



**Independent Communications Authority of South Africa**

MINUTES OF THE COUNCIL MEETING HELD ON 18 FEBRUARY 2025		
Time:	09:00am	
Venue:	EP-CF THABO MBEKI	
Present		Chairperson
		Councillor
		Councillor
		Councillor
		Councillor
By Invitation		CEO
		Chief Financial Officer
		Audit Manager / Acting CAE
		Acting Executive: LRCCC
		Corporate Secretary
		Secretariat Officer
		Manager: Communications
Partial Attendees		Senior Manager: Litigation, Contracts and General Legal Support
		SM: Marketing Researcher, PRA / Acting Executive: PRA
		Analyst: Cost Modelling
		HR&REMCO Chairperson
		Remuneration and Benefits Specialist
		External HR Consultant
Apologies		Chief Audit Executive
		Executive: LRCCC

No.	Action Item	Person Responsible
1.	<p><b>Opening and apologies</b></p> <p>1.1. The Chairperson declared the meeting opened and welcomed all present.</p> <p>1.2. The Executive: LRCCC was on leave. Mr. [REDACTED] attended the meeting in the capacity of Acting Executive: LRCCC.</p> <p>1.3. Mr. [REDACTED] attended the meeting in the capacity of Acting CAE, as the CAE was on leave.</p> <p><b>The opening and apologies were noted.</b></p>	<b>Chairperson</b>
2.	<p><b>Ratification of agenda</b></p> <p><b>The agenda was ratified as presented.</b></p>	<b>Council</b>
3.	<p><b>Declaration of interest</b></p> <p>No conflict of interest was noted.</p>	<b>Council</b>
4.	<p><b>Adoption of Minutes of Council – 12 December 2024</b></p> <p>The minutes were approved as presented.</p>	<b>Corporate Secretary</b>
5.	<p><b>Matters Arising</b></p> <p>The matters arising were presented by the Corporate Secretary.</p> <p><b>Council resolved to note the Matters Arising.</b></p>	
6.	<p><b>CEO Report</b></p> <p><b>The report was presented by the CEO.</b></p> <p><u>Council Comments</u></p> <p>6.1 Council noted that the issue regarding the level of involvement of the Executives in their capacity as Project Sponsors in the Projects, remains a sore-point and must be dealt with at the upcoming Council Projects SteerCo workshop.</p> <p>6.2 Council resolved to discuss some aspects regarding EXCO vacancies in a closed session.</p> <p>6.3 Clarity was provided regarding the process for the review of the organisational structure, in that, this should follow after the</p>	<b>CEO</b>


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	<p>conclusion of the upcoming Strategy session as well as the tabling of the “Regulator of the Future” concept paper.</p> <p>6.4 Council noted that the following matters are not included in the report and advised that these be included in the next report: CCC vacancies, the Social and Ethics Committee, and the use of secondments to address the 30-day payment of invoices.</p> <p>6.5 Council re-iterated that emails should be sent to remind / alert service providers where their contracts are about to expire.</p> <p>6.6 Council advised that the HR&amp;REMCO be invited to partake in the Council session / workshop for the review of Finance Policies, given that the HR&amp;REMCO has not yet been afforded an opportunity to make inputs.</p> <p>6.7 Council advised that training for SCM be regular and not once-off.</p> <p>6.8 [REDACTED]</p> <p>6.9 The CEO advised Council that a report would be brought to Council as part of the Hybrid Model Progress Update, regarding the letting of some Head Office space as previously indicated by management. Council requested the CEO to also provide assurance regarding ICASA assets which were located in the Regional Offices before the leases expired.</p> <p>6.10 Council commended the CEO for the report and advised that with subsequent reports, she should consider adding a table at the end of each report item indicating the applicable timelines as well as the envisaged risks with regard to each item, and to also provide Council with a report about the Health/Wellness issues of employees.</p> <p><b>Council resolved to note the CEO Report, with the inputs and comments made.</b></p>	
7.	<p><b>Council Engagements</b></p> <p><b>The Executive: Corporate Services gave a verbal update to Council and advised that the International Relations Unit is finalising the Council submission regarding the Q4 2025/26FY international engagements.</b></p> <p><u>Council Comments</u></p> <p>7.1 Council advised that the IR Council Submissions should identify the various ICT themes around the world so the Authority can continually assess its relevance.</p>	<p><b>CEO / Executive: Corporate Services</b></p>

