

MINUTES OF THE COUNCIL MEETING HELD ON 16 SEPTEMBER 2025		
Time:	09:30	
Venue:	EP-CF THABO MBEKI	
Present		Chairperson
		Councillor
		Councillor
		Councillor
		Councillor
		Councillor (Joined virtually)
		Councillor
		Councillor (Joined virtually)
By Invitation		CEO
		CFO
		Manager: Internal Audit (as Acting CAE)
		Senior Manager: Litigation, Contracts and General Legal Support (as Acting Executive: LRCCC)
		Corporate Secretary
		Secretariat Officer
Partial Attendees		Senior Manager: Spectrum Licensing (as Acting Executive: Licensing and Compliance)
		Senior Manager: Compliance
		Senior Manager: Spectrum Monitoring and Research
		Senior Manager: ICT Licensing Services
		Manager: Service ECS\ECNS\Post: Licensing
		Specialist: Spectrum Management
		Manager: QoS Measurement
		Competition Law Specialist
		Specialist: Broadcasting Services
		Competition Law Specialist, PRA
		CCC Assessors
Apologies		CAE
		Executive: LRCCC
		Councillor

No.	Action Item	Person Responsible
1.	<p>Opening and apologies</p> <p>1.1 The Chairperson welcomed all attendees and declared the meeting open.</p> <p>1.2 Council noted the following apologies:</p> <p>1.2.1 The standing apologies from [REDACTED] and the CAE, [REDACTED]</p> <p>1.2.2 The Executive: LRCCC, [REDACTED] [REDACTED] attended the meeting in the capacity of Acting Executive: LRCCC;</p> <p>1.2.3 The Executive: Licensing and Compliance, [REDACTED] attended the meeting in the capacity of Acting Executive: Licensing and Compliance; and</p> <p>1.2.4 [REDACTED] and [REDACTED] were attending the 28th UPU Universal Congress in Dubai and therefore intermittently joined the Council meeting virtually.</p> <p>1.3 Council congratulated [REDACTED] for her recent graduation with a Masters degree from the SOAS University of London.</p> <p>The opening and apologies were noted.</p>	Chairperson
2.	<p>Ratification of the agenda</p> <p>2.1 Regarding a previous Council request for a standing item on Loss Control, the CEO advised that Loss Control falls within the ambit of the Audit and Risk Committee and would be presented as part of the ARC Chairperson's reports to Council. However, the LRCCC division will present the Q1 Loss Control Committee Report at this meeting.</p> <p>2.2 The items on the agenda to be presented by Cllr Catherine Mushi and Cllr Ntombiza Sithole, were moved down the agenda to allow them time to virtually join the Council meeting.</p> <p>The agenda was adopted with the above amendments.</p>	Council
3.	<p>Declaration of conflict of interest</p> <p>No conflict of interest was noted.</p>	Council
4.	<p>Adoption of Council Minutes – 20 August 2025</p> <p>The minutes of the meeting held on 20 August 2025 were approved as presented.</p>	Council
5.	<p>Matters Arising – 20 August 2025</p> <p>The item was presented by the Corporate Secretary.</p> <p><u>Council comments</u></p>	Corporate Secretary

No.	Action Item	Person Responsible
	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Council resolved to note the report with the above-mentioned comments.</p>	
8.	<p>Litigation Management Report and Q1 Loss Control Sub-Committee Report 2025/26</p> <p>The item was presented by the Acting Executive: LRCCC.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Council resolved to note the reports.</p>	CEO / Executive: LRCCC
9.	<p>Application for Transfer of Ownership – Market Trading 608</p> <p>The item was presented by the Acting Executive: Licensing and Compliance, assisted by the SM: ICT Licensing Services.</p> <p>Council resolved to approve the submission as presented.</p>	CEO / Executive: Licensing and Compliance
10.	<p>Application for Transfer of Ownership – My VoIP Communications</p> <p>The item was presented by the Acting Executive: Licensing and compliance, assisted by the SM: ICT Licensing Services.</p> <p>Council resolved to approve the submission as presented.</p>	CEO / Executive: Licensing and Compliance

