



Independent Communications Authority of South Africa

MINUTES OF A SPECIAL MEETING OF COUNCIL		
Date	28 March 2018	
Time:	10h30	
Venue:	Block B, Council Boardroom	
Present		
	[REDACTED]	Chairperson
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
By invitation		
	[REDACTED]	GM: Complaints and Compliance o.b.o CEO
	[REDACTED]	CAE
	[REDACTED]	Manager: Managements Accounts o.b.o
	[REDACTED]	CFO
	[REDACTED]	Secretariat Officer
Partial Attendees		
	[REDACTED]	SM: Spectrum Licensing
	[REDACTED]	Manager: Quality of Service
	[REDACTED]	SM: Talent and Performance
Apologies		
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	Member
	[REDACTED]	CEO
	[REDACTED]	CFO
	[REDACTED]	Acting SM: Office of the Chairperson



	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>The Chairperson opened the meeting at 10: 45 and welcomed all present.</p> <p>The following apologies were noted:</p> <ul style="list-style-type: none"> • Cllr [REDACTED] was attending a hearing on Cost to Communicate at Parliament. • Cllr [REDACTED] was attending a corporate governance training • Cllr [REDACTED] was on annual leave. • The CEO was attending the hearing on Cost to Communicate at Parliament. • The CFO was attending the Bid Adjudication Committee (BAC) meeting. • The Acting SM: Office of the Chairperson was attending a CTO Training. 	Chairperson
2.	<p>Ratification of the Agenda</p> <p>It was resolved that only items requiring urgent attention and APP items will be considered.</p> <p>Items 6 and 8 will not be considered as they were not APP items.</p> <p>The agenda was approved with the amendments.</p>	Council
3.	<p>Declaration of interest</p> <p>There was no conflict of interest noted.</p> <p><i>The Manager Quality of Service Monitoring and the SM: Spectrum Licencing joined the meeting at 12:17</i></p>	All



	Action Item	Person Responsible
4.	<p>Applications for the Transfer of Individual Electronic Communications Service (I-ECS) and Individual Electronic Communications Network Service (I-ECNS) Licences from Umzansi African Telecoms (Pty) Ltd t/a The Office Guru to Centracom (Pty) Ltd.</p> <p>The SM: Spectrum Licencing presented the item:</p> <p>The purpose of the submission was to request Council to consider and approve the transfer of I-ECS and I-ECNS licences from Umzansi African Telecoms (Pty) Ltd t/a Office Guru ('the applicant') to Centracom (Pty) Ltd ('the transferee').</p> <p>The following were noted:</p> <ul style="list-style-type: none"> • On 13 February 2017, the Authority received applications to transfer its I-ECS and I-ECNS licences to the transferee. The applicants were using the Form G of the Process and Procedures Regulations for Individual licences published on 30 March 2016 in the Government Gazette no.3 9871("Processes and Procedures Regulations"); • On 12 March 2018, the Operations Committee of ICASA approved the submission for tabling at Council; and • The Reasons Document on this transfer will be submitted to Council at a later stage after vetting by the Legal. <p>The applicant has not been found guilty of any contraventions by the CCC. On 09 January 2018, the CCC confirmed that there are no compliance issues raised against the applicant.</p> <p>Furthermore, the applicant has paid the licence fees due and payable at the date of the applications.</p> <p>It was resolved that the application for the transfer of I-ECS and I-ECNS licences be approved.</p>	CEO
5.	<p>Applications for the Transfer of Individual Electronic Communications Service (I-ECS) and Individual Electronic</p>	



	Action Item	Person Responsible
	<p>Communications Network Service(I-ECNS) Licences from Stream Broadband (Pty) Ltd to Thobela Telecoms (RF) (Pty) Ltd.</p> <p>The SM: Spectrum Licencing presented the item:</p> <p>The purpose of the submission was to request Council to approve the transfer of I-ECS and I-ECNS licences from Stream Broadband (Pty) Ltd ('the applicant') to Thobela Telecoms (RF) (Pty) Ltd ('the transferee').</p> <p>The following were noted:</p> <ul style="list-style-type: none"> • On 18 July 2017, the Authority received applications from Stream Broadband (Pty) Ltd to transfer its I-ECS and I-ECNS licences to Thobela Telecoms (RF) (Pty) Ltd; • The applications were submitted using the Form G of the Process and Procedures Regulations for Individual licences published on 30 March 2016 in the Government Gazette no.39871 ("Processes and Procedures Regulations"); and • The applications were published for comment on 27 October 2017.No written representations were received by the closing date on 16 November 2017. <p>The licencing division was satisfied that the information submitted by the applicant confirms that the transferee meets the minimum requirement of 30% equity ownership held by historically disadvantaged Individuals (HDIs).</p> <p>It was resolved that the application be approved.</p>	
6.	<p>Publication of the Reasons Document on the Applications for Transfer of Individual Electronic Communications Network Service and Individual Electronic Communications Service Licences from Eden Online (Pty) Ltd to TT Connect (Pty) Ltd.</p> <p>It was resolved that this item be deferred to the next meeting.</p>	CEO



