



MINUTES OF AN ORDINARY COUNCIL MEETING

Date	28 January 2022	
Time:	08:00	
Venue:	Microsoft Teams	
Present	[REDACTED]	Chairperson
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
	[REDACTED]	Councillor
By Invitation	[REDACTED]	CEO
	[REDACTED]	CFO
	[REDACTED]	CAE
	[REDACTED]	Corporate Secretary
	[REDACTED]	Secretariat Officer
Partial Attendees	[REDACTED]	Executive: PRA
	[REDACTED]	Executive: Corporate Services
	[REDACTED]	Executive: Human Resources
	[REDACTED]	Executive: Licensing and Compliance
	[REDACTED]	SM: Market Regulation, PRA
	[REDACTED]	Manager: Wholesale Services, PRA
	[REDACTED]	SM: ICT Licensing Services
	[REDACTED]	Manager: Broadcasting Frequency Coordination
	[REDACTED]	Senior Manager: SPM
Apologies		

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No.	Action Item	Responsible Person
1.	<p>Opening</p> <p>1.1. The Chairperson opened the meeting at 08:00am and welcomed all present.</p> <p>Apologies</p> <p>1.2. Councillor [REDACTED] had to attend a CCC hearing and requested to leave the meeting at 09:00am.</p> <p>1.3. Councillor [REDACTED] [REDACTED] [REDACTED]</p> <p>The opening and apologies were noted.</p>	Chairperson
2.	<p>Declaration of interest</p> <p>No conflict of interest was noted.</p>	Council
3.	<p>Ratification of the Agenda</p> <p>The Chairperson highlighted implication that the IMT Spectrum Licensing litigation may have on Item D1. There will be a case management meeting on 8 February 2022. SC will thereafter present to Council. Tabling Item D1 after the case management meeting and SC's presentation to Council, will foster coherence, as these matters are correlated.</p> <p>The agenda was ratified.</p>	All
4.	Minutes	Council
4.1	Minutes of Council: 28 October 2021	



	The minutes were adopted as presented.	
4.2	Minutes of Council: 04 November 2021 The minutes were adopted as presented.	
4.3	Minutes of Council: 09 November 2021 The minutes were adopted as presented.	
5.	Matters Arising The Matters Arising document was deferred to the next meeting of Council.	CEO
6.	International Engagements The Executive Corporate Services presented the item. 6.1. The purpose of this submission was to request Council to note the list of meetings for the fourth quarter of 2021/22 financial year and approve the list of Councillors proposed to attend the meetings. 6.2. As part of the international programme for the 2021/22 financial year, the Corporate Services Division has identified key meetings for attendance by Council taking place from January - March 2022. 6.3. During 2022, three (3) of the main ITU decision-making conferences will take place: 6.3.1 World Telecommunications Standardisation Assembly (WTSA); 6.3.2 World Telecommunications Development Conference (June 2022); and 6.3.3 ITU Plenipotentiary 2022 (September – October 2022)	CEO / Executive: CS

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	<p>The delegations will be finalised in the next Council so as to allow Councillors time to apply their minds in light of their calendars, mindful of the imminent licensing of spectrum due to take place in March.</p>	
<p>7.</p>	<p>Licensing of IMT (“Standing Item”)</p> <p>The Manager: Broadcasting Frequency Coordination presented the update.</p> <p>7.1. The ITA was published on the 10th of December 2021. The closing date for receiving new and amended applications to the ITA is 31 January 2022.</p> <p>7.2. The announcement of the qualified bidders will be on 21 February 2022 in the Government Gazette.</p> <p>7.3. The auction tool training for ICASA employees and the IMT Spectrum Licensing Committee members will be held from the 22-25th of February 2022.</p> <p>7.4. The mock auction and bidder seminar training to be held from 28 February 2022 until 04 March 2022. Qualified bidders will be provided training and the individual mock auctions will be conducted.</p> <p>7.5. The start of the auction process will be on 07 March 2022.</p> <p><u>The following comments were made:</u></p> <p>7.6. Council inquired if the Committee would have a SteerCo session once the auctioneer has been onboarded, to get a sense of the approach of the Auction, bearing in mind that the actual auction process is susceptible to litigation.</p> <p>7.7. The Committee informed Council that there will be a SteerCo meeting. The Committee further informed Council that there will be a media statement to confirm the number of applicants who managed to apply on time.</p> <p>The update was noted by Council.</p>	<p>Cllr [REDACTED]</p>

