

# **Independent Communications Authority of South Africa**

## **Annual Performance Plan 2021/22**

**25 March 2021**



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## ACRONYMS AND ABBREVIATIONS

Item	Description
5G	Fifth Generation Cellular Network Technology
AGA	Astronomy Geographic Advantage Act
BBBEE Act	Broad-Based Black Economic Empowerment Act
CAP	Consumer Advisory Panel
CCC	Complaints and Compliance Committee
ECA	Electronics Communications Act
EEA	Employment Equity Act
GDP	Gross Domestic Product
IMT	International Mobile Telecommunications
ITU	International Telecommunications Union
KCAAA	Karoo Central Astronomy Advantage Areas
MTN	Mobile Telecommunications Network
MUX 1	Multiplex 1
NATJOINTS	National Joint Operational and Intelligence Structure
NPMS	Network Performance Monitoring System
PAJA	Promotion of Administrative Justice Act
PFMA	Public Finance Management Act
PPPFA	Preferential Procurement Policy Framework Act
S192	Section 192 of the South African Constitution
SABPP HR	South African Board or People Practices Human Resources
SANDF	South African National Defence Force
SADC	South African Development Community
SAPO	South African Post Office
SAPS	South African Police Service
SKA	Square Kilometre Array
SLA	Service Level Agreement
SOC	State Owned Company
WRC	World Radiocommunication Conference - 19

## **Accounting Authority Statement**

The Independent Communications Authority of South Africa (ICASA) is a Chapter 9 institution, established pursuant to Section 192 of the Constitution of the Republic of South Africa Act, 1996 (the Constitution) to support and promote democracy in South Africa. ICASA is mandated to regulate electronic communications, broadcasting and postal services sectors in the public interest; and more specifically to ensure fairness and the plurality of views broadly representing the South African society as required in terms of the Constitution.

The ICASA 2020/21 Annual Performance Plan (the APP) is based on the ICASA Strategic Plan 2020/21 – 2024/25, which is guided by the Government's Medium-Term Strategic Framework (MTSF). The MTSF outlines areas of priority regarding socio-economic service delivery to all South Africans and addressing challenges relating to poverty, inequality and unemployment. Furthermore, the APP is influenced by the provisions of the National Development Plan (NDP) that outlines the desired socio-economic growth and development targets that the country needs to achieve by 2030.

### **The digital economy**

The Information and Communications Technology (ICT) sector remains the backbone of the economy with ICASA being the key enabler in advancing economic growth within South Africa i.e. through evidence-based regulations and promoting as well as advancing competition in the sector. This is not only from a growth point of view, but also in terms of employment creation, inclusive economic growth and social upliftment. In this regard, the availability of safe, reliable and affordable communications and network services is central to stimulating productive capacity, leading to sustainable economic and social development.

Digitization will continue to whirl like a storm through our economies and shift the traditional boundaries of industries. The lower cost of communication and the ubiquitous scope for connecting devices provide a tremendous increase in flexibility for service provision, in speed of production and in quality. The impact of digital technologies and their applications is no longer confined to early adopters in typical sectors, such as telecommunications, electronics and automation.

Digital technologies diffuse in a transversal manner across all sectors of economic activity and transform them, more so involving economies of scale and network effects. As data is the raw material for digital technologies, its processing requires substantial investment in non-tangible assets such as data acquisition, business practice, organisational realignment as well as training and development.

### **Policy Direction**

The Policy Direction on the licensing of high demand spectrum, or what is also referred to as International Mobile Telecommunications (IMT), has paved a way towards ensuring that South Africans have access to a wide range of communications services at affordable prices, promoting choice for consumers and business, stimulating competition and indeed attracting investment into the ICT sector.

As the regulator we are indeed behind Government through the Department of Communications and Digital Technologies to ensure the realisation of the Fourth Industrial Revolution (4IR) and related benefits. With the outbreak of the novel coronavirus (COVID-19) last year, the country was fast-tracked to enter into the new way of communicating and/or interacting, working and doing business. This indirectly made us realise the 4IR that we all envisaged. The licensing of high demand spectrum and the Wireless Open Access Network remains critical projects to facilitate support for all government strategies and policy frameworks that seek to transform the telecommunications sector into a world-class fundamental pillar of the emerging digital economy.

The deployment of the Fifth Generation (5G) infrastructure and related radio frequency spectrum is a key enabler for enhanced mobile broadband, delivery of other electronic communications services such as fibre at a price lower than the Fourth Generation (4G) technology. It also facilitates, among others, the Internet of things (IoT), Artificial Intelligence (AI) and/or nanotechnologies making it an enabling platform for the 4IR.

Recognizing its immense transformational value, governments in developed and developing markets are keen to promoting the deployment of 5G mobile services in their countries. South Africa is moving with speed to ensure the realization of

the benefits attached to this licensing process; and ICASA will, in the next five years, enable and ensure delivery in that regard.

5G is one of the emerging ICT technologies that will have a positive impact on improved societal services and disruptive effect on several key industries. Some studies show that the three pillars of technology in the 5G eco-system: Enhanced Mobile Broadband (eMBB); Ultra Reliable & Low Latency Communications (URLLC); and Massive machine type communications (mMTC), are key enabling technologies for the much awaited 4IR<sup>1</sup>.

To this end, ICASA formally established the South African 5G Forum ("the 5G Forum"), following the hosting of the first meeting in November 2017. The 5G Forum is an independent advisory body constituted by stakeholders in the ICT Sector to undertake research and render advice to the policy makers and the regulator on 5G, taking into account the intricate role of 5G in the 4IR and the positive socio-economic impacts that 5G stands to facilitate.

### **Mobile broadband services**

The high cost of communications, in particular, data, remains a growing concern for consumers and the business environment. The total mobile services revenue and revenue from mobile data services is continuously increasing. This continuous increase is due to growth in average monthly data usage per subscriber and the increased penetration of smartphones<sup>2</sup>.

Competition between operators should mean that users get larger data bundles but do not pay more. However, operators must also be able to generate reasonable returns in order to continually invest in 4G and 5G mobile broadband networks. In this regard, ICASA is in the process of releasing the much-awaited radio frequency spectrum licences to cater for the huge increase in traffic which will lead to lower charges that consumers and business can take advantage of.

### **Community broadcasting services licensing**

Following the lifting of the moratorium on the licensing of community broadcasting services in July 2019, ICASA will be issuing class community sound broadcasting

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<sup>1</sup> Siddiqi, M.; Yu, H.; Joung, J. 5G Ultra-Reliable Low-Latency Communication Implementation Challenges and Operational Issues with IoT Devices. *Electronics* 2019, 8(9), 981; <https://doi.org/10.3390/electronics8090981>.  
<https://www.mdpi.com/2079-9292/8/9/981>

<sup>2</sup> ICASA State of the ICT Sector Report 2020 released in March 2020.



service licences and radio frequency spectrum for purposes of providing a community broadcasting service in line with the 2019 Community Broadcasting Services Regulations. This follows the publication of a call for pre-registrations of new community radio stations in November 2019. The Authority received over one hundred and thirty (130) pre-registration notices in this regard. ICASA supports and holds in high regard, the critical role that the community broadcasting sector plays in promoting social cohesion, fostering diversity and uplifting or empowering our multicultural communities.

The community broadcasting sector has a huge responsibility of imparting knowledge, sharing information, providing entertainment and educating its community to cater for the social, political and economic needs of that community. The sector remains an important platform and constitutes a critical avenue through which communities express their history, heritage, languages, culture and experiences.

### **Postal services**

The postal and courier services remain essential for the country's economic and social development, even though they represent traditional means of communications, even in today's information society, where new communication technologies keep emerging; and the developments relating to the paradigm shift brought about by the 4IR.

ICASA will continue to review postal services regulations and align them with new developments and to bring awareness to the role of the post in the everyday lives of people and businesses, as well as its contribution to global social and economic development. Through identification and review of legislative gaps on the postal services sector there is an emphasis for the South African Post Office to ensure that postal outlets offer connectivity through Internet services.

### **Consumer protection**

ICASA has an important mandate of ensuring protection of consumers from unfair business practices and poor quality of services. To achieve this, ICASA will need to intensify its efforts to enforce compliance with regards to licence terms and conditions, regulations and underlying statutes, all in the public interest. The role

of the Consumer Advisory Panel (CAP) – a legislated committee established to advise Council on consumer protection issues, will be critical in this regard.

The Authority is mandated to promote consumer rights as well as ensure universal service and access within the ICT sector. The Authority continues to protect consumers of postal, broadcasting and telecommunication services from unfair business practices through public education and awareness campaigns and a complaints handling system. The needs of persons with disabilities in the provision of ICT services are a special priority as we review the Code of Conduct in that regard.

The current ICASA's Code on Persons with Disabilities sets out basic standards for broadcasting service licensees, electronic communications service and electronic communications network service licensees and postal services regarding the provision of services and products for Persons with Disabilities. The Code applies to all licensees who are licensed in terms of Chapter 3 of the Electronic Communications Act (ECA) and stipulates that such licensees must report to ICASA on an annual basis on the progress of implementation of the ECA Regulations.

### **International Engagements**

The Southern African Development Community (SADC) region continues to face critical challenges in the regulation of the communications sector. These challenges include implementation of the SADC TV bouquet, coordinated regulation of satellite matters, regulation of roaming across SADC, as well as adoption of big data policy and a 4IR strategy for the region.

ICASA subscribes to the vision of the Communication Regulators Association of Southern Africa (CRASA), that of harmonization of the Postal and ICT regulatory environment in the SADC region to improve the Postal and ICT business environment; and investment climate in the region.

In the next four years, ICASA will continue to collaborate and ensure the spirit of cohesion between all member countries and to facilitate alignment of policies and regulatory frameworks for the benefit of consumers; thereby promoting transparency and the reduction of the cost of roaming for the people of SADC, and frequency coordination between ourselves and neighbouring SADC countries and

of course facilitate such processes and deliberations between other member countries within the ambit of CRASA.

Moreover, according to the International Telecommunications Union (ITU), just over half of the world's population now has access to the Internet. More interestingly, the ITU also reports that nearly all people live within mobile coverage and about 90% could indeed be online (as they have access to 3G or better networks). In this regard, connectivity is now not the only prerequisite: there are other things such as bringing down the high cost of data, smartphones and contracts.

More importantly, ICASA will begin preparations for the World Radio Conference in 2023 (WRC-23) with a mandate of ensuring that decisions are advanced in line with South African positions, as part of the Africa multi-country contribution. This will be effected through participation at Africa Preparatory meetings, with a view to refine South Africa's preliminary positions and ensure that they form part of the harmonised Africa common positions for WRC-23.

In conclusion, ICASA will and continues to work closely with all stakeholders to ensure efficient delivery of services for the South African public. Even though ICASA operates in a fluid and volatile environment where litigation is almost imminent, we will ensure transparency and openness in all regulatory processes and abide by the principles of administrative justice.



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Dr Keabetswe Modimoeng  
Chairperson

## Accounting Officer Statement

The five-year Strategic Plan of the Authority is premised on government's national policy and legislation and provides a blueprint for effective regulation of the ICT sector to stimulate the economy. The plan articulates the vision of the Authority for the expansion and modernization of the ICT sector to increase affordability and accessibility for all South Africans to communications services, particularly broadband services. It sets out a variety of measures to promote competition and reduce cost to communicate; promote the efficient use of radio frequency spectrum; enhance social cohesion in line with the Authority's constitutional mandate to regulate broadcasting sector in the public interest; and more importantly promote the welfare of consumers and ensure adequate protection of consumer rights.

The Authority's impact statement for the five-year planning period is informed by its constitutional and legislative mandate. These, in turn, are intertwined with the desired national outcomes for the ICT sector and the vision of the Authority as underpinned by the key pillars of the National Development Plan.

In developing its 2021/22FY APP the Authority took into consideration the report on the recommendations of the 2020 Review of the NDP - Advancing Implementation towards a more Capable Nation; which *inter alia* recommends that faster implementation (of both policy and regulations) towards digital readiness for 4IR must be a priority and that digital migration, 4G spectrum auction and programmes to make Wi-Fi universally accessible be fast tracked. The Authority was also guided by the Economic Reconstruction and Recovery Plan, 2020<sup>3</sup> which highlights the critical role of communications and digital technologies, in ensuring that the South African economy recovers from the ravages of the covid19 pandemic.

It is imperative that the sector Regulator be responsive to all aspects of national (and international) policy imperatives. The sector Regulator must also play a critical role to advance realisation of socio-economic objectives. The Authority is acutely alive to the urgency with which digital inequality needs to be addressed in

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<sup>3</sup> See Address by President Cyril Ramaphosa to the Joint Sitting of Parliament on South Africa's Economic Reconstruction and Recovery Plan (15 October 2020). Available at <https://www.gov.za/speeches/president-cyril-ramaphosa-south-africa%E2%80%99s-economic-reconstruction-and-recovery-plan-15-oct> (accessed on 21 January 2021)

the country in order to provide learners (especially those in rural and poor communities) and workers with tools to be able to learn and work online.

Therefore, the Authority has defined its **impact statement** as follows for the five-year planning period:

<b>Impact Statement</b>	Access for all South Africans to a variety of safe, affordable & reliable communication services for inclusive economic growth
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To realize this impact the following five (5) **outcomes** have been identified for fulfilment during the strategic planning period:

- Increased access to quality broadband services,
- Enhancement of social cohesion,
- Protection of consumer rights,
- Promotion of competition in the ICT sector, and
- Maintenance of organisational service delivery.

In order to achieve the aforementioned outcomes, the Authority has *amongst others*; planned the following outputs (targets) for the 2021/22FY:

- Finalisation of the process to licence IMT spectrum in the 700 MHz, 800 MHz, 2.6GHz and 3.5 GHz bands
- Issuance of an individual electronic communications network service licence for purposes of operating a wireless open access network
- Implementation of the Elections Monitoring Plan (the process will be concluded by the publication of the Elections Monitoring Report in the 2022/23 FY).
- Development of regulations on the Must Carry Obligations
- Promulgation of the National Radio Frequency Plan, 2021 (updating of the 2018 NRFP)
- Development of a Network Performance Management System

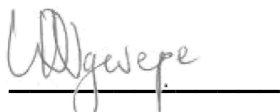
The achievement of the outputs planned for the 2021/22FY will be pursued against the backdrop of the risks posed by the COVID-19 pandemic. The pandemic has had (and continues to have) a direct and indirect impact on the Authority and its

operations. It impacts the wellness of the Authority's personnel; the manner in which its staff execute their duties and fulfil their functions; the organisation's ability to interact with its stakeholders as well as the manner in which such interactions can take place (especially in relation to regulation-making processes) etc.

In this regard, the Authority will continue with measures to ensure business continuity and to improve the efficiency and effectiveness of its operations in the 2021/22FY. Amongst others, the Authority intends to:

- roll-out an electronic data records management system (to digitize its records),
- increase the frequency of review of its IT systems (and report on the security of its IT systems),
- ensure a high level of network and systems availability,
- implement the annual Occupational Health and Safety Plan,
- maintain its level of risk maturity and compliance maturity, and
- implement a Workplace Skills Plan.

Finally, whilst the Authority has implemented risk action plans to manage and mitigate risks which might hinder the achievements of outcomes; litigation against the Authority's regulation making processes and decisions remains an inherent risk. The institution of litigation could have (and has in the past had) the effect of delaying, derailing and or stopping the Authority from executing its activities in line with the annual plan. The Authority is appreciative of this intrinsic risk; hence it continually endeavours to ensure adherence to the prescripts of the law in exercising its powers and fulfilling its functions.



Willington Ngwepe

Accounting Officer

## Official Sign-Off

It is hereby certified that this Annual Performance Plan:


- Was developed by the management of the Independent Communications Authority of South Africa after consultations with the Department of Communications and Digital Technologies;
- Considers all the relevant policies, legislation and other mandates for which the Independent Communications Authority of South Africa is responsible;
- Accurately reflects the Impact, Outcomes and Outputs which the Independent Communications Authority of South Africa will endeavor to achieve over the period 2020/21 to 2024/25.

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Julia Kenyane  
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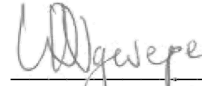


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Dr Keabetswe Modimoeng  
Chairperson of the Independent Communications Authority of South Africa



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## **Part A: Our Mandate**

### **1. Constitutional mandate**

The Independent Communications Authority of South Africa (the Authority) derives its constitutional mandate from section 192 of the Constitution of the Republic of South Africa, Act No. 108 of 1996. Section 192 states that national legislation must establish an independent authority to regulate broadcasting in the public interest, and ensure fairness and diversity of views broadly representing South African society.

### **2. Legislative and Policy Mandates**

The Authority's constitutional mandate is given effect by its legislative and policy mandates.

#### **2.1 Legislative Mandates**

##### **The Independent Communications Authority of South Africa Act No. 13 of 2000, as amended (ICASA Act)**

The ICASA Act establishes the Authority as an independent regulator and provides that it must, *amongst others*:

- a) perform its functions through Council as contemplated in section 5;
- b) be independent and subject only to the Constitution and the law;
- c) be impartial and perform its functions without fear or favor;
- d) act in a manner that is consistent with the obligations of the Republic under any applicable international agreement, according to section 231 of the Constitution; and
- e) conclude concurrent jurisdiction agreements with any regulator in respect of areas of regulatory overlaps.

##### **The Broadcasting Act No. 4 of 1999 (the Broadcasting Act)**

The Act clarifies the powers of the Minister and the Authority respectively and provides for the regulation of the broadcasting services sector in the public interest.

### **The Electronic Communications Act No. 36 of 2005, as amended (the ECA)**

The ECA provides the legal framework for convergence of the telecommunications, broadcasting and information technology services. More importantly, it also sets out the Authority's detailed powers for regulation of the electronic communications and broadcasting sectors.

The ECA enjoins the Authority to exercise concurrent regulatory oversight/jurisdiction with the Competition Commission on competition matters in terms of Chapter 10 of the ECA read with 4B(8)(b) of the ICASA Act.

### **The Postal Services Act, No. 124 of 1998**

The Postal Services Act requires the Authority to issue licenses to operators in and monitor, the postal services sector. It further requires the Authority to enforce conditions applicable to the South African Post Office (SAPO) in relation to minimum service standards and the fulfilment of universal service obligations, including the roll-out of street addresses and the provision of retail postal services in underserved areas.

### **The Promotion of Administration Justice Act, No. 3 of 2000 (PAJA)**

PAJA gives effect to the right to administrative action that is lawful, reasonable and procedurally fair and to the right to written reasons for administrative action, as contemplated in section 33 of the Constitution. As an constitutional body exercising public power and performing public function, the Authority is subject to PAJA.

### **Electronic Communications and Transactions Act, 2002 (Act No.25 of 2002) (ECTA)**

The Electronic Communications and Transactions Act provides for the facilitation and regulation of electronic communications and transactions. It provides for the development of a national e-strategy for the Republic, the promotion of universal access to electronic communications and transactions, and the use of electronic transactions by SMMEs. The legislation further provides for human resource development in electronic transactions sector, aims to prevent the abuse of information systems, and encourages the use of e-government services.

The Authority is enjoined in terms of section 4(3)(o) of the ICASA Act, to make recommendations to the Minister on matters dealt with or to be dealt with under the ECTA.

### **Astronomy Geographic Advantage Act, 2007 (Act No.21 of 2007) (AGA)**

Sections 22 and 23 of the AGA apply to the Authority. The Act requires that the Authority protects the Square Kilometre Array (SKA) radio telescope and associated radio telescopes from harmful radio frequency interference.

## **2.2 Policy Mandates**

The Authority's mandate is derived from national government policies and policy directives proclaimed in terms of section 3 of the ECA. To this end, the Authority contributes to the socio-economic development of South Africa through advancement of its mandate to fulfil and achieve key policy objectives. Amongst others, the Authority is guided by the following key national plans, policies, and policy directives:

- The National Development Plan 2030
  - a. NDP Five Year Implementation Plan (Government Priorities)
    - i. District Service Delivery Model
- The National Infrastructure Plan
- The National Treasury Economic Policy Paper, 2019
- South Africa Connect - South Africa's Broadband Policy, published in 2013
- Broadcasting Digital Migration Policy, published in 2008 and amended in 2012 and 2015
- National Integrated ICT White Paper Policy (2016)
- Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network ("2019 Policy Direction")<sup>4</sup>
- Digital Sound Broadcasting Policy Directive- published 1 July 2020

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<sup>4</sup> Government Gazette No. 42597 Notice No. 4 dated 26 July 2019

### 2.2.1. The National Development Plan 2030

The National Development Plan 2030 is a broad strategic framework with a long-term vision for South Africa. Its overarching goals are:

- Eradication of absolute poverty – from 39% of people living below the poverty line of R429 (2009 prices) to zero,
- Reduction of unemployment rate to 6% - by creating 11 million more jobs by 2030,
- Significantly reduce inequality from 0.69 to 0.60 Gini Coefficient through a range of policy interventions.

The NDP 2030 has specific milestones which must be achieved along the way towards achievement of its overarching goals. The Authority's priority areas of work align to the NDP milestones as depicted in Table 1 below.