No.	Action Item	Person Responsible
11.	<p>Change of Ownership Notification – Central Media Group</p> <p>The item was presented by the Senior Manager: Compliance.</p> <p><u>Council comments</u></p> <p>11.1 Council queried whether it is normal practice for the Authority to request shareholder agreements to confirm if changes were agreed to by original shareholders at a proper AGM and whether what is noted has been duly adopted.</p> <p>11.2 It was noted that such records are often requested, particularly in broadcasting and ECS/ECNS, mainly to assess voting patterns. It was confirmed that where deemed necessary, the Authority does request confirmation of the board resolution approving a change of ownership.</p> <p>11.3 It was noted that Board composition records are often requested, particularly in broadcasting and Electronic Communications Services ("ECS") / Electronic Communications Network Services ("ECNS"), mainly to assess voting patterns. In broadcasting, emphasis is on percentage shareholding, as this relates to control and industry impact. Regulations mainly require Companies and Intellectual Property Commission ("CIPC") documents, though on some instances, shareholder agreements are also requested where further analysis is needed.</p> <p>Council resolved to note the submission.</p>	<p>CEO / Executive: Licensing and Compliance</p>
12.	<p>Trial Licence Applications – Hensoldt</p> <p>The item was presented by the Acting Executive: Licensing and Compliance.</p> <p><u>Council comments</u></p> <p>12.1 Council queried whether Hensoldt eventually complied with the technical specifications (as reflected in 2.4 of the submission).</p> <p>12.2 It was confirmed that this was a concern at the time, and when revisited in March, the applicant was referred to ATNS due to possible interference, as the Authority did not want the trial to proceed without ATNS being aware. Feedback was later received, and ATNS confirmed support for Hensoldt's trial.</p> <p>12.3 Council further asked whether applicants for test spectrum must hold ECNS and ECS licences, or if anyone may apply. It was noted that under the regulations anyone can apply; ECNS and ECS licences are not required for trials. Hensoldt's application was only for trial purposes, with the intention of future sale to other countries or the South African Navy. The purchasing entity would then need to ensure spectrum licensing.</p> <p>12.4 Council was advised that, the applicant was referred to ATNS due to possible interference, as the Authority did not want the trial to proceed without ATNS being aware. Feedback was later received, and ATNS</p>	<p>CEO / Executive: Licensing and Compliance</p>

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	<p>confirmed support for Hensoldt's trial application.</p> <p>Council resolved to approve the submission.</p>	
13.	<p>Trial Licence Application – Black Equations</p> <p>The item was presented by the Acting Executive: Licensing and Compliance.</p> <p>Council resolved to approve the submission.</p>	CEO / Executive: Licensing and Compliance
14.	<p>Establishment of a Council Committee for the Review of the Compliance Procedure Manual Regulations</p> <p>The item was presented by the Senior Manager: Compliance.</p> <p><u>Council comments</u></p> <p>14.1 Council considered the nature of the envisaged required review and queried the why the Licensing and Compliance Division could not perform the required changes and present them to Council for consideration. The LCD cited concerns regarding timing and resource constraints. Council remarked that the APP for the year had been finalised and that forming an additional committee mid-year could overlap with existing work being done in terms of the APP and add undue workload.</p> <p>14.2 Council was of the view that for minor administrative amendments, such as changes to forms, would not necessarily warrant Council regulatory oversight and therefore did not necessitate that a Council committee be established and that the process can be managed at divisional level, with Councillors consulted if a need arises. Council cautioned that involving Council from the outset in purely administrative matters could give rise to governance concerns.</p> <p>Council resolved not to approve the recommendation.</p>	CEO / Executive: Licensing and Compliance
15.	<p>Change of Licensee Information – Hero Telecoms</p> <p>The item was presented by the Senior Manager: Compliance.</p> <p>Council resolved to approve the submission.</p>	CEO / Executive: Licensing and Compliance
16.	<p>Change of Licensee Information – Lidino Trading</p> <p>The item was presented by the Senior Manager: Compliance.</p> <p>Council resolved to approve the submission.</p>	CEO / Executive: Licensing and Compliance

