



Independent Communications Authority of South Africa

350 Witch-Hazel Avenue,
Eco-Point Office Park
Centurion

COUNCIL DECISIONS – 05 OCTOBER 2021

ITEM NO.	AGENDA ITEM	DECISION
1.	<p>Transfer of an I-ECS licence, as well as the vetted Reasons Document from Kragga Kamma Uitspanning to Dontache Holdings (Pty) Ltd</p> <p>The purpose of this submission was to recommend that Council approves the transfer of an I-ECS licence, as well as the vetted Reasons Document from Kragga Kamma Uitspanning ("the Applicant") to Dontache Holdings (Pty) Ltd ("the Transferee").</p> <p>1.1 On 02 July 2020, the Authority received an application from the Applicant to transfer its I-ECS licence to the Transferee ("the application").</p> <p>1.2 On 06 July 2020, the Licensing Division forwarded an e-mail to the Finance Division and the Complaints and Compliance Committee ("CCC") to ascertain whether the Applicant was financially compliant regarding payments of annual licence fees and Universal Service and Access Fund (USAF) contributions and whether the CCC did not have any issues pertaining to the Applicant.</p> <p>1.3 On 11 September 2020, the Authority published General Notice 663 in Government Gazette No. 43711 inviting all interested persons to make written representations in relation to the applications within fourteen (14) working days of the date of the publication of the notice in the Government Gazette.</p>	<p>The recommendation was approved.</p>

	<p>1.4 On 01 October 2020, the Authority had not received any written representation regarding the applications.</p> <p>1.5 On 21 January 2021, the Applicant submitted a letter to the Authority in respect to its reconciliation of payments Audited Financial Statements stipulating that they had not generated any fees in terms of the ICASA issued licences.</p> <p>1.6 The Applicant submitted the outstanding Independent Competition and Consumer Interest reports on 19 June 2021.</p> <p>1.7 In terms of regulation 12 of Processes and Procedures Regulations, the Authority may refuse to transfer a licence if the Licensee has not complied with one or more of the following:</p> <p>1.7.1. Where the Licensee has been found guilty of a contravention by the Complaints and Compliance Committee ("the CCC") of the Authority and has not complied with the order by the Authority in terms of section 17 of ICASA Act; or</p> <p>1.7.2. Where the Licensee has not paid the licence fees due and payable at the date of the application; or</p> <p>1.7.3. Where the Transferee's ownership and control by historically disadvantaged persons is less than 30%.</p> <p>Recommendation to Council</p> <p>It was recommended that Council approves the licence transfer applications for an I-ECS licence for the following reasons:</p> <p>1.8. The Applicant has not been found guilty of any contravention by the CCC;</p> <p>1.9. The Applicant has paid the licence fees due and payable at the date of the applications; and</p> <p>1.10. The Transferee has 100% interest ownership interest held by HDIs.</p> <p>1.11. It was further recommended that Council approves the vetted Reasons Document</p>	
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<p>2.</p>	<p>Transfer of an I-ECS and an I-ECNS licences as well as the vetted Reasons Document from Hymax Talking Solutions (Pty) Ltd's current shareholder to Grapevine Telecommunications Solutions (Pty) Ltd.</p> <p>The purpose of this submission was to recommend that Council approves the transfer of control of an I-ECS and I-ECNS licences as well as the vetted Reasons Document from Hymax Talking Solutions (Pty) Ltd's current shareholder ("the Applicant") to Grapevine Telecommunications Solutions (Pty) Ltd as the proposed new shareholder ("the Transferee").</p> <p>2.1 On 31 March 2021, the Authority received an application from the Applicant to transfer the control of its I-ECS and I-ECNS licences to the Transferee.</p> <p>2.2 The applications were submitted in terms of Regulations 11 (Form G) of the Processes and Procedures Regulations for Individual Licences, 2010 published in Government Gazette No. 33293 of 14 June 2010 as amended by the Amendment Individual Processes and Procedures Regulations 2015 published in Government Gazette No.39871 of 30 March 2016.</p> <p>2.3 On 06 April 2021, the Finance Division stated that the Applicant was up to date with the General Licence Fees. On 07 April 2021, the CCC Division confirmed that there were no compliance issues raised against the Applicant.</p> <p>2.4 The Applicant requested confidentiality in terms of section 4D of the ICASA Act. The request for confidentiality related to the following:</p> <p>2.4.1. Identity Number and residential address of the shareholder of the Applicant.</p> <p>2.4.2. Identity Number and residential address of the shareholder of the Transferee; and</p> <p>2.4.3. The annual financial statements of the Licensee for the past three years ended 31 July 2019, 31 July 2018 and 31 July 2017.</p>	<p>The recommendation was approved.</p>
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	<p>2.5 The Applicant has not been found guilty of any contravention by the CCC. Further, the Applicant has paid the licence fees due and payable at the date of the applications. Furthermore, the Transferee has 30% ownership interest held by HDIs</p> <p>Recommendation to Council</p> <p>2.4. It was recommended that Council approves the application for the transfer of control of the I-ECS and I-ECNS licences for the following reasons:</p> <p>2.4.1. The Applicant has not been found guilty of any contravention by the CCC.</p> <p>2.4.2. The Applicant has paid the licence fees due and payable at the date of the applications; and</p> <p>2.4.3. The Transferee has 30% ownership interest held by HDIs.</p> <p>2.5. It was further recommended that Council approves the vetted Reasons Document.</p>	
<p>3. 2021 / 22 Q1: Gauteng Province Quality of Service Report for Mobile Voice Services</p> <p>The purpose of this submission was for Council to approve the publication of the Engineering and Technology (E&T)'s Quality of Service (QoS) Monitoring report for mobile voice services conducted during Q1 of 2021/22 in Gauteng Province.</p> <p>3.1. The E&T Division has a revised the 2021/22 annual target to conduct Mobile Voice QoS monitoring by quarterly drive tests in the following provinces: Free State, Northern Cape, Eastern Cape, KwaZulu-Natal, Mpumalanga and Limpopo. The target includes Mobile Data QoS monitoring for Northern Cape and Eastern Cape provinces.</p> <p>3.2. The Authority conducted additional mobile voice measurements in the Gauteng Province in the period 17 May to 1 June 2021, covering a total distance of over 1800 kilometres,</p>	<p>The recommendation was approved.</p>	

