



Independent Communications Authority of South Africa

MINUTES OF AN ORDINARY MEETING OF COUNCIL		
Date	24 January 2023	
Time:	08:00	
Venue:	Virtual- Microsoft Teams	
Present	██████████	Acting Chairperson
	██████████	Councillor
	██████████	Councillor
	██████████████████	Councillor
	██████████	Councillor
	██████████	Councillor
	██████████	Councillor
	██████████████████	Councillor
By Invitation	██████████	Acting CEO
	██████████	CFO
	██████████	Acting CAE
	██████████	Executive: Legal, Risk & CCC
	██████████	Corporate Secretary
	██████████	Secretariat Officer
	██████████	Secretariat Officer
	██████████	Secretariat Officer
	██████████	Secretariat Intern
Partial Attendees	██████████	Executive: Licensing and Compliance
	██████████	Acting Executive: HR
	██████████	Senior Manager: Strategy and Programme Management
	██████████	Senior Manager: Legal (Regulatory)
	██████████████████	Manager: Broadcasting Frequency Coordination
	██████████	Regional Manager: Northern Cape
	██████████	Manager: Service Broadcasting
	██████████	Specialist: Legislative and Regulatory Drafting
Apologies	██████████████████	CAE



No.	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>1.1. The Chairperson opened the meeting at 08:00 and welcomed all present.</p> <p><u>The following apologies were noted:</u></p> <p>1.2. The Acting Chairperson indicated that he would have to leave the meeting to join a prior an engagement and re-join the meeting.</p> <p>1.3. The CAE was on leave.</p> <p>The opening and apologies were noted.</p>	Chairperson
2.	<p>Declaration of interest</p> <p>No conflict of interest was noted.</p>	All
3.	<p>Ratification of the Agenda</p> <p>3.1 Update on PMS to be included under General of the agenda.</p> <p>The agenda was ratified.</p>	Council
4.	<p>Adoption of Minutes of Council</p>	Council
4.1	<p>Minutes of Council: 29 November 2022</p> <p>The minutes were deferred to the next meeting of Council.</p>	Council
4.2	<p>Minutes of Council: 6 December 2022</p> <p>The minutes were deferred to the next meeting of Council.</p>	Council



No.	Action Item	Person Responsible
4.3	<p>Minutes of Council: 13 December 2022</p> <p>The minutes were deferred to the next meeting of Council.</p>	Council
5.	<p>Matters Arising</p> <p>[Only key Council outcomes from the update, are noted below]</p> <p>5.1. Subscription Tv update: Management informed Council that the closing date for the bids is 30 January 2023 and further stated that the SCM process could fail to yield results.</p> <p>5.2. Management proposed that the Findings Document be amended and re-tabled Council, removing the remedial actions remedies and draft remedies. Once the draft Findings Document is approved, it should then be published for comments.</p> <p><u>Comments:</u></p> <p>5.2 Council expressed the view that the remedial actions were a factor that should be consulted on, and expressed concern over the proposal. .</p> <p>5.3 Council further expressed concern over the manner in which the proposal was being introduced.</p> <p><u>Resolution:</u></p> <p>5.4 Council resolved that the Committee should debate and discuss the proposal at Committee Level and draft a submission with a recommendation to Council for approval.</p> <p>The update was noted by Council.</p>	Acting CEO
6.	<p>International Engagements</p> <p>The item was deferred to the next meeting of Council.</p>	CEO / Executive: Corporate Services