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17.	<p>Notice to Surrender an RFS Licence – Fair Cape Communication</p> <p>The item was presented by the Acting Executive: Licensing and Compliance.</p> <p><u>Council comments</u></p> <p>17.1 Council sought clarity on whether the Licensing and Compliance Division can verify an applicant's claim to surrender an inactive license. The LCD confirmed that verification is possible, though not conducted in this case, and noted that agents can be deployed and point-to-point locations are indicated in license details.</p> <p>17.2 Council directed that, going forward, verification must be done, particularly for larger networks, noting the possibility that an applicant could leave a link active without disclosure. It was further emphasised that verification should balance cost and benefit, considering practical limitations, with the technical team applying relevant checks.</p> <p>Council resolved to approve the submission.</p>	CEO / Executive: Licensing and Compliance
18.	<p>Applications Received in terms of the ITPR for Community Sound Broadcasting Services and Radio Frequency Spectrum Licences</p> <p>The item was presented by Cllr [REDACTED] assisted by the Specialist: Broadcasting Services.</p> <p><u>Council comments</u></p> <p>18.1 Council raised concerns over the number of disqualified applicants despite workshops held with communities; highlighting the mismatches between workshop learnings and the outcomes.</p> <p>18.2 Requested more data analysis on application progression, success rates, and workshop attendance.</p> <p>18.3 Sought verification of outdated or "recreated" forms and whether these remain accessible on the web.</p> <p>18.4 Questioned whether the evaluation process allows early error correction and proactive engagement, stressing the need for remedial measures.</p> <p>18.5 Queried strictness of the interpretation of the requirements, non-refundable fees, and whether minor technical disqualifications are proportionate.</p> <p>18.6 Suggested a pre-submission verification step and use of Microsoft Forms to digitise submissions, enabling direct uploads, controlled access, and preventing use of outdated forms; this is suggested as a potential improvement for future processes, not for the current ITP-R round.</p> <p><u>LRCCC Division</u></p> <p>18.7 Emphasised that regulations and regulatory documents, including for the ITPR process, guide the Authority's approach, with each matter decided on its own facts.</p> <p>18.8 Highlighted that if the Authority is taken on review, the transcript of Council's deliberations would be required and could impact the outcome and recommended that the Committee should take back the</p>	Cllr [REDACTED]

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	<p>submission, and address all questions raised by Council, in order to ensure that the Authority can demonstrate that all issues raised by Council have been addressed.</p> <p><u>The Committee</u></p> <p>18.9 Reiterated that the ITPR process is strictly regulated and must comply with the 2019 regulations; forms cannot be altered without stakeholder notification.</p> <p>18.10 Explained that workshops, materials, and designated contact points are provided to guide applicants, but the Authority cannot engage applicants post-closing.</p> <p>18.11 Clarified that all official forms are published in the Government Gazette; mistakes by applicants, including use of outdated or recreated forms, are the applicant's responsibility.</p> <p>18.12 Proposed that after the licensing process, phase two debriefs could be used to understand why forms were altered or recreated and to workshop applicants to prevent recurrence for future submissions.</p> <p>18.13 It was emphasised that Councillors in committees are supported but Council requires sufficient evidence for decision-making; and this does not imply distrust.</p> <p>18.14 Council reinforced that disqualifications must be legally defensible, with all steps traceable and transparent, safeguarding the Authority against potential litigation.</p> <p>18.15 Council requested the Committee to provide a portfolio of evidence, based on which, Council will determine that disqualifications are reasonable, legally defensible and that all steps are traceable and transparent.</p> <p>18.16 A Special Council Meeting will be scheduled for Council to resume its deliberations on the matter, once the portfolio of evidence indicated in 18.18 above, has been shared with Council.</p> <p>Council resolved defer its decision on this matter, pending submission of a portfolio of evidence followed by a special Council meeting to resume deliberations on the matter.</p>	
19.	<p>Rapid Deployment Benchmarking Report</p> <p>The item was presented by Cllr [REDACTED], assisted by the Manager: QoS Measurement.</p> <p><u>Council comments</u></p> <p>19.1 Council commended the report, noting the draft bylaws as a key stumbling block for rapid deployment, as these cannot be enforced until enacted by all 256 municipalities. A targeted COGTA campaign was proposed, and updated figures on adoption were requested.</p> <p>19.2 Council noted the need for a centralised wayleave database but raised constitutional concerns, stressing the importance of broad municipal adoption.</p> <p>19.3 Council suggested collaboration with COGTA, DCDT, SALGA and others, and stressed urgency given the 2030 MTSF/NDP broadband targets and urged expedited engagement with DCDT. The project</p>	Cllr [REDACTED]