	<p>targeting areas in Three Rivers/Meyerton, Walkerville, Lenasia, Daveyton and Faerie Glen.</p> <p>3.3. The route covered areas where most of operators claim to have network coverage through their own network and roaming arrangements with other network owners. The test phones were allowed to freely select network operator's frequency bands and the radio access technology.</p> <p>3.4. The Authority conducted the monitoring based on the SANS 1725-1:2016 (End user related Quality of Service parameter definitions and measurements – Part 1: GSM voice) as the reference standard. The methodology includes data collection through drive-testing, through which objective measurements associated with identified QoS parameters for voice services are made.</p> <p>3.5. The results show that, in terms of overall Call Setup Success Ratio, all operators met the target of 98%, and thus meet the Accessibility target. In terms of overall Drop Call Ratio; MTN, Telkom and Vodacom met the overall DCR target of less than 3% and thus meet the Authority's Retainability target.</p> <p>3.6. All operators met the Call Setup Time target of less than 20 seconds in all the tested areas as per the End-User and Subscribers Service Charter Regulations of 2016 as amended.</p> <p>Recommendations to Council</p> <p>3.7. It was recommended that Council approve the Gauteng Province Mobile Voice QoS report for publication.</p>	
4.	<p>Customer Care Standards Amendment Regulations Applicable to the Postal Service Licensee, 2021, and the Reasons Document for publication in the Government Gazette</p> <p>The purpose of this submission was to request Council to approve the Customer Care Standards Amendment Regulations Applicable to the Postal Service Licensee, 2021, and the Reasons Document for publication in the Government Gazette.</p>	The recommendation was approved.

	<p>4.1. The Authority has resolved to amend the Customer Care Standards Regulations applicable to Postal Service Licensees, 2012 (Notice No 176 of 2012).</p> <p>4.2. The amendment aims to strengthen the provision of quality postal services through setting out minimum standards to protect and promote the interests of customers. The amendment will also enable the Authority to monitor and enforce compliance with the customer care standards provided.</p> <p>4.3. The proposed amendment will achieve the above by providing clarity and consistency of usage of terms, by aligning regulations to the related customer protection legislations and to current practices, and by clarifying roles and processes in customer complaints resolutions.</p> <p>Recommendation by Council</p> <p>4.4. It was recommended that Council approves the Customer Care Standards Amendment Regulations Applicable to the Postal Service Licensee, 2021, and the Reasons Document for publication in the Government Gazette</p>	
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**ISSUED BY: Secretariat Office
on behalf of Council**


Corporate Secretary
 Nicholous Mabilane