



## MINUTES OF AN ORDINARY MEETING OF COUNCIL

Date	21 May 2019	
Time:	09h30	
Venue:	Block B, Council Boardroom	
Present		Acting Chairperson
		Member
		Member
		Member
		Member
		Member
By Invitation		CEO
		CFO
		CAE
		Corporate Secretary
		Secretariat Officer
Partial Attendees		GM: Licensing
		SM: Radio Frequency Spectrum
		SM: ICT Licensing Services
		AGM: Engineering and Technology
		Manager: National Spectrum Monitoring
		Specialist: Regulation and Legislative Drafting
		Executive: Legal, Risk and CCC
		Executive: Human Resources
		Market Regulation
		GM: Policy, Research and Analysis
		SM: Consumer Affairs
Apologies		Member
		Member



		Member

**Independent Communications Authority of South Africa**

	<b>Action Item</b>	<b>Person Responsible</b>
<b>1.</b>	<p><b>Opening and apologies</b></p> <p>The Acting Chairperson opened the meeting at 09:30 and welcomed all present.</p> <p><b>The following apologies were noted:</b></p> <ul style="list-style-type: none"> <li>• Cllr Q [REDACTED] was attending the Supply Chain Management Training.</li> <li>• Cllr [REDACTED] was on sick leave.</li> <li>• Cllr [REDACTED] was on leave.</li> <li>• Councillor [REDACTED] joined the meeting later.</li> <li>• CAE requested to be excused at 10:00 to meet with the National Intelligence Agency officers.</li> </ul>	<b>Acting Chairperson</b>
<b>2.</b>	<p><b>Ratification of Agenda</b></p> <p>The following items were added to the agenda:</p> <ul style="list-style-type: none"> <li>• Letter from Vodacom on End-User Subscriber Regulations; and</li> <li>• Training budget for Councillors.</li> </ul> <p><b>It was resolved that the agenda be approved with the above additions.</b></p>	<b>Council</b>
<b>3.</b>	<p><b>Declaration of interest</b></p> <p>No conflict of interest was noted at the meeting.</p>	<b>All</b>

	Action Item	Person Responsible
4.	Adoption of previous minutes	Council
4.1	<p><b>Minutes of a meeting held on 16 April 2019</b></p> <p>The following corrections were affected:</p> <ul style="list-style-type: none"> <li>• Page 9-item 9-, the person responsible was the Executive: LRCCC and not the CAE.</li> <li>• Page 13-Bullet 5-correct the spelling.</li> <li>• Page 14-item 11-remove the resolution regarding Information Security.</li> <li>• Page 18-item 12- capture in one sentence Cllr Semane 's dissenting view on the item which was stated as follows:</li> </ul> <p><i>"Notwithstanding the Authority 's decision to issue new regulatory Framework for Community Broadcasting on 22 March 2019 the following was not been addressed:</i></p> <ul style="list-style-type: none"> <li>✓ Spectrum gold rush were licences being applied for not broadcasting but for the spectrum in them.</li> <li>✓ No spectrum audit was conducted.</li> <li>✓ Governance challenges in the Community broadcasting sector not addressed.</li> </ul> <ul style="list-style-type: none"> <li>• Page 26-item 18, re-formulate the resolution to state that SCM Training for Councillors should be customised and made optional to attend.</li> </ul> <p><b>It was resolved that minutes for 16 April 2019 be approved with corrections.</b></p>	Council