**Table 1: ICASA's alignment to the NDP 2030**

The National Development Plan	
Milestones	ICASA's alignment to NDP
<b>Milestone 4:</b> Establish a competitive base of infrastructure, human resources and regulatory frameworks.	<ul style="list-style-type: none"><li>• Licensing and prescription of conditions for ICT infrastructure deployment</li><li>• Development of appropriate regulatory frameworks for the ICT sector</li><li>• Licensing and regulation to promote effective competition</li><li>• Prescription of a framework for facilities leasing and infrastructure sharing</li></ul>
<b>Milestone 6:</b> Broaden ownership of assets by historically disadvantaged groups.	<ul style="list-style-type: none"><li>• Ensure adherence to supply chain management processes that give preferential treatment to BBBEE suppliers</li><li>• Promote the participation of HDGs in the ICT sector, through licensing and regulation.</li></ul>
<b>Milestone 12:</b> Make high-speed broadband Internet universally available at competitive prices.	<ul style="list-style-type: none"><li>• Universal service obligations</li><li>• Licensing of IMT spectrum for broadband infrastructure deployment</li><li>• Implement measures to reduce communication costs (particularly for broadband and data services)</li></ul>

The National Development Plan	
Milestones	ICASA's alignment to NDP
	<ul style="list-style-type: none"> <li>• Prescribe regulations to facilitate rapid and universal deployment of broadband infrastructure</li> </ul>
<b>Milestone 14:</b> Broaden social cohesion and unity while redressing the inequities of the past.	<ul style="list-style-type: none"> <li>• Regulation of local broadcasting content</li> <li>• Licensing and regulation of community broadcasting services</li> <li>• Regulating and monitoring the broadcast coverage of elections.</li> </ul>

A Report on the the Review of the NDP - Advancing Implementation towards a more Capable Nation, 2020 (The NDP Review 2020) makes the following observation in relation to the ICT sector:

"The role of the ICT sector as a critical aspect of the country's economic infrastructure has been reviewed since 2012. This sector forms part of the economic infrastructures required to operate an industrial and increasingly services-based economy effectively. It is evident that the poor performance of the economy has compounded sectoral uncertainties created by a lack of continuity in policy formulation and leadership in the communications sector. There have been enormous costs associated with failure by government to free up spectrum for mobile Internet services, high-demand spectrum for 4G GSM services and this has also contributed to the high prices of data in the country.

In this sector there has been lack of leveraging of public and private investments to connect public buildings in underserviced areas, through smart public procurement and the provision of anchor tenancies that would drive services into these areas (NPC 2019) . To prepare for the inevitable global digital developments of the Fourth Industrial Revolution, South Africa must clear then regulatory backlogs that have resulted in a lack of effective competition in the communications sector while simultaneously devising alternative access and use strategies to getting those who remain unconnected, online (NPC 2019)".

As part of its recommendations to revitalize the economy, the NDP Review 2020 states that faster implementation towards digital readiness for 4IR must be a priority and that the sector must ensure completion of digital migration (including 4G spectrum auction, based on agreed competitive result) and fast track the programme to make Wi-Fi universally accessible.

In line with the above, the Authority, outlines its contribution to the priority outcomes in table 2 below.

**Table 2: ICASA's Contribution to Government Priority Outcomes**

Outcomes	ICASA's contribution
<b>Outcome 4: Decent employment through inclusive economic growth</b>	<ul style="list-style-type: none"> <li>▪ Licensing and regulation that facilitates investment in the ICT sector, thus contributing to job creation.</li> <li>▪ Promoting broad-based black economic empowerment and the advancement of previously disadvantaged individuals to fully participate in the ICT sector through regulation and licensing.</li> </ul>
<b>Outcome 6: An efficient, competitive and responsive economic infrastructure network</b>	<ul style="list-style-type: none"> <li>▪ Promote and facilitate deployment of ICT infrastructure through regulation, licensing and equipment type approvals/ authorisations.</li> <li>▪ Conduct market reviews and where relevant prescribe procompetitive remedies to encourage efficient infrastructure investment.</li> <li>▪ Promote competition in the ICT sector.</li> </ul>
<b>Outcome 12: An efficient, effective and development-oriented public service and an empowered, fair and inclusive citizenship</b>	<ul style="list-style-type: none"> <li>▪ Implement transparent and fair processes by adhering to administrative due process.</li> <li>▪ Promote and enforce consumer protection.</li> <li>▪ Capacity building and development of employees and stakeholders.</li> </ul>
<b>Outcome 14: Fostering constitutional values of social cohesion and a common identity</b>	<ul style="list-style-type: none"> <li>▪ Promote diversity and plurality of views through <i>inter alia</i> licensing of community, commercial and public broadcasting services and implementation of effective broadcasting services regulation.</li> <li>▪ Implement regulation that contributes to democracy, development of society, gender equality, nation building, and provision of education and strengthening of the spiritual and moral fibre of society.</li> <li>▪ Promote democracy through ensuring equitable broadcast coverage of political parties, particularly during elections periods.</li> </ul>

### 2.2.1.1 Medium Term Strategic Framework

The Medium Term Strategic Framework (MTSF) is a government development planning instrument which sets out the national strategic priorities, indicators and

targets. It is the five-year building block of the NDP and gives effect to the electoral mandate of the governing party. It also provides a framework for the other plans of national, provincial and local government.

Government has outlined seven priorities for the MTSF period which are derived from the NDP and Electoral Mandate, which are then outlined in the respective annual State of the Nation Address (SONA):

- Priority 1: A Capable, Ethical and Development State
- Priority 2: Economic Transformation and Job Creation
- Priority 3: Education, Skills and Health
- Priority 4: Consolidating the Social Wage through Reliable and Quality Basic Services
- Priority 5: Spatial Integration, Human Settlements and Local Government
- Priority 6: Social Cohesion and Safe Communities
- Priority 7: A better Africa and World

The aforementioned priorities are cross cutting in focus and are aimed to benefit the most marginalised in society i.e. women, youth and persons with disabilities.

South Africa entered a technical recession at the time the MTSF 2019-2024 was being implemented. This was compounded by the impacts of the COVID-19 pandemic which was declared a National State of Disaster by the President on 15 March 2020. As a result, the National Treasury undertook a budget reprioritization exercise to meet the challenges of the covid19 pandemic via the Supplementary Budget. The Supplementary Budget had impact on some departmental baselines and consequently the MTSF 2019-2024 targets. Thus, as the MTSF 2019-2024 was revised to account for the changes articulated above.

Further, government has announced the South African Economic Reconstruction and Recovery Plan, 2020<sup>5</sup> (the 2020 Economic Plan) which aims “not merely to return our economy to where it was before the coronavirus, but to forge a new economy in a new global reality”. The 2020 Economic Plan recognises the

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<sup>5</sup> See Address by President Cyril Ramaphosa to the Joint Sitting of Parliament on South Africa’s Economic Reconstruction and Recovery Plan (15 October 2020). Available at <https://www.gov.za/speeches/president-cyril-ramaphosa-south-africa%E2%80%99s-economic-reconstruction-and-recovery-plan-15-oct> (accessed on 21 January 2021)

significance of communications and the digital technologies as key enablers for South Africa's economic reconstruction and recovery. It acknowledges that the sector can – through lowering businesses costs, enabling better government service provision, increasing productivity, encouraging innovation - provide the poor with access to productive opportunities, and thus significantly reduce unemployment. Of fundamental importance, the 2020 Economic Plan identifies the following priorities for purposes of expanding digital inclusion:

- Expediting digital migration;
- Releasing high demand spectrum;
- Licensing I-ECNS for the Wireless Open Access Network (WOAN) and ensuring that licensing of spectrum is set aside for new entrants; and
- Providing learners and workers with tools and training to be able to learn and work online.

The Authority's Annual Performance Plan 2021/22 is informed by the MTSF 2019-2024 as well as the 2020 Economic Plan as developed and approved by Cabinet.

#### **2.2.1.1.1 District Development Model**

In his presentation of the Presidency Budget Vote to the National Assembly on 17 July 2019, the President identified the "pattern of operating in silos" in government as a challenge which led to lack of coherence in planning, implementation and monitoring and oversight of government's programme. The consequence of this challenge is non-optimal delivery of services and diminished impact on the triple challenges of poverty, inequality and unemployment.

In view of government's own recognition of shortcomings in service delivery and in response to demands by citizens and institutions of civil society for improved delivery, Cabinet adopted a new integrated district-based approach to enabling development in the 44 districts and 8 Metros across the country.

The new district-based coordination model aims to address service delivery and economic development challenges through the synchronization of planning across all spheres of government, working alongside social partners such as business and the communities.



On 17 September 2019, the President officially launched the first pilot site of the district-based coordination model dubbed “Khawuleza” at a Presidential Imbizo in OR Tambo District Municipality in the Eastern Cape Province.

In line with this new service delivery approach, the Authority will – to the extent possible - align the execution of its mandate through implementation of development interventions across the various districts in accordance with the prioritization as proclaimed in terms of the district-based coordination model. Some of the details of the projects which will be implemented with specific focus and alignment with the District-based Coordination Development Model are listed in Annexure D.

### 2.2.2 The National Infrastructure Plan

The National Infrastructure Plan was adopted in 2012 with the objective to transform the economic landscape, facilitate job creation and strengthen the delivery of basic services. To execute on the goals of the National Infrastructure Plan, 18 strategic integrated projects (SIPs) were initiated. The Authority must contribute to these projects in several ways. Table 3 below shows how ICASA will contribute to the SIPs.

**Table 3: SIP Projects**

Project	Description
<b>SIP 15: Expanding access to communication technology</b>	The expansion of communication technologies and infrastructure lies at the core of ICASA’s mandate. ICASA contributes to such expansion through <i>inter alia</i> the licensing of spectrum to facilitate deployment of broadband infrastructure and regulating wholesale access to infrastructure at cost-orientated rates.
<b>SIP 16: SKA and MeerKat</b>	The Authority is responsible for protection of the SKA and MeerKat from harmful radio frequency interference.

### **2.2.3 The National Treasury Economic Policy Paper, 2019**

In a paper titled "Economic transformation, inclusive growth and competitiveness: towards an economic strategy for South Africa" <sup>6</sup> (the 2019 NT Policy) the Department of National Treasury outlined short, medium and long-term scenarios to stimulate the country's economic growth and recovery. In respect of the ICT sector, the 2019 NT Policy identifies the following as critical interventions in the short-term to stimulate the economy:

- issuing rapid deployment guidelines,
- releasing spectrum through an auction process, and
- leveraging the private sector for rolling out broadband.

In the medium term, the 2019 NT Policy contemplates policy reforms to encourage new entrants into the sector and improve the regulator's independence and capacity to fulfil its mandate.

The above-mentioned interventions are expected to reduce prices (by at least 25% over the short term i.e. three years; with even further reductions contemplated over the medium term). However, it is the meaningful effects of these interventions on efficiency and capital dipping that are critical for the stimulation of the economy. Hence, the Authority recognizes the intrinsic value of spectrum as an "enabler of economic growth".

### **2.2.4 South Africa Connect - South Africa's Broadband Policy**

South Africa Connect, South Africa's Broadband Policy, was published in 2013 (Government Gazette 37119). South Africa Connect - Broadband Policy, promulgated in 2013<sup>7</sup> gives expression to the NDP. This Policy sets specific targets for the country to achieve the vision of a dynamic, connected and vibrant information society.

The Authority is committed to the policy and will continue to contribute to achievement of its objectives through:

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<sup>6</sup> The Draft Paper was published by National Treasury for public comment on 27 August 2019

<sup>7</sup> South Africa Connect: Creating Opportunities Ensuring Inclusion (20 November 2013) Government Gazette No. 37119 Notice No. 953 dated 6 December 2013

- Planning the use of frequency spectrum to promote broadband deployment. The focus is on making sure that adequate spectrum is available for broadband deployment, in the short and longer term (more specifically spectrum for International Mobile Telecommunication (IMT) services).
- Licensing IMT spectrum by means of invitations to apply in terms of competitive bidding processes, for both current and new operators including making provision for a prospective wireless (wholesale) open-access operator.

### **2.2.5 Broadcasting Digital Migration Policy**

South Africa's TV Broadcasting Digital Migration Policy (BDM Policy) was originally published in 2008 (Government Gazette 31408). The policy was amended in 2012 (Government Gazettes 35014 and 35501) and 2015 (Government Gazette 38583).

The Authority has been and still is contributing to this policy through its mandate for frequency planning. To this end, the Authority has developed BDM Regulations, broadcasting frequency plans for a regime when migration will be completed (and analogue TV switched off) as well as implemented measures for interim regime during which dual illumination will take place. These measures include the establishment of the Joint Spectrum Advisory Group (JSAG) and Digital Terrestrial Content Advisory Group (DTCAG) to advise the Authority spectrum and content related matters pertaining to migration respectively.

Furthermore, the Authority has also been involved in the development of the technical standards required to facilitate a seamless migration process<sup>8</sup>.

### **2.2.6 National Integrated ICT White Paper**

The National Integrated ICT White Paper ("the ICT White Paper") was published in Government Gazette No. 40325 Notice 1212 of 16 October 2016. The ICT White Paper was promulgated in terms of section 85 of the Constitution, read with section 3 of the ECA.

The ICT White Paper contains far reaching policy proposals and positions that seek to change the landscape and future trajectory of the ICT sector. In this regard,

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<sup>8</sup> The Authority recently updated the Official List of Regulated Standards for Technical Equipment and Electronic Communications Facilities (Government Gazette No. 43132, Notice 357 dated 24 March 2020)

the ICT White Paper is a combination of both specific policy directions directed at the Authority for execution in respect of identified matters requiring regulatory intervention as well as expressions of national government policy in respect of evolution of the sector going forward. As stated above, ICASA is duty bound – in terms of section 3(4) of the ECA - to consider policies made and policy directions issued by the Minister in exercising its powers and performing its duties.

#### **2.2.7 Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network, 2019**

The Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network ("2019 Policy Direction") was published on 26 July 2019. The 2019 Policy Direction seeks to achieve the following:

- a) encourage service-based competition in the ICT sector through the licensing of an Individual Electronic Communications Network Service Licensee for the purposes of providing Wireless Open Access Network ("WOAN");
- b) enable effective participation by new entrants in the ICT sector;
- c) develop and promote SMMEs;
- d) promote empowerment of historically disadvantaged individuals;
- e) maximize efficient use of radio frequency spectrum (including technical considerations such as carrier aggregation);
- f) encourage investment, including strategic infrastructure investment, with predictability and innovation in communications sector; and
- g) encourage and promote universal broadband coverage, with focus in rural and underserved areas.

The 2019 Policy Direction directs the Authority to assign high demand spectrum to the WOAN and the 'remaining' high demand spectrum to other electronic communications network service licensees. It identifies the WOAN as "an important policy instrument to lower barriers to entry for smaller players, improve the ownership of the ICT sector by historically disadvantaged individuals and to promote service-based competition."

More importantly, the 2019 Policy Direction states that to the extent that there are differences between it and the National Integrated ICT White Paper, 2016 on the assignment of high demand spectrum, the 2019 Policy Direction shall prevail.

## 2.2.8 Alignment to Operation Vulindlela and other Policy Priorities

The Authority has further taken account of the national priorities as outlined in terms of the Cabinet-approved Operation Vulindlela as well as those outlined in terms of the performance agreement entered into between the President and the Minister DCDT.

The table below provides an overview of ICASA's key priorities for 2021-22FY and the extent of alignment to national structural reforms and goals.

**Table 4: Alignment to Operation Vulindlela**

ICASA Priorities / Output Indicators 2021/22FY	Alignment with National Policy Priorities (as per DCDT's 2021/22FY APP)	Alignment to Operation Vulindlela
<b>100% of the process to assign broadband spectrum completed (IMT spectrum auction)</b>	4G coverage of high demand spectrum allocated by end of 2020 80% of population have access to the internet by 2024 [Provision of broadband services to 970 connected sites, monitored and sustained]	Structural reform 2.1 Issue ITA for spectrum Complete spectrum auction
<b>Percentage of the process for licensing of an Individual Electronic Communications Network Service Licence completed (WOAN licensing process)</b>	4G coverage of high demand spectrum allocated by end of 2020 80% of population have access to the internet by 2024 [Provision of broadband services to 970 connected sites, monitored and sustained]	Structural reform 2.1 Issue ITA for spectrum
<b>Percentage of the process to review of 2018 Call Termination Regulations</b>	Study on cost to communicate conducted to incorporate recommendations into the Cost to Communicate Programme of Action	
<b>Number of Regulations into Mobile Broadband Services Market</b>	[SA will be in the top 10 in Africa for the price of 1GB data pricing by 2024] [Reduce the current cost of data by 50%]	

<b>Percentage of National Radio Frequency Plans updated</b>	Final Policy Direction on 5G issued	
<b>Number of Regulations on rapid deployment of electronic communications infrastructure and facilities</b>		Structural reform 2.3.b Issue regulations under rapid deployment policy

### 2.2.9 Pending legislative and policy amendments

To give effect to the ICT White Paper, several legislative amendments and strategies are contemplated for implementation in the 2020/21 to 2024/25 strategic planning period. The contemplated legislative amendments – if promulgated and or adopted during the strategic planning period – will have an impact on the Authority and or its mandate. The contemplated legislative amendments include the following:

- Electronic Communications Amendment Bill
- The Postal Services Amendment Bill
- The Digital Development Fund Bill

The Authority has also noted the publication by the Minister: DCDT of both long and short versions of the Report of the Presidential Commission on the 4th Industrial Revolution ("PC4IR Report") for general information<sup>9</sup>. The publication of PC4IR Report was preceded by the release of a report commissioned by the National Planning Commission titled 'Digital futures: South Africa's readiness for the Fourth Industrial Revolution', dated August 2020<sup>10</sup> ("the NPC Digital Futures Report").

Furthermore, the DCDT initiated a holistic review of the audio and content services policy framework with the publication of Draft White Paper on Audio and Visual Content Services Policy Framework: A new Vision for South Africa 2020<sup>11</sup>, for stakeholder comment.

<sup>9</sup> Government Gazette No. 43834 Notice 591 of 23 October 2020.

<sup>10</sup>[https://www.nationalplanningcommission.org.za/assets/Documents/Digital%20Futures\\_South%20Africa's%20Digital%20Readiness%20for%20the%20Fourth%20Industrial%20Revolution\\_%20August%202020.pdf](https://www.nationalplanningcommission.org.za/assets/Documents/Digital%20Futures_South%20Africa's%20Digital%20Readiness%20for%20the%20Fourth%20Industrial%20Revolution_%20August%202020.pdf)

<sup>11</sup> Government Gazette No. 43797 Notice 1081 of 09 October 2020.

### **3. Updates to Institutional Policies and Strategies over the five-year period**

The Authority will focus on the implementation of the following policies, initiatives and strategies during the five-year period:

- Implementation of the 2019 Policy Direction to ensure release of spectrum in order to increase access to communications services of a high quality by all South Africans;
- Continue engagement on the review of the Authority's funding model with key stakeholders (particularly the National Treasury and the Department Communications and Digital Technologies) to ensure that the Authority is well-resourced and in good stead to deliver fully on its mandate;
- Continuous implementation of a comprehensive programme to reduce cost to communicate;
- A program to ensure the country's 5G-readiness which includes participating in the locally-established and international 5G fora to ensure that the country is not left behind the communication technology advancement and innovation. This will need a thorough understanding of the 5G ecosystem;
- A program to deploy a system for monitoring of quality of service across all electronic communications service network licensees;
- Maintenance of the current level of organisational performance and seek to improve it through various organisational support initiatives to the core business of the organisation including but not limited to strict adherence to supply chain processes and procedures that will eliminate unauthorised and fruitless expenditure, payment of suppliers within 30 days, deliberate procurement of goods and services from Historically Disadvantaged Individuals, particularly women, youth and people with disabilities;
- The Authority will also reduce the number of vacancies and ensure that it has all the necessary skills which it requires to fulfil its mandate.

### **4. Updates on Relevant Court Rulings**

One of the key strategic risks faced by the Authority in executing its mandate is litigation. As an administrative body, the Authority is subject to PAJA and its decisions constitute administrative action as defined in terms PAJA. As such, its decisions and processes are subject to judicial review and legal challenge by any affected parties and or stakeholders. The reviews and legal challenges have a bearing on the Authority's ability to execute its mandate and enforce / implement its decisions. Furthermore, the reviews and challenges have resulted in court rulings providing much needed clarity on the powers of the Authority as well as its status as an independent statutory and constitutional body.

There have been several notable court rulings over the past five years which are relevant to the Authority which dealt with *inter alia* the status of the Authority as an independent constitutional body, the scope and extent of its powers as well as the lawfulness of its decisions. Some of these decisions are highlighted below.

#### 4.1 The Independence of ICASA

Section 3(3) of the Independent Communications Authority of South Africa Act (Act No. 13 of 2000) ("the ICASA Act") clearly stipulates that "*the Authority is independent and only subject to the Constitution and the law...*" Section 3(4) of the Electronic Communications Act (Act No. 36 of 2005) (ECA) stipulates that "*the Authority or the Agency, as the case maybe, in exercising its powers and performing its duties in terms of this Act and the related legislation must consider policy made by the Minister in terms subsection (1) and policy directions issued by the Minister in terms of subsection (2).*" Section 4(3A) of the ICASA Act places the same requirement on the Authority.

In **Minister of Telecommunications and Postal Services v Acting Chairperson, ICASA**,<sup>12</sup> the court established that the Authority is an independent body created by the ICASA Act to be governed by it and other underlying statutes and as an independent body it had to "consider" the policy and policy directions when performing its functions and exercising its power within the ambit of its empowering legislation. The court held that the Authority has a duty to take national policy into account when considering its own decisions but that the

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<sup>12</sup> Case No 2016/59722, para 31, 32.



