



Independent Communications Authority of South Africa

MINUTES OF THE COUNCIL MEETING HELD ON 15 APRIL 2025		
Time:	09:00am	
Venue:	Virtual, MS-Teams	
Present		Chairperson
		Councillor
		Councillor
		Councillor
		Councillor
By Invitation		Executive: Licensing and Compliance
		CFO
		Manager: Internal Audit / ACAE
		Corporate Secretary
		Secretariat Officer
Partial Attendees		Executive: Policy, Research and Analysis
		Executive: Human Resources
		SM: Marketing Researcher
		Senior Manager: Compliance
		Manager: Service Broadcasting
		Competition Law Specialist
		Manager: ECS/ECNS Compliance
		ECS/ECNS Compliance Officer
		Manager: Policy Research & Analysis
		CCC Assessor / Acting CCC Co-ordinator
		Manager: Service ECS\ECNS\Post
		Manager: Policy Research & Analysis
		Market Analyst: Policy Research and Analysis
Apologies		CAE
		CEO
		Executive: Legal and CCC

No.	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>1.1 The Chairperson welcomed the attendees and declared the meeting open.</p> <p>1.2 The CEO, [REDACTED] was on leave. The Executive: Licensing and Compliance, attended the Council meeting in the capacity of acting CEO.</p>	Chairperson
2.	<p>Ratification of agenda</p> <p>2.1 The presenter for item D4 (Publication of the draft Signal Distribution Services Regulations) was rectified to be Cllr [REDACTED]</p> <p>The agenda was ratified with the above amendment.</p>	All
3.	<p>Declaration of interest</p> <p>No conflict of interest was noted.</p>	All
4.	<p>Progress Report on the Implementation of Universal Service Access Obligations</p> <p>The item was presented by the Executive: Licensing and Compliance, assisted by the Senior Manager: Compliance.</p> <p><u>Council Comments</u></p> <p>4.1 Council sought clarity on the expected completion date for the implementation of legacy Universal Service Obligations (USOs), the alignment of the risk register to the obligations, and the challenges encountered beyond financial constraints. Clarification was also requested on the link between the legacy USOs and the IMT social obligations, including how both are monitored and enforced.</p> <p>4.2 It was noted that the implementation of the legacy USOs in question do not have specific end dates, unlike the IMT social obligations which target 2029 for school connectivity. Compliance is monitored through ongoing engagement with licensees and relevant forums and licensees remain committed to completing the project by 2026, amidst financial constraints.</p> <p>4.3 The IMT social obligations, involving five licensees, are clearly defined and differ from earlier school connectivity initiatives. Although the 31 March target was missed, discussions are underway to address the shortfall. Delays were partly due to DBE's earlier non-participation, which has now been resolved. It was confirmed that there is no direct link between the earlier IMT-related obligations and the current project, despite similar objectives.</p> <p>4.4 it was further noted that a submission regarding the IMT social obligations will be tabled for Council's consideration to indicate the percentage of deliverables that licensees were required to meet by 31 March. The submission is being finalised and is expected to be presented at the next Council meeting.</p>	CEO / Executive: Licensing and Compliance