	<b>Action Item</b>	<b>Person Responsible</b>
<b>5.</b>	<b>Matters arising from previous minutes</b>  The Matters Arising were considered and updated.	<b>Secretariat/CEO</b>
<b>6.</b>	<b>International Engagements</b>  The Corporate Services team will prepare a report for tabling in two weeks.	<b>Executive:CS</b>
<b>7.</b>	<b>Licensing of the IMT</b>  Cllr [REDACTED] presented the item:  The following was resolved: <ul style="list-style-type: none"> <li>• The Authority needed to resolve on a way forward with regards to the licensing of the IMT Spectrum and the Information Memorandum.</li> <li>• The Spectrum Committee was preparing the specifications for the appointment of service providers in relation to the licensing process.</li> </ul> <b>Council resolved to consider the matter again on 04 June 2019.</b>	<b>Cllr [REDACTED]</b>
<b>8.</b>	<b>Public Audit Amendment Act</b>  The CEO presented the item:  The report was finalised and will be tabled jointly with the Public Protector's Report at the next meeting.  <i>The GM Licensing and SM: Spectrum licensing joined the meeting at 10:20</i>	<b>Executive: LRCCC</b>
<b>9.</b>	<b>Morai Solutions (Pty) Ltd-Application for the TVWS Commercial Trial</b>	<b>CEO</b>

	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The purpose of the submission was to recommend Council to approve the application for a Radio Frequency Spectrum Trial Licence for Television White Spaces (TVWS) for Morai Solutions (Pty) Ltd for a period of eight months.</p> <p>The SM: Spectrum licencing presented the item:</p> <ul style="list-style-type: none"> <li>• The applicant intends to conduct a commercial and technical trial in the Johannesburg Metropolitan (Gauteng Province).</li> <li>• The commercial trial seeks to determine how the TVWS would operate in an urban setting, utilising the Non-Line of Site (NLOS) distance and obstruction challenges that can support and augment Altron's Broadband Network which was intended to support the government to deliver affordable wireless broadband internet to connect all remote, unserved and underserved communities in Gauteng.</li> <li>• The applicant had indicated that the trial will make use of the Carlson Wireless Third Generation equipment. The deployment will comprise of 802.11 WI-FI standard base stations which could be connected via backhaul to the TVWS database.</li> <li>• The applicant requested the Authority to grant the eight-month trial to test the technical, infrastructure solution and evaluate the commercial viability of the TVWS within the Johannesburg Metropolitan Municipality.</li> <li>• The proposed TVWS trial will be operating within the broadcasting band from 470 MHz-694 of allotments which are in accordance with Geneva-06 (GE-06) currently assigned to analogue Television broadcasting services.</li> </ul>	



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	<p>Council raised the following concerns:</p> <ul style="list-style-type: none"> <li>• the number of end user terminals which will be utilized;</li> <li>• that in approving the trial license, it will open the floodgates to new devices which were not type approved; and</li> <li>• provisional Type Approval needs to be properly managed.</li> </ul> <p><b>The application for a trial licence was approved.</b></p>	
<b>10.</b>	<p><b>2018/2019 Quarter 4 Inspection Report for the South African Maritime Safety Authority (SAMSA)</b></p> <p>The purpose of the submission was to request Council to note the 2018/2019 South African Maritime Safety Authority (SAMSA) inspection report. The report highlights processing times for the issuance of maritime radio operator certificates, by SAMSA from October to December 2018.</p> <p>The AGM: Engineering and Technology presented the item:</p> <ul style="list-style-type: none"> <li>• The South African Maritime Safety Authority (SAMSA) was authorised to act on behalf of ICASA to perform maritime functions.</li> <li>• A Memorandum of Understanding (MoU) stipulates the functions that SAMSA performs.</li> <li>• This include marine radio -technology training and certification. ICASA was previously responsible for the issuing of these certificates to radio operators.</li> <li>• The MoU transfers the duties of issuing certificates to SAMSA.</li> <li>• ICASA was still responsible for overseeing SAMSA's progress and effectiveness in carrying</li> </ul>	<b>CEO</b>