Minister's substantive ideas in a policy or policy direction do not bind the Authority. In this regard, though the Authority is not bound to act on the policy direction, it is duty bound to consider such policy.

In relation to the binding nature of a policy, the Constitutional Court in **Electronic Media Network Limited and Others v E.tv (Pty) Limited and Others** held that *"...The same law that binds both the Minister and the relevant agencies provides essentially that USAASA may "consider" the impugned policy. It is known not to be binding in terms of the law that gives ICASA or USAASA the power to be exercised with reference or due regard to that policy. In other words, before they can have regard to or apply the impugned policy in terms of their statutory powers, the agencies must first determine what that self-same statute says about the binding effect of that policy. And the statute makes it abundantly clear that they need only consider the policy."*<sup>13</sup> (own emphasis)

Regarding the independence of ICASA, the Constitutional Court held that *"section 192 of the Constitution has got very little, if anything, to do with the Minister's exercise of her policy-making powers. **It explains the existence of ICASA, the constitutional obligations it bears and the guarantee of its independence.** Properly understood, this provision informs us that ICASA is an independent authority whose mandate is to regulate broadcasting for the good of the public. When unfair reporting or a biased or inexcusable exclusion of some views happens, it is to ICASA that any aggrieved party may turn to lodge a complaint for possible intervention. ICASA is also constitutionally enjoined to level the broadcasting playing-field so that a diversity of views that broadly reflects the thinking of South African people, as opposed to one-sided propaganda-like narratives, may find expression."*<sup>14</sup> (own emphasis)

The Authority is therefore compelled to consider the provisions of the Constitution, ICASA Act, underlying statutes and other laws of general application prior to executing or not executing a policy direction. The Authority is a creature of statute and subject only to the law. However, any conduct which purports to require the Authority to implement policies and policy directions, without requiring the Authority to think carefully before deciding on same, infringes on the Authority's

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<sup>13</sup> [2017] ZACC 17, para 34

<sup>14</sup> *Ibid*, para 70.

independence and is therefore in contravention of section 3(3) of the ICASA Act and section 192 of the Constitution. ***Similarly, any action by the Authority which ignores or fails to consider policies and policy directions issued by the relevant Minister constitutes a contravention of section 3(4) of the ICASA Act.***

4.2 The regulator has no powers to regulate the governance and management structures of broadcasters

The governance and management of broadcasting service licensees has been the subject of contention over the years (including in particular as it pertains to community broadcasting service licensees and the public service broadcaster). The court has provided some clarity as to the role and powers of the Authority in this regard, particularly in the context of the public broadcaster.

In the **SOS Support Public Broadcasting Coalition and Others v South African Broadcasting Corporation SOC Limited and Others; SOS Support Public Broadcasting Coalition and Others v South African Broadcasting Corporation SOC Limited and Others**,<sup>15</sup> the Court found that –

*"[8] the ICASA Act does not purport to oust the power of the Court to determine the legal and constitutional issues arising in the matter even if the Authority has jurisdiction to determine some of the issues. There is a strong presumption against such ouster. The Constitution empowers the High Court to decide any matter determined by an Act of Parliament.*

*[9] The Authority's mandate is to regulate electronic communications and postal services in the public interest. It is a licensing body of broadcasters, signal distributors providers of telecommunication services and postal services. It is a regulator and a quasi-judicial body because it licenses, regulates, adjudicates complaints and issues sanctions and gives effect to Electronic Communications Act 36 of 2005.*

*[10] ICASA is not empowered to determine and regulate the relationship between a broadcaster and its shareholders, nor between a broadcaster and the Executive, or the legal and constitutional issues arising in this matter. It is also not empowered to determine the constitutionality or otherwise of the governance and management structures of broadcasters, including the SABC."*

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<sup>15</sup> (81056/14) [2017] ZAGPJHC 289 (17 October 2017), para 8 to 11.

Therefore, the Authority is not empowered to determine and regulate the constitutionality of the governance and management structures of broadcasters.

#### 4.3 A Regulator cannot extend its powers beyond those conferred in terms of the law

The courts have also made it abundantly clear that as a creature of statute, ICASA must exercise only those powers that have been duly conferred upon it in terms of the law. Its decisions and actions should not exceed the scope and extent of its legislative powers.

The illustrative case in this regard related to the interpretation and application of the empowerment provisions set out in terms of section 9 of the ECA. Section 9(2)(b) of the ECA provides *"that the Authority must give notice of the application in the gazette and include the percentage of equity ownership to be held by persons from historically disadvantaged groups, which must not be less than 30%, or such other conditions or higher as may be prescribed under section 4(3)(k) of the ICASA Act"*.

Section 4(3)(k) of the ICASA Act provides that *"... the Authority may make regulations on empowerment requirements to promote broad-based black economic empowerment"*.

In interpreting the provisions of sections 9(2)(b) and 13 of the ECA, the Court in the matter between **Telkom SA SOC Limited v ICASA**<sup>16</sup> held that –

*"[78] Section 13 makes provision for the transfer of the control of an individual licence and subsection (6) thereof provides that the provisions of section 9(2) to (6) apply, with the necessary changes, to this section. Given the use of the word "must" in section 9(2)(b), it appears that the provisions of this section, regarding the minimum requirement of 30% equity ownership, are peremptory. To the extent that there is a discretion, it appears that such discretion relates only to a higher percentage or such other conditions as may be prescribed under section 4(3)(k) of the ICASA Act." (own emphasis)*

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<sup>16</sup> Telkom SA Soc Limited v Mncube NO and Others; Mobile Telephone Networks (Pty) Ltd v Pillay NO and Others; Cell C (Pty) Limited v The Chairperson of ICASA and Others; Dimension Data Middle East & Africa (Pty) Ltd t.a. Internet Solutions v ICASA and Others (55311/2015; 77029/2015; 82287/2015) [2016] ZAGPPHC 93 (26 February 2016)

To this end, the Court held that the applicant must arrive at ICASA's door with a minimum of 30% [HDGs] shareholding when applying for an Individual licence. An applicant does not have an opportunity to garner the necessary shareholding after the application has been made, let alone where the application has been approved. *ICASA cannot condone the applicant's failure to meet the threshold requirements, contrary to the express intention of the ECA.*<sup>17</sup> (own emphasis).

4.4 ICASA has a duty to consider competition implications of licence transfer applications in the ICT sector, the duty cannot be deferred to another authority

One of the objects of the ECA is to promote competition within the ICT sector. In the matter between **Telkom SA SOC Limited and ICASA**, the Court held that:

"[74] Having regard to all these considerations, I have to conclude that competition within the ICT sector was a relevant consideration about the Neotel/Vodacom application. Facts placed before ICASA also demonstrated that the Neotel/Vodacom application raised various competition concerns. Furthermore, having regard to the statutory provisions referred to above, I am of the view that ICASA had a statutory duty to also consider the issue of competition to promote the objects of the EC Act before a decision was taken. Put differently, the statutory obligation to promote competition within the ICT sector implies an obligation to also consider and consider competition which is part of the decision-making process and cannot be delegated or deferred to another organ of state. ICASA's failure to do so and its decision to defer to the Competition Commission were both, in my view, wrong in law. I therefore find that ICASA's failure to also consider competition and to defer to the Competition Commission in this regard was materially influenced by an error of law within the meaning of section 6(2) of PAJA."

Wherein the Authority is enjoined by a statute (in this case, the ECA) to promote competition in the ICT sector – it is duty bound to consider the issue of competition to promote the objects of the ECA before taking a decision. It cannot therefore, delegate and or defer this statutory duty to another authority, including those with whom it enjoys concurrent jurisdiction, such as the Competition Commission.

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<sup>17</sup> Telkom SA Soc Limited v Mncube NO and Others; Mobile Telephone Networks (Pty) Ltd v Pillay NO and Others; Cell C (Pty) Limited v The Chairperson of ICASA and Others; Dimension Data Middle East & Africa (Pty) Ltd t.a Internet Solutions v ICASA and Others (55311/2015; 77029/2015; 82287/2015) [2016] ZAGPPHC 93 (26 February 2016), para 80.

## **Part B: Our Strategic Focus**

### **5. Vision**

An inclusive digital economy.

### **6. Mission**

To regulate electronic communications, broadcasting and postal services in the public interest.

### **7. Values**

All the Authority's regulatory activities are centred around five core values: innovation, collaboration, accountability, and being results-driven and stakeholder-centric.

#### **Innovation**

- We have the willingness and ability to generate viable, new approaches and solutions
- We find different and better ways of applying best solutions to meet stakeholder needs

#### **Collaboration**

- We eradicate silos by developing a conscious mind-set that aligns our work with organisational vision and strategy
- We create synergies internally to fast-track organisational performance

#### **Accountability**

- We execute our daily work in a proactive manner
- We take full responsibility for the work that we do in collaboration with others

#### **Results-Driven**

- We achieve high-quality results that are consistent with organisational standards

- We do goal-specific performance assessments and identify areas of improvement

### **Stakeholder-Centric**

- We carry out our duties with the stakeholder in mind. Stakeholders are central to what we do, and we welcome their feedback for a consistent and effective partnership

## **8. Situational Analysis**

### **8.1. External Environment Analysis**

In addition to the legislative and policy mandate, the Authority must consider the context of its performance environment. In this regard, it is critical that the Authority consider the impact of global, regional and national trends in executing its mandate together with the political, economic, social, technological, legal and environmental factors within the performance environment.

The performance environment in the context of the ICT sector and the Authority's role as a regulator is aptly summarised by the World Bank Digital Economy Diagnostic Report for South Africa<sup>18</sup> which states:

"There is a growing economic and social urgency for South Africa to develop its digital economy. Over the past decade, the economy has not been growing fast enough to create jobs. The unemployment rate is 27%, inequality has increased, and half the population lives in poverty. The dualism that stems from the legacy of demographic and spatial exclusion in South Africa is reflected in the digital economy landscape, and a large share of South Africans remains disconnected from the opportunities it has created. Whereas the Government of South Africa has been consistent in trying to leverage ICT for socio-economic development since the 1990's, policy choices have not always been optimal, or there has been difficulty to implement outlined reforms and programs as demonstrated under many of the foundational pillars. The policy and regulatory uncertainty have undermined and slowed down private investment. Advances in digital technology present an opportunity for South Africa to reverse declines in competitiveness and service delivery, and push towards dynamic and inclusive growing economy in line with the goals of the NDP."

The ICT sector – and the associated rapid technological evolution – is a vector of social development and transformation of the economy. It is through effective leveraging of ICTs that solutions to the most pressing national challenges in our country can be found. The ubiquity of broadband internet, the democratization of technologies, and the accelerating pace of innovation has so far not reached all

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<sup>18</sup> Draft version 2016

parts of the country. The majority of those who stand to gain the most from it are not yet connected. In order to better leverage ICTs for development, a higher level of preparedness and better infrastructure and access are needed. In this context, government leadership and vision are critical. In this context, it is observed that digital divides exist within countries. Even in the most advanced economies, only certain segments of the population are benefitting from ICTs. Many are left behind because of their age, limited digital literacy, lack of access, or remoteness.

It is widely recognised that going forward; digital infrastructure is critical to ensuring digital transformation and enabling the leveraging of the fourth industrial revolution. Digital infrastructure is the unseen enabler of modern digital life and business - scalable and reliable connectivity is important in providing enough infrastructure to facilitate more demanding real-time IT requirements. A failure to recognise the importance of putting optimal digital infrastructure in place, would inevitably limit South Africa's agility, result in lost opportunities and potentially lead to spending more than necessary on infrastructure as we try to optimise our connectivity, internet usage and cyber security much later on. Ensuring the right levels of connectivity is all about connecting organisations to their most critical applications and data more swiftly and efficiently whilst providing a platform for growth, development and innovation.

The provision of digital infrastructure cuts across all the ICT sector. In this regard, it is recognised that South Africa's delays in completing the digital migration process has had an adverse impact on innovation and content development in the creative media and broadcasting sector. At the same time and despite the delays, digital television sets are already available in the market, a phenomenon that will help speed up DTT migration and proliferation of digital television choice as the Authority licenses the various multiplexes going forward.

The INTERNET also contributes a lot to digital broadcasting with proliferation of DTT in the broadcasting environment. The broadband network pipes are being used as part of digital broadcast infrastructures like IPTV. The advent of Industry 4.0 (4IR) has taken the concept of "convergence" to another level by adding the biological dimension to fusion of technologies.

More importantly and as stated above the 2020 Economic Plan has identified the ICT in general, and communications and digital technologies in particular, as key enablers for South Africa's economic reconstruction and recovery "not merely to return our economy to where it was before the coronavirus, but to forge a new economy in a new global reality".

In illustrating the significance of connectivity in the context of covid19 pandemic, the NPC Digital Futures Report highlights the following:

"The pandemic has brought digital inequality into stark relief, highlighting the urgency with which digital inequality needs to be addressed in order to prepare the country for the next inevitable disaster or pandemic. Only a relatively small elite within the formal economy has been able to manage Covid-19-related public health lockdowns by moving their work, schooling, food sourcing and business relief applications online. Although half of the country do own smartphones and have access to the Internet, for many this is intermittent and at low capacity. For the significant numbers of South Africans concentrated in rural areas, townships and informal settlements without access to online services, the lockdowns have resulted in the rupture of informal value chains, disruption of schooling and access to feeding schemes, inability to receive social security pay-outs or to apply for Covid-19 relief. This has resulted in a major food security crisis. The potential destruction of these survivalist economies demonstrates that the informal economy is unable to serve as the usual buffer to economic shocks for many families and communities."

The NPC Digital Futures Report recommends that solutions be urgently implemented through which more enterprises, - formal and informal - households and individuals can be brought actively online. Given the urgency of the situation the country faces, it is critical that regulatory interventions that are known to work to facilitate immediate affordable access to all – which the country has failed to implement for over a decade – be implemented. On the other hand, it is also critical that at a policy and regulatory, the country also "stop doing things we have done that, on the basis of evidence, have not or are not working, and start experimenting with alternative strategies".

This dual approach is applicable not only to the electronic communications and broadcasting sector but to the postal sector as well. As regards, the postal services sector, the Authority's regulatory making process specifically indicates that the postal sector's role has always been to make sure that poor communities are included in the mainstream economy. Through identification and review of legislative gaps on the postal sector there is an emphasis for the South African



Post Office (SAPO) to ensure that postal outlets play a role in offering connectivity to marginal, underserved rural communities. Indeed, the world is changing and there is great effort to close the legislative gap on postal services to ensure that postal networks operate efficiently to deliver the highest quality of service and meet customers' needs and expectations. The sector has evolved from the way it was used traditionally to take technological developments into account to remain relevant in the current environment. Postal operators need to ensure that they diversify their activities and invest in the postal network's three dimensions – physical, financial and digital/electronic services. For example, government is investing in digitizing SAPO to increase financial inclusion, taking advantage of the widespread footprint of the post office, countrywide. It is of necessity to foster sustainable development in the postal sector and this should be understood in its broadest sense to encompass the sustainability of postal business models and not only environmental and social issues.

As stated above, the network effects of improved connectivity across all sectors of the economy (because of *inter alia* release of spectrum and consequent increase in download speeds), will lead to realization of cost savings and quality improvements and thus promote efficiency in commercial and public services. Accordingly, improvements in broadband access will lead to productivity improvements (2019 NT Policy Paper).

Considering the overview of the situational external environment, several key threats and opportunities have been identified by the Authority in relation to the strategic planning period. These key threats and opportunities are presented in a PESTLE analysis in Table 3 below.

**Table 5: PESTLE Analysis**

Opportunities	Threats
<b>Political</b>	
<ul style="list-style-type: none"> <li>▪ ITU / WRC-19 outcomes on spectrum allocation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Industry driven by technology trends: failure of regulation to keep up with rapid technological trends</li> <li>▪ Lack of policy certainty (and policy inconsistency) on key regulatory matters</li> </ul>
<ul style="list-style-type: none"> <li>▪ A sustainable hybrid funding model for the organisation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lack of an enabling funding model to deliver on mandate</li> </ul>

▪ Policy Direction on High Demand Spectrum (2019)	▪ Coordinated collaboration with policymaker
▪ Consolidated Ministry for the ICT sector	
▪ 4IR Vision for RSA	
<b>Economic</b>	
▪ Strategic regulatory interventions to promote economic growth through ICTs	▪ Low levels of GDP growth may curtail investment in ICT infrastructure
▪ Regulatory framework that reduces regulatory burden and facilitate ease of entry and sustainability of SMMEs in ICT Sector	▪ Poor financial performance of ICT Sector – potential instability of the sector due to some key players facing financial ruin
▪ Consolidation in the ICT sector	▪ Ineffective competition and anti-competitive effects
	▪ High prices / low affordability levels of data services
	▪ Potential revenue loss for the fiscus due to unregulated services (OTT services)
<b>Social</b>	
▪ Digital migration presents opportunities to improve social cohesion and create opportunities for socio-economic growth	▪ High rate of unemployment (especially amongst the youth)
	▪ Technology having a displacement effect on labour / jobs
	▪ Lack of digital skills
▪ Release of high-demand spectrum presents opportunity to advance universal access/ service (through obligations)	▪ Advancement in ICT infrastructure deployment undermined by acts of criminality and sabotage (theft of ICT infrastructure)
▪ Increased social activism: - Build a positive reputation / image for ICASA - <b>Increased stakeholder participation in all regulatory processes</b> - <b>Greater sensitivity of the Regulator to ICT sector developments</b>	▪ Increased social activism: Promotion of narrow interests and political agendas at expense of the broader public interest
<b>Technological</b>	
▪ 5G deployment could enable South Africa to leapfrog technological trends (South Africa 'can be' amongst the first to launch commercial 5G services)	▪ Policy uncertainty on release of 5G spectrum
▪ 4IR advancement: AI, Robotics, Nanotechnology, IoTs, etc.	▪ New technological advances bring about regulatory challenges
	▪ Legislative / regulatory framework lacks agility to keep abreast of rapid technological change
	▪ Cybersecurity concerns

▪ Enabling innovative technologies to promote broadband deployment (dynamic spectrum access)	▪ Disruption of traditional models for spectrum management and assignment
<b>Legal</b>	
▪ An institutional and legislative framework that supports regulatory independence	▪ A sub-optimal funding model could undermine independence
▪ Clearly defined mandate with broad powers to regulate the sector	▪ Inherent threat of litigation to all regulatory processes and administrative decisions ▪ Multiple policy and legislative review processes may create uncertainty
▪ Partnerships and collaborations with other agencies enhance the ability of ICASA to deliver across all disciplines of its mandate	▪ Poorly coordinated concurrent jurisdiction and mandate creep
<b>Environmental</b>	
▪ A regulatory framework for rapid deployment of broadband infrastructure	▪ Lack of coordination for permits / approvals for infrastructure deployment
	▪ EMF concerns regarding human exposure to radiation because of high cell density using millimeter wave frequencies
	▪ Risk of dumping of 'technologically outdated', 'inferior', 'cheap' devices / equipment due to high poverty (unemployment) levels ▪ Pollution due to increased IT waste (decommission of sites, unsafe disposal of non-compliant/redundant electronics equipment)

## 8.2. Internal Environment Analysis

The Authority's internal environment defines its required attack formation to implement interventions in its external environment (performance environment). In analysing its internal environment, the Authority evaluated its strengths, weaknesses, opportunities and threats against the key elements that are critical for the effective execution of its mandate. The key elements are based on the McKinsey 7s model: Structure, Strategy, Skills, Staff, Style, Systems, and Shared Values. The key objective of the evaluation was to assess whether all the seven areas are aligned for effective execution of the Authority's mandate and to

determine whether any change is required in one or more areas for the Authority to function efficiently and effectively.

