



Independent Communications Authority of South Africa

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COUNCIL DECISIONS – July 2017

ITEM	DATE OF DECISION	PURPOSE	DECISION/RESOLUTION
Report on the Portfolio Committee on Communications session held on 16 May 2017, Cape Town, regarding the Film and Publication Amendment Bill, 2015	11 July 2017	The purpose of the submission was to brief Council on the meeting held by the Portfolio Committee on Communications on 16 May 2017 regarding the Films and Publication Amendment Bill of 2015.	It was resolved that report be noted.
Legal Opinion on the Interpretation of section 11A of the ICASA Act 2000 as amended.	11 July 2017	The purpose of the submission was to provide Council with a legal opinion on the interpretation of section 11A of the ICASA Act 2000.	It was resolved that: <ul style="list-style-type: none">• The Legal Opinion is noted as presented• Regulatory decisions to be published on the ICASA website
Change and update of ICASA Licensee Information – Beat FM (Pty) Ltd	11 July 2017	The purpose of the submission was to request Council to approve the notification by Beat FM (Pty) Ltd, regarding its shareholding structure and to request Council to approve same.	It was resolved that the change of Licensee Information – Beat FM (Pty) Ltd be approved.

Enterprise Project Management System	11 July 2017	The purpose of the submission was to request Council to note the acquisition of the Enterprise Project Management System (EPMS) and approve the pilot implementation of the system for Q2 2017/18.	The submission was approved and there was a proposal to include Change Management Plan in the project.
Access to ICT services by persons with disabilities	11 July 2017	The purpose of this submission was to brief Council on the request from South African Police Services (SAPS) and the Working Group on affordable access to ICTs for persons with disabilities ("The Working Group").	It was resolved that the report on Access to ICT services by persons with disabilities be approved.
Request from the administration of Cyprus for inclusion of the territory of South Africa into the service area ITS satellite system	11 July 2017	The purpose of this submission was to request Council to note the letter from the Administration of Cyprus and recommend that the letter be forwarded for the attention of the Minister of Telecommunications and Postal Services	It was resolved that the request from the administration of Cyprus for inclusion of the territory of South Africa into the service area ITS satellite system be approved.
Final opinion on options available to ICASA to ensure regulatory compliance in relation to Cell C's proposed recapitalization transaction	18 July 2017	The purpose of the submission was to notify Council about a revised legal opinion in respect of options available to ICASA in relation to Cell C's proposed recapitalization transaction.	It was resolved that: <ul style="list-style-type: none"> • a courtesy letter be sent to Cell C to requesting more information on the matter.
Market inquiry into Broadband Markets and reduction of Data Costs	18 July 2017	The purpose of the submission was for Council to approve the recommendation to conduct a market inquiry into broadband markets in terms of section 67(4) of the	It was resolved that the Market Inquiry into Broadband Markets and reduction of Data Costs be approved.

		ECA as a matter of urgency in order to address the concerns raised on broadband markets and high data cost.	
Application for a Trial Radio Frequency Spectrum Licence in the 1.4GHz Band – Ekurhuleni Metropolitan Police	18 July 2017	The purpose of this memorandum is to request Council to approve the application by Ekurhuleni Metropolitan Police Department for a Radio Frequency Spectrum Trial Licence in the 1.4 GHz band.	It was resolved that the application be approved.
Application for the transfer of I-ECS and I-ECNS licences from Seacom Africa (Pty) Ltd to Seacom Business (Pty) Ltd	18 July 2017	The purpose of the submission was to request Council to approve the application for the transfer of I-ECNS and I-ECS licences from Seacom South Africa (Pty) Ltd to Seacom Business (Pty) Ltd.	It was resolved that the be approved.
Report on Parliament Portfolio Committee on Telecommunications and Postal Services meeting regarding SA Connect held on 13 June 2017	18 July 2017	The purpose of this submission is to request Council to note and approve the report of the Parliament Portfolio Committee on Telecommunications and Postal services (PPCTPS).	It was resolved that the be noted.
Status report on the 5G Forum Project	18 July 2017	The purpose of this submission is to request Council to note the status report on the 5G Forum project.	It was resolved that the report be noted.
Update on the SADC ICT Observatory Project	18 July 2017	The purpose of the submission was to provide Council with an update on the Validation Workshop which was held in	It was resolved that the update is noted.

		Zimbabwe from the 7th to 9th June 2017 regarding the Development of the Southern African Development Community (SADC) SADC ICT Observatory.	
Report of the Wholesale Open Access Network Workshop held at the Council for Scientific and Industrial Research on 10 July 2017	18 July 2017	The purpose of the submission was to request Council to note the report.	It was resolved that the report be noted.
MTN & Cell C Complaint: WBS / Vodacom Facilities sharing arrangement	28 July 2017	The purpose of the submission was to advise Council of the complaints by Mobile Telephone Networks Proprietary Limited (MTN) and Cell C Proprietary Limited with regard to the infrastructure sharing arrangements entered into by Vodacom and WBS, and present the Task Team's findings and recommendations.	It was resolved that: <ul style="list-style-type: none"> • A legal opinion be sought on the definition of spectrum sharing and roaming • Send the letters to Telkom, Vodacom and WBS to indicate that ICASA is conducting further investigations
ICASA Initiatives / Interventions on Data Services / Broadband Markets	28 July 2017	The purpose of the submission was to request Council to: <ul style="list-style-type: none"> • Note and approve the ICASA/NCC Task Team Report on data bundle expiry and out of bundle practices • Consider and action the recommendation emanating from the ICASA/NCC Task Team Report to amend the End-user and Subscriber Charter Regulations to prescribe minimum consumer protection measures for data service in respect 	It was resolved that the report on ICASA Initiatives / Interventions on Data Services / Broadband Markets be approved.

		<p>of the expiry periods and out of bundle pricing practices</p> <ul style="list-style-type: none"> • Approve the proposed market inquiry into broadband markets as a matter of urgency to address the concern with regard to data costs; and • Consider expanding the mandate of the Council Committee on Priority Markets to deal with all matters relating to the Authority's interventions and/or initiatives in respect of the data market. 	
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