	Action Item	Person Responsible
	<p>out these functions, including conducting quarterly inspections and annual compliance assessment.</p> <ul style="list-style-type: none"> <li>• The inspection results showed a total of 1189 certificates issued. SAMSA issues certificates within 7-14 days, to avoid delaying a ship from going out.</li> <li>• During the quarterly meeting with SAMSA, ICASA had inspected a few applications on the SIOMS system. For the selected applications it was proven that the interim certificates were issued within 7-14 days after receipt.</li> <li>• The SAMSA officials at both Durban and Cape Town port offices have said that it was mainly due to the government printing of the certificates that led to the undesired delays in applicants receiving their certificates booklets.</li> <li>• In addition, the port offices had to constantly issue extensions on the interim certificates.</li> </ul> <p>The following was noted:</p> <ul style="list-style-type: none"> <li>✓ Council enquired as why this entire maritime function could not be moved to SAMSA.</li> <li>✓ The division agreed with the proposal but indicated that the decision would be made at a Ministerial level.</li> </ul> <p><b>The report was noted.</b></p>	
11.	<p><b>The ICT Sector Commission and Tribunal Bill</b></p> <p>The purpose of the submission was to report to Council on engagements with the Department of Telecommunications and Postal Services (DTPS) on</p>	CEO



	Action Item	Person Responsible
	<p>the ICT Sector Commission and Tribunal Bill for noting.</p> <p>The Executive: Legal, Risk and CCC presented the item:</p> <ul style="list-style-type: none"> <li>• On 16 August 2017 ICASA received a copy of the Bill from the DTPS to solicit comments and inputs to same.</li> <li>• Pursuant to that, the Authority provided written comments to the DTPS on 1 September 2018.</li> <li>• The Authority's written comments included the noting of the proposal to repeal the ICASA Act in its entirety and indicated to the DTPS that it was unclear as to what anomaly was the Department intending to address through the proposed changes.</li> <li>• It was the Authority 's view that the existing framework was in line with best practice and therefore appropriate for a regulator in the converged ICT sector which was inclusive of broadcasting. However, to improve efficiency of the current regulator the following issues required strengthening: <ul style="list-style-type: none"> <li>✓ The funding model of the regulator; and</li> <li>✓ The functions of Council.</li> </ul> </li> </ul> <p>The DTPS has subsequently engaged the Authority and other relevant stakeholders to develop a business case for the Bill.</p> <p><b>The following was noted:</b></p> <p>The discussion does not indicate what constitutional considerations were made.</p> <p><b>The report was noted.</b></p>	



	Action Item	Person Responsible
12.	<p><b>Role and Participation ICASA on Digital Terrestrial Television Migration.</b></p> <p>The purpose of the submission was for Council to note the role and participation of ICASA on the Digital Terrestrial Television (DTT) Migration.</p> <p>The GM: Licensing presented the item:</p> <ul style="list-style-type: none"> <li>• The Authority was actively playing its role in ensuring that the DTT was realised in South Africa through the development of related regulations and participating in different forums.</li> <li>• The Authority has made great strides towards implementing the Broadcasting Digital Migration Policy for South Africa through the promulgation of regulations in support of the DTT Policy.</li> <li>• The Authority has authorised twelve digital incentive channels for MNET and four digital incentive channels for the SABC.</li> <li>• These channels started broadcasting as of 1 February 2016, that was immediately after the Minister of Communications pronounced on the date of commencement of the Dual Illumination period.</li> <li>• Furthermore, the Authority has completed the licensing process of the Free to Air Television Broadcasting Service and 55% capacity of the Radio Spectrum Frequencies of MUX3 and will commence a process to license 45% of MUX1 to Community Television Broadcasters.</li> </ul> <p><b>The following was resolved:</b></p> <ul style="list-style-type: none"> <li>✓ Council needed to consider Digital Terrestrial Television Regulations for</li> </ul>	CEO