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<p>8.</p>	<p>Application for the transfer of control of Radio Frequency Spectrum Licences from Telemedia (Pty) Ltd's current shareholders to Telemedia (Pty) Ltd's proposed new shareholders</p> <p>The Executive: Licensing and Compliance presented the item.</p> <p>8.1. The purpose of this submission was to request Council that approve the transfer of control of Radio Frequency Spectrum Licences from Telemedia (Pty) Ltd's current shareholders ("the Applicant") to Telemedia (Pty) Ltd's proposed new shareholders ("the Transferee").</p> <p>8.2. On 17 September 2021, the Independent Communications Authority of South Africa ("the Authority") received an application from the Applicant to transfer the control of its Radio Frequency Spectrum licences to the Transferee.</p> <p>8.3. Prior to the application of 17 September 2021, the Independent Communications Authority of South Africa ("the Authority") received an application on 04 December 2020 from the Applicant to transfer the control of its I-ECNS licence to the Transferee.</p> <p>8.4. On 31 August 2021, Council approved the application received from the Applicant for the transfer of the control of its I-ECNS licence.</p> <p><u>Recommendation to Council</u></p> <p>8.5. It was recommended that Council approves the application for the transfer of control of the Radio Frequency Spectrum licences for the following reasons:</p> <p>8.5.1 The Applicant has not been found guilty of any contravention by the CCC;</p> <p>8.5.2 The Applicant has paid the licence fees due and payable at the date of the applications; and</p>	<p>CEO/ Licensing</p>
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	<p>8.5.3 The Transferee has 36.18% ownership interest held by HDIs.</p> <p><u>The following comments were made:</u></p> <p>8.6. Council enquired if the transfer of control had been through a public process. Council further enquired if the process generated comments from the public.</p> <p>8.7. Management informed Council that the application was originally published for comments, but at the time no comments were received. For the spectrum licences, there was a Government Gazette publication to the effect that that the licences be transferred from the existing shareholders to the new shareholders. The publication did not specifically speak to the spectrum licences but to the application as a whole.</p> <p>The submission was approved by Council.</p>	
<p>9.</p>	<p>Change and update of ICASA licensee information - Crazyweb Tech CC</p> <p>The Executive: Licensing and Compliance presented the item.</p> <p>9.1. The purpose of the submission was to advise Council of a notice from Crazyweb Tech CC, requesting the Authority to effect changes to its licence information and to recommend that Council approve the submission accordingly.</p> <p>9.2. On 29 May 2009, the Authority granted and issued the Licensee an Individual Electronic Communications Network Service (I-ECNS) and an Individual Electronic Communications Service (I-ECS) Licence with licence numbers 0392/IECNS/MAY/09 and 0392/IECS/MAY/09, respectively.</p> <p>9.3. On 08 January 2021, the Authority received a notice from the Licensee advising the Authority of changes with respect to its licence information and shareholding. The Licensee had submitted a notification to the Authority in 2018 within the</p>	<p>CEO/ Licensing</p>

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prescribed period of seven (7) days of the occurrence of the shareholding changes.

9.4 Though the matter was considered by EXCO, questions were raised in relation to:

9.4.1 the resulting percentage of Historically Disadvantaged Groups;

9.4.2 the reason for the sale of the shares.