**Table 6: SWOT Analysis**

Element	Strengths	Weaknesses	Opportunity	Threats
Structure	<ul style="list-style-type: none"> <li>▪ Executive board (Council)</li> <li>▪ Clear and documented DoA Framework</li> <li>▪ Revised organisational structure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lack of funding (sub optimal funding model)</li> <li>▪ An operating model premised on Council Committees (structural misalignment of reporting and accountability lines)</li> <li>▪ Highly hierarchical structure (with bureaucratic processes)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implementation of the revised organisational structure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Proposed rationalisation of public entities – ICASA may cease to exist in its current form</li> <li>▪ Fixed term contracts at Council and executive level (potential threat to business continuity)</li> </ul>
Strategy	<ul style="list-style-type: none"> <li>• Clear legislative mandate (regulate in the public interest)</li> <li>• Improved organisational performance</li> <li>• Constitutionally guaranteed independence</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of strategic planning capacity</li> <li>• Inadequate budget allocation for strategy execution / implementation.</li> <li>• Inflexible framework for strategy planning, execution and implementation</li> <li>• Poor financial compliance and internal</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legislative amendments for implementation of hybrid / self-funding model</li> <li>▪ Legislative amendments - strengthening of ICASA mandate</li> <li>• Increased collaboration with other regulatory agencies and law enforcement agencies for effective execution of mandate</li> <li>• Improved service delivery model – offices in all Provinces</li> </ul>	<ul style="list-style-type: none"> <li>▪ Litigation – legal challenges to execution and implementation of ICASA strategy</li> <li>▪ Lack of funding (sub optimal funding model)</li> <li>▪ Possible amendment of mandate due to legislative amendments and or rationalisation of public entities</li> <li>• Inconsistent national policy positions / messaging</li> <li>• COVID-19 pandemic will adversely affect the execution of the strategy (particularly for programmes that</li> </ul>

		control environment		are customer facing and or require community engagements)
Staff	<ul style="list-style-type: none"> <li>▪ Highly experienced &amp; qualified staff</li> <li>▪ Low staff turnover (long service / employee loyalty)</li> <li>▪ Institutional knowledge</li> <li>▪ National presence (across all 9 provinces)</li> <li>▪ Diversity in employee base</li> </ul>	<ul style="list-style-type: none"> <li>• Weakened employee value proposition (lack of funding)</li> <li>• No clear succession policy / guidelines (lack of career opportunities)</li> <li>• Key functional areas understaffed (due to lack of funding)</li> <li>• Uncompetitive salaries/ incentives relative to market</li> <li>• Low staff morale</li> <li>• Lack of innovation (long service may also mean no entrenched traditions and new way of doing things)</li> <li>• No retention strategy for critical skills</li> </ul>	<ul style="list-style-type: none"> <li>• Fixed term contracts for executives – upward mobility for internal senior staff / and regular refresh of leadership team</li> <li>• Extension of graduate development programs – opportunity to bring in new blood and create strong pool from which to attract entry level staff</li> <li>• Review of Training and Development Strategy / Policy an opportunity to implement programs to address people development gaps</li> <li>• Review of remuneration and benefits framework in light of fiscal constraints – creative measures to improved EVP</li> </ul>	<ul style="list-style-type: none"> <li>• Poor value proposition (no work-life balance)</li> <li>• Moratorium on recruitment / filling of vacancies</li> <li>• Budgetary constraints (inability to implement the new structure)</li> <li>• Harzadous work environment – security risks for staff (field work, lack of appropriate equipment)</li> <li>• Staff turnover</li> <li>• Loss of critical skills (poaching by the sector)</li> <li>• Low staff morale (risk of unstable industrial relations environment)</li> <li>• COVID-19 pandemic (programmes that require community engagement as well as field work) pose serious risks for employees</li> </ul>
Skills	<ul style="list-style-type: none"> <li>• Highly experienced staff</li> <li>• Availability of wide range of competencies (legal, engineeri</li> </ul>	<ul style="list-style-type: none"> <li>• Inadequate funding to implement IDPs for new / future skills</li> <li>• Misalignme nt of staff skills with job</li> </ul>	<ul style="list-style-type: none"> <li>• Collaboration with knowledge based institutions</li> <li>• Upskilling staff using Continuous Professional Development (CPD) model</li> </ul>	<ul style="list-style-type: none"> <li>• Low staff morale</li> <li>• Rapid technological changes – need for continuous upskilling</li> <li>• Budgetary constraints (inability to keep up with</li> </ul>

	<ul style="list-style-type: none"> <li>ng and policy and research etc).</li> <li>• Sound Qualifications framework</li> </ul>	<ul style="list-style-type: none"> <li>requirements</li> <li>• Lack of implementation of dual career streams</li> </ul>	<ul style="list-style-type: none"> <li>• Partnering with skills development institutions (SETA)</li> </ul>	<ul style="list-style-type: none"> <li>technology developments)</li> <li>• Obsolete competency framework (non alignment to meet 4IR era challenges)</li> </ul>
Style	<ul style="list-style-type: none"> <li>• There are levels of escalations (delegation of authority)</li> <li>• Interactive management style</li> <li>• Transparency</li> <li>• Consumer rights advocacy</li> <li>• Consultative leadership style</li> </ul>	<ul style="list-style-type: none"> <li>• Hierarchical structure</li> <li>• Ineffective communication</li> <li>• Slow/cumbersome processes of enforcement and regulation development</li> <li>• Bureaucratic processes</li> </ul>	<ul style="list-style-type: none"> <li>• Leadership development (incl. executive &amp; management development programmes)</li> <li>• Modernise the organisation: <ul style="list-style-type: none"> <li>- adopt paperless and automated processes</li> <li>- decrease bureaucracy</li> </ul> </li> <li>• DoA framework that fosters empowerment and accountability</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of leadership continuity (fixed terms contracts for Council and executive management)</li> <li>• Budgetary constraints – limited funding for leadership development</li> </ul>
Shared Values	<ul style="list-style-type: none"> <li>• Performance driven</li> <li>• Clearly articulated organisational values</li> <li>• Positive organisation culture</li> <li>• Adopted shared values</li> </ul>	<p>Not fully living the adopted values:</p> <ul style="list-style-type: none"> <li>• Innovation still lacking in most areas</li> <li>• Instances of poor ethics (i.e. breach of confidentiality)</li> <li>• Information asymmetry</li> </ul>	<ul style="list-style-type: none"> <li>• Effective stakeholder engagement framework</li> <li>• Enhance corporate culture</li> </ul>	<ul style="list-style-type: none"> <li>• Instability (due to rationalisation)</li> <li>• Poor Reputation</li> </ul>
Systems	<p>Implementation of new systems:</p> <ul style="list-style-type: none"> <li>• ASMS</li> <li>• EDRMS</li> </ul> <p>Enhancement of existing systems:</p> <ul style="list-style-type: none"> <li>▪ Implementation of Microsoft Teams to ensure</li> </ul>	<p>Inadequate funding for information technology needs:</p> <ul style="list-style-type: none"> <li>• Inadequate Bandwidth (especially for Regional Offices)</li> <li>• Limited number of</li> </ul>	<ul style="list-style-type: none"> <li>• Framework for implementation of a paperless environment</li> <li>• Drive use of full functionality of the automated applications</li> <li>• Integration of automated system (reduction in duplication of</li> </ul>	<ul style="list-style-type: none"> <li>• Inability to execute mandate, as a result of not having relevant and well maintained systems and equipment.</li> <li>• Cyber threats</li> <li>• COVID-19 pandemic has put tremendous</li> </ul>

	business continuity during COVID-19 pandemic	licences for use of systems <ul style="list-style-type: none"> <li>• Outdated systems</li> <li>• Lack of intergration between systems</li> <li>• Slow uptake and or implement ation of productivit y tools</li> <li>• No systems innovation</li> </ul>	system functions) <ul style="list-style-type: none"> <li>• Establish a customer facing unit (Customer Relations Management)</li> </ul>	pressure on IT resources and systems
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## 9. Institutional Programme Performance Information

### Programme 1: Administration

**Purpose:** The Programme provides coordinated strategic leadership, management and support to the Authority to deliver on its mandate.

### Sub-Programme: Corporate Services

**Purpose:** To provide corporate support services to the Authority through communications, information technology and facilities, security, and administration of high quality.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Maintained organisational service delivery	Communication services provided through monitoring of the media environment	Value of communication services provided through monitoring of the media environment					R 6 mil	R 8 mil	
Maintained organisational service delivery	Communication products published to grow the share of voice of ICASA	Number of communication products published to grow the share of voice of ICASA					9	9	
Maintained organisational service delivery	International engagements facilitated	Number of International engagements facilitated					20	25	
Maintained organisational service delivery	Complied with Occupational Health & Safety (OHS) regulations and guidelines	Percentage of OHS Annual Plan achieved					85%	90%	
Maintained organisational service delivery	EDRMS roll-out plan implemented	Percentage of EDRMS roll-out plan achieved					85%	90%	
Improved organisational service delivery	Integration across systems	Number of integration modules implemented				1	2	2	2
Improved organisational service delivery	Security reports on IT Systems	Number of security reports on IT Systems	40	40	12	52	52	52	52



Improved organisational service delivery	IT Systems efficiency	Percentage of IT Systems efficiency	97%	97%	98%	98%	98%	98%	98%
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### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Value of communication services provided through monitoring of the media environment	R6 mil	R6 mil	R6 mil	R6 mil	R6 mil
Number of communication products published to grow the share of voice of ICASA	9	2	2	3	2
Number of International engagements facilitated	20	5	5	5	5
Percentage of OHS Annual Plan achieved	85%	20%	40%	60%	85%
Percentage of EDRMS roll-out plan achieved	85%	20%	40%	60%	85%
Number of integration modules implemented	2				2
Number of security reports on IT Systems	52	13	13	13	13
Percentage of IT Systems efficiency	98%	98%	98%	98%	98%

The Communications and International Relations Unit is responsible for ensuring effective communication of the Authority's plans, policies and regulatory interventions to all stakeholders and ensuring that the Authority participates in programs that take place in pursuance of South Africa's interest.

In the year of planning, the Authority plans to deliver communications services to Council that will ensure that the decisions taken by the Authority and their impact are communicated to stakeholders.

In addition, the unit will provide communication services and products that will grow the share of voice of the Authority in the sector. Monitoring of the media environment and the coverage received will be analysed, to understand the communications environment the Authority is operating in and develop counter-strategies that will inform the messages issued by ICASA.

In the year of planning, the Authority plans to ensure effective and efficient participation in the international programme with the view of keeping abreast of developments in the regulatory space and to ensure that the Authority is equipped with current, relevant information and latest regulatory developments to support the regulatory agenda. The above will be realised through the successful

facilitation by the Programme, of the participation by the Authority's personnel and Council in the relevant international engagements.

Corporate Services (Facilities) has a responsibility to ensure the "well-being" and optimal use of ICASA's physical infrastructure, resources and facilities, through the efficient and effective provision of facilities and support services. Through the optimum utilization and management of these infrastructure, resources and facilities, the Authority will be able to achieve:

- continuous improvement on office ergonomics for optimum employee productivity
- the efficient allocation and management of infrastructure, resources and facilities across the organisation;
- appropriate management of health and safety in the workplace;
- provision of safety and security to its resources and assets;
- the optimum location of its premises for service delivery;
- work collaborations and offering real added value to the organization's core business;
- proper management of its records and information;
- improved clients' experience at its premises;

IT is a crucial element of the Authority's communication infrastructure. In the year of planning, the Authority plans to deliver business intelligence reporting which will contribute to the outcome of improved organisational service delivery. Based on last year's baseline of 2 reports, the Authority aims to achieve a further 2 reports.

Further, IT is crucial in ensuring the security of communication within the Authority and between the Authority and external stakeholders. In the year of planning, the Authority plans to deliver security reports on IT Systems which will contribute to the outcome of improved organisational service delivery. Last year's baseline was only 12 reports and the Authority aims to achieve 52 reports.

Finally, efficiency of the Authority's processes and its ability to improve service delivery is reliant on IT systems efficiency. In the year of planning, the Authority plans to deliver IT systems efficiency which will contribute to the outcome of improved organisational service delivery. This will include ensuring a high level of

network and systems availability. Based on last year's baseline of 97% reports, the Authority aims to improve this to 98%.

### Sub-Programme: Finance

**Purpose:** To provide an efficient and effective support services to the Authority from a finance perspective, through implementation of sound financial management and ensuring compliance with all applicable legislation and policies.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Maintained organisational service delivery	Audit	Audit opinion	Unqualified audit	Unqualified audit	Unqualified audit	Unqualified audit	Unqualified audit	Clean Audit	Clean Audit
Maintained organisational service delivery	Licence Fees Collected	Percentage of Licence Fees Collected	99%	99%	99%	99%	99%	99%	99%

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Audit opinion	Unqualified audit		Unqualified audit		
Percentage of Licence Fees Collected	99%	20%	60%	75%	99%

The sub-programme will maintain the current level of organisational performance and seek to improve it through various organisational support initiatives to the core business of the organisation including but not limited to strict adherence to supply chain processes and procedures that will eliminate unauthorised and fruitless expenditure, payment of suppliers within 30 days and deliberate procurement of goods and services from Historically Disadvantaged Individuals, particularly women, youth and people with disabilities.

In addition, the Authority levies various fees on licensees in terms of *inter alia*; section 4(1)(c)(iv) and (v) and (d) of the ECA. All the fees levies and collected by the Authority are paid into the National Revenue Fund in terms of section 15(3) of the ICASA Act. The fulfilment of this revenue collection mandate is critical to the

sustainability of the national fiscus and remains a key strategic focus for the Authority for the medium term period.

### Sub-Programme: Human Resources

**Purpose:** To ensure that the Authority can plan for required human resources, recruit the right talent in the right positions at the right time, continuously develop the talent to maintain the required levels of competence and create a conducive environment that enables employee engagement and a high-performance culture.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Maintained organisational service delivery	Staff Vacancies Maintained	Staff vacancy rate maintained	7%	5%	7%	7%	7%	7%	
Comply with SABPP standards	SABPP Audit Completed	Number of SABPP audits completed					1		
Maintained organisational service delivery	Workplace Skills Plan implemented	Percentage of process to complete Workplace Skills Plan			100%	100%	100%	100%	

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Staff vacancy rate maintained	7%	7%	7%	7%	7%
Number of SABPP audits completed	1				1
Percentage of process to complete Workplace Skills Plan	100%	25%	50%	75%	100%

The Workplace Skills Plan and Annual Training Report (WSP & ATR) is a requirement of Media, Information and Communication Technologies (MICT) Seta, which the Authority subscribes to. Compliance with the Seta requirements enables the Authority to provide occupationally directed learning activities to enhance the knowledge, practical skills and work experience of individuals and teams based on current and future occupational requirements; to drive optimal organisational performance. In 2020/21 HR plans to submit the Workplace Skills Plan and Annual Training Report to MICT Seta. These submissions will lay a foundation for 2021/22 submissions.

The Authority uses a systematic approach to identify and analyse organisational workforce needs culminating in a workforce plan. The workforce plan ensures the sustainable organisational ability to pursue and achieve strategic and operational goals. The plan requires an adequate supply of qualified staff by sourcing and developing a future supply of the right skills to meet the Authority's needs.

The Authority acknowledges the value that employees from diverse backgrounds bring to the Authority. Hence, its commitment to the aim of the Employment Equity Act (Act No. 55 of 1998) (EEA). The Authority will demonstrate its commitment by taking active steps to promote employment equity in the workplace through:

- Enabling a fair representation of designated groups across the workforce by attracting, developing and retaining employees from the designated groups; and
- Making reasonable accommodation for employees from the designated groups (i.e. persons with disabilities, youth and women) in its workplace(s).

The rationale for maintaining the vacancy rate is to ensure that the Authority does not lose the current crop of qualified talent that will enable it to fulfil its mandate. The maintained vacancy rate will lead to a high level of organisational performance, and as a result, organisational service delivery will be maintained. Maintaining the vacancy rate at 7% in 2020/21 will enable ICASA to continue maintaining it in 2021/22.

South African Board of Personnel Practitioners (SABPP), is the professional body for HR practitioners in South Africa which audits HR practices. The SABPP has developed 13 HR Management Standards, and they audited ICASA's HR processes in 2018 against their standards. They found eight of ICASA's processes compliant with their standards, and five did not reach the 60% minimum threshold. They requested ICASA to prioritise update of the HR strategy and development of an OD strategy; these two would then form a foundation for full compliance with the SABPP standards. In 2020/21 ICASA plans to complete the strategies and then invite SABPP in 2021/21 to reaudit ICASA. The audit will benefit the Authority because of the following reasons:

- It creates a renewed focus on consistency and standardisation. It provides HR professionals with a robust, risk-based framework to ensure an integrated, aligned and well-governed approach to auditing the National HR Standards. .
- It ensures that HR controls quality and consistency in line with the spirit of good governance, as documented in King IV.
- Audits can improve a company's efficiency and profitability by helping the management better understand their HR systems.
- Management can be assured of the readiness of their HR Departments to support the business strategy.
- Investors, funders, shareholders, suppliers and financial auditors, are also assured that the human capital risks in their organisation are understood, and effective systems (controls) are in place to manage them.
- An HR Audit is an independent and objective report on the state of HR management processes and therefore indicate the organisational stability and sustainability from an HR perspective.

### Sub-Programme: Internal Audit

**Purpose:** To provide reasonable assurance to Audit, Risk, Ethics and Disclosures Committee (AREDC) and management by evaluating the adequacy and effectiveness of the governance, risk management and internal control processes.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited / Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Maintain organisational service delivery	Assurance provided	Level of assurance provided				Level 4	Level 4	Level 4	
Maintain organisational service delivery	Consulting assignments completed	Number of consulting assignments completed				4	4	4	

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Level of assurance provided	Level 4	Level 1	Level 2	Level 3	Level 4
Number of consulting assignments completed	4	1	1	1	1

The National Treasury Internal Audit Framework of 2009 2<sup>nd</sup> edition establishes "*a minimum guideline for the development and operation of internal auditing in the Public Service*" [p.1].

It ascertains compliance with the Constitution of South Africa, the Public Finance Management Act (PFMA) and Treasury Regulations, the Institute of Internal Auditors International Standards for Professional Practice of Internal Auditing and COSO framework on internal control as well as risk management framework.

Assurance to the AREDC and management on the effectiveness of governance, risk management and internal control processes enables management to make informed strategic decisions on the achievement of the Authority's outputs and outcomes.

The assurance will similarly indicate whether both inherent and residual risks are managed within the acceptable risk appetite.

The consulting engagements in the form of project involvement and ad hoc reviews will assist management in understanding risks and implementing controls in a pro-active manner to enable effective management thereof. During the 2019 2020 financial year, Internal Audit had included value added activities like the Risk Control Self- Assessment, Combined Assurance facilitation and Continuous Monitoring to assist management in understanding risks and implementing controls in the Regions in a pro-active manner, align to good governance practices and enable an acceptable control environment for the Authority. However, since the 2020 2021 financial year, these value-added activities have been excluded as Internal Audit resources are utilised in assurance and consulting activities where control weakness were repeatedly raised by the Auditor General in prior audit reports. The efforts by Internal Audit in the value-added activities now remains with management to adopt and continue henceforth as these are typical Risk Management activities.

### **Sub-Programme: Legal Risk & CCC**

**Purpose:** The Legal, Risk and Complaints and Compliance Committee sub-programme's primary role is to safeguard the Authority's interests and to ensure

that all its actions and decisions are legally compliant with the Constitution, enabling legislation and other applicable laws. The ICASA Act provides that the actions, findings or decisions of the Authority are subject to judicial review. The sub-Programme advises the Authority and ensures that the Authority is properly represented in judicial reviews. The sub-Programme also promotes good governance through ensuring effective risk management, including fraud risk management; regulatory compliance and business continuity.

The sub-programme also supports the Complaints and Compliance Committee (CCC) in discharging its mandate as prescribed in terms of the ECA and the ICASA Act.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Maintained organisational service delivery	Legal services provided to client within SLA turnaround times	Percentage of legal services provided to client within SLA turnaround times	88%	75%	80%	80%	80%	80%	
Maintained organisational service delivery	Risk maturity of the organisation	Risk maturity level of the organisation	Level 2	Level 2	Level 3	Level 3	Level 3	Level 3	
Maintained organisational service delivery	Compliance maturity of the organisation	Compliance maturity level of the organisation	-	Level 2	Level 2	Level 2	Level 3	Level 3	
Maintained organisational service delivery	Cases assessed for adjudication by the Complaints and Compliance Committee (CCC)	Percentage of cases assessed for adjudication by the CCC in accordance with the CCC Handbook	82%	70%	85%	85%	90%	90%	
Rights of Consumers Protected.	Amendment of the CCC Regulations	Number of amended CCC Regulations	-	-	-	-	1		

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of legal services provided to client within SLA turnaround times	80%	80%	80%	80%	80%
Risk maturity level of the organisation	Level 3				Level 3
Compliance maturity level of the organisation	Level 3				Level 3



Percentage of cases assessed for adjudication by the CCC in accordance with the CCC Handbook	90%	90%	90%	90%	90%
Number of amended CCC Regulations	1		0.25	0.50	1

Legal services provided to client (i.e. the Authority's business units, Council, Council Committees etc.) include legal advice, the drafting and vetting of regulations, regulatory documents<sup>19</sup>, contracts, policies; provision of legal opinions as well as management of litigation. The provision of legal services ensures that the Authority executes its mandate within the prescribed legislative framework. The management of litigation ensures that the Authority is properly represented in legal actions.

Legal services provided to client, within the SLA turnaround times, assists the Authority in finalizing its deliverables within the projected timelines.

Through improved risk maturity, the Authority's outcomes are likely to be achieved. As a risk maturing organisation, the Authority continues to implement risk action plans to manage risks that have been identified and assessed, which might hinder the achievements of outcomes. Without improved risk maturity level, the organization's risk management efforts will be of little value towards the achievement of outputs and the outcomes.

Adherence to the compliance obligations relevant to the Authority is a mandatory requirement which is managed through the LRCCC sub-programme. This includes compliance to applicable requirements set out in statutory, regulatory and supervisory requirements, as well as relevant industry and general codes, requirements and best practice guidelines (collectively) that the Authority subscribes to. Through implementation of compliance programme, the Authority prevents (and reduces) non-compliance with relevant prescripts and contribute towards achievement of outcomes.

Adjudication of cases ensures that the industry is compliant with the legislation governing the ICT industry. The CCC, as an enforcement arm of the Authority, must ensure that the sector is compliant with the applicable legislation that

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<sup>19</sup> This may include Explanatory Memorandums, Reasons documents, Memorandums of Understanding with other regulatory institutions, etc.

governs the industry. This guarantees that the Authority achieves its mandate, which is to regulate in the public interest and primarily to protect consumer rights (with specific emphasis on women, children and people living with disabilities). Assessing cases for adjudication by the CCC within the SLA turnaround times assists the Authority to resolve complaints expeditiously. Further, in the 2021/22 financial year, the Authority will review the Regulations for CCC.

## Programme 2: Licensing and Compliance

**Purpose:** To issue, renew, amend, and transfer broadcasting service, electronic communications service, electronic communications network service, postal service and radio frequency spectrum licenses; authorize use of numbering and other scarce resources; grant equipment type approval; authorize channels as well as licence exemptions for the purposes of facilitating socio-economic development and promotion of competition. This Programme also monitors compliance by licensees with licence terms and conditions, the requirements of the enabling legislation and underlying regulations.

### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Output	Output Indicators	Annual Targets						
			Audited/Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Access to quality broadband services increased	Process to assign Broadband Spectrum completed	Percentage of the process to assign broadband spectrum completed			10%	90%	100%		
Competition in the ICT Sector promoted	Process to develop Equipment Authorisations Regulations completed	Percentage of the process to develop the Regulations on Equipment Authorisations completed				50%	100%		
Competition in the ICT Sector promoted	Process to review the Numbering Plan Regulations	Percentage of the process to review the Numbering Plan Regulations completed					50%	100%	

Competiti on in the ICT Sector promoted	Process to amend Standard Terms and Conditions Regulations for Individual Licences	Percentage of the process to amend the Standard Terms and Conditions Regulations for Individual Licences completed					50%	100%	
Competiti on in the ICT Sector Promoted	Process to amend Processes and Procedures Regulations for Individual Licences	Percentage of the process to amend Processes and Procedures Regulations for Individual Licences completed					50%	100%	
Status of Social Cohesion, Diversity and Plurality of Views enhanced	Process on the Licensing of digital community television broadcastin g services on MUX 1 completed	Percentage of the process for licensing of digital community television broadcasting services on MUX 1 completed			25%	50%	100%		
Competiti on in the ICT Sector Promoted	Process on the Licensing of an Individual Electronic Communic ations Network Service Licence completed	Percentage of the process for licensing of an Individual Electronic Communicati ons Network Service Licence completed			25%	50%	100%		
Status of Social Cohesion, Diversity and Plurality of Views enhanced	Process on the Licensing of Commercia l Sound broadcastin g services in the Northern Cape completed	Percentage of the process on the Licensing of Commercial Sound broadcasting services in the Northern Cape completed				25%	50%	100%	
Broadcast ers compliance monitored	Elections monitoring plan achieved	Percentage of Elections monitoring plan implemented					50%	100%	
Access to quality broadband services increased	Final specificatio ns for connectivity of TVET campuses and Community Education and Training sites developed	Percentage of the Process to develop final specifications for connectivity of TVET campuses and Community Education and Training sites completed					100%		

## Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of the process to assign broadband spectrum completed	100%		96%		100%
Percentage of the process to develop the Regulations on Equipment Authorisation completed	100%		80%		100%
Percentage of the process to review the Numbering Plan Regulations completed	50%		40%		50%
Percentage of the process to amend the Standard Terms and Conditions Regulations for Individual Licences completed	50%		40%		50%
Percentage of the process to amend Processes and Procedures Regulations for Individual Licences completed	50%		40%		50%
Percentage of the process for licensing of digital community television broadcasting services on MUX 1 completed	100%		50%		100%
Percentage of the process for licensing of an Individual Electronic Communications Network Service Licence completed	100%		50%		100%
Percentage of the process on the Licensing of Commercial Sound broadcasting services in the Northern Cape completed	50%			50%	
Percentage of Elections monitoring plan implemented	50%	10%	25%	-	50%
Percentage of the Process to develop final specifications for connectivity of TVET campuses and Community Education and Training sites completed	100%		100%		

South Africa's demand for electronic communications services – and by extension electronic communications devices and access to spectrum – continues to grow as the country moves towards realizing the ideals of universal service and access to ICT services in terms of the vision set out in the National Development Plan.

The Authority's mandate requires it to regulate broadcasting, electronic communications, and spectrum in the public interest whilst promoting a plurality of views. This is achieved by ensuring that bottlenecks and barriers to entry are mitigated by having a simple but efficient licensing framework. The Authority also seeks to ensure that its licensing and authorization regime is adequate to protect consumers from poor quality devices and/or spectrum interference whilst facilitating access.

The projects identified by the Licensing Programme for the 2020/21 – 2022/23 Medium-Term Expenditure Framework (MTEF) seek to (i) streamline the Authority's licensing processes; (ii) reduce regulatory burden with respect to the authorization of electronic communications devices; (iii) release spectrum for the provision of broadband services; and (iv) promote competition in the ICT sector.

In line with government's district-based coordination delivery model the Programme will ensure that the priority districts are accommodated in the licensing of community sound broadcasting services.

Finally, in fulfilment of its mandate to promote universal service and access to broadband services, the Authority will finalise specifications for connectivity of TVET campuses to broadband services.

### **Programme 3: Policy Research and Analysis**

**Purpose:** To conduct research and policy analysis into all the regulatory sectors in line with the mandate of the Authority.

#### **Outcomes, Outputs, Performance Indicators and Targets**

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited / Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24

Status of Social Cohesion, Diversity and Plurality of Views enhanced.	Final regulations on the must carry obligations	Number of final regulations on the Must Carry Obligations developed		1	1	1	1		
Rights of Consumer Protected.	SAPO tariffs approved	Number of SAPO tariffs approved	1	1	1	1	1	1	1
Rights of Consumer Protected.	Final regulations on customer care in the postal sector developed	Number of final regulations on customer care in the postal sector developed				1	1		
Rights of Consumers Protected.	Findings documents on Regulation relating to the definition of advertising and the regulation of Infomercials and Programme Sponsorship in Respect of Broadcasting Activities	Number of findings documents on Regulation relating to the definition of advertising and the regulation of Infomercials and Programme Sponsorship in Respect of Broadcasting Activities developed			1	1	1	1	
Rights of Consumers Protected.	Bi-annual tariff analysis	Number of bi-annual tariff analyses developed	3	2	2	2	2	2	2
Competition in the ICT Sector Promoted	Draft regulations on subscription television broadcasting market	Number of draft regulations on subscription television broadcasting market developed	1	1	1	1	1	1	
Competition in the ICT Sector Promoted	Review of 2018 Call Termination Regulations	Number of 2018 Call Termination Regulations reviewed		1			1		
Competition in the ICT Sector Promoted	Discussion document on Signal Distribution Services	Number of Discussion documents on Signal Distribution Services produced					1	1	1
Competition in the ICT Sector Promoted	Final Regulations on Mobile Broadband Services Market	Number of Final Regulations on Mobile Broadband Services Market promulgated				1	1		

### Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Number of final regulations into the Must Carry Obligations developed	1		0.50	0	1
Number of SAPO tariffs approved	1			0.50	1

Number of final regulations on customer care in the postal sector developed	1		0.5	0.75	1
Number of findings documents on Regulation relating to the definition of advertising and the regulation of Infomercials and Programme Sponsorship in Respect of Broadcasting Activities developed	1		0.50		1
Number of bi-annual tariff analyses developed	2		1		1
Number of draft regulations on subscription television broadcasting market developed	1	0.25	0.50		1
Number of 2018 Call Termination Regulations reviewed	1	0.25	0.50	0.75	1
Number of Discussion documents on Signal Distribution Services produced	1		0.25	0.50	1
Number of Final Regulations on Mobile Broadband Services Market promulgated	1	0.25	0.50	1	

The Policy, Research and Analysis Division ("PRA") will be embarking on one (1) project aimed at *enhancing social cohesion, diversity and plurality of views*. The project planned is on the Must-Carry Obligations. The must carry obligation arises from a central public interest principle of universal access (as per the White Paper on Broadcasting Policy of 1998) to ensure that Public Broadcasting Service programming is available to all citizens, including those citizens that use subscription services as their preferred means of access to television. Through the project, the Authority seeks to review the impact and relevance of the obligation on both broadcasters and audiences in context of current market and technological trends.

PRA plans to execute four (4) projects in the 2021/22 FY to *protect the rights of consumers*, two (2) of the projects are aimed at addressing mainly postal services, one (1) project is aimed at broadcasting services and one (1) project addresses telecommunication retail tariffs.

The first project aims to protect the rights of consumers by ensuring affordable postal services in the reserved postal services market by regulating and monitoring prices charged by SAPO in each financial year.

The second project deals with customer care standards in the postal sector. The purpose of the project is to set universal service and access standards and obligations to ensure that postal services cater for the needs of people with

disabilities. The project will ensure that, amongst other measures; people with disabilities have special counters and ramps at postal outlets to encourage economic participation by all citizens.

The third project is aimed at protecting viewers from both excessive advertisements in programming and from surreptitious advertising. Furthermore, it is to ensure that viewers can make a distinction between editorial content<sup>20</sup> and advertising and to ensure that undue prominence is not (unlawfully or unfairly) given to a product, service or trademark during broadcasts.

The fourth project seeks to promote the transparency of telecommunications tariffs charged by licensed operators so as to assist consumers to shop for better deals.

*To promote competition*, PRA aims to execute four (4) projects in the 2021/22 FY.

The first project is the inquiry into subscription broadcasting television services. The inquiry will enable the Authority to understand the factors that may have contributed to new subscription broadcasting service licensees' inability to gain traction in the market in terms of attracting subscribers and launching their services. To create an enabling environment for effective competition, the Authority may impose pro-competitive terms and conditions on licensee(s) who have SMP and/or remove any regulatory barriers to entry.

The second project aims to review the 2018 call termination regulations. The 2018 call termination rates glide path will be due for review in September 2021. The regulation of inter-operator call termination rates is important to promote effective competition between operators. The reduction in the call termination rates has benefitted consumers as the lower rates are passed on through lower voice call rates.

The third project aims to analyse the competitive landscape in the wholesale signal distribution market. Signal distribution services are an important input especially for the provision of broadcasting services.

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<sup>20</sup> Editorial content is content intended to inform, educate or entertain and is not created to attempt to sell something



The fourth project aims to address potential competition issues in the mobile broadband services market. The project is a multi-year project carried over from prior years. In the 2021-22FY, the Authority will complete the final leg of the inquiry into mobile broadband services market by developing regulations to address competition concerns in the mobile broadband services market.

#### Programme 4: Engineering and Technology

**Purpose:** To develop, coordinate and manage the regulatory framework for management of radio frequency spectrum including development of equipment technical standards and representing ICASA at international regulatory forums.

#### Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Access to quality broadband Services Increased	National Radio Frequency Plans updated	Percentage of the National Radio Frequency Plan updated		100%			100%		
Access to quality broadband Services Increased	Radio Frequency Migration plan implemented	Percentage of Radio Frequency Migration plan implemented					50%	100%	
Access to quality broadband Services Increased	IMT roadmap implemented	Percentage of IMT roadmap implemented					75%	100%	
Access to quality broadband Services Increased	Migration of the Reference Geolocation Spectrum Database providers completed	Percentage of the Migration of the Reference Geolocation Spectrum Database completed					100%		
Access to quality broadband Services Increased	Network Performance Management System (NPMS) developed	Percentage of Network Performance Management System developed				20%	40%	60%	
Access to quality broadband Services Increased	Recommendations towards enabling South Africa's uptake of 5G technologies produced.	Number of recommendations produced, towards enabling South Africa's uptake of 5G technologies		1	1	2	1	1	

Status of Social Cohesion, Diversity and Plurality of Views enhanced.	Discussion Document for Optimisation of the Frequency Modulation Sound Broadcasting produced	Number of Discussion Documents for Optimisation of the Frequency Modulation Sound Broadcasting					1		
Rights of consumers protected	Spectrum Monitoring capacity (sites) commissioned	Number of fixed spectrum Monitoring sites around Karoo Central Astronomy Advantage Area (KCAAA) commissioned					4		
Rights of consumers protected	Provinces monitored for Quality of service	Number of provinces monitored for Quality of Service			4	4	6	7	
Access to quality broadband Services Increased	Regulations on Rapid Deployment as required under Chapter 4 of the ECA completed	Number of Draft Regulations on Rapid Deployment as required under Chapter 4 of the ECA completed					1		

## Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of the National Radio Frequency Plan updated	100%		50%	75%	100%
Percentage of Radio Frequency Migration plan implemented	50%		25%		50%
Percentage of IMT roadmap implemented	75%	25%	50%	75%	
Percentage of the Migration of the Reference Geolocation Spectrum Database completed	100%	25%	50%	75%	100%
Percentage of Network Performance Management System developed	40%	25%	30%	35%	40%
Number of recommendations produced towards enabling South Africa's uptake of 5G technologies	1				1
Number of Discussion Documents for Optimisation of the Frequency Modulation Sound Broadcasting	1			.50	1
Number of fixed spectrum Monitoring sites around KCAAA commissioned	4				4
Number of provinces monitored for Quality of Service	6	2	1	1	2
Number of Draft Regulations on Rapid Deployment as required under Chapter 4 of the ECA completed	1				1

Among the projects planned the following projects are key contributors to ensuring that South Africa's access to quality broadband services is increased:

- National Radio Frequency Plan update,
- Frequency Migration Plan implemented,
- IMT Road Map implemented,
- Optimisation of the Frequency Modulation Sound Broadcasting

- Recommendations towards enabling South Africa's uptake of 5G technologies produced, and
- Migration and Hosting of Reference Geolocation Spectrum Database completed.

The National Radio Frequency Plan (NRFP) allocates the Radio Frequency Spectrum to Radiocommunication Services. Revision of this plan is required to give effect to the decisions / outcomes of World Radiocommunications Conference 2019 (WRC-19) as more accurately outlined in the latest edition of the International Telecommunications Union Radio Regulations.

The Frequency Migration Plan governs the migration of the services identified in the NRFP. This process is followed to avail the identified broadband spectrum including IMT allocated spectrum in the IMT roadmap. The availability of broadband services to the entire population of South Africa will drive active participation in the digital economy as envisaged by the Fourth Industrial Revolution which will be enabled by 5G technology.

The hosting and management functions for the R-GLSD is outsourced for a period of three (3) years ending in April 2022. The purpose of the project is to migrate the R-GLSD from the platform of the service provider onto the Authority's platform. The aim of a system (R-GLSD) migration is to enable business and operational continuity by ensuring that it will only be within the confines of the Authority's systems platform. TV Whitespaces deployment will enhance the country's ability to reach the full potential of the use of ICT by closing the gap of access to broadband services for rural communities. This is because TV Whitespaces technology is one of the most cost-effective method for providing broadband coverage to the marginal and rural areas.

Optimisation of the Frequency Modulation Sound Broadcasting aims to optimise the sound broadcasting plan with the view of re-planning the terrestrial broadcasting frequency plan 2013 in accordance with the re-planning process of the Geneva 84 plan regarding FM.

The Authority will increase the capability to monitor quality of service through the implementation of a Network Performance Management System. Consumer rights will be protected as the system will actively monitor quality of service provided by

the Mobile Network Operators (MNOs), thereby ensuring that MNOs comply with Quality of Service regulations and improve customer experience.

The Meerkat is a precursor to the Square Kilometre Array (SKA) radio telescope, situated in the Northern Cape Province. It is a large-scale, global astronomy project, which when completed, will have a capability far higher than any radio telescope in the world. The Authority, in accordance with the ECA, AGA and ICASA Act, has put measures in place to ensure that it fulfils its role of preventing Radio Frequency Interference (RFI) in the Karoo Central Astronomy Advantage Areas (KCAAA). The Authority aims to establish a real-time spectrum monitoring presence in the KCAAA, to monitor the radio activity and prevent unwanted emissions and RFI to the telescope. Land and technical surveys have identified four (4) ideal positions to deploy four (4) fixed monitoring sites. These will enable the Authority to continuously monitor over the SKA core site. The Authority, through spectrum monitoring and control measures, will contribute to the growth and sustainability of this science and technology ecosystem. The Authority aims to have four sites established by the end of 21/22FY.

In line with government's district-based coordination delivery model the Programme will ensure that the priority districts are accommodated in the execution of quarterly quality of service monitoring assessments which will be undertaken through drive tests during the 2021/22FY.

The development of Rapid Deployment Regulations for Electronic Communications Networks and Electronic Communications Facilities ("the Regulations") will support speedy access to Electronic Communications services by the consumers. The Regulations will be promulgated in line with Policy and Policy Directions on Rapid Development of Electronic Communications and Electronic Communications Facilities to be issued by the Minister of Communications and Digital Technologies. The Authority aims to finalise the draft Regulations during the 2021/22 FY.

## **Programme 5: Regions and Consumer Affairs**

**Purpose:** To enable unimpeded national provision of electronic communications, broadcasting and postal services through compliance monitoring and enforcement.

## Outcomes, Outputs, Performance Indicators and Targets

Outcome	Outputs	Output Indicators	Annual Targets						
			Audited /Actual Performance			Estimated Performance	MTEF Period		
			2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Rights of consumers protected	Reported Radio Frequency interference cases resolved in 30 working days	Percentage of reported Radio Frequency interference cases resolved in 30 working days	94%	100%	96%	96%	97%	98%	99%
Maintained organisational service delivery	Processed licence applications / registrations within turn-around time	Level of service delivery with respect Licence applications / registrations processed within turn-around time				Level 1	Level 2	Level 3	Level 4
Rights of consumers protected	Consumer complaints resolved	Percentage of consumer complaints resolved	85%	85%	85%	86%	87%	88%	89%
Rights of consumers protected	Consumer Advisories provided to ICASA by the Consumer Advisory Panel	Number of Advisories produced by CAP for consumer protection	CAP established	1	1	1	1	1	1

## Indicators, Annual and Quarterly Targets

Output Indicators	Annual Target	Q1	Q2	Q3	Q4
Percentage of reported Radio Frequency interference cases resolved in 30 working days	97%	97%	97%	97%	97%
Level of service delivery with respect Licence applications / registrations processed within turn-around time	Level 2	Level 2	Level 2	Level 2	Level 2
Percentage of Consumer complaints resolved	87%	50%	60%	70%	87%
Number of Advisories produced by CAP for consumer protection	1	-	-	-	1

The Authority's mandate requires it to regulate in the interest of all South African consumers including women, children and people with disabilities and protect them against harmful business practices by licensees and illegal operators within the sector.

This is achieved by ensuring that the resolution of reported cases of interference is done in an efficient and effective manner and conducting of inspections on licensees to ensure that they adhere to consumer protection regulations.

In line with government's district-based coordination delivery model the Programme will prioritize the relevant districts as identified in executing all its outputs.

## 10. Programme Resources Considerations

In terms of section 15 of the ICASA Act, the Authority is financed from money appropriated by Parliament. To this end, 96.8 per cent of the Authority's revenue over the medium term is derived via transfers (grants) from the DCDT and 3.2 per cent is generated from interest from short-term investments. Grant allocation is expected to increase from R459.9 million in 2021/22 to R473.9 million in 2023/24, at an average annual rate of 3.1 per cent. Tables 7, 8 and 9 below outlines the Authority's projected revenues, expenditure estimates and overall financial position for the MTEF period.

**Table 7: Financial Performance**

Statement of Financial Performance	Medium-term estimate			Average growth rate (%)	Expenditure/ total: Average (%)
R thousand	2021/22	2022/23	2023/24	2020/21 - 2023/24	
<b>Revenue</b>					
<b>Tax revenue</b>	–	–	–	–	–
<b>Non-tax revenue</b>	16 084	16 682	17 433	4.6%	3.2%
Sale of goods and services other than capital assets	–	–	–	–	–
<i>of which:</i>					
<i>Administrative fees</i>	–	–	–	–	–
<i>Sales by market establishment</i>	–	–	–	–	–
<i>Other sales</i>	–	–	–	–	–
<i>Other non-tax revenue</i>	16 084	16 682	17 433	4.6%	3.2%
Interest, dividends and rent on land	16 084	16 682	17 433	4.6%	3.2%
<b>Transfers received</b>	459 990	469 431	473 947	-7.1%	96.8%
Tax benefit	–	–	–	–	–
Outside shareholders Interest	–	–	–	–	–
<b>Total revenue</b>	476 074	486 113	491 380	-6.8%	100.0%

<b>Expenses</b>				-	
<b>Current expenses</b>	<b>520 270</b>	<b>539 612</b>	<b>563 894</b>	<b>4.6%</b>	<b>104.1%</b>
Compensation of employees	382 333	409 096	427 506	6.2%	77.6%
Goods and services	119 083	110 756	115 740	-0.6%	22.7%
Depreciation	18 847	19 751	20 640	4.8%	3.8%
Interest, dividends and rent on land	8	8	8	4.4%	0.0%
<b>Transfers and subsidies</b>	<b>(44 196)</b>	<b>(53 498)</b>	<b>(72 514)</b>	<b>-186.0%</b>	<b>-4.1%</b>
Tax payment	-	-	-	-	-
Outside shareholders interest	-	-	-	-	-
<b>Total expenses</b>	<b>476 074</b>	<b>486 114</b>	<b>491 380</b>	<b>-6.8%</b>	<b>100.0%</b>
<b>Surplus/(Deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	

**Table 8: Expenditure Estimates**

	2017/18	2018/19	2019/20	2020/21		2021/22	2022/23	2023/24
	Audited outcome	Audited outcome	Audited outcome	Approved budget	Changes from budget estimate	Revised budget estimate	Revised budget estimate	Planning budget estimate
Rand thousand								
<b>Objective/Activity</b>								
Administration	270 814	278 823	255 736	250 707	(8 171)	270 321	279 766	292 355
Licensing	52 536	53 767	56 713	59 614	(3 131)	67 027	69 592	72 724
Engineering and technology	18 282	22 659	21 133	19 485	(979)	21 878	23 389	24 441
Policy research and analysis	22 492	29 533	23 564	25 009	(1 267)	28 113	30 078	31 432
Compliance and consumer affairs	31 027	27 691	34 155	28 466	(1 346)	31 858	34 041	35 573
Regions	69 598	75 078	73 777	90 979	(3 808)	101 073	102 746	107 369
<b>Total</b>	<b>464 748</b>	<b>487 551</b>	<b>465 079</b>	<b>474 259</b>	<b>(18 701)</b>	<b>520 270</b>	<b>539 612</b>	<b>563 894</b>
<b>Economic classification</b>								
<b>Current payments</b>	<b>464 748</b>	<b>487 551</b>	<b>465 079</b>	<b>474 259</b>	<b>(18 702)</b>	<b>520 270</b>	<b>539 612</b>	<b>563 894</b>
Compensation of employees	290 165	306 448	296 314	338 619	(18 702)	382 333	409 096	427 506
Salaries and wages	266 491	283 586	274 291	321 083	(18 702)	363 570	389 020	406 526
Social contributions	23 674	22 862	22 024	17 536	-	18 763	20 077	20 980
Goods and services	157 313	162 604	151 796	117 684	-	119 083	110 756	115 740
Of which								
Administrative fees	19 460	26 527	24 532	11 036	-	11 588	7 644	7 988
Advertising	5 455	5 914	5 571	1 768	-	1 856	1 945	2 033
Audit costs: External	5 318	4 289	3 934	6 354	-	6 672	6 992	7 307
Communication (G&S)	3 211	2 600	2 510	2 294	-	2 408	2 524	2 638
Computer services	26 392	16 027	15 334	12 818	-	13 459	12 105	12 650
Consultants: Business and advisory services	3 008	1 819	1 669	2 851	-	2 994	3 138	3 279
Legal services (G&S)	9 823	13 014	11 936	10 601	-	11 131	8 666	9 055
Contractors	166	4 856	4 459	311	-	326	342	357
Property payments	31 762	38 729	35 522	36 833	-	38 674	40 531	42 354
Travel and subsistence	21 133	23 144	21 730	6 982	-	5 975	4 762	4 976
Training and development	12 581	4 495	4 124	5 492	-	3 544	3 014	3 150
Operating payments	14 619	18 269	17 796	18 107	-	19 012	17 925	18 731
Venues and facilities	4 386	2 921	2 680	2 237	-	1 443	1 169	1 222
Depreciation	17 226	18 493	16 962	17 949	-	18 847	19 751	20 640
Losses from	41	-	-	-	-	-	-	-
Impairments to non-financial assets	41	-	-	-	-	-	-	-
Interest, dividends and rent on land	2	7	6	7	-	8	8	8

Interest	2	7	6	7	-	8	8	8
Total Expenditure	464 748	487 551	465 079	474 259	(18 702)	520 270	539 612	563 894

## Expenditure analysis

Over the medium term, the Authority will focus on increasing internet access by licensing the international mobile telecommunications spectrum by 2021/22 thereby increasing access to wireless broadband services, protecting consumers against unfair practices by service providers, increasing competition in the telecommunications and broadcasting sectors, and developing a framework for dynamic spectrum management. The Authority also plans to increase its capability to monitor quality of service through the implementation of a system to manage network performance.