	Action Item	Person Responsible
	<p>review;</p> <ul style="list-style-type: none"> <li>✓ Also, Council needed to consider some of the Spectrum Regulations for review; and</li> <li>✓ Consider cross border and international engagement and coordination.</li> </ul> <p><b>The submission was noted</b></p>	
14.	<p><b>Risk and Compliance Management Plan for 2019/20</b></p> <p>The purpose of the submission was to request Council to approve the 2019/2020 Risk and Compliance Management Plan.</p> <p>The Executive: Legal, Risk and CCC presented the item:</p> <ul style="list-style-type: none"> <li>• Organisations of all types face internal and external factors that contribute to an uncertainty on the achievement of objectives.</li> <li>• In identifying, assessing, managing and reporting these factors which are at the heart of Corporate Governance and organisational performance, the Risk Management Plan will be utilised as a tool to do such.</li> <li>• The submission sets out the risk and compliance management plan for 2019/2020 financial year which included, issues related to risk, fraud, business continuity, compliance and ethics management.</li> </ul> <p><b>The following was discussed:</b></p> <ul style="list-style-type: none"> <li>✓ The Risk and Compliance Plan should address the ways and means of achieving a compliance culture;</li> </ul>	CEO

	Action Item	Person Responsible
	<ul style="list-style-type: none"> <li>✓ The aspect on business continuity should be emphasized;</li> <li>✓ Include the Risk Appetite Statement; and</li> <li>✓ State the benefit that will be derived in addressing risk challenges.</li> </ul> <p><b>The Risk and Compliance Management Plan for 2019/2020 was approved</b></p>	
15.	<p><b>2019/2020 Compliance Universe</b></p> <p>The purpose of the submission was to request Council to approve ICASA's Compliance Universe for 2019/2020.</p> <p>The Executive: Legal Risk and CCC presented the item:</p> <ul style="list-style-type: none"> <li>• ICASA should ensure the development and maintenance of a compliance universe which includes all compliance obligations at high level (e.g. Acts, Regulations etc.), that the organisation was required to comply with.</li> <li>• The compliance universe was categorised, assessed and prioritised to develop the organisations compliance risk profile.</li> <li>• It was also important that the compliance risk profile should be formally presented to the governance structures for their review and formal approval.</li> <li>• After approval of compliance universe, the Risk and Compliance Department should monitor the regulatory environment on a continuous basis to identify relevant developments and changes therein, and communicate these to the relevant internal stakeholders, including Council and</li> </ul>	CEO



	Action Item	Person Responsible
	management.  <b>The Compliance Universe was approved.</b>	
16.	<p><b>Amendment of Evidence required for finance KPA (Approval of Invoices) for all Non-Financial Executives, General Managers, Senior Managers, Managers That Approves Invoices.</b></p> <p>The purpose of these submission was for Council to note the evidence required for the finance Key Performance Area (KPA) – (Approval of Invoices) for all non -financial Executives, General Managers, Senior Managers and Managers that approves invoices.</p> <p>The Executive: Human Resources presented the item:</p> <ul style="list-style-type: none"> <li>• As per the Performance Management Policy as well as the approval from Council, pertaining to the memo on the proposed changes to the 2018/2019 performance contracts in November 2018 and the memo on the exclusion of Self Development KPA in April 2019.</li> <li>• The compulsory KPA was included as part of the performance contracts for all non-financial Executives, General Managers, Senior Managers and Managers.</li> <li>• The reason for the introduction of the finance KPA for all non-financial Executives, General Managers, Senior Managers and Managers that approves invoices was to ensure that all non-financial line managers were held accountable and responsible for the approval of invoices within 3 days.</li> <li>• As part of the process, all non-financial line managers that were assessed on the KPA, would be required to produce evidence demonstrating effective handling of financial transactions terms</li> </ul>	CEO