No.	Action Item	Person Responsible
7.	<p>Litigation Update (“Standing Item”)</p> <p>The Item was deferred to the next meeting of Council.</p>	<p>Acting CEO / Executive: LRCCC</p>
8.	<p>Q2 2022-23FY AGA Council Committee Report</p> <p><u>The Project Leader presented the submission.</u></p> <p>8.1. The purpose of the submission dated 30 November 2022 was for Council to note the update on the activities as well as the developments around the Karoo Central Advantage Areas (KCAAA) during quarter two (2) of the 2022/2023 financial year.</p> <p><u>It was recommended that Council:</u></p> <p>8.2. Note all the activities and developments that took place in the second quarter of the financial year 2022_2023 that falls within ICASA’s scope and responsibilities.</p> <p>The submission was noted by Council.</p>	<p>Cllr [REDACTED]</p>
9.	<p>Talk 702 – Application for Renewal and Exemption</p> <p>9.1 The purpose of the submission dated 17 January 2023 was to recommend that Council approves the renewal and exemption application submitted by Primedia Holdings (Pty) Ltd (“the Applicant”) in respect of the Talk Radio 702 Individual Commercial Sound Broadcasting Service (“I-CSBS”) and Radio Frequency Spectrum (“RFS”) Licences.</p> <p><u>Recommendation to Council:</u></p> <p>9.2 It was recommended that Council approves the Applicant’s application to renew its I-CSBS and RFS Licences for the following reasons:</p> <p>9.3 The Applicant's renewal application is in line with section 11 (1), (2), and (3) and 31 (1), (2), and (3) of the EC Act read with regulation 10 (1), (2), and (3) of the Regulations.</p>	<p>Cllr Mkumatela</p>



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	<p>9.4 The Applicant's HDI equity stake meets the Authority's legislated minimum 30% HDI requirement -as stipulated in section 9 (2) (b) of the EC Act.</p> <p>9.5 The Applicant has paid all the licence fees due and payable at the date of the application.</p> <p>9.6 The Applicant has complied with section 11 (7) and regulation 12 (1) of the EC Act and the Regulations, respectively.</p> <p>9.7 Further, it is recommended that Council approves the exemption application for the duration of the renewal, for the following reasons:</p> <p style="padding-left: 40px;">9.7.1 The Applicant has shown good cause that the circumstance within which the 2005 exemption application was granted have not changed.</p> <p style="padding-left: 40px;">9.7.2 The Applicant has shown that since Talk Radio 702 was permitted to broadcast in the FM band, it has attracted more listenership and empowered HDI's.</p> <p><u>Comments</u></p> <p>9.8 Council sought clarity regarding the reasons for the out of Court settlement that was reached.</p> <p>9.9 Management informed Council that there should be proper clarity regarding how exemptions are handled in terms of the legislation, and further that there should be an amendment in the legislation to clarify the matter.</p> <p>The submission was approved.</p>	
10.	<p>Status Update on Current Active Vacancies</p> <p>The Acting Executive: Human Resources presented the submission.</p>	<p>Acting CEO / Acting Executive: HR</p>



No.	Action Item	Person Responsible
	<p>10.1. The purpose of the submission dated 20 January 2023 was to provide Council with a status update on current active vacancies.</p> <p><u>Recommendation to Council:</u></p> <p>10.2. It was recommended that Council considers and takes note of the status update on current active vacancies.</p> <p><u>Comments</u></p> <p>10.3. Council inquired about the [REDACTED].</p> <p>10.4. Management informed [REDACTED].</p> <p>10.5. Council inquired if there are [REDACTED].</p> <p>10.6. Management informed Council that [REDACTED].</p> <p>10.7. Council was of the [REDACTED].</p> <p>The submission was noted by Council.</p>	
11.	<p>Q3 2022/23FY Performance Information Report</p> <p>The Senior Manager: Strategy and Programme Management presented the submission.</p>	<p>Acting CEO / SM: SPM</p>



No.	Action Item	Person Responsible
	<p>11.1. The purpose of the submission dated 20 January 2023 was to table the ICASA Quarter 3 Performance Information 2022/23 to Council for approval.</p> <p><u>Recommendation to Council:</u></p> <p>11.2. It was recommended that Council considers and approves ICASA Quarter 3 Performance Information Report.</p> <p><u>Comments</u></p> <p>11.3. Council inquired if the [REDACTED] [REDACTED] [REDACTED]</p> <p>11.4. Council expressed concern [REDACTED] [REDACTED] [REDACTED]</p> <p>11.5. Management informed [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>11.6. Management informed Council [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p><u>Resolutions</u></p> <p>11.7. Council resolved that presentations should be included ahead of the meeting.</p> <p>The submission was approved by Council.</p>	
12.	Q3 2022/23FY Comprehensive Report	Acting CEO / SM: SPM



