was to table the recommendation of the CCC in the matter between the Compliance division of ICASA and Blue IQ Investment Holdings.</p> <p>The following was noted:</p> <p>Blue IQ holds an Individual Electronic Network Licence no: 0109/IENS/JAN/09 and an Individual Electronic Communications Service Licence no: 0109/IECS/JAN/09.</p>	Cllr [REDACTED]

	Action Item	Person Responsible
	<p>The Compliance division alleged that Blue IQ failed to submit its Annual Financial Statements timeously for the financial period 2011-2012. It is further alleged that Blue IQ failed to pay the pre-requisite Annual Licencing Fees ("ALF") and Universal Service and access Fund ("USAF") fees timeously.</p> <p>Despite numerous requests and demands, the licensee has failed to submit ALF and make USAF payments. Thus, on 20 June 2013, the Compliance division referred the matter to the CCC for consideration.</p> <p>The CCC office has attempted to reach the licensee on its e-mail address, landline, and mobile phone via the contact details indicated in the licence to no avail. The Compliance division confirmed and verified that these contact details as the latest details. The Licencing division of ICASA confirmed that the licence has not been transferred. The CCC office also conducted a Windeed search, the results indicated that there is no available information for the licensee.</p> <p>On 5 July 2017, the CCC Coordinator requested ICASA Inspectors to inspect the property of the licensee as per the licence details and no results were found as to the whereabouts of the licensee. Thereafter a notice affording the licensee 21 days in which to inform ICASA whether it was operative was published and still no reaction was received from Blue IQ.</p> <p>Recommendation to Council.</p> <p>In light of the extenuating circumstances, the CCC makes the following recommendations to Council that;</p> <ul style="list-style-type: none"> ▪ The licensees of Blue IQ Investment Holdings be revoked in terms of section 4(3)(e) of the ICASA Act, declaring that the licenses no longer exist and; ▪ Such notice by Council must be placed on the Government Gazette and placed on the ICASA website. <p>It was resolved that the recommendation by the CCC to Council in the matter between the Compliance Division of the Independent Communication Authority of South Africa ("ICASA") and Blue IQ Investments Holdings be approved.</p>	

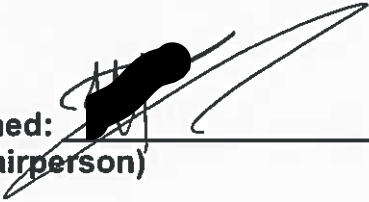
	Action Item	Person Responsible
20	<p>Recommendation by the CCC to Council in the matter between Compliance Division of the Independent Communications Authority of South Africa("ICASA") and CT-Net (Pty) Ltd</p> <p>Cllr [REDACTED] presented this item:</p> <p>The purpose of this submission was to table the recommendation of the CCC in the matter between the Compliance division of ICASA and CT-Net (Pty) Ltd.</p> <p>CT-Net holds an Individual Electronic Network Licence and an Individual Electronic Communications Service Licence issued by ICASA on 15 January 2009.</p> <p>The Compliance division alleged that CT-Net failed to submit its Annual Financial Statements timeously for the financial period 2011-2012.As a results the licensee is further alleged to have failed to pay the pre-requisite Annual Licencing Fees ("ALF") and Universal Service and access Fund ("USAF") fees timeously.</p> <p>Despite numerous requests and demands made to the licensee and in the form of General Notices the licensee has failed to submit, the outstanding audited Annual Financial Statements or Financial Statements signed by the accounting officer and pay the requisite fees timeously.</p> <p>Recommendation to Council</p> <p>CT-Net (Pty) Ltd is ordered to desist in the future from not filing its financial statements as duly confirmed and paying its USAF Contributions as prescribed.</p> <p>Insofar as the financial year 2011/2012 is concerned, the fees must be paid within sixty (60) working days after this judgement is released.</p> <p>It was resolved that the recommendation by the CCC to Council in the matter between the Compliance Division of the Independent Communication Authority of South Africa('ICASA") and CT-Net (Pty) Ltd be approved.</p>	Cllr [REDACTED]
21.	<p>Application for the Amendment of an Individual Public Sound Broadcasting Service Licence(I-PSBS) by SABC Radio Sonder Grense (RSG)</p>	CEO

	Action Item	Person Responsible
	<p>The SM: ICT Licencing presented this item:</p> <p>The purpose of this memorandum was to provide Council with an analysis on the application of an Individual Public Sound Broadcasting Service licence by SABC's Radio Sonder Grense (RSG) and recommend that Council approves the amendment as applied for.</p> <p>RSG holds a Radio Frequency Spectrum licence and Individual Public Sound Broadcasting Service Licence to provide for a full sound spectrum service to Gauteng, Mpumalanga and Limpopo provinces.</p> <p>On 19 June 2017, the applicant applied to the Authority, for an amendment of its individual public Sound Broadcasting Service Licence. A resolution authorising Mr. Philly Moilwa to bring this application has been submitted. Proof of payment of the application fee of an amount of R57 873 is attached on the application.</p> <p>Analysis and Discussions</p> <p>Proposed amendments and reasons for the proposed amendment RSG seeks the approval from the Authority to amend its Individual Public Sound Broadcasting Service as follows:</p> <p>Clause 6.3.1 read as follows:</p> <p><i>The licensee shall, in the provision of the licenced service, broadcast at least one (1) hour programming targeted at children (as contemplated in section 10 (1) of the Broadcasting Act per week during the South African Performance period.</i></p> <p>RSG seeks the removal of the table in clause 6.3.1 of its licence and propose that the licence be amended to read as follows.</p> <p><i>'The licensee shall in the provision of the licensed service, broadcast at least one (1) hour programming targeted at children (as contemplated in section 10(1) of the Broadcasting Act per week during the South African performance period'</i></p> <p>The applicant states the reasons for the proposed amendment as follows:</p>	

	Action Item	Person Responsible
	<ul style="list-style-type: none"> RSG believes that the current children s' programming quota as expressed in its licence conditions is high and not aligned to the quotas prescribed for other SABC Public Radio Stations. As such there is need for this anomaly to be rectified since it continues to threaten the financial viability of RSG. <p>The licensing division is of the view that RSG proposed licenced amendments was reasonable and equates with other SABC public Radio Stations with similar children's quote.</p> <p>The licensing division was also of the view that a public hearing was not necessary, no written representations were submitted but the division was satisfied that RSG has complied with the requirement of the amendment.</p> <p>Council resolved that the Division should amend the standard terms and conditions based on research.</p> <p>It was resolved that the application for the amendment of an Individual Public Sound Broadcasting Service Licence (I-PSBS) by SABC Radio Sonder Grense (RSG) be approved.</p>	
22.	<p>23rd African Corporate Governance Conference</p> <p>Cllr ██████ presented this item:</p> <p>The purpose of this submission was to request Council to nominate Councillors who were keen to attend to attend this conference on Corporate Governance.</p> <p>It was resolved that Councillors who were keen to attend should this Conference.</p>	Cllr ██████
23.	<p>Closure</p> <p>The Chairperson thanked all participants and the meeting closed at 16:25 pm.</p>	Chairperson
24.	Date of next meeting: 20 February 2018	Secretariat



	Action Item	Person Responsible

Signed: 
(Chairperson)

Date: 19/04/2018