9.4. The Licensee did not submit the requested information despite several follow ups by the Compliance Unit.

9.5. The said information has now finally been received with the new submission, with further clarity being received in September 2021. The clarification provided is to the effect that changes were done to make way for an HDG shareholding. (i.e., that the licensee intended to make HDG part of the new shareholding).

9.6. Both notifications are being dealt with simultaneously.

9.7. The second notification (of January 2021) was accompanied by a request for condonation of the late submission, wherein the licensee cited an oversight on their part.

9.8. The Licensee lodged both notices to change its contact details, addresses and shareholding, through Form 'O' of Regulation 14 (A) of the Regulations on Processes and Procedures for Individual Licences, 2010, as published in Government Gazette No. 33293, dated 14 June 2010, and as amended by Government Gazette No 39875, dated 30 March 2016.

9.9. In the analysis and assessment to ascertain whether there is a change of control in any licence, Compliance refers to the legislative and regulatory instruments as set out below:

9.7.1 The legal documents of Crazyweb Tech CC that were submitted in the matter, in this case: the shareholders' agreement, and an affidavit



by the Licensee clarifying the issue of control, as stated below;

9.7.2 The shareholder's agreement generally provides (clause 5.2 and 9.8) that for any transaction or binding changes to take place, a special resolution is mandatory (which covers all decisions taken on the day-to-day running of the business for certain decisions/transactions to be binding);

9.7.3 The affidavit by Crazyweb Tech CC specifically clarifies the fact that though Ms Magasa holds 40% of the shareholding, "any special resolution will need 100% (one hundred percent) of the entire issued share capital of the company." Therefore, Ms Magasa is no position to act alone in taking any binding decision without or to the exclusion of one or both the other two shareholders (holding 30% each, i.e., a combined 60% shareholding, in Crazyweb Tech CC);

9.7.4 Therefore, flowing from the Legal Opinion by Adv Hamilton Maenetje SC, the meticulous analysis and assessment of the aspect of control per the legal instruments of Crazyweb Tech CC, Compliance Unit is satisfied that there is no change of control with respect to both notices because the majority shareholders remain the same prior to and post the shareholding changes.

9.10. In terms of shareholding in Crazyweb, there is 40% ownership held by historically disadvantaged groups (HDGs) with respect to the second notification.

Recommendation to Council

9.11. It was recommended that Council approves the notification and update of Crazyweb Tech CC's licences.

The following comments were made:

9.12. Council raised that there was a minor contradiction between the Historically Disadvantaged Individual



	<p>(HDI) affidavit and the CIPC. The CIPC document reflected that the appointment was made in December and the Affidavit stated that the HDI shareholder became a member in November. Council enquired if the above would result in a problem for the Authority in terms of HDI compliance.</p> <p>9.13. Management informed Council that the decision was taken prior to the CIPC documentation being released. The Authority takes the fact that the shareholding has been notified to the CIPC into account, as same is a requirement.</p> <p>The submission was approved by Council.</p>	
<p>10.</p>	<p>Amendment of Council resolution for the Frequency Modulation Sound Broadcasting Council Committee</p> <p>The Executive: E & T presented the submission.</p> <p>10.1. The purpose of this submission was to request that Council approves the amendment of the Council resolution of the Frequency Modulation Sound Broadcasting Council Committee Resolution Council committee.</p> <p>10.2. Council approved an establishment of the Frequency Modulation Sound Broadcasting Council Committee in terms of section 17 of the Independent Communications Authority of South Africa Act, 2000 (Act No 13 of 2000) ("ICASA Act").</p> <p>10.3. The Committee was established to develop a Discussion Document on the Optimisation of the Frequency Modulation Sound Broadcasting.</p> <p>10.4. [REDACTED], the Project Leader of the Frequency Modulation Sound Broadcasting Council Committee, has recently terminated her services with the Authority.</p> <p>10.5. Therefore, there is a need to replace [REDACTED] in the Frequency Modulation Sound Broadcasting Council Committee to ensure the smooth operation of the Committee in delivering on its mandate, and</p>	<p>CEO / E & T</p>

