



Independent Communications Authority of South Africa

MINUTES OF THE COUNCIL MEETING HELD ON 25 SEPTEMBER 2024		
Time:	09:00am	
Venue:	Virtual Meeting – Microsoft Teams	
Present	██████████	Chairperson
	██████████	Councillor
	██████████	Councillor
	██████████	Councillor
	██████████	Councillor
	██████████	Councillor
	██████████	Councillor
	██████████	Councillor
By Invitation	██████████	Acting CEO
	██████████	CAE
	██████████	Executive: LRCCC
	██████████	Corporate Secretary
	██████████	Graduate, Council and Secretariat
Partial Attendees	██████████	Manager: Wholesale Services: PRA
	██████████	Manager: Cyber Security
	██████████	Senior Manager: Market Regulation: PRA
	██████████	Manager: Retail Services: PRA
	██████████	External Consultant, Acacia Economics
Apologies	██████████	CEO

No.	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>1.1. The Chairperson declared the meeting opened at 09:00 and welcomed all present.</p> <p>1.2. The CEO, [REDACTED], was on leave.</p> <p>The opening and apology were noted.</p>	Chairperson
2.	<p>Ratification of agenda</p> <p>The agenda was ratified without amendments.</p>	Council
3.	<p>Declaration of interest</p> <p>No conflict of interest was noted.</p>	Council
4.	<p>Signal Distribution – Findings Document</p> <p>Councillor [REDACTED], assisted by the Manager: Wholesale Services and the External Consultant, presented the submission.</p> <p><u>Council Comments:</u></p> <p>4.1. Council sought clarity on what the report meant when it states that “the market failure was due to high sunk costs and barriers to entry”. The Committee advised that this alludes to the very high initial investment required for a player seeking to compete with Sentech, which has impeded new entry.</p> <p>4.2. Council noted that the memorandum erroneously stated that the inquiry was initiated in terms of section 4C(6) of the ICASA Act, when it was actually in terms of section 4B of the ICASA Act.</p> <p>4.3. The Committee highlighted that, whilst some broadcasting end-users utilise other available options such as satellite and internet to stream content, there are factors / barriers to these channels, such as the high cost of data. This may be indicative that the signal distribution market will likely not drastically change in the next three (3) years in favour of the Internet or satellite.</p> <p>4.4. The Committee indicated that it had been advised by the external attorneys not to include the remedies in the Findings document.</p> <p>4.5. Council noted that the next stage is to consult on possible remedies pursuant to section 67(4) of the ECA.</p> <p>Council resolved to approve the recommendation.</p>	Clr [REDACTED]

No.	Action Item	Person Responsible
5.	<p>Digital Migration - Post Hearing Analysis Report</p> <p>Councillor ██████, assisted by the Manager: Cyber Security, presented the item.</p> <p><u>Council Comments:</u></p> <p>5.1. The Committee was reminded that there is a radio frequency plan for seven muxes in the 7-MUX Plan).</p> <p>5.2. Council remarked that the report does not clarify how the issues identified relate to the Draft Audio and Audio-Visual Content Services White Paper. The Committee indicated that it would take into consideration the pronouncements made in relation to audio and audio-visual services.</p> <p>5.3. The Committee recommended that the potential risks arising from the 31 December 2024 for ASO deadline not being met, must be flagged in the letter to the DCDT Minister.</p> <p>5.4. Council recognised that the Signal Distribution Migration and Digital Migration Committees must collaborate and align on issues related to radio spectrum frequency planning.</p> <p>5.5. The role of the Ministry and that of the Authority must be clearly distinguished.</p> <p>Council resolved to note the report, subject to rewording of the letter to the Minister.</p>	Cllr ██████
6.	<p>2024/25 FY Q2 Bi-Annual Tariff Analysis Report</p> <p>The Senior Manager: Market Regulation and Manager: Retail Services presented the item.</p> <p><u>Council Comments:</u></p> <p>6.1. Council highlighted that the Committee's recommendation in the memo must be amended to seek Council approval and not be for noting.</p> <p>6.2. Council was informed that an analysis of the tariffs versus the rate of inflation has not been done. However, the PRA division does maintain an Excel spreadsheet which tracks the price trends over the years, which data is also shared with Statistics South Africa.</p> <p>6.3. Council was informed that the FTTH category includes fixed wireless access (FWA).</p> <p>6.4. Council highlighted that the Authority needs to investigate and analyse whether promotional data / calls offered by operators impact on network traffic and infrastructure, which in turn can impact pricing and the quality of service.</p>	Acting CEO / Executive: PRA

No.	Action Item	Person Responsible
	Council resolved to approve the report for publication on the Authority's website.	
7.	<p>Way Forward following Council meeting with AREDC members in relation to concerns raised by EXCO</p> <p>This matter was dealt with in a closed Council session.</p>	Chairperson
8.	General	
8.1.	<p><u>Matters to be resolved by the CEO</u></p> <p>8.1.1. The letterhead for issuing licences to be signed by the Chairperson still includes the name of the former Councillor, [REDACTED]</p> <p>8.1.2. Stakeholder management – Staff members were not informed of the departure of former Councillor, [REDACTED] on iNews. Moving forward, a word of thanks must be conveyed via iNews following the departure of a Councillor.</p> <p>8.1.3. The intranet is not updated with up-to-date information.</p> <p>8.1.4. Telephone calls to ICASA's official switchboard telephone number are not being answered. The matter requires urgent intervention.</p>	Chairperson
9.	<p>Closure</p> <p>The Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 15:25.</p>	Chairperson

Signed: [REDACTED]
 [REDACTED]
 (Chairperson)

Date: 13 November 2024