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	<p>7.2 Council raised concern that the IR notified Council of the Q4 2024/25FY engagements late and were therefore brought to Council for approval late last week via an RRR.</p> <p>7.3 Council raised concerns regarding the budget implications of the Authority's involvement in international engagements that are in support of the DCDT's mandate, and intimated that the Authority should consider billing back to the DCDT for such international engagements undertaken by ICASA officials to recover costs not related to ICASA's regulatory functions.</p> <p><b>Council resolved to note the verbal update, with the Council inputs/comments made.</b></p>	
8.	<p><b>Litigation Update ("Standing Item")</b></p> <p><b>The update was presented by the Senior Manager: Litigation, Contracts and General Legal Support.</b></p> <p>Council was apprised of the following matters: (1) Vodacom v ICASA and Others - With Part A of the matter having been heard by the Courts on 13 and 14 February 2025. The Authority awaits the court judgement on Part A (Urgency Motion); (2) Vhembe FM – the matter was struck off the urgent motion roll for its lack of urgency; (3) An Application to Appeal has been filed by Metro Fibre Networks, with the judgement having been handed in favour of ICASA on 11 September 2024; and (4) NEHAWU has filed an application to appeal.</p> <p><b>Council resolved to note the verbal update.</b></p>	<b>Acting Executive: LRCCC</b>
9.	<p><b>SybaWeb Transfer Application – Reasons Document</b></p> <p><b>The Manager: ECS/ECNS/Post: Licensing and the Manager: Service Broadcasting: Licensing, presented the item.</b></p> <p><u>Council Comments</u></p> <p>Council directed that in future, Council submissions in relation to transfer applications, must append the reasons document.</p> <p><b>Council resolved to approve the recommendation.</b></p>	<b>CEO / Executive: Licensing and Compliance</b>
10.	<p><b>Analysis of SAPO RFS for the Financial Year ending 31 March 2024.</b></p> <p><b>The SM: Marketing Researcher-PRA and the Analyst: Cost Modelling, presented the item.</b></p> <p><u>Council Comments</u></p> <p>10.1 Council raised concern regarding the fact that SAPO's Annual RFS for the period ending 31 March 2024 are only being tabled to Council almost a year later.</p>	<b>CEO / Executive: PRA</b>

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	<p>10.2 Council was advised that in terms of the applicable regulations, SAPO is expected to submit to the Authority, RFS by 31 March 2025 and further that the RFS are concomitantly submitted to the Auditor-General of South Africa (AGSA), meaning that the RFS have not yet been audited.</p> <p>10.3 Council iterated for clarity, that Council approval is for the analysis/evaluation of the RFS and not for the RFS themselves,</p> <p>10.4 Council also noted that by not submitting the Audited Annual Financial Statements, SAPO remains non-compliant</p> <p><b>Council resolved to approve the recommendation.</b></p>	
11.	<p><b>Report on the International Bar Association (IBA) conference held in Mexico</b></p> <p><b>Councillor [REDACTED]</b></p> <p>9.1. Council commended the report and advised that there be someone at ICASA capturing all the international emerging themes/trends and develop a “library of lessons learnt” from international engagements.</p> <p><b>Council resolved to note the report.</b></p>	Cllr [REDACTED]
12.	<p><b>Surplus Retention and 2025 MTEF Provisional Budget Allocation</b></p> <p><b>The CFO presented the item.</b></p> <p><u>Comments</u></p> <p>12.1 The CEO advised that she will bring a Council Submission/Report to the next Council meeting, specifically dealing with ring-fenced funds.</p> <p><b>Council resolved to note the submission.</b></p>	CEO / CFO
13.	<p><b>Review Application filed by etv, MMA and SOS against the Minister of Communications and Digital Technologies</b></p> <p><b>The SM: Litigation, Contracts and General Legal Support presented the item</b></p> <p><u>Comments</u></p> <p>13.1 LRCCC advised Council that the matter is not worth opposing by the Authority as there is no direct relief sought against it.</p> <p><b>Council resolved to approve the recommendation.</b></p>	Acting Executive: LRCCC

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14.	<p><b>Invitation to Join the Executive Oversight Committee for the ICT and Digital Economy MasterPlan</b></p> <p><u>Council Comments</u></p> <p>14.1The Chairperson assured Council that should any potential conflict of interest arise, he would recuse himself from the Committee.</p> <p>14.2Council was advised that Cllr [REDACTED] has received a similar invitation.</p> <p><b>Council resolved to approve that both the Chairperson and Cllr Faye should accept the invitation.</b></p>	Chairperson
15.	<p><b>Status Update – FISD Activities</b></p> <p>The Chairperson presented a spreadsheet outlining all the FISD activities for the six (6) FISD meetings attended by the Chair to date. The areas/themes include amongst others: Remuneration of ISD's office bearers, funding of ISDs and funding structures, as well as a letter sent by the FISD to the State President prior to the SONA</p> <p><b>Council resolved to note the update.</b></p>	Chairperson
16.	<p><b>Q3 2024/25FY HR &amp; REMCO Report</b> [Deferred from the Council Q3 2024/25FY meeting held on 28 January 2025]</p> <p><b>The HR&amp;REMCO Chairperson presented the item.</b></p> <p><u>Council Comments</u></p> <p>16.1It was opined that the current Employee Wellness external service provider has not established a rapport with employees and further that, there are many ways to effectively structure an Employee Wellness Programme.</p> <p>16.2 [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>16.3 [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	HR&REMCO Chairperson

No.	Action Item	Person Responsible
	Council resolved to note the presentation and directed that a workshop be held with the CEO to deliberate further on the matter and corresponding recommendations.	
17.	<div style="background-color: black; height: 1.2em; width: 150px; margin-bottom: 5px;"></div> This matter was discussed in a closed Council Session.	HR&REMCO Chairperson
18.	<div style="background-color: black; height: 1.2em; width: 180px; margin-bottom: 5px;"></div> This matter was discussed in a closed Council Session.	Acting Executive: LRCCC
19.	<b>Closure</b> The Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 17:07.	Chairperson

Signed:   
Mothibi G. Ramusi  
(ICASA Chairperson)

Date: 13/03/2025