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	<p>that the Engineering and Technology Division's Annual Performance Plan targets are met.</p> <p>10.6. The amendments to the Council resolution for Frequency Modulation Sound Broadcasting Council Committee are as follows:</p> <p>10.6.1 [REDACTED] replaces [REDACTED] Somdyala as Project Leader.</p> <p><u>Recommendation to Council</u></p> <p>10.7. It was recommended that Council approves the amendment of the current resolution of the Frequency Modulation Sound Broadcasting Council Committee.</p> <p><u>The following comments were made:</u></p> <p>10.8. Council expressed that [REDACTED] was on three other Committees. Council resolved that all the Committees that she was involved in should be amended.</p> <p>10.9. Council resolved that the Committees should all be reconstituted towards the end of the financial year.</p> <p>The submission was approved by Council.</p>	
<p>11.</p>	<p>Request for Approval of Final Regulations and Reasons Document on Mobile Broadband Services Inquiry</p> <p>The submission was deferred to the next meeting of Council.</p>	<p>Cllr [REDACTED]</p>
<p>12.</p>	<p>Amendment of the Council Resolution for Constitution of a Council Committee on the review of Must Carry Regulations</p> <p>The Chairperson of the Committee presented the item.</p> <p>12.1. The purpose of this memorandum was to request Council to sign the amended Council Resolution on the constitution of the Must Carry Regulations Committee in order to;</p>	<p>Cllr [REDACTED]</p>



	<p>12.1.1 Replace [REDACTED] with [REDACTED], as [REDACTED] has left the employ of ICASA;</p> <p>12.1.2 Replace [REDACTED] with [REDACTED] as the Project Secretary of the Must Carry Regulations Committee; and</p> <p>12.1.3 Remove Councillor [REDACTED] as the Deputy Chairperson of the Committee as her term as a Councillor has ended.</p> <p>12.2. The Must Carry Regulations Committee is in the process of reviewing the regulations on Must Carry Obligations, published in Government Gazette No 31500 of 10 October 2008. The Authority is reviewing the regulations in line with section 60(3) of the Electronic Communications Act 2005, which states that “the Authority must prescribe regulations regarding the extent to which subscription broadcast services must carry, subject to commercially negotiable terms, the television programmes provided by a public broadcast service licensee”.</p> <p><u>Recommendation to Council</u></p> <p>12.3. It was recommended that Council sign the amended Council Resolution on the Constitution of the Must Carry Regulations Committee.</p> <p>The submission was approved by Council.</p>	
<p>13.</p>	<p>Virtual public hearings on the Discussion Document on the review of the 2014 Call Termination Regulations</p> <p>The Chairperson of the Committee presented the item.</p> <p>13.1. The purpose of this submission was for Council to note that the Call Termination Review Council Committee (“the Committee”) will be conducting virtual public hearings on the Discussion Document published in Government Gazette No 45426.</p> <p>13.2. On 28 May 2021, the Authority undertook a review of the pro-competitive conditions imposed on</p>	<p>Cllr [REDACTED]</p>