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	<p>team was requested to share its programme and timelines at the next meeting.</p> <p>19.4The Committee acknowledged the need for urgent engagement with the DCDT to provide feedback while finalising the regulation-making process. It was indicated that the outcome may result in guidelines rather than regulations, with submissions to be brought back to Council. The Committee further committed to presenting a project plan, aiming to have the document finalised by the end of the financial year.</p> <p>Council resolved to note the report.</p>	
20.	<p>Notice regarding the Application received for the renewal of the SAPO Reserved Postal Services Licence</p> <p>The item was presented by Cllr [REDACTED], assisted by the Manager: Service ECS\ECNS\Post: Licensing.</p> <p><u>Council comments</u></p> <p>20.1Council sought clarity on the request regarding the renewal of the SAPO Reserved Postal Services Licence. The team noted that, in terms of the Postal Services Act, there is no legislative process for the Post Office, and the notice seeks public inputs on the proposed process to ensure transparency and fairness.</p> <p>20.2Council sought clarity on whether the consultation aims to confirm alignment before renewal and to gauge if South Africans still need a Post Office in its current form or another format.</p> <p>20.3It was noted that the consultation is not intended to question whether a Post Office is needed. Rather, its aim is to gauge the process and identify any missing steps to ensure a fair and transparent approach. Should industry feedback indicate an additional step, such as a needs or impact assessment, it may be incorporated and resourced accordingly. This process seeks to probe experts without introducing complex procedures and relates only to the SAPO licence renewal, which may be adjusted based on public feedback.</p> <p>Council resolved to approve the submission.</p>	Cllr [REDACTED]
21.	<p>CCC Recommendations: Licensing and Compliance Division (LCD) v SABC</p> <p>The item was presented by Cllr [REDACTED] assisted by the CCC Assessor.</p> <p><u>Council comments</u></p> <p>21.1Council supported the recommendation from the CCC and suggested that the wording of the apology be reviewed, in consultation with Judge Masipa, as it may be unclear to persons unfamiliar with the regulatory context, what the contraventions are. Council therefore proposed that a plain language expert be engaged to assist rephrase the apology.</p> <p>Council resolved to approve the submission.</p>	Cllr [REDACTED]
22.	<p>Internal Audit Division Q1 2025/26FY Progress Report</p> <p>The item was presented by the Acting CAE.</p>	Acting CAE

No.	Action Item	Person Responsible
	<p>[REDACTED]</p> <p>Council resolved to approve the submission in-principle, with Council inputs to be obtained and consolidated on the adverts.</p>	
26.	<p>SADA USTTI Training</p> <p>The item was presented by the CEO.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Council resolved to note the submission and to reserve its decision.</p>	CEO / Executive: Corporate Services
27.	<p>Invitation to Chair a Panel Discussion – 24th SAAPAM Conference</p> <p>The item was presented by Cllr [REDACTED]</p> <p>Council resolved to note the invitation.</p>	Cllr [REDACTED]
28.	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	Cllr [REDACTED]
29.	<p>Closure</p> <p>The Chairperson thanked all who were present in the meeting and declared the meeting adjourned at 18h11.</p>	Chairperson

Signed: _____

(ICASA Chairperson)

Date: 15/10/2025