	Action Item	Person Responsible
	<p>of approving invoices within a period of 3 days.</p> <ul style="list-style-type: none"> <li>• In conceiving the measurement in that regard, the evidence was premised that it would come from the JDE reports that confirms the number of days it took for approval to be done and /or monthly registers of manual transitions.</li> <li>• Given the above background, it was recommended that all non-financial line managers should include the actual invoices to which manual approval was done once upon receipt of invoices. This would apply to all non-financial Executives, General Managers, Senior Managers and Managers would have to utilize e-mails/expense registers/travel requisitions for the process.</li> </ul> <p><b>It was resolved that prior to contracting for 2019/20 a comprehensive submission should be tabled to Council on KPA's.</b></p>	
16.	<p><b>Policy Register Implementation Plan Progress</b></p> <p>The purpose of the submission was to provide Council with a progress report on the review of the policies within the organisation for noting.</p> <p>The Executive: Legal, Risk and CCC presented the item:</p> <ul style="list-style-type: none"> <li>• For the organisation to operate effectively, active policies were required to ensure consistent, fair and standardised implementation of programmes and to guide all employees in performance of their duties.</li> <li>• Regular review of the policies was critical for the organisation to operate optimally</li> </ul> <p><b>The following was resolved:</b></p>	CEO

	<b>Action Item</b>	<b>Person Responsible</b>
	<ul style="list-style-type: none"> <li>✓ The Audit, Risk and Disclosure Committee should assume the oversight role with regards to the Register.</li> <li>✓ The CEO must report to Council monthly about any progress made on the register.</li> <li>✓ The Compliance matrix should be included as part of the register.</li> </ul> <p><b>Recommendation:</b></p> <p>It was recommended that Council notes the progress report on the review ICASA policies.</p>	
<b>17.</b>	<p><b>Policy and Procedure Review Framework</b></p> <p>The purpose of the submission was to present the Policy and Procedure Review Framework, for noting.</p> <p>The Executive: Legal, Risk and CCC presented the item:</p> <ul style="list-style-type: none"> <li>• The document provides a framework for the review of ICASA policies and procedures. It describes the process for the development, implementation and review of policies, procedures and associated documents within ICASA.</li> <li>• It sets out requirements and procedures necessary for identifying new policies and procedures, revising existing policies and procedures, the approval process and communication thereof to all stakeholders.</li> </ul> <p><b>The Policy and Procedure Review Framework was approved.</b></p>	<b>CEO</b>
<b>18.</b>	<p><b>Update on the Implementation of Council Decision directing MTN to port Transnet numbers to</b></p>	<b>CEO</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>Vodacom</b></p> <p>The purpose of the submission was to provide Council with an update in relation to the implementation of its order dated 3 May 2018, wherein Council directed MTN to port Transnet numbers to Vodacom within seven days from the date of the order.</p> <p>The Executive: Legal, Risk and CCC presented the item:</p> <ul style="list-style-type: none"> <li>• On 03 May 2018, Council issued an order to Transnet and MTN, in terms of which MTN was directed to port Transnet numbers to Vodacom within seven days from when the order was issued by Council.</li> <li>• On 1 June 2018, the Authority received MTN's application seeking an order reviewing and setting aside its decision.</li> <li>• The Authority opposed the review application and requested MTN to submit written representations explaining why the Authority should not invoke the enforcement provisions stipulated under section 17 (H) of the Independence Communications Authority of South Africa.</li> <li>• After extensive deliberations on the matter and consideration of the letters, it appeared that the parties had reached an arrangement in respect of the implementation of the Council decision.</li> <li>• MTN have since responded to the Authority and stated its commitment to approve port requests to Vodacom and more importantly undertook to withdraw the review application.</li> <li>• Vodacom simply confirmed that the parties had commenced implementation of Council decision.</li> </ul>	