Indicator	Programme/Objective/Activity	MTSF priority	Past			Current	Projections		
			2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Access to high-demand spectrum from 566.695 megahertz (MHz) to 958 MHz per year	Licensing	Priority 1: Economic transformation and job creation	810 MHz	850 MHz	958 MHz	958 MHz	958 MHz	958 MHz	958 MHz
Number of community television licences issued per year	Licensing	Entity mandate	— <sup>1</sup>	— <sup>1</sup>	— <sup>1</sup>	— <sup>1</sup>	14	13	13
Number of tariff analysis reports produced per year	Policy research and analysis	Priority 1: Economic transformation and job creation	3	3	2	2	2	2	2
Number of broadcasting licencees monitored per year	Compliance and consumer affairs	Entity mandate	69	71	60	65	70	75	85
Percentage of consumer complaints resolved per year	Compliance and consumer affairs		92% (4 324/ 4 700)	93% (5 706/ 6 115)	94% (7 896/ 8 360)	85%	85%	85%	85%
Number of economic communications network service licencees monitored per year	Compliance and consumer affairs		94	100	60	65	70	75	85

1. No historical data available.

**Source:** 2020 Budget Vote 30 Communications and Digital Technologies

As the Authority requires personnel with highly specialized skills to conduct this work, spending on compensation of employees' accounts for an estimated 74.1 per cent (R1.2 billion) of total expenditure over the medium term. The table below shows the number and cost of personnel posts filled or planned over the MTEF. Total expenditure is set to increase from R 520.2 million in 2021/22 to R 563.8 million in 2023/24 at an average annual rate of 3 per cent.



Number of posts estimated for 31 March 2020			Number and cost* of personnel posts filled/planned for on funded establishment															Number			
Number of funded posts	Number of posts on approved establishment	Actual									Revised estimate			Medium-term expenditure estimate						Average growth rate (%)	Average: Salary level/Total (%)
		2018/19			2019/20			2020/21			2021/22			2022/23							
		Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost					
The Independent Communications Authority of South Africa			Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost	Number	Cost	Unit cost	2019/20 - 2022/23			
Salary level	416	416	400	306.4	0.8	416	333.9	0.8	416	357.3	0.9	416	382.3	0.9	416	409.1	1.0	7.0%	100.0%		
1 – 6	27	27	26	5.0	0.2	27	5.4	0.2	27	5.8	0.2	27	6.2	0.2	27	6.6	0.2	7.0%	6.5%		
7 – 10	209	209	200	111.3	0.6	209	121.3	0.6	209	129.8	0.6	209	138.9	0.7	209	148.6	0.7	7.0%	50.2%		
11 – 12	118	118	112	99.0	0.9	118	107.9	0.9	118	115.5	1.0	118	123.6	1.0	118	132.2	1.1	7.0%	28.4%		
13 – 16	61	61	61	88.1	1.4	61	96.0	1.6	61	102.7	1.7	61	109.9	1.8	61	117.6	1.9	7.0%	14.7%		
17 – 22	1	1	1	3.0	3.0	1	3.3	3.3	1	3.5	3.5	1	3.8	3.8	1	4.0	4.0	7.0%	0.2%		

1. Rand million.

**Source:** 2020 Budget Vote 30 Communications and Digital Technologies

**Table 9: Financial Position**

Financial position	Medium-term estimate			Average growth rate (%)	Net change/ total: Average (%)
	2021/22	2022/23	2023/24	2020/21 - 2023/24	
Carrying value of assets	178 526	187 096	195 515	4.8%	10.5%
<i>of which:</i>					
Acquisition of assets	(30 246)	(31 698)	(33 124)	4.8%	-1.8%
Investments	–	–	–	–	–
Inventory	1 026	1 075	1 124	4.8%	0.1%
Loans	–	–	–	–	–
Accrued investment interest	–	–	–	–	–
Receivables and prepayments	988 766	1 036 227	1 082 857	4.8%	58.2%
Cash and cash equivalents	530 829	556 309	581 343	4.8%	31.2%
Non-current assets held for sale	–	–	–	–	–
Defined benefit plan assets	–	–	–	–	–
Taxation	–	–	–	–	–
Derivatives financial instruments	–	–	–	–	–
<b>Total assets</b>	<b>1 699 147</b>	<b>1 780 706</b>	<b>1 860 838</b>	<b>4.8%</b>	<b>100.0%</b>
Accumulated surplus/(deficit)	136 003	142 531	148 945	4.8%	8.0%
Capital and reserves	–	–	–	–	–
Capital reserve fund	–	–	–	–	–
Borrowings	–	–	–	–	–
Finance lease	32	33	35	4.8%	0.0%
Accrued interest	–	–	–	–	–
Deferred income	–	–	–	–	–
Trade and other payables	1 529 523	1 602 940	1 675 072	4.8%	90.0%
Benefits payable	–	–	–	–	–
Capitalised value of pensions	–	–	–	–	–
Taxation	–	–	–	–	–
Provisions	33 590	35 202	36 786	4.8%	2.0%
Managed funds (e.g. poverty alleviation fund)	–	–	–	–	–
Derivatives financial instruments	–	–	–	–	–

Total equity and liabilities	1 699 147	1 780 706	1 860 838	4.8%	100.0%
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## 11. Updated Key Risks

**Table 10: Key Risks**

#	Outcome	Key Risks	Risk Mitigation
1	Access to quality broadband Services Increased	<ul style="list-style-type: none"> <li>Potential delays in regulatory interventions due to litigation by stakeholders [# 1,2,3,4]</li> <li>Inability/Limitation to execute our mandate independently due to political interference and/or undue influence (lobbying) [#1, 2,3 &amp; 4]</li> <li>Possible delays in the assignment of spectrum to radio communication services in SA due to late approval of the National Radio Frequency Plan [#1 &amp; 4]</li> <li>Non-adherence by licensees to licence terms and conditions and regulatory requirements [#1, 2, 3 &amp; 4]</li> </ul>	<ul style="list-style-type: none"> <li>Transparency</li> <li>Adherence to Process and Procedures</li> <li>Effective engagement with the policy makers.</li> <li>Effective Monitoring and Enforcement</li> </ul>
2	Status of Social Cohesion, Diversity and Plurality of Views enhanced.		<ul style="list-style-type: none"> <li>Transparency</li> <li>Adherence to Process and Procedures</li> </ul>
3	Rights of Consumer Protected.		<ul style="list-style-type: none"> <li>Transparency</li> <li>Adherence to Process and Procedures</li> <li>Continuous Monitoring and Market Scanning</li> <li>Periodical review of regulatory measures in place</li> <li>Enhance research and development activities</li> </ul>
4	Competition in the ICT Sector Promoted		<ul style="list-style-type: none"> <li>Transparency</li> <li>Adherence to Process and Procedures</li> <li>Monitoring and Enforcement</li> </ul>
5	Maintain organisational service delivery	Failure to achieve regulatory targets due to inadequate funding, reductions in MTEF allocations and	<ul style="list-style-type: none"> <li>Proposal on revision of ICASA funding model</li> </ul>

		mandate changes due to reconfiguration of entities and or policy/legislative changes	<ul style="list-style-type: none"> <li>• Stakeholder management</li> <li>• Effective consultation with the Ministry</li> </ul>
		Failure to ensure business continuity due to the COVID-19 pandemic	<ul style="list-style-type: none"> <li>• Acquisition / enhancement of organisational IT and related systems to automate functions and allow for remote / online</li> <li>• Provision of tools necessary for remote working to all staff</li> <li>• Provision of protective clothing and associated tools to all field workers</li> <li>• Disinfection activities carried out across all ICASA premises and for all ICASA vehicles</li> <li>• Implementation of a cleansing routine to keep the premises clear of potential infections</li> </ul>

## Part D: Technical Indicator Descriptions (TID)

### 12. Programme 1: Administration

#### Sub-Programme: Corporate Services

Indicator Title	Value of communication services provided through monitoring of the media environment
Definition	The indicator measures the rand value of what it would have cost to place an advertisement on various media platforms – the advertising value equivalent (AVE). The media platforms are Print and Broadcast (Radio and Television). In the context of ICASA, the AVE is the media coverage received through media relations. The media relations is the number of media statements issued by ICASA, thought leadership articles published and the broadcast interviews undertaken by ICASA spokespeople.
Source of Data	Media statements, radio and television interviews
Method of Calculation/ assessment	The AVE is calculated by measuring the column centimetres (in the case of print), or the number of seconds of an interview (in the case of broadcast media) and multiplying the numbers by the respective medium's advertising rates (rate card). The various numbers are aggregated (amongst all the platforms), the resulting number is the media coverage achieved, ie. the overall AVE within a specific period.
Means of verification	Media monitoring report
Assumptions	ICASA spokespeople available to conduct interviews timeously
Disaggregation of beneficiaries (where applicable)	All ICASA customers
Spatial transformation (where applicable)	Across South Africa
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	An AVE of R6 million
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Number of communication products published to grow the share of voice of ICASA
Definition	This is the number of communication products published to grow the share of voice of ICASA. The voice of ICASA means the brand visibility of the Authority and its products amongst current customers and potential customers. The voice will be determined by the products published. The identified communication products are

	<ol style="list-style-type: none"> <li>1. Quarterly newsletters (4)</li> <li>2. Annual report (1),</li> <li>3. Quarterly thought leadership articles (4).</li> </ol>
Source of Data	Published documents
Method of Calculation/ assessment	Counting
Means of verification	Published documents
Assumptions	The organisation, more specifically regulatory divisions, will provide all the content required timeously
Disaggregation of beneficiaries (where applicable)	All ICASA customers
Spatial transformation (where applicable)	Across South Africa
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	A total of 9 publications by the end of the year.
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Number of international engagements facilitated
Definition	<p>In terms of Section 3(1) (c) read with Section 3(2) and Section 34 of the Electronic Communications Act (ECA), ICASA has a duty to support the Department of Communications and Digital technologies to advance South Africa's interests in the international fora of the ICT sector. ICASA also participates in international fora to advance South Africa's interests.</p> <p>ICASA facilitates engagements across the following international platforms:</p> <ul style="list-style-type: none"> <li>• Multilateral bodies (ITU, UPU, CTO etc.)</li> <li>• Regional cooperation and technical working committees (CRASA, ATU, PAPU, SmartAfrica)</li> <li>• International Fora (WWRF and IIC)</li> <li>• Bilateral engagements</li> </ul> <p>ICASA officials provide technical expertise and support to specific country mandates and positions in the international fora</p>
Source of Data	ECA, Approved International schedule of engagements
Method of Calculation/ assessment	Counting
Means of verification	International engagements reports
Assumptions	All ICASA nominated officials will participate and provide the required expertise and support to the programme
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Across South Africa
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly

Desired Performance	International engagements facilitated in pursuance of South Africa's interests
Indicator Responsibility	Executive: Corporate Services
<b>Indicator Title</b>	<b>Percentage of OHS Annual Plan achieved</b>
Definition	This is the percentage of compliance to Occupational Health and Safety Act, 1993, related regulations and guidelines
Source of Data	Occupational Health & Safety legislation, regulations & guidelines
Method of Calculation/assessment	Total percentage of OHS Annual Plan achieved divided by the total percentage of OHS Annual Plan activities, multiplied by 100
Means of verification	OHS annual plan
Assumptions	Employees' willingness to comply with the control measures put in place to meet the legislative requirements of the Occupational Health & Safety Act.
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Meet or exceed the set target to increase compliance with OHS legislation, regulations & guidelines
Indicator Responsibility	Executive: Corporate Services

<b>Indicator Title</b>	<b>Percentage of EDRMS roll-out plan achieved</b>
Definition	This is the percentage of EDRMS roll-out plan to be implemented within the specified timeframes.
Source of Data	Approved EDRMS roll-out plan
Method of Calculation/assessment	Total percentage of EDRMS roll-out plan achieved divided by the total percentage of EDRMS roll-out activities, multiplied by 100
Means of verification	EDRMS implementation report
Assumptions	Continued usage of EDRMS by divisions
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Meet or exceed the set target of EDRMS roll-out plan
Indicator Responsibility	Executive: Corporate Services

<b>Indicator Title</b>	<b>Number of integration modules implemented</b>
Definition	The indicator measures the number of new integration modules implemented
Source of Data	JDE, ASMS and CRM systems
Method of Calculation/assessment	Counting

Means of verification	Visibility on systems
Assumptions	Budget availability
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	2 new integration modules developed
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Number of security reports on IT Systems
Definition	The indicator measures the amount of activities undertaken to safeguard the IT environment from cyber threats
Source of Data	SIEM solution
Method of Calculation/assessment	Counting
Means of verification	Reports from SIEM system
Assumptions	Availability of credible data to analyse
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Weekly
Desired Performance	52 weekly reports
Indicator Responsibility	Executive: Corporate Services

Indicator Title	Percentage of IT Systems efficiency
Definition	The indicator measures the efficiency of the ICASA IT operational environment
Source of Data	Uptime Reports VOX
Method of Calculation/assessment	$(\text{Server uptime\%} + \text{Internet uptime\%} + \text{network uptime\%} + \text{helpdesk SLA\%}) / 4$
Means of verification	SCCM Reports Reports from VOX Helpdesk stats
Assumptions	Availability of credible data to analyse
Disaggregation of beneficiaries (where applicable)	Not applicable
Spatial transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative
Reporting Cycle	Monthly
Desired Performance	IT Efficiency > 98%
Indicator Responsibility	Executive: Corporate Services

### Sub-Programme: Finance

Indicator Title	Audit Opinion
Definition	This is to measure ICASA's compliance with all relevant laws, regulations, accounting standards and corporate governance
Source of data	Annual Financial Statements, Audit Report, Annual Report
Method of Calculation / Assessment	Qualitative
Means of verification	Report issued by Auditor General South Africa (AGSA)
Assumptions	None
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	Not Applicable
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired performance	Unqualified audit
Indicator Responsibility	Chief Financial Officer

Indicator Title	Percentage of Licence Fees Collected
Definition	This is the percentage of licence fees collected based on licences issued. In terms of the ECA, read with the ICASA Act and the relevant regulations, ICASA must collect licence fees and transfer such collections to the National Revenue Fund.
Source of data	Bank statements for amount collected Invoices for amount billed
Method of Calculation / Assessment	Licence fees collected from licencees divided by licence fees invoiced multiplied by 100
Means of verification	Annual Financial Statements audited by Auditor General South Africa (AGSA)
Assumptions	All licensees will pay their annual license fees on time without requesting payment plans.
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	Not Applicable
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	99%
Indicator Responsibility	Chief Financial Officer



## Sub-Programme: Human Resources

Indicator Title	Staff vacancy rate maintained
Definition	<p>The indicator measures the rate of vacancies in the organisation.</p> <p>The organisation seeks to ensure that the vacancy rate is maintained at 7% during the 2021/22FY while maintaining its commitment to long-term vacancies reduction in line with the government's long-term HRD Strategy and HR Development Framework. In the same vein, the organisation will also strive for long-term improvement of its EE status as required under the Employment Equity Act.</p>
Source of data	Recruitment, resignation and dismissal information
Method of Calculation / Assessment	Number of staff vacancies divided by the number of approved positions multiplied by 100
Means of verification	HR Operational Report
Assumptions	<p>Sufficient funding to fill positions.</p> <p>Presence of qualified pool of potential employees from which to recruit.</p> <p>No blanket moratorium against recruitment for vacancies</p>
Disaggregation of Beneficiaries (where applicable)	Women, Youth and People with Disabilities
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired performance	All budgeted positions filled
Indicator Responsibility	Executive: Human Resources

Indicator Title	Number of SABPP audits completed
Definition	<p>South African Board of Personnel Practitioners (SABPP), is the professional body for HR practitioners in South Africa which audits HR practices. The SABPP has developed 13 HR Management Standards, and they will audit ICASA's HR processes and policies against each of these Standards. This audit will support the ongoing development and professionalisation of ICASA's HR Function. It will also enable the Authority to provide the best services possible to all ICASA employees and clients.</p>
Source of data	SABPP Audit Report
Method of Calculation / Assessment	Counting
Means of verification	SABPP Audit report
Assumptions	Availability of funds
Disaggregation of Beneficiaries (where applicable)	Women, youth and people with disability within ICASA
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Non-cumulative

Reporting Cycle	Annually
Desired performance	To achieve an overall average rating of 60% score.
Indicator Responsibility	Executive: Human Resources

Indicator Title	Percentage of process to complete Workplace Skills Plan
Definition	<p>The indicator measures implementation of the Workplace Skills Plan (WSP).</p> <p>A Workplace Skills Plan is a requirement of Media, Information and Communication Technologies (MICT) Seta, which ICASA subscribes to. Compliance with the Seta requirements enables ICASA to provide occupationally directed learning activities to enhance the knowledge and practical skills, of its workforce to meet current and future occupational requirements for optimal organisational performance.</p> <p>WSP refers to a plan to train and develop employees to close performance gaps and to develop future capacity.</p> <p>WSP is directed at effective learning and development within the Authority.</p> <p>The Annual Training Report (ATR) is a follow-up on the WSP, as it reports on the education and training interventions that were delivered in the previous year. This report also consists of all training attendance registers, proof of expenditure, training providers used.</p> <p>The plan and the report will be implemented in one year, divided into four stages:</p> <p>Q1- 25% - Submit WSP/ATR to MICT Seta  Q2- 50% - Compile a training needs analysis  Q3- 75% - Receive approval letter from MICT SETA  Q4- 100% - Consolidate IDPs for 2022/23</p>
Source of data	Acknowledgement letter from MICT SETA, Training Tracker, and Consolidated Individual Development Plans (IDP).
Method of Calculation / Assessment	Amount of WSP/ATR implemented divided by the total WSP/ATR multiplied by 100
Means of verification	SETA approval letter
Assumptions	Compliance with MICT Seta requirements
Disaggregation of Beneficiaries (where applicable)	Women, youth and people with disability within ICASA
Spatial Transformation (where applicable)	Not applicable
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	Full implementation of WSP/ATR.
Indicator Responsibility	Executive: Human Resources

## Sub-Programme: Internal Audit

Indicator Title	Level of assurance provided
Definition	<p>This is to measure the level of audit assurance provided to Audit, Risk, Ethics and Disclosures Committee (AREDC) and Management.</p> <p>Level 1: Complete 30% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p> <p>Level 2: Complete 50% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p> <p>Level 3: Complete at least 70% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p> <p>Level 4: Complete 100% of the projects as detailed in the approved annual audit plan, considering the subsequent approved changes.</p>
Source of data	Data will be collected from the approved annual audit plan, subsequent changes approved by the AREDC and issued quarterly Internal Audit progress reports
Method of Calculation / Assessment	<p>The level of assurance will be measured as per defined measurement criteria. Method of calculation to determine level will be:</p> <ul style="list-style-type: none"> <li>Number of completed audits divided by the total number of audits in the audit plan multiplied by 100 and this will signify the level achieved.</li> </ul>
Means of verification	Internal Audit Assurance reports issued and progress reports produced for AREDC.
Assumptions	Availability of resources, the auditees and information.
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired performance	Meet or exceed level 4 as per defined criteria
Indicator Responsibility	Chief Audit Executive