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	<p>4.5 Council suggested holding a workshop to address the 2014 legacy obligations, clarify accountability for connectivity issues in rural schools, and explore how the project can help accelerate connectivity in underserved areas. Further clarification is needed on whether the obligations are ongoing and who is responsible for unconnected schools.</p> <p>Council resolved to note the submission as presented.</p>	
5.	<p>Competition Commission Report on the Inquiry into Media And Digital Platforms Market</p> <p>The item was presented by the Executive: PRA, assisted by the Competition Law Specialist.</p> <p><u>Council Comments</u></p> <p>5.1 Council sought clarity on the respective roles of ICASA and the Competition Commission, particularly in relation to their MOU and responsibilities with regard to competition assessment. Concerns were raised regarding ICASA's capacity to conduct independent reviews and the extent of the Competition Commission's ongoing involvement. Council urged the team to be more proactive in identifying market issues, including those related to OTT platforms and emerging digital services such as podcasts which require competition tests, and emphasised the need to identify areas requiring support to close existing gaps and leverage the regulatory work of sister institutions.</p> <p>5.2 It was noted that ICASA and the Competition Commission operate under a concurrent jurisdiction framework as per the ICASA Act, formalised through an MOU that outlines areas of cooperation while preserving institutional independence. The Competition Commission has a broader mandate to investigate alleged anti-competitive practices across all sectors, including broadcasting and digital platforms, whereas ICASA has an ex-ante, forward-looking regulatory role focused on licensed entities. The Commission's digital platforms inquiry covers services such as TikTok, Facebook, and YouTube, which fall outside ICASA's current regulatory mandate, though future policy developments, including the DCDTs' draft audio and audiovisual content policy, may address this gap. ICASA can only impose remedies on licensees within its jurisdiction.</p> <p>5.3 Council noted that while ICASA is limited to its current mandate, the Competition Commission's report helps set the scene for possible amendments to the ECA. It was suggested that the findings could inform future developments in digital regulation and contribute to initiatives such as the "Regulator of the Future," serving as a foundation for further research.</p> <p>Council resolved to approve the submission as presented.</p>	CEO / Executive: PRA
6.	<p>Reasons Document – Cell C Transfer</p> <p>The item was presented by Cllr [REDACTED]</p>	Cllr [REDACTED]

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	<p><u>Council Comments</u></p> <p>6.1 Council noted the importance of aligning decision-making with principles of administrative justice. A concern was raised regarding the historical practice of approving matters without accompanying reasons document. It was suggested that this process be reviewed to ensure that decisions are supported by clearly documented reasoning at the time of approval. The Acting CEO and the Executive: LRCCC were requested to evaluate this procedural matter for future consistency and compliance.</p> <p>6.2 It was noted that the memo submitted to Council already contains the reasons that led to the approval of the transaction, which are subsequently reflected in the reasons document. While acknowledging the importance of submitting both the vetted reasons document and the memo together, it was affirmed that efforts will be made to ensure both documents are submitted simultaneously in future.</p> <p>Council resolved to approve the submission as presented.</p>	
7.	<p>Closure Report of the Call Termination Project</p> <p>The item was presented by Councillor [REDACTED], supported by the Executive: PRA and the Manager: PRA.</p> <p><u>Council Comments</u></p> <p>7.1 Council expressed support for the proposed process of conducting an inquiry on international termination rates, noting that this issue has been debated in the industry for several years. A question was raised regarding whether the inquiry is part of the current plan or anticipated for the 2025/26 or 2026/27 year.</p> <p>7.2 It was noted that the inquiry is not included in the current financial year's plan. However, in discussions with PRA, the plan was for the process to commence in the 2025/26 financial year and to be incorporated into the OPP, subject to Council's approval.</p> <p>7.3 Concerns were raised about the complexity of the planned inquiry, especially regarding issues like call masking and spoofing. Council proposed aligning the inquiry with ongoing regulatory efforts on numbering regulations.</p> <p>7.4 It was noted that concerns raised by operators, particularly those relating to bypass fraud and call masking, warrant further consideration. While these matters have not yet been formally discussed within the committee, they could be incorporated into the next phase of the market inquiry's terms of reference.</p> <p>7.5 Council questioned the rationale for dissolving the committee while related work would continue under the OPP, suggesting that the same committee could be mandated to conduct the international interconnection rates market inquiry. They also raised a procedural question on whether the dissolution would follow a separate process and if a new committee would need to be established, seeking clarification on the next steps.</p>	Cllr [REDACTED]