	Action Item	Person Responsible
	<p><b>Recommendation</b></p> <p>✓ Considering the above it was recommended that Council notes the responses from the parties.</p> <p><b>The recommendation was approved.</b></p> <p><i>The GM: PRA and Market Regulations joined the meeting at 14:18</i></p>	
19.	<p><b>Constitution of Council Committee on the Review of SAPO Price CAP Regulations</b></p> <p>The purpose of the memorandum was to request Council to appoint the Chairperson and Deputy Chairperson for a Council Committee that will review the Price Cap Regulations for Reserved Postal Services.</p> <p>The GM: Policy Research and Analysis present the item:</p> <ul style="list-style-type: none"> <li>• The Policy Research and Analysis (PRA) Division has initiated a process to review the SAPO Price Cap Regulations published in Government Gazette no.34129 of 16 March 2011.</li> </ul> <p><b>It was resolved that the appointment of Councilors to committees be deferred to the project allocation meeting to be scheduled as soon as was possible.</b></p>	CEO
20.	<p><b>Risk and Opportunity Management Policy (Revised)</b></p> <p>The purpose of the submission was to present proposed changes to the Risk and Opportunity Management Policy.</p> <p>The Executive: Legal, Risk and CCC presented the item:</p>	CEO

	Action Item	Person Responsible
	<ul style="list-style-type: none"> <li>• The current Risk Management Policy was approved in 2015 by Council.</li> <li>• There were proposed changes which are now reflected in the revised Policy.</li> <li>• The updates did not affect the substance of the Policy</li> </ul> <p>The following changes were affected:</p> <ul style="list-style-type: none"> <li>➢ Inclusion of "Opportunity" on the title of the policy.</li> <li>➢ Inclusion of the Risk Culture model on the model.</li> <li>➢ 2.4.4-The role of the Executive, Legal, Risk and CCC changed to Senior Manager: Risk and Compliance.</li> </ul> <p>The other changes were cosmetic.</p> <p><b>Recommendation</b></p> <p>It was recommended that Council approves the changes on the revised Risk and Opportunity Management Policy.</p> <p><b>The recommendation was approved.</b></p> <p><i>The SM: Consumer Affairs joined the meeting at 14:29</i></p>	
21.	<p><b>Resignation of CAP Chairperson</b></p> <p>The purpose of the submission was to appraise Council on the developments, post the resignation of the Chairperson of the Consumer Advisory Panel (CAP).</p> <p>The SM: Consumer Affairs presented the item:</p> <ul style="list-style-type: none"> <li>• On 31 April 2019, ICASA received a resignation letter from the CAP Chairperson ( ), addressed to the Acting Chairperson of ICASA, that she was vacating the position of</li> </ul>	CEO

	<b>Action Item</b>	<b>Person Responsible</b>
	<p>Chair, but would like to retain her participation as an ordinary member of CAP.</p> <ul style="list-style-type: none"> <li>• Subsequently a legal opinion was sought from LRCCC, to ensure that the request by the former chairperson is legally sound.</li> <li>• The opinion advised that the former chairperson can serve on the committee as an ordinary member.</li> <li>• The CCA proposed two names for the appointment of the CAP chairperson.</li> </ul> <p><b>Council resolved that the CV's of all the remaining members be shared for consideration of the CAP chairperson.</b></p>	
<b>22.</b>	<p><b>Report on the sixth meeting of the Council of African Regulators.</b></p> <p>The purpose of the submission was to request Council to take note of the report on the Sixth Meeting of CAR which was held in Cairo, Egypt on the 29-30 November 2018.</p> <p>The GM: Licensing presented the item:</p> <ul style="list-style-type: none"> <li>• In November 2018, the Authority approved a delegation to participate at the Sixth Meeting of CAR which was held in Cairo, Egypt on 29-30 November 2018.</li> <li>• The Authority's participation at that meeting was in line with the Strategic Objective 5.1 of the Authority's Annual Performance Plan.</li> </ul> <p><b>The Report was noted.</b></p>	<b>CEO</b>
<b>23.</b>	<b>Application for the transfer of Individual Electronic</b>	<b>CEO</b>