Indicator Title	Number of consulting assignments completed
Definition	<p>This is to measure the number of consulting assignments completed. They include:</p> <ul style="list-style-type: none"> <li>Involvement in projects; and</li> <li>Ad Hoc requests.</li> </ul>

Source of data	Data will be collected from the approved annual audit plan, subsequent changes approved by the AREDC and quarterly reports issued.
Method of Calculation / Assessment	Counting: number of projects; and number of ad hoc requests completed.
Means of verification	Internal Audit Consulting reports issued and progress reports produced for AREDC.
Assumptions	Availability of resources, the auditees and information
Disaggregation of Beneficiaries (where applicable)	Not Applicable
Spatial Transformation (where applicable)	National
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired performance	Execute all consulting assignments taken-up
Indicator Responsibility	Chief Audit Executive

### Sub-Programme: Legal Risk & CCC

Indicator Title	Percentage of legal services provided to client within SLA turnaround times
Definition	<p>This is to measure the percentage of legal services provided within SLA turnaround times. The service comprises the following:</p> <ol style="list-style-type: none"> <li>1. Legal advice to Committees - 20 working days</li> <li>2. Vet, draft regulations and other regulatory documents: 15 working days</li> <li>3. Contracts: 10 working days</li> <li>4. Internal legal opinions: 10 working days</li> <li>5. Policy vetting: 15 working days</li> <li>6. Informing Council of legal actions: 4 working days</li> </ol>
Source of Data	Instructions received, vetting requests, draft regulations and other regulatory documents vetting/drafting requests, contract/addendum drafting requests, internal legal opinions requests, policy vetting requests and legal suits received
Method of Calculation	<p>Number of legal advice, vetting and drafting provided, as per SLA turnaround times; divided by legal advice, vetting and drafting requested multiplied by 100</p> <p>The method of calculation will be as follows:</p> <ol style="list-style-type: none"> <li>1. Number of legal advices provided to Committees within 20 working days - divided by the number of legal advices requested - multiplied by 100</li> <li>2. Number of regulations and other regulatory documents vetted/drafted within 15 days - divided by the number of vetting/drafting requests - multiplied by 100</li> </ol>

	<p>3. Number of contracts drafted / vetted within 10 working days - divided by the number of contracts requested - multiplied by 100</p> <p>4. Number of internal legal opinions provided within 10 days - divided by the number of internal legal opinions requested - multiplied by 100</p> <p>5. Number of policy vettings provided within 15 days - divided by the number of policy vettings requested - multiplied by 100</p> <p>6. Number of legal notices provided to Council - divided by the number of legal suits received - multiplied by 100</p> <p>Total calculation: Legal services provided / Legal services requested multiplied by 100</p>
Means of verification	Legal advice report; vetting memo, emails/correspondence sent, draft regulations and other regulatory documents report; Contracts and General Legal Support report; Internal legal opinions report.
Assumptions	Cooperation by other Programmes
Disaggregation of Beneficiaries (where applicable)	All women, youth and people with disabilities
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	80% of legal services provided within SLA turnaround times
Indicator Responsibility	Executive: Legal, Risk and CCC

Indicator Title	Risk maturity level of the organisation
Definition	<p>This is to measure risk maturity of the organisation in accordance with Risk Capability Model.</p> <p>1. Initial- the organisation is at initial stages of the risk management processes. Functions are not intended. Management has no confidence that enterprise risk management has been embedded into the organisation.</p> <p>2. Repeatable-some function appear to be effective, however there still major deficiencies in the process. Significant process gaps need to be closed</p> <p>3. Defined-Clearly outline enterprise Risk Management processes. There is a room for improvement in the process.</p> <p>4. Managed- The Enterprise Risk Management (ERM) function is well directed and controlled. Most functions are designed correctly and are in place and effective</p> <p>5. Optimised-The ERM function is totally effective and efficient, totally implemented, user friendly and is best practice. Nothing more to be done except monitor and review</p>
Source of Data	Data will be collected from survey on risk maturity
Method of Calculation / Assessment	The organisation's risk maturity level will be measured using the acceptable risk maturity level standards whose custodian is LRCCC

Means of verification	Risk maturity report based on Risk framework
Assumptions	Availability of resources
Disaggregation of Beneficiaries (where applicable)	Internal and external stakeholders
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Risk maturity level 3
Indicator Responsibility	Specialist: Risk and Compliance

Indicator Title	Compliance maturity level of the organisation
Definition	<p>This is to measure compliance maturity of the organisation in accordance with Compliance Institute Framework</p> <ol style="list-style-type: none"> <li>1. Initial -Compliance function is siloed and inconsistent.</li> <li>2. Development- Compliance function is organised but reactive.</li> <li>3. Managed- Compliance function is actively managed and proactive.</li> <li>4. Optimal- Compliance function is fully integrated and embedded.</li> </ol>
Source of Data	Data will be collected from survey on compliance maturity
Method of Calculation / Assessment	The organisation's compliance maturity level will be measured using the acceptable compliance maturity level standards whose custodian is LRCCC
Means of verification	Compliance maturity report based on the Framework
Assumptions	Cooperation by other Programmes
Disaggregation of Beneficiaries (where applicable)	Internal and external stakeholders
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-Cumulative
Reporting Cycle	Annually
Desired Performance	Compliance maturity level 3
Indicator Responsibility	Specialist Risk and Compliance

Indicator Title	Percentage of cases assessed for adjudication by the CCC in accordance with the CCC Handbook
Definition	This is to measure the percentage of cases assessed within the timelines stipulated in the CCC Handbook
Source of Data	Data will be collected from Regulatory Divisions of ICASA and/or Complainants (Members of the public and Licensees)
Method of Calculation	Number of cases assessed within specified timelines in terms of CCC handbook (5 working days) divided by total number of cases received by CCC multiplied by 100
Means of verification	Report of assessed CCC cases
Assumptions	Availability of all relevant information for assessment of cases.

Disaggregation of Beneficiaries (where applicable)	All South Africans
Spatial Transformation (where applicable)	Not applicable
CalculationType	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	90% of all the cases referred for adjudication assessed within specified timelines
Indicator Responsibility	Executive: Legal, Risk and CCC

Indicator title	Number of amended CCC Regulations
Short definition	<p>The Regulations governing aspects of the procedures of the CCC, were published 2010. They are due for review. The aim of the project is review and update the CCC Regulations. The process is initiated by the constitution of a Council Committee to attend to the amendment of the CCC Regulations. The process is concluded by the approval of the Amended CCC Regulations by Council in the 2021/22 Financial Year.</p> <p>Q1 = No target;  Q2 = 0.25: Establishment of the Council Committee  Q3 = 0.50: Publication of the draft Regulations for public comment.  Q4 = 1: Approval of the amended CCC Regulations by Council.</p>
Source/collection of data	Quarterly and Annual reports/minutes of meetings in which decisions are taken, gazette.
Method of calculation/Assessment	Completed stages.
Means of Verification	Council minutes/ resolution approving the amended CCC Regulations.
Assumptions	budget
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Amended CCC Regulations approved by Council.
Indicator responsibility	CCC Coordinator

## 13. Programme 2: Licensing and Compliance

Indicator title	Percentage of the process to assign broadband Spectrum completed
Short definition	<p>This is to measure completion of the process to assign broadband spectrum. The broadband spectrum assignment process will span a period of four years. The process is initiated by the publication of an invitation to apply, which constitutes 90% of the entire process and is concluded by project closure report which constitutes 100% of the entire process.</p> <p>The quarterly targets of the process are denoted with percentages below:</p> <p>Q1 = No target</p> <p>Q2 = 96% (Award Process – Auction Report)</p> <p>Q3 = No target</p> <p>Q4 = 100% (Project Closure Report)</p>
Source/collection of data	Annual reports/minutes of meetings in which decisions are taken
Method of calculation/Assessment	Completed stages as per allocated percentage weightings
Means of Verification	Project Closure Report
Assumptions	Budget availability, receipt of applications and auction success
Disaggregation of Beneficiaries	All South African citizens
Reporting cycle	Quarterly
Spatial Transformation	N/A
Calculation Type	Cumulative
Desired performance	Project Closure Report
Indicator responsibility	Senior Manager: Spectrum Licensing



Indicator title	Percentage of the process to develop the Regulations on Equipment Authorisation completed
Short definition	<p>This is to measure percentage of the process to develop the Regulations on Equipment Authorisation completed</p> <p>The process spans a period of two financial years initiated by the publication of a draft Regulation (50% of the process) in the 2020/21 FY. The process is concluded by the publication of a Regulation on Equipment Authorisation which constitutes 100% of the process in the 2021/22 FY.</p> <p>The quarterly breakdown is as follows:</p> <p>Q1: No target;</p> <p>Q2: 80% (Regulations on Equipment Authorisation submitted to Legal for vetting);</p> <p>Q3: No target</p> <p>Q4: 100% (Regulations on Equipment Authorisation approved by Council).</p>
Source/collection of data	Quarterly and Annual reports.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Council Minutes, Approved Regulations
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens
Reporting cycle	Quarterly
spatial Transformation	N/A
Calculation Type	Cumulative
Desired performance	100% (Regulations on Equipment Authorisation approved by Council).
Indicator responsibility	Senior Manager: Type Approval and Numbering

Indicator title	Percentage of the process to review the Numbering Plan Regulations completed
Short definition	<p>This is to measure percentage of the process to review the Numbering Plan Regulations completed</p> <p>The process will span a period of two financial years initiated by the publication of a Draft Regulation (50% of the process) in the 2021/22 FY. The process is concluded by the publication of the Final Numbering Plan Regulations which constitutes 100% of the process in the 2022/23 FY.</p> <p>The quarterly breakdown is as follows:</p> <p>Q1: No target</p> <p>Q2: 40% (Draft Numbering Plan Regulations submitted to Legal for vetting)</p> <p>Q3: No target</p> <p>Q4: 50% (Published Draft Numbering Plan Regulations)</p>
Source/collection of data	Quarterly and Annual reports.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Published Draft Numbering Plan Regulations
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Q4: 50% (Published Draft Numbering Plan Regulations)
Indicator responsibility	Senior Manager: Type Approval and Numbering

Indicator title	Percentage of the process to amend the Standard Terms and Conditions Regulations for Individual Licences completed
Short definition	<p>This is to measure completion of the process to amend the Standard Terms and Conditions Regulations for Individual Licences</p> <p>The process is initiated by the publication of the draft Amendment Standard Terms and Conditions Regulations Individual Licences which constitutes 50% of the process in the 2021/22 Financial Year. The process is concluded by the publication of the Amended Standard Terms and Conditions Regulations for Individual Licences which constitutes 100% of the process in the 2022/23 Financial Year.</p> <p>Q1 =No Target;</p>

	<p>Q2 = 40% (Draft Amendment Regulations submitted to Legal for vetting)</p> <p>Q3 = No target</p> <p>Q4 = 50% (Publication of amended draft Regulations on Standard Terms and Conditions Regulations for Individual Licences)</p>
Source/collection of data	Quarterly and Annual reports/minutes of meetings in which decisions are taken, gazette.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Published notice of amended draft Regulations on Standard Terms and Conditions Regulations for Individual Licences
Assumptions	budget
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	50% (Publication of amended draft Regulations on Standard Terms and Conditions Regulations for Individual Licences)
Indicator responsibility	Senior Manager: ICT Licensing Services

<b>Indicator title</b>	<b>Percentage of the process to amend the Processes and Procedures Regulations for Individual Licences completed</b>
Short definition	<p>This is to measure completion of the process to amend the Processes and Procedure Regulations for Individual Licences</p> <p>The process is initiated by the publication of the draft Amendment Regulations on the process to amend Processes and Procedures Regulations for Individual Licences which constitutes 50% of the process in the 2021/22 financial year. The process is concluded by the publication of the final Amended regulations on Processes and Procedure Regulations for Individual Licences which constitutes 100% of the process in 2022/23 Financial Year.</p> <p>Q1 = No Target</p> <p>Q2 = 40% (Draft Amendment Regulations submitted to Legal for vetting)</p> <p>Q3 = No Target</p> <p>Q4 = 50% (Publication of amended draft Regulations on processes and procedure Regulations for Individual Licences)</p>
Source/collection of data	Quarterly and Annual reports/minutes of meetings in which decisions are taken, gazette.

Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Published notice on amendment of the Processes and Procedure Regulations for Individual Licences
Assumptions	Budget and receipt of public comments
Disaggregation of Beneficiaries	All South African citizens
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	50% (Publication of Draft amendment regulations on Processes and Procedure Regulations for Individual Licences completed)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process for licensing of Digital Community Television Broadcasting services on MUX 1 completed
Short definition	<p>This is to measure completion of the process for licensing of Digital Community Television Broadcasting Services on MUX 1.</p> <p>The licensing process is initiated by the publication of the Invitation to Apply, which constitutes 50% of the process in the 2020/21 financial year and the process is concluded by the project closure report regarding the licensing process for Digital Community Television Broadcasting Services on MUX 1 constituting 100% of the process in the 2021/22 Financial Year.</p> <p>Q1 = No Target</p> <p>Q2 = 50% (Public Hearings);</p> <p>Q3 = No Activity;</p> <p>Q4 = 100% (Report regarding the licensing process for Digital Community Television Broadcasting Services on MUX 1)</p>
Source/collection of data	Government gazette and website.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Report regarding applications for digital community television broadcasting services on MUX 1
Assumptions	Budget and receipt of applications
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly

Desired performance	100% (Report regarding the licensing process for Digital Community Television Broadcasting Services on MUX 1)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process for licensing of an Individual Electronic Communications Network Service Licence completed
Short definition	<p>This is to measure completion of the process for licensing of an Individual Electronic Communications Network Service Licence completed</p> <p>The licensing process is initiated by the publication of the Invitation to Apply, which constitutes 50% of the process in the 2020/21 financial year and the process is concluded by the project closure report regarding applications for Individual Electronic Communications Network Service Licence constituting 100% of the process in the 2021/22 Financial Year.</p> <p>Q1 =No Target</p> <p>Q2 = 50% (Public Hearings);</p> <p>Q3 = No Activity;</p> <p>Q4 =100% (Report regarding the Licensing Process for Individual Electronic Communications Network Service Licence)</p>
Source/collection of data	Annual reports/minutes of meetings in which decisions are taken, gazette.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Report regarding the licensing process for Individual Electronic Communications Network Service Licence
Assumptions	Budget and receipt of applications
Disaggregation of Beneficiaries	All South African citizens
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	100% (Report regarding licensing process for Individual Electronic Communications Network Service Licence)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of the process on the Licensing of Commercial Sound broadcasting services in the Northern Cape completed
Short definition	<p>This is to measure completion of the process for licensing of Commercial Sound broadcasting services in the Northern Cape.</p> <p>The licensing process is initiated by the publication of a notice regarding received applications, which constitutes 50% of the process in the 2021/22 financial year. The process is concluded by a by project closure report which constitutes 100% of the process in the 2022/23 Financial Year.</p> <p>Q1= No target;  Q2= No target;  Q3 = 50% (Publication of notice regarding applications);  Q4= No Target</p>
Source/collection of data	Government gazette and website
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Published notice regarding applications for Commercial Sound broadcasting services in the Northern Cape
Assumptions	Budget and receipt of applications
Disaggregation of Beneficiaries	All South African citizens
Spatial Transformation	N/A
Calculation Type	Non-Cumulative
Reporting cycle	Annually
Desired performance	50% (Publication of notice regarding applications for Commercial Sound broadcasting services in the Northern Cape)
Indicator responsibility	Senior Manager: ICT Licensing Services

Indicator title	Percentage of Elections monitoring plan implemented
Short definition	<p>This is to measure the percentage of the process to implement the Elections Monitoring Plan completed</p> <p>The process will span a period of two financial years initiated by the development and approval of the Elections Monitoring Plan (10% of the process) in the 2021/22 FY. The process is concluded by the publication on the Authority's website of the Elections Monitoring Report in the 2022/23 FY.</p> <p>The quarterly breakdown is as follows:</p> <p>Q1: 10% (Elections Monitoring Plan approved at Council)</p> <p>Q2: 25% (Allocation of PEB slots)</p> <p>Q3: No target</p> <p>Q4: 50% (Draft Elections Monitoring Report adopted by the Council Committee)</p>
Source/collection of data	Quarterly and Annual reports.
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Signed Council Committee Minutes adopting the draft Elections Monitoring Report
Assumptions	Budget
Disaggregation of Beneficiaries	All South African citizens
Reporting cycle	Quarterly
spatial Transformation	N/A
Calculation Type	Cumulative
Reporting cycle	Annually
Desired performance	50% (Draft Elections Monitoring Report adopted by the Council Committee)
Indicator responsibility	Senior Manager: Compliance

Indicator title	Percentage of the Process to develop final specifications for connectivity of TVET campuses and Community Education and Training sites completed
Short definition	<p>This indicator measures the Percentage of the Process to develop final specifications for connectivity of TVET campuses and Community Education and Training sites by selected licensees.</p> <p>The process spans a period of one financial year and is concluded by the publication of final specifications for connectivity of TVET campuses TVET campuses and</p>

	<p>Community Education and Training sites by selected licensees which constitutes 100% of the process in the 2021/22 FY.</p> <p>The quarterly breakdown is as follows: Q1: No target; Q2: 100% (Final specifications published); Q3: No target Q4: No Target</p>
Source/collection of data	Government Gazette and website
Method of calculation/Assessment	Completed stages as per allocated percentage weightings.
Means of Verification	Government Gazette Notice
Assumptions	TVET Colleges and Selected Licensees will be willing to provide data
Disaggregation of Beneficiaries	All South African citizens
Reporting cycle	Quarterly
spatial Transformation	N/A
Calculation Type	Cumulative
Desired performance	100% (Final specifications for connectivity of TVET campuses by selected licensees published)
Indicator responsibility	Senior Manager: Compliance



## 14. Programme 3: Policy Research and Analysis

Indicator tile	Number of final regulations into the Must Carry Obligation developed
Definition	The indicator measures the number of final regulations on Must Carry Obligations. The process will happen in stages in quarterly deliverables which are assigned ratio of completion as follows: Q1: No deliverable - 0 Q2: Draft Regulations on Must Carry obligations – 0.5 Q3: No deliverable – 0 Q4: Final Regulations on Must Carry Obligations – 1
Source data	Stakeholder submissions, discussion document, the current regulations, findings document, draft regulations
Method of calculation/ assessment	Counting
Means of Verification	Final Regulations on Must Carry obligations
Assumptions	Receipt of stakeholder submissions
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Final regulations on review of must carry obligations published
Indicator responsibility	GM: PRA

Indicator tile	Number of SAPO tariffs approved
Definition	The indicator measures gazetted SAPO tariffs. The review will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: No deliverable Q2: No deliverable Q3: Draft tariff analysis report – 0.50 Q4: Gazetted tariffs – 1
Source data	Current Government Gazette on SAPO Tariffs, submissions from SAPO
Method of calculation/ assessment	Counting
Means of Verification	Approved SAPO tariffs report

Assumptions	Provision of required information by SAPO
Disaggregation of beneficiaries (where applicable)	All consumers, SAPO
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	SAPO tariffs to be gazetted approved by Council
Indicator responsibility	GM: PRA

Indicator tile	Number of final regulations on customer care in the postal sector developed
Definition	<p>The indicator measures development of final regulations on customer care in the postal sector. Development of the regulations will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:</p> <p>Q1: No deliverable  Q2: Analysis of stakeholder submissions – 0.5  Q3: Public hearings – 0.75  Q4: Final regulations – 1</p>
Source data	Current customer care regulations, research report, stakeholder submissions
Method of calculation/ assessment	Counting
Means of Verification	Final Regulations on customer care in the postal sector.
Assumptions	Availability of data
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Final regulations on customer care in the postal sector adopted by Council Committee
Indicator responsibility	GM: PRA

Indicator title	Number of findings documents on Regulation Relating to the definition of advertising and the regulation of Infomercials and Programme Sponsorship in Respect of Broadcasting Activities developed
Definition	<p>The indicator measures delivery of findings documents on the regulation of advertising, infomercials and Programme Sponsorship in respect of broadcasting activities.</p> <p>The delivery of the findings document will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: No deliverable  Q2: Public hearings – 0.50  Q3: No deliverable  Q4: Findings Document – 1 (approved by Council)</p>
Source data	Stakeholder submissions, research report, current regulations, discussion document
Method of calculation/ assessment	Counting
Means of Verification	Findings Document on Regulation Relating to the definition of advertising and the regulation of Infomercials and Programme Sponsorship in Respect of Broadcasting Activities
Assumptions	Absence of litigation
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Findings Document on Regulation Relating to the definition of advertising and the regulation of Infomercials and Programme Sponsorship in Respect of Broadcasting Activities approved by Council
Indicator responsibility	GM: PRA

Indicator title	Number of bi-annual tariff analyses developed
Definition	<p>The indicator measures analyses of tariffs analyses conducted.</p> <p>The delivery of the analyses will happen in stages as quarterly deliverables as follows:  Q1: No deliverable – 0  Q2: Tariff analysis report – 1  Q3: No deliverable – 0  Q4: Tariff analysis report – 1</p>

