Independent Communications Authority of South Africa

25th Anniversary

350 Witch-Hazel Avenue,
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Eco Park, Centurion
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Tel number: (012) 568 3000/1

MINUTES OF THE COUNCIL MEETING HELD ON 8 MAY 2026		
Time:	**08:00am**	
Venue:	**Virtual**	
Present	[redacted]	Chairperson
	[redacted]	Councillor
	[redacted]	Councillor
	[redacted]	Councillor
	[redacted]	Councillor
	[redacted]	Councillor
	[redacted]	Councillor
	[redacted]	Councillor
	[redacted]	Councillor
By Invitation	[redacted]	Chief Executive Officer
	[redacted]	Corporate Secretary
	[redacted]	Manager: IT Auditor (on behalf of the CAE)
	[redacted]	Chief Financial Officer
	[redacted]	Executive: Legal, Risk and CCC
	[redacted]	Manager: Communications
Partial Attendees	[redacted]	Acting Executive: Licensing and Compliance
	[redacted]	Executive: HR
	[redacted]	Senior Manager: Spectrum Licensing
	[redacted]	Manager: Service ECS/ECNS/Post
	[redacted]	Specialist: Regulatory and Legal
	[redacted]	Competition Law Specialist
Apologies	[redacted]	Chief Audit Executive

No.	Action Item	Person Responsible
1.	**Opening and apologies** 1.1 The Chairperson declared the meeting open and welcomed all attendees. 1.2 Council noted apologies from the [redacted], [redacted], who was attending interviews. [redacted], the [redacted], attended the Council meeting on behalf of the [redacted] **The opening and apology were noted.**	**Chairperson**
2.	**Ratification of the agenda** 2.1 Council resolved to add an item under general, wherein the CEO would apprise Council on the progress in relation to COLA 2026/27FY negotiations. 2.2 Item B2 (Comments on the Draft Policy Direction on Rapid Deployment) was withdrawn, as the Council submission had not been received by the Secretariat. **The agenda was adopted with the above amendments.**	**Council**
3.	**Declaration of conflict of interest** No conflict of interest was noted.	**Council**
4.	**Minutes of the Council meeting held on 12 March 2026** **The minutes were approved as presented.**	**Council**
5.	**Analysis of the Policy Direction on Broad-Based Black Economic Empowerment** **This item was presented by the Executive: LRCCC.** <u>Discussion / Comments</u> 5.1 It was confirmed that section 9(2)(b) of the Electronic Communications Act, 2005 (Act No. 36 of 2005)("the ECA"), is peremptory in nature and that the Authority is obliged to comply with it. It was further noted that the contention with the Minister's policy direction stems from the fact that the Minister wrongly utilises the phrase "or such other conditions" to introduce an equity-equivalent framework that was never intended by the legislature. 5.2 It was concluded that the current legislative framework provides no legal mechanisms for the Authority to introduce equity equivalents. Council reached consensus that, for the Minister to legally entrench equity equivalents, the ECA must first be amended to this effect. 5.3 Council noted the dissenting view of Cllr [redacted] [redacted] attached hereto as **Annexure A**. 5.4 It was agreed that the outcome letter be sent to the Minister over the weekend, with the media statement to be subsequently published on Monday. Council considered that, given that the Minister has made several public pronouncements on the matter, the ICASA Communications team must be comprehensively briefed and be prepared to manage subsequent media and public inquiries upon the publication of the media statement. . **Council resolved to approve the analysis and recommendation, as well as the draft letter to the Minister, subject to the above-mentioned comments.**	**CEO / Executive: LRCCC**
6.	[redacted] **This item was presented by the Executive: LRCCC.** <u>Discussion / Comments</u> 6.1 [redacted]	**CEO / Executive: LRCCC**

No.	Action Item	Person Responsible
	6.2 [redacted] [redacted] **Council resolved to reject [redacted] proposal in its entirety and to [redacted].**	
7.	**Application for the Transfer of Control of an I-ECS, I-ECNS and RFS Licences from Hero Telecom (Pty) Ltd to Vumatel (Pty) Ltd** **This item was presented by the Acting Executive: Licensing and Compliance, supported by the Manager: ECS/ECNS/Post and the Competition Law Specialist.** <u>Discussion / Comments</u> 7.1 Council conceded that in order to address broader systemic issues regarding market concentration, Council should deliberate in a separate session over initiating a comprehensive market inquiry, rather