No.	Action Item	Person Responsible
	<p>The Senior Manager: Strategy and Programme Management presented the submission.</p> <p>12.1. The purpose of the submission dated 20 January 2023 was to table the ICASA Quarter 3 Comprehensive Quarterly Report to Council for consideration and approval.</p> <p><u>Recommendation to Council:</u></p> <p>12.2. It was recommended that Council considers and approves the ICASA Quarter 3 Comprehensive Quarterly Report.</p> <p><u>Resolution of Council:</u></p> <p>12.3. Council resolved that the Council [REDACTED]</p> <p>12.4. Council resolved that the [REDACTED]</p> <p>The submission was approved by Council.</p>	
13.	<p>Q3 2022/23FY Project Status Report</p> <p>The Senior Manager: Strategy and Programme Management presented the submission.</p> <p>13.1 The purpose of the submission dated 20 January 2023 was to table the ICASA Quarter 3 Council Committees and Strategic Projects Report to Council for noting.</p> <p><u>Recommendation to Council:</u></p> <p>13.2 It was recommended that Council receive the report for noting.</p> <p><u>Comments</u></p> <p>13.3 Council inquired [REDACTED]</p>	<p>Acting CEO / SM: SPM</p>



No.	Action Item	Person Responsible
	<p>13.4 Management informed [REDACTED] [REDACTED] [REDACTED].</p> <p>The submission was noted by Council.</p>	
<p>14.</p>	<p>Consultation on date for Analogue Switch off date</p> <p>The Senior Manager: Legal (Regulatory) presented the submission.</p> <p>14.1 The purpose of this submission dated January 2023 was to:</p> <p>14.1.1 appraise Council of the recommendations on the consultation on date for final switch-off of the Analogue Signal and the End of Dual Illumination.</p> <p>14.1.2 request Council to approve the submission to the Minister regarding the “Consultation on date for final switch-off of the Analogue Signal and the End of Dual Illumination”, published on 9 December 2022, in Government Gazette Number 47697 (Notice 1513 of 2022).</p> <p><u>Recommendation to Council:</u></p> <p>14.2 It was recommended that Council:</p> <p>14.2.1 note the recommendations on the consultation on date for final switch-off of the Analogue Signal and the End of Dual Illumination.</p> <p>14.2.2 approve the submission to the Minister regarding the “Consultation on date for final switch-off of the Analogue Signal and the End of Dual Illumination”, published on 9 December 2022, in Government Gazette Number 47697 (Notice 1513 of 2022).</p> <p>The submission was approved by Council.</p>	<p>Acting CEO / Executive: LRCCC</p>
<p>15.</p>	<p>Quality Assurance of Q3 2022/23FY Performance</p>	<p>CAE</p>



No.	Action Item	Person Responsible
	<p>The CAE presented the item.</p> <p>15.1. The purpose of this [REDACTED] results [REDACTED].</p> <p><u>Recommendation to Council:</u></p> <p>15.2. It was requested for Council to note the submission.</p> <p><u>Resolution of Council:</u></p> <p>15.3. Council resolved that PowerPoint presentations made pursuant to an item, should be included in the meeting pack.</p> <p>The submission was noted by Council.</p>	
16.	<p>General</p> <p>Update in relation to PMS 2021/22FY process:</p> <p>16.1. Council requested an update on the process.</p> <p>16.2. Council resolved that [REDACTED] to Council.</p>	<p>Acting CEO / Acting Executive: HR</p>
17.	<p>Closure</p> <p>The Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 12:20 pm.</p>	<p>Council</p>

Signed: _____

Date: 2023-03-16 _____

Dr [REDACTED]
(Acting Chairperson)