Source data	Tariff notifications from stakeholders
Method of calculation/assessment	Counting
Means of Verification	Tariff analysis reports
Assumptions	Tariff notifications by stakeholders
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Tariff analysis reports produced (and approved by EXCO)
Indicator responsibility	GM: PRA

<b>Indicator tile</b>	<b>Number of draft regulations on subscription television broadcasting market developed</b>
Definition	<p>The indicator measures delivery of regulations on subscription television broadcasting market.</p> <p>Delivery of the regulations will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: Public hearings on draft findings document – 0.25  Q2: Findings document – 0.50  Q3: No deliverable  Q4: Draft regulations – 1</p>
Source data	Findings document, stakeholder submissions
Method of calculation/assessment	Counting
Means of Verification	Draft Regulations on subscription television broadcasting market
Assumptions	Availability of resources, absence of litigation, stakeholder responses
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Draft Regulations on subscription television broadcasting market produced (and approved by Council )
Indicator responsibility	GM: PRA

Indicator tile	Number of 2018 Call Termination Regulations reviewed
Definition	<p>The indicator measures completion of the review of the 2018 Call Termination Regulations. The review of the 2018 Call Termination Regulations will also assess the state of competition of the overall Call Termination Market. The output of the review will be a Findings Document. The Findings Document will outline the findings of the review of the 2018 call termination regulations, as well as the findings on the effectiveness of competition in the call termination market.</p> <p>The review will happen in stages as quarterly deliverables which are assigned ratios of completion as follows:  Q1: Notice and questionnaire (request for information) – 0.25  Q2: Discussion Document on termination market – 0.50  Q3: Public hearings on the Discussion Document on termination rates – 0.75  Q4: Findings Document on call termination market. The Findings Document will outline the Authority's position on the relevance of the Call Termination Regulations going forward, if any. – 1</p>
Source of data	Findings document on termination market 2018 call termination regulations, submissions from stakeholders
Method of calculation/ assessment	Counting
Means of Verification	Findings document on the call termination market
Assumptions	No litigation, stakeholder responses received
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Findings document on the call termination market approved by Council
Indicator responsibility	GM: PRA

Indicator title	Number of Discussion documents on Signal Distribution Services produced
Definition	<p>The indicator measures delivery of discussion documents on signal distribution services.</p> <p>Delivery of the discussion document will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: No deliverable – 0  Q2: Publication of request for information – 0.25  Q3: Draft discussion document – 0.5  Q4: Final discussion document – 1</p>
Source of data	Draft discussion, submissions from stakeholders
Method of calculation/assessment	Counting
Means of Verification	Final discussion document on the signal distribution services market
Assumptions	No litigation, stakeholder responses
Disaggregation of beneficiaries (where applicable)	All broadcasters
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Final discussion document on the signal distribution services market approved by Council
Indicator responsibility	GM: PRA

Indicator title	Number of Final regulations on the mobile broadband services market promulgated
Definition	<p>The indicator measures delivery of final regulations on the mobile broadband services market. The delivery of a final regulations is dependent on the outcome of the inquiry into mobile broadband services.</p> <p>Delivery of the final regulations will happen in stages as quarterly deliverables which are assigned ratio of completion as follows:  Q1: Draft regulations – 0.25  Q2: Public hearings on draft regulations – 0.50  Q3: Final regulations on the mobile broadband services market– 1  Q4: No deliverable</p>
Source of data	Mobile Broadband Services Market
Method of calculation/assessment	Counting

Means of Verification	Final regulations on the mobile broadband services market
Assumptions	No litigation, stakeholder responses
Disaggregation of beneficiaries (where applicable)	All consumers
Spatial transformation	South Africa
Calculation Type	Cumulative
Reporting cycle	Quarterly
Desired performance	Final regulations on the mobile broadband services market
Indicator responsibility	GM: PRA

## 15. Programme 4: Engineering and Technology

Indicator Title	Percentage of the National Radio Frequency Plan updated
Definition	<p>The indicator measures updating of the National Radio Frequency Plan following the WRC-19 outcomes to include provisions in the latest edition of the ITU Radio Regulations.</p> <p>The National Radio Frequency plan will be updated in four stages:</p> <p>Stage 1: No Deliverable  Stage 2: Council decision on the draft National Radio Frequency Plan (50%)  Stage 3: Consultation on the draft National Radio Frequency Plan (75%).  Stage 4: National Radio Frequency Plan considered by Council (100%).</p>
Source of data	WRC-19 Final Acts, ITU Radio Regulations and National Radio Frequency Plan 2018
Method of calculation	Amount of National Radio Frequency plan updated/ total National Radio Frequency Plan to be updated x 100
Means of verification	The updated National Radio Frequency Plan
Assumptions	Sources of data available, submissions from the industry
Disaggregation of beneficiaries	All Citizens of SA
Calculation type	Cumulative
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	The updated National Radio Frequency Plan considered by Council
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Percentage of Radio Frequency Migration Plan implemented
Definition	<p>The indicator measures the implementation of the Radio Frequency Migration Plan. A Radio Frequency migration is the migration of users of radio frequency spectrum within the same band or other Radio frequency bands in accordance with the National Radio Frequency Plan.</p> <p><b>The frequency migration plan will be implemented in four stages the first two of which will be completed in the current FY (2021/22):</b></p> <p>Stage 1: The Feasibility study conducted within and amongst affected users and uses (25%)  Stage 2: Consultation on implementation of frequency migration plan(50%)</p>



	<p>The remainder of the stages, stage 3 and stage 4 are planned for completion in the subsequent FY (2022/23):</p> <p>Stage 3: Consultation on the RFSAPs (75%)</p> <p>Stage 4: Radio Frequency Migration Plan implemented (100%)</p>
Source of data	National Radio Frequency Plan 2018 and Radio Frequency Migration Plan 2019. Information on existing spectrum licences Spectrum Data.
Method of calculation	Follow as per the milestones
Means of verification	A report on consultation completed on implementation of the Radio Frequency Migration Plan 2019
Assumptions	Sources of data available, submissions from the industry
Disaggregation of beneficiaries	All Citizens of SA
Calculation type	Cumulative
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	50% of the Radio Frequency Migration Plan implemented
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Percentage of IMT Roadmap implemented
Definition	<p>The indicator measures the implementation of the International Mobile Telecommunications (IMT) roadmap. The IMT roadmap identifies frequency bands for IMT services as per ITU-R Recommendations.</p> <p>The IMT Roadmap will be implemented in four stages over two financial years – stages 1 to 3 are planned to be completed in 2021/22FY; whilst stage 4 is planned for 2022/23FY:</p> <p>Stage 1: Feasibility studies on bands identified for IMT (25%)</p> <p>Stage 2: Consultation on implementation of IMT Roadmap. (50%)</p> <p>Stage 3: Consultation on Draft Radio Frequency Spectrum Assignment Plans (RFSAPs) for IMT (75%)</p> <p><u>The final stage 4 which is planned for completion in the subsequent FY (2022/23) is as follows:</u></p> <p>Stage 4: IMT Roadmap implemented (100%)</p>
Source of data	National Radio Frequency Plan 2018, Radio Frequency Migration Plan 2019 and IMT roadmap 2019
Method of calculation	Follow as per the milestones
Means of verification	Report on the implementation of 75% of the updated IMT Roadmap
Assumptions	Sources of data available, submissions from the industry
Disaggregation of beneficiaries	All Citizens of SA

Calculation type	Cumulative
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	75% of IMT Roadmap implemented
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Percentage of the Migration of the Reference Geolocation Spectrum Database completed
Definitio	<p>The indicator measures the migration of the Reference Geolocation Spectrum Database (R-GLSD) from the service provider's platform onto ICASAs systems platform and be hosted by ICASA.</p> <p>The Hosting will be executed in stages:  Stage 1: Development of the Project Scope (25%)  Stage 2: System Specification document and Migration Plan (50%)  Stage 3: Migration of the database (75%)  Stage 4: Handover Report on the Reference Geo-location Spectrum Database (100%)</p>
Source of data	TV Whitespace regulations as well as other documents on a framework for TV Whitespace. Geolocation database
Method of calculation	Follow as per the milestones
Means of verification	Commissioning Report
Assumptions	Sources of data available, System Resources
Disaggregation of beneficiaries	All Citizens of SA
Calculation type	Cumulative
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	Reference Geolocation Spectrum Database migrated from the service providers platform onto ICASAs systems platform and hosted by ICASA.
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Percentage of Network Performance Management System developed
Definition	<p>The indicator measures Network Performance Management System (NPMS) developed. Development of NPMS will be done in four stages for the 2021/221 FY as follows:</p> <p>Q1: 25% = System configuration report  Q2: 30% = Establishment of links to collect data (ftp links) report  Q3: 35% = Loading of raw data report  Q4: 40% = Proof of Concept Document</p> <p>The Network Performance Management System is an output planned to be delivered over more than one financial year.</p>

	40% is the proof of concept which is planned for delivery in 2021/22FY. 60% constitutes the other deliverable that will be delivered in 2022/23FY. The System itself will be delivered in 2023/24FY.
Source of data	NPMS, Network operators
Method of calculation	Follow as per the quarterly milestones
Means of verification	Proof of Concept Document
Assumptions	Data is accurate and valid, full cooperation by the mobile operators
Disaggregations of beneficiaries	All Citizens of SA
Calculation type	Cumulative
Spatial Transformation	Metropolitan areas national
Reporting cycle	Quarterly
Desired performance	Service provider appointed
Indicator responsibility	Senior Manager: Engineering Facilities and Research

Indicator Title	Number of recommendations produced towards enabling South Africa's uptake of 5G technologies
Definition	<p>The indicator measures recommendations produced towards enabling South Africa's uptake of 5G technologies. The quarterly targets are shown below:</p> <p>Q1: No deliverable  Q2: No deliverable  Q3: No Deliverable  Q4: Recommendations towards enabling South Africa's uptake of 5G technologies</p>
Source of data	5G Forum meetings, local and international engagements, international 5G Fora, ITU study groups, International Standardisation Development Organisations (SDOs), and publications on 5G. WRC-19 Final Acts.
Method of calculation	Counting
Means of verification	Recommendations report towards enabling South Africa's uptake of 5G technologies
Assumptions	Sources of data available, inputs from the 5G Forum
Disaggregations of beneficiaries	All Citizens of SA
Calculation type	Non-cumulative
Spatial Transformation	National
Reporting cycle	Annually
Desired performance	Recommendations towards enabling South Africa's uptake of 5G technologies
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Number of Discussion Documents on Optimisation of the Frequency Modulation Sound Broadcasting
Definition	<p>The indicator measures the development of the discussion document for the optimisation of the Frequency Modulation (FM) Sound Broadcasting in South Africa. The aim is to optimise the sound broadcasting plan with the view of replanning the terrestrial broadcasting frequency plan 2013 in accordance with the replanning process of the Geneva 84 plan regarding FM. This will be undertaken under the International Telecommunications Union planning process.</p> <p>The quarterly deliverables are as below:</p> <p>Q1: No Deliverable  Q2: No Deliverable  Q3: Draft Discussion Document for the Optimisation of the Frequency Modulation Sound Broadcasting  Q4: Discussion Document for the Optimisation of the Frequency Modulation Sound Broadcasting</p>
Source of data	National Radio Frequency Plan 2021, Terrestrial Broadcasting Frequency Plan 2013, ITU-R reports, recommendations, handbooks, Geneva 84 plan, ATU and SADC guidelines
Method of calculation	Counting
Means of verification	Discussion Document for the Optimisation of the Frequency Modulation Sound Broadcasting
Assumptions	Sources of data available, submissions from the industry
Disaggregations of beneficiaries	All Citizens of SA
Calculation type	Non-cumulative
Spatial Transformation	National
Reporting cycle	Annually
Desired performance	Discussion Document on Optimisation of the Frequency Modulation Sound Broadcasting
Indicator responsibility	Senior Manager: Network Systems and Research

Indicator Title	Number of fixed spectrum Monitoring sites around Karoo Central Astronomy Advantage Area (KCAAA) commissioned
Definition	<p>The indicator measures commissioning of fixed spectrum monitoring sites in the KCAAA, to achieve continuous monitoring over the Square Kilometre Array (SKA) core site.</p> <p>The deliverables are follows:</p> <p>Q1: No deliverable  Q2: No deliverable  Q3: No deliverable  Q4: Four (4) fixed monitoring sites commissioned</p>
Source of data	Astronomy Geographic Areas Act, Karoo Central Astronomy Advantage Areas Regulations, International Telecommunications Union- Radiocommunications sector (ITU-R) reports, recommendations, handbooks

Method of calculation	Counting
Means of verification	Four (4) fixed monitoring sites commissioning report
Assumptions	Equipment delivered within the lead times
Disaggregation of beneficiaries	Citizens of SA
Calculation type	Non-Cumulative
Spatial Transformation	Declared Astronomy Advantage Areas in SA
Reporting cycle	Annually
Desired performance	Site commissioned and ready to use
Indicator responsibility	Senior Manager: Engineering Facilities and Research

Indicator Title	Number of Provinces monitored for Quality of Service
Definition	<p>The indicator measures the number of provinces monitored for Quality of Service. The aim of the monitoring is to assess the QoS provided by the mobile operators as perceived by the user.</p> <p>The quarterly targets of the QoS monitoring is shown below:  Q1 = 2  Q2 = 1  Q3 = 1  Q4 = 2</p>
Source of data	Measurements collected through Drive Testing using SABS 1725-1/2 standards
Method of calculation	Counting
Means of verification	Provinces QoS monitoring report
Assumptions	Monitoring equipment functioning properly.
Disaggregation of beneficiaries	Citizens of SA
Calculation type	Non-Cumulative
Spatial Transformation	National
Reporting cycle	Quarterly
Desired performance	Acceptable levels of network performance
Indicator responsibility	Senior Manager: Engineering Facilities and Research

Indicator Title	Number of Draft Regulations on Rapid Deployment as required under Chapter 4 of the ECA completed
Definition	<p>The indicator measures completion of the number of draft Regulations as required to be promulgated under chapter 4 of the ECA</p> <p>The deliverables are follows:</p> <p>Q1: No deliverable  Q2: No deliverable  Q3: No deliverable  Q4: Draft Regulations on Rapid Deployment considered by Council.</p>

Source of Data	Electronic Communications Facilities Leasing Regulations 2010.  Policy and Policy Directions on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities
Method of Calculation/ Assessment	Counting
Means of verification	Draft Regulations on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities
Assumptions	Policy and Policy Directions on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities issued by the Minister of Communications and Digital Technologies.
Disaggregation of beneficiaries	Citizens of SA
Calculation Type	Non-Cumulative
Spatial Transformations	National
Reporting Cycle	Annually
Desired Performance	Draft Regulations on Rapid Deployment of Electronic Communications Networks and Electronic Communications Facilities
Indicator Responsibility	Senior Manager: Engineering Facilities and Research

## 16. Programme 5: Regions and Consumer Affairs

Indicator Title	Percentage of reported Radio Frequency Interference cases resolved in 30 working days
Definition	The indicator measures the reported Radio Frequency Interference cases resolved within 30 working days
Source of Data	CRM
Method of Calculation/ Assessment	Number of reported interference cases resolved within 30 working days divided by the total interference cases resolved multiplied by 100
Means of verification	CRM evidence
Assumptions	Budget availability for equipment and relevant training
Disaggregation of beneficiaries	All consumers and stakeholders in the ICT sector
Calculation Type	Non-Cumulative
Spatial Transformations	Not applicable
Reporting Cycle	Quarterly
Desired Performance	97% of Radio Frequency Interference cases resolved within 30 working days.
Indicator Responsibility	Executive: Regions and Consumer Affairs

Indicator Title	Level of service delivery with respect to License Applications / Registrations processed within turn-around time
Definition	<p>The indicator measures the processing of license applications / registrations processed.</p> <p>Level 1:</p> <ul style="list-style-type: none"> <li>• 70% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>• 98% of pre-assigned applications within 15 working days</li> <li>• 90% MMSI numbers issued within 7 working days</li> <li>• 60% of type approval applications processed within 30 working days</li> </ul> <p>Level 2:</p> <ul style="list-style-type: none"> <li>• 75% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>• 99% of pre-assigned applications within 15 working days</li> <li>• 95% MMSI numbers issued within 7 working days</li> </ul>

	<ul style="list-style-type: none"> <li>65% of type approval applications processed within 30 working days</li> </ul> <p>Level 3:</p> <ul style="list-style-type: none"> <li>80% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>100% of pre-assigned applications within 15 working days</li> <li>100% MMSI numbers issued within 7 working days</li> </ul> <p>65% of type approval applications processed within 30 working days</p> <p>Level 4:</p> <ul style="list-style-type: none"> <li>85% Class ECS/ECNS and/or unreserved postal license applications processed within 30 working days (new, amendments, transfer, renewal, and exemptions applications)</li> <li>100% of pre-assigned applications within 15 working days</li> <li>100% MMSI numbers issued within 7 working days</li> <li>70% of type approval applications processed within 30 working days</li> </ul>
Source of Data	CRM
Method of Calculation/ Assessment	<p>Number of applications processed within TAT divided by total applications processed multiplied by 100.</p> <p>This will be calculated for each service type i.e. Class ECS/ECNS and/or unreserved postal license applications, Pre-assigned applications, MMSI and Type approval applications processed within turnaround time</p>
Means of verification	CRM evidence
Assumptions	Budget availability for recruitment and training of staff
Disaggregation of beneficiaries	All consumers and stakeholders in the ICT sector
Calculation Type	Non-Cumulative
Spatial Transformations	n/a
Reporting Cycle	Quarterly
Desired Performance	Processing of applications and registrations within TAT. Annual improvement in service delivery
Indicator responsibility	Executive: Regions and Consumer Affairs

Indicator Title	Percentage of Consumer Complaints resolved
Definition	The indicator measures consumer complaints resolved
Source of Data	Actual consumer complaints received on the CRM system



Method of Calculation/ Assessment	The number of complaints resolved divided by the number of complaints received multiplied by 100
Means of verification	CRM evidence
Assumptions	No downtime of CRM system
Disaggregation of beneficiaries	All consumers
Calculation Type	Cumulative
Spatial Transformations	Not Applicable
Reporting Cycle	Quarterly
Desired Performance	1% annual increase on consumer complaints resolved
Indicator Responsibility	Executive: Regions and Consumer Affairs

<b>Indicator Title</b>	<b>Number of Advisories produced by CAP for consumer protection</b>
Definition	This is the number of Advisories produced by CAP for consumer protection
Source of Data	CAP consumer protection initiatives undertaken
Method of Calculation/ Assessment	Counting
Means of verification	Council approved CAP advisory report
Assumptions	Budget availability for advisory work
Disaggregation of beneficiaries	All consumers
CalculationType	Non-Cumulative
Spatial Transformations	N/A
Reporting Cycle	Annually
Desired Performance	Improved level of consumer protection
Indicator Responsibility	Executive: Regions and Consumer Affairs

## Annexure A: Amendments to the Strategic Plan

There are no amendments to the Strategic Plan. This Annual Performance Plan is based on the Strategic Plan 2020/21 – 24/25 as tabled and approved by Parliament.

## Annexure B: Conditional Grants

The Authority does not receive any conditional grants.

## Annexure D: District Development Model

Areas of Intervention	Medium Term (3 Years – MTEF)					
	Project Description	Budget Allocation	District Municipality	Location: GPS Coordinates	Project Leader	Social Partners
Communication	Licensing of community sound broadcasting services	<b>Part of Programme 2:</b> Licensing budget	OR Tambo District Municipality	31.4632° S, 29.2321° E	Senior Manager: ICT Licensing Services	Communities in the Municipality
Communication	Access to quality broadband services increased  (Licensing of IMT Spectrum)	<b>Part of Programme 2:</b> Licensing budget	Underserved district municipalities as identified in terms of the ITA, and designated as USOs to licensees during the licensing process	To be confirmed as part of the licensing process	Senior Manager: Spectrum Licensing	Licensees to be assigned spectrum  Communities in identified municipalities  Businesses operating in identified municipalities
Communication	Licensing of an Individual Commercial Sound Broadcasting Services in the Northern Cape	<b>Part of Programme 2:</b> Licensing budget	District municipalities to be identified during the licensing process	To be confirmed as part of the licensing process	Senior Manager: ICT Licensing Services	Licensee to be assigned service and spectrum licence  Communities in identified

						<p>municipalities</p> <p>Businesses operating in identified municipalities</p>
Communication	Licensing of digital community television broadcasting services on MUX 1	<b>Part of Programme 2:</b> Licensing budget	Various district municipalities as identified during the licensing process	To be confirmed as part of the licensing process	Senior Manager: ICT Licensing Services	<p>Licensees to be assigned service and spectrum licenses</p> <p>Communities in identified municipalities</p> <p>Businesses operating in identified municipalities</p>
Communication	Quality of service monitoring	<b>Part of Programme 4:</b> Engineering & Technology budget	OR Tambo District Municipality	31.4632° S, 29.2321° E	Eastern Cape Regional Manager	<p>ECNS licensees (MNOs)</p> <p>Consumer Groups in the Municipality</p>
Communication	Resolution of radio frequency interference cases	<b>Part of Programme 5:</b> Regions budget	OR Tambo District Municipality	31.4632° S, 29.2321° E	Eastern Cape Regional Manager	<p>Licensees operating in the area</p> <p>Consumer Groups in the Municipality</p>