	<p>licensees as required in terms of section 67(8) of the Electronic Communications Act, 2005 (Act No 36 of 2005) (“ECA”) and Regulation 8 of the Call Termination Regulations, 2014 (as amended) (“the Regulations”).</p>	
13.3.	<p>On 11 June 2021, the Authority held a virtual stakeholder workshop, to discuss questions of clarity on the process its associated questionnaire.</p>	
13.4.	<p>The Authority subsequently received written submissions on questions of clarity from Vodacom, Cell C, MTN, Telkom and Switchtel, before the closing date of 21 June 2021, as stipulated in the Notice.</p>	
13.5.	<p>On 28 June 2021, the Authority published a briefing note to respond to stakeholders’ questions of clarity.</p>	
13.6.	<p>The Authority received responses to the questionnaire from Vodacom, MTN, Cell C, Telkom, FirstNet, Switchtel and ECN, before the submission deadline of 31 August 2021.</p>	
13.7.	<p>The Council Committee considered the responses from the abovementioned licensees in drafting a Discussion Document, which outlines the Authority’s preliminary view with regards to the review of the 2014 pro-competitive remedies.</p>	
13.8.	<p>On 5 November 2021, the Authority published the Discussion Document in Government Gazette No 45426, inviting interested persons to submit written representations on the Discussion Document.</p>	
13.9.	<p>The Authority rejected requests for extension of the submission deadline, which were received from Vodacom, Telkom and SACF. The reason for this rejection was that an ample period of 45 working days had been afforded for submissions, as prescribed in section 4B of the ICASA Act.</p>	
3.10.	<p>The Authority subsequently received written submissions on the Discussion Document from Vodacom, Cell C, MTN, Telkom, Mr Ewan Sutherland (in his personal capacity), ISPA and</p>	

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	<p>Switchtel, on or before the closing date of 11 January 2022. No late submissions were received.</p> <p>3.11. On 18 January 2022, the Committee resolved to conduct virtual public hearings on the Discussion Document on 07 February 2022.</p> <p><u>Recommendation to Council</u></p> <p>3.12. The Committee recommends that Council notes that the Committee will be holding virtual public hearings on the Discussion Document on 07 February 2022.</p> <p>The submission was noted by Council.</p>	
14.	<p>Amendment – Regulations on Equity Ownership by Historically Disadvantaged Groups and the application of the ICT sector code in the ICT sector in terms of section 4B of the ICASA Act</p> <p>The submission was deferred to the next meeting of Council.</p>	Cllr [REDACTED]
15.	<p>Feedback on Cost-Of-Living Adjustment (COLA) consultations</p> <p>The Executive: Human Resources presented the item.</p> <p>15.1. The purpose of the submission [REDACTED]</p> <p>15.2. At a general [REDACTED]</p> <p>15.3. [REDACTED]</p>	CEO / HR

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	<p>[Redacted]</p>	
	<p>15.4. [Redacted]</p>	
	<p>15.5. T [Redacted]</p>	
	<p>15.6. [Redacted]</p>	
	<p>15.7. [Redacted]</p>	
	<p>15.7.1 [Redacted]</p>	
	<p>15.7.2 [Redacted]</p>	
	<p>15.7.2.1 [Redacted]</p>	
	<p>15.7.2.2 [Redacted]</p>	

15.7.2.3 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Recommendation to Council

15.8. It was recommended [REDACTED] e
[REDACTED]
[REDACTED]
[REDACTED]

The following comments were made:

15.9. Council was [REDACTED]
[REDACTED]
[REDACTED]

15.10. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15.11. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15.12. Council expressed [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15.13. Council [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15.14. Council was [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



15.15.	Council requested [REDACTED] [REDACTED] [REDACTED]	
15.16.	Management informed [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
15.17.	Management informed [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
15.18.	Management expressed [REDACTED] [REDACTED] [REDACTED]	
15.19.	Council expressed [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
15.20.	Management informed [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
15.21.	Council was [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
15.22.	Council resolved [REDACTED] [REDACTED] [REDACTED] [REDACTED]	



16.4. An amount [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

16.5. Additional [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- 16.6. The [REDACTED]
- 16.6.1 [REDACTED]
[REDACTED]
 - 16.6.2 [REDACTED]
[REDACTED]
 - 16.6.3 [REDACTED]
[REDACTED]
[REDACTED]
 - 16.6.4 [REDACTED]
[REDACTED]
[REDACTED]
 - 16.6.5 [REDACTED]
[REDACTED]

Recommendation to Council

- 16.7. It was recommended that Council:
- 16.7.1 [REDACTED]
 - 16.7.2 [REDACTED]
[REDACTED]

The following comments were made:

16.8. Council requested [REDACTED]
[REDACTED]



	<p>16.9. Management informed [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>6.10. Council enquired [REDACTED] [REDACTED] [REDACTED]</p> <p>6.11. Management informed [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>The submission was approved by Council.</p>	
<p>17.</p>	<p>Quarter 3 Comprehensive Quarterly Report</p> <p>The Senior Manager Strategy and Programme Manager presented the item.</p> <p>17.1. To table the ICASA Quarter 3 Comprehensive Quarterly Report to Council for consideration and approval.</p> <p>17.2. The Authority's state of governance has remained resilient during the quarter under review.</p> <p>17.3. In terms of Governance the number of Council meetings held in the quarter were twelve (12). The number of the Audit & Risk Committee meeting were two (2), which all the members attended. The Information Technology Review Committee held one (1) meeting, and all the members attended.</p> <p>17.4. The overall quarter 3 performance stands at a seventy-three percent (73%) achievement. A total of thirty (30) targets were set for the quarter under review, out of which the Authority achieved twenty-two (22), resulting in the overall performance of seventy-three percent (73%) for the quarter.</p>	<p>CEO / SM: SPM</p>

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	<p>17.5. In terms of the quarterly performance trend between Q1, Q2 and Q3 2021/22, there has been a three percent (3%) decline. The Revenue Collection stands at R [REDACTED] for all three (3) quarters, amounting to a ninety-nine percent (99%) collection in revenue targets. The Revenue collected for Q3 stands at R [REDACTED]</p> <p>17.6. ICASA reported a total amount of R [REDACTED] in assets, and a balance of R [REDACTED] for liabilities. The Authority indicates a solvent position in terms of the balance sheet. The liability to assets ratio is at [REDACTED]</p> <p>17.7. A positive bank balance of R [REDACTED] was [REDACTED]. The balance [REDACTED] investment of R [REDACTED] placed with a [REDACTED] of R [REDACTED]</p> <p>17.8. A total of [REDACTED] [REDACTED] were made during [REDACTED] total payments were paid within 30 days. The following initiatives have been introduced to improve compliance with the PFMA legislative prescript to pay suppliers within 30 days:</p> <p>17.8.1 Suppliers have been informed to submit invoices to a designated centralised invoice email address to facilitate speedy processing by Finance; and</p> <p>17.8.2 User departments have been encouraged to sign-off invoices within stipulated timeframes and to use the designated email address for any queries which may arise;</p> <p>17.9. The [REDACTED] National Treasury at the beginning of the financial year.</p>	
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17.10. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

17.101. Recurring [REDACTED]
[REDACTED]
[REDACTED]

17.102. [REDACTED]
[REDACTED]
[REDACTED])

17.103. In terms of the litigation report status update, ICASA currently has four (4) ongoing litigation matters.

The following comments were made:

17.11. Council inquired, [REDACTED]
[REDACTED]
[REDACTED]

17.12. Council [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

17.13. Council inquired [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

17.14. Management [REDACTED]
t [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

17.15. Management expressed [REDACTED]
[REDACTED]



	<p>Management further [REDACTED]</p> <p>17.16. Council inquired [REDACTED]</p> <p>17.17. Management informed [REDACTED]</p> <p>The submission was approved by Council.</p>	
<p>18.</p>	<p>Quarter 3 Performance Information Report and Covid-19 Report</p> <p>The Senior Manager Strategy and Programme Manager presented the item.</p> <p>18.1. The Performance Information Report was presented and approved with the 3 Comprehensive Quarterly Report. The purpose of the submission was to present COVID – 19 Report to Council for consideration and approval.</p> <p>18.2. ICASA reported thirteen (13) COVID-19 positive cases among its employee populace as of 31 December 2021, of which thirteen (13) recovered.</p> <p>18.3. During the period under review, no employee has passed away due to COVID-19, and, at the time of writing the report, no employee was awaiting COVID-19 test results.</p> <p>18.4. ICASA continues to implement COVID-19 interventions of varying degrees, and, although ICASA has been witnessing an increase in the number of cases being reported, overall all interventions have continued to make satisfactory mitigation on lessening the impact of COVID-19 on ICASA's internal and external environments.</p>	<p>CEO/ SPM</p> <p>SM:</p>