	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>Communication Service (I-ECS) and Individual Electronic Communications Network Service (I-ECNS) Licences from Amber Falcon Properties 187 (Pty) Ltd (the Applicant) to Sonke Telecommunications (Pty) Ltd (the Transferee).</b></p> <p>The purpose of the memorandum was to recommend that Council approves the transfer of I-ECS, I-ECNS licences from the Applicant to the Transferee.</p> <p>The GM: Licensing presented the item:</p> <ul style="list-style-type: none"> <li>On the 18 September 2018, ICASA received applications for the transfer of I-ECS and I-ECNS licences from the Applicant to the Transferee.</li> <li>The applications met the requirements of the Electronic Communications Act 2005 and the Processes and Procedures Regulations, 2016.</li> <li>It should be noted that the submission or the application does not contain the reasons for the transferee of licences.</li> </ul> <p><b>Recommendation</b></p> <p>It was recommended that Council approves the transfer applications and the Reasons Document for the transfer.</p> <p><b>The recommendation was approved.</b></p>	
24.	<p><b>Application for the transfer of I-ECS and I-ECNS Licences from Leon Torien (Estate of Leon Torien) to Pioneer Connect (Pty) Ltd.</b></p> <p>The purpose of the submission was to recommend that Council approves the transfer of I-ECS, I-ECNS licences from Estate of Torie Leon (the Applicant) to the Pioneer Connect (Pty) Ltd (the Transferee).</p>	<b>CEO</b>

	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The GM: Licensing presented the item:</p> <ul style="list-style-type: none"> <li>On 27 July 2018, ICASA received applications from the Applicant to transfer its I-ECS and I-ECNS licenses to the Transferee.</li> <li>The Applicant has not transferred the Individual licences yet and awaits the approval of the Authority to do so.</li> <li>It should be noted that the submission or the application does not contain the reasons for the transfer of licenses.</li> <li>The CCA was of the view that the applications met the requirements of the Electronic Communications Act 2005 and the Processes and Procedures Regulations, 2016.</li> </ul> <p><b>Recommendation</b></p> <p>It was recommended that Council approves the transfer applications and the Reasons Document.</p> <p><b>The recommendation was approved.</b></p>	
25.	<p><b>Recommendation by CCC to Council on the matter between Extriserve (Pty) Ltd t/a LM Radio and Hot 91.9</b></p> <p>The purpose of the submission was to table the recommendation of the CCC on the matter between Extriserve (Pty) Ltd t/a LM Radio and Hot 91.9 FM.</p> <p>Cllr Modimoeng presented the item:</p> <ul style="list-style-type: none"> <li>On 25 October 2018, the CCC received a complaint from Extriserve (Pty) Ltd t/a LM Radio against Hot 91.1 alleging that Hot 91.9 FM was non-compliant with ICASA 2017 Annual Report as following:</li> </ul>	Cllr [REDACTED]

	Action Item	Person Responsible
	<ul style="list-style-type: none"> <li>✓ Hot FM failed to provide information in accordance with the Compliance Manual Regulations of ICASA.</li> <li>✓ Hot FM has contravened its license conditions regarding 60% local content, 30% talk and 70% music.</li> <li>✓ During the 2015/2016 financial period, HOT FM failed to comply with its license conditions regarding community participation.</li> <li>✓ Extriserve (Pty) complained that Hot 91.9 FM behaved like a commercial Radio Station.</li> <li>✓ Extriserve (Pty) Ltd conducted its own 36-hour day-part monitoring during the period 2 October 2018 to 10 October 2018 and alleged that "Hot FM played just 7% local music".</li> </ul> <p>The CCC dismissed the complaint against Hot 91.9 FM on the basis that it was based on hearsay as there was no tangible evidence presented.</p> <p><b>Recommendation to Council</b></p> <p>The CCC dismissed the complaint against Hot 91.1 FM on the basis that it was based on hearsay.</p> <p><b>The recommendation was approved by Council.</b></p> <p><i>The SM: Legal and Regulatory Support joined the meeting at 14:29</i></p>	
26.	<p><b>Supply Chain Management Policy (May 2019)</b></p> <p>The purpose of the submission was to present to Council the revised Supply Chain Management Policy</p>	CFO