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	<p>7.6 It was clarified that the dissolution was based on the completion of the committee's call termination market inquiry, specifically, the development of amended regulations and termination rates effective from July 2025. While international termination rates were excluded from this process, it was proposed that they be addressed through a separate inquiry, potentially requiring the establishment of a new committee.</p> <p>7.7 It was also clarified that the memo was presented without presuming Council's position on the proposed dissolution of the Committee.</p> <p>7.8 Council approved the dissolution of the Committee, noting that the new inquiry should be a separate process that may require different competencies and terms of reference. It was agreed that a new committee may be constituted to undertake this work.</p> <p>Council resolved to approve the submission as presented.</p>	
8.	<p>CCC Ruling: ICASA LCD v Kurara FM</p> <p>The item was presented by Cllr [REDACTED], supported by the CCC Assessor.</p> <p><u>Council Comments</u></p> <p>8.1 Council sought clarity on whether the letter to Kurara FM should explicitly state the consequences of non-payment of the fine recommended in the CCC ruling, or whether non-compliance would be addressed through the existing regulatory framework.</p> <p>8.2 It was noted that, based on previous practice, non-compliance with a ruling would typically result in the matter being referred back to the CCC. However, concerns were raised about procedural ambiguity, as past experiences suggest that once the CCC has issued a ruling, matters may not be referred back for enforcement. In such instances, non-compliance would need to be escalated to Council for a decision.</p> <p>8.3 Council approved the letter; however, further guidance on the appropriate way forward will be provided by Executive: LRCCC upon return from leave.</p> <p>Council resolved to approve the submission as presented.</p>	Cllr [REDACTED]
9.	<p>Publication of the draft Signal Distribution Services Regulations</p> <p>The item was presented by Councillor [REDACTED], supported by the Manager: Policy Research & Analysis.</p> <p>Council resolved to approve the submission as presented.</p>	Cllr [REDACTED]
10.	<p>Appointment of four (4) CAP Members</p> <p>The item was presented by the Executive: Human Resources.</p> <p><u>Council Comments</u></p> <p>10.1 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p>	CEO / Executive: HR

No.	Action Item	Person Responsible
	<div>[REDACTED]</div> <div>[REDACTED]</div> <div>10.2 [REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>10.3 [REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>10.4 [REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>10.5 [REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>10.6 [REDACTED]</div> <div>[REDACTED]</div> <div>10.7 [REDACTED]</div> <div>[REDACTED]</div> <div>Council resolved to approve the submission as presented.</div>	
11.	<div>Budget 2025/26FY – Councillors Offices</div> <div>The item was presented by the Chairperson.</div> <div><u>Council comments</u></div> <div>11.1 [REDACTED]</div> <div>[REDACTED]</div> <div>11.2 [REDACTED]</div> <div>[REDACTED]</div> <div>[REDACTED]</div> <div>11.3 [REDACTED]</div>	Councillors

No.	Action Item	Person Responsible
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12.	Reflections post the 2024/25FY-end The item was presented by the Chairperson.	Councillors

No.	Action Item	Person Responsible
	<p>12.1 [REDACTED]</p> <p>12.2 [REDACTED]</p>	
13.	<p>Q1 Delivery Plan and Priorities for Council / Stakeholder Engagement Plan – Competition Commission and Tribunal (Strategic Plan 2025/26FY)</p> <p>The item was presented by the Chairperson.</p> <p><u>Council Comments</u></p> <p>13.1 [REDACTED]</p> <p>[REDACTED]</p> <p>13.3 [REDACTED]</p> <p>13.4 [REDACTED]</p> <p>13.5 [REDACTED]</p> <p>13.6 [REDACTED]</p> <p>13.7 [REDACTED]</p> <p>13.8 [REDACTED]</p>	Councillors

No.	Action Item	Person Responsible
	<div data-bbox="396 289 1133 428" style="background-color: black; height: 66px; width: 454px;"></div> <div data-bbox="347 457 396 483">13.9</div> <div data-bbox="396 457 1133 621" style="background-color: black; height: 78px; width: 454px;"></div> <div data-bbox="347 646 412 672">13.10</div> <div data-bbox="396 646 1133 840" style="background-color: black; height: 92px; width: 454px;"></div> <div data-bbox="347 865 412 890">13.11</div> <div data-bbox="396 865 1133 1029" style="background-color: black; height: 78px; width: 454px;"></div>	
14.	Closure The Chairperson thanked all attendees for their participation and adjourned the meeting at 12h19.	Chairperson



Mothibi G. Rantusi
 (Chairperson)

Date: 11/06/2025