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	<p>18.5. The ICT State of Disaster Regulations 2020 were repealed by the Authority on 11 November 2021 with the publication of the ICT COVID-19 National State of Disaster Regulations 2021. As a result, provision of ICT services has continued without interruptions.</p> <p>18.6. ICASA received applications and awarded spectrum as follows:</p> <p>18.6.1 Four (4) applications for provisional radio frequency spectrum assignment in the IMT700 band were received from: MTN, Telkom, Vodacom and Rain Networks, and all four (4) applicants were assigned spectrum within the band;</p> <p>18.6.2 Five (5) applications for provisional radio frequency spectrum assignment in the IMT800 band were received, but spectrum was assigned to MTN, Vodacom, Telkom and Cell C;</p> <p>18.6.3 One (1) application for provisional radio frequency spectrum assignment in the IMT2300 band was received from Telkom, which was subsequently assigned all available spectrum in the band;</p> <p><u>The following comment was made:</u></p> <p>18.7. Council requested that the network connection be improved and that the line coming into ICASA be improved and increased.</p> <p>The submission was approved by Council.</p>	
<p>19.</p>	<p>Quarter 2 and 3 of 2021/22 update of register of Memoranda of Understanding entered into by the Independent Communications Authority of South Africa</p> <p>The submission was deferred to the next meeting of Council.</p>	<p>CEO / SM: SPM</p>

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20.	Internal Audit Submission – Review of the 3rd Quarter Performance Information Report The Chief Audit Executive presented the item. 20.1. The purpose of this submission was to apprise Council of the audit results emanating from the review of Quarter 3 Performance Information Report. 20.2. The reports are submitted in line with Treasury Regulations 3.2.7 (d) which provide that “to allow effective monitoring, a quarterly report will be submitted to the AREDC detailing Internal Audit’s performance against the annual Internal Audit Plan”. 20.3. The report entails key issues identified from the work conducted by Internal Audit. The Internal Audit report was discussed, with management comments, and the related remedial action plans have thus been sought. The report was tabled and considered at the AREDC meeting convened on the 25 th of January 2022. 20.4. Thirty (30) targets were planned, with a reported achievement of 22/30, constituting a seventy three percent (73%) achievement. This is the same achievement level as the prior year. A reduction was noted on the number of reported findings with concurrence on the achievement level (73%). 20.5. The detecting controls were effective, as previously reported findings were averted. Reasons for variances were specific, relevant, and supported by evidence. The mitigation plans and timelines to address the noted variances were adequate. 20.6. The areas of improvement noted: 20.6.1 Inadequate or unspecific reasons for variance furnished for unachieved targets;	CEO / CAE
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	<p>20.6.2 Recognition of the targets that were concluded in the prior year due to multi-year projects;</p> <p>20.6.3 Reasons for non-achievement included some external dependencies which ought to be averted;</p> <p>20.6.4 Inadequate corrective actions which were not adequate and timebound.</p> <p>The submission was noted by Council.</p>	
21	<p>General</p> <p><u>Nomination of Councillors to the Moderation Committee.</u></p> <p>21.1. Council nominated Cllr [REDACTED] for continuity purposes, and Cllr [REDACTED]</p>	
21.	Date of next meeting: TBA	Secretariat
22.	<p>Closure</p> <p>The Chairperson thanked all who were present, and expressed sincere condolences to the [REDACTED], on the passing of Councillor [REDACTED]</p> <p>The Chairperson closed the meeting at 11:29 am.</p>	Chairperson

Signed: [REDACTED]

Date: 26/04/2022

Dr Keabetswe Modimoeng
(Chairperson)