	Action Item	Person Responsible
	<p>for approval.</p> <p>The CFO presented the item:</p> <ul style="list-style-type: none"> <li>• The Supply Chain Management Policy served before Council previously.</li> <li>• The purpose of the revised policy was to develop and implement an effective and efficient supply chain management system for the procurement of goods, services, including disposal of goods no longer required in line with the applicable legislative requirements.</li> <li>• The salient provisions on the SCM Policy which differ substantially from the current supply chain management policy relate to: <ul style="list-style-type: none"> <li>✓ Prohibition of awards to persons in the employ of the Public Sector or Government and those employed by ICASA;</li> <li>✓ Provision of Sole Suppliers in an emergency;</li> <li>✓ The restriction of certain suppliers due to poor performance.</li> </ul> </li> </ul> <p>The following was noted:</p> <p>The policy did not address the kinds of prohibition for awards to close family members of ICASA employees</p> <p><b>It was resolved that the Supply Chain Management Policy should be referred to the AREDC and back to Council with comments.</b></p>	
27.	<b>Subsistence and Travel Policy</b>	<b>CFO</b>



	<b>Action Item</b>	<b>Person Responsible</b>
	<p>The purpose of the memorandum was to present to Council the Authority's revised Subsistence and Travel Policy for approval.</p> <p>The CFO presented the item:</p> <ul style="list-style-type: none"> <li>• On 15 January 2019, Council resolved that the Subsistence and Travel Policy be revised.</li> <li>• The purpose of the revised policy was to create minimum standards and guidelines for ICASA employees travelling on official ICASA business.</li> </ul> <p>The salient provisions on the Travel Policy (which differed from the current Travel Policy) relate to:</p> <ul style="list-style-type: none"> <li>✓ The Travel Policy's position Statement;</li> <li>✓ The Travel Policy 's purpose;</li> <li>✓ The Travel Policy's scope of application;</li> <li>✓ The Travel Policy 's cost containment principles;</li> <li>✓ Allowances;</li> <li>✓ Use of Airport facilities; and</li> <li>✓ Principles applicable to International Travel.</li> </ul> <p>The following were noted:</p> <ul style="list-style-type: none"> <li>• Reconsider the use of the South African Airways as a preferred airline.</li> <li>• International trips should be coordinated.</li> </ul> <p><b>It was resolved that the policy be referred to the AREDC and back to Council with comments.</b></p>	
<b>28.</b>	<b>General</b>	<b>All</b>
<b>28.1</b>	<b>Letter from Vodacom (Pty) Ltd on End-User and Subscriber Service Charter Amendment</b>	<b>All</b>

	<b>Action Item</b>	<b>Person Responsible</b>
	<p><b>Regulations.</b></p> <p>The Authority received correspondence relating to a request for clarification on the End User Subscriber Service Charter Amendment Regulations.</p> <p><b>It was resolved that the letter be acknowledged and in the interim the Secretariat draft a response letter and circulated to Council for information purposes.</b></p>	
<b>28.2</b>	<p><b>Training budget for Councillors</b></p> <ul style="list-style-type: none"> <li>• The task team and the CEO where still considering the issue.</li> <li>• Cllr Semane has requested additional information from Finance.</li> </ul>	<b>All</b>
<b>29.</b>	<p><b>Closure</b></p> <p>The Acting Chairperson thanked all who attended the meeting and adjourned at 16:44</p>	<b>Secretariat</b>
<b>30.</b>	<b>Date of next meeting: 16 April 2019</b>	<b>Secretariat</b>

Signed:  Date: 16 July 2019

(Chairperson)