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7.	<p>2017/18 Q4: Northern Cape Province Quality of Service Report.</p> <p>The purpose of the memorandum was to request Council to approve the Quality of Service (QoS) Monitoring Report on measurements conducted during Q4 of 2017/18 in the Northern Cape Province for publication.</p> <p>The Manager: Quality of Service presented the item:</p> <p>The following were noted:</p> <p>The Annual Performance Plan of Engineering and Technology sets out a target to conduct QoS Monitoring by quarterly snapshot drive tests in the following provinces:</p> <ul style="list-style-type: none"> • Limpopo • Mpumalanga • North West • Free State • Gauteng; and • Northern Cape <p>The Authority conducted measurements in the Northern Cape Province between 22 January 2018 and 05 February 2018, covering a total distance of over 2500 kilometres, targeting areas around Kuruman, Upington, Springbok, Kamiesberg and Calvinia.</p> <p>The aim of the monitoring was to assess the QoS provided by the mobile operators as perceived by the users.</p> <p>All mobile operators have committed themselves towards improving network quality in the affected areas through continuous network optimisation and future network infrastructure investments</p> <p>It was resolved that the 2017/18 Quarter 4 (Q4) Northern Cape Province Quality of Service Report be approved.</p> <p>The Report should be send to the Premier s' Office, Mayors of affected municipalities and the Universal Service and Access Agency of South Africa (USAASA).</p>	CEO
		CEO




	Action Item	Person Responsible
8.	<p>ICASA Submission of FPB Discussion Document on the Review of the Classification Guidelines</p> <p>It was resolved that this item be deferred to the next meeting.</p>	
9.	<p>ICASA-Budget Presentation for 2018-2019 Financial Year.</p> <p>The Manager: Management Accounts presented this item:</p> <p>The purpose of the memorandum was to present to Council the Updated Budget for the financial Year.</p> <p>The following was noted:</p> <p>The Authority budget was approved on the 30th January 2018 together with the 2018-19 Annual Performance Plan.</p> <p>On the 27th February 2018, Council requested the CFO to provide an update on the 2018-19 budget.</p> <p>It was resolved that the presentation on the ICASA budget for 2018-2019 be noted.</p>	CFO
10.	<p>Unauthorised, Irregular, Fruitless and Wasteful Expenditure</p> <p>The purpose of the submission was to provide Council with the results of the review of the Unauthorised, Irregular, Fruitless and Wasteful Expenditure (UIFW) previously presented by the Finance Division for Council condonation.</p> <p>The CAE presented this item:</p> <p>The UIFW review was performed as a result of a request by Council that Internal Audit provide more detail on the UIFW expenditure information presented by the Finance division for Council condonation.</p> <p>Maintaining and updating of the UIFW register is the responsibility of the finance division.</p> <p>It was resolved that the request by Finance division for condonation of Unauthorised, Irregular, Fruitless and Wasteful Expenditure for period under review be approved.</p>	



	Action Item	Person Responsible
11.	<p>Request for approval to exclude the Key Performance Areas listed below</p> <p>The SM: Talent Sourcing and Performance presented the item:</p> <p>The purpose of the memorandum was to request approval from Council to exclude the Living the ICASA Values, Leadership Effectiveness and Self Development Key Performance Areas (KPA's) from the final assessment of the 2017/18 performance cycle as per performance contracts of all employees.</p> <p>The following were noted:</p> <p>As per the Performance Management and Development Policy as well as the approval from Council, pertaining to the memo on the proposed changes to the 2017/18 performance contracts in September 2017, all employees should have the following Compulsory Key Performance Areas(KPA's) within their performance contracts;</p> <ul style="list-style-type: none"> -Living the ICASA Values -Leadership Effectiveness -Self Development; and -Risk Management (for all Executives, General Managers, Senior Managers, Managers/Specialists (D1-D2) and the Risk Champions <p>The Living ICASA Values and Leadership Effectiveness KPA's are measured through the 360-degree survey that is administered through the service provider Origin Measures CC.</p> <p>Origin CC was selected as the service provider.</p> <p>However, upon engagements with Origin and ICASA Finance and Human Resources divisions with regards to contracting Origin Measures CC for the 2017/2018 Performance cycle.</p> <p>The following issues were raised:</p> <ul style="list-style-type: none"> • Origin Measures CC only received a purchase order for one year to which they submitted a RFQ for three years (no signed contract between Origin and ICASA) and they have already enquired about the remaining two (2) years. 	CEO



	Action Item	Person Responsible
	<ul style="list-style-type: none"> The option to do a deviation memo to appoint Origin Measurements CC to assist with the administering of the 360 degrees' survey for the 2017/2018 performance cycle was thoroughly discussed amongst Finance and Human Resources, to which Origin agreed that it can assist ICASA. However, the deviation memo would have to be submitted to the National Treasury for approval as per guidance from finance. <p>Therefore, this will affect the Living the ICASA Values and Leadership Effectiveness KPA's of all employees within ICASA, as the 360 Degrees Survey.</p> <p>It was resolved that the request to exclude the above mentioned Key Performance Areas be approved subject to the following;</p> <p><i>-Human Resource to make a follow up submission to Council on what is to be excluded and what will replace the excluded KPA.</i></p> <p><i>-SCM must be improved and managers should administer consequence management</i></p>	
12.	<p>Closure</p> <p>Meeting was adjourned at 12h32.</p>	Chairperson
13.	Date for Next Meeting:10 April 2018	

Signed: 
 (Chairperson)

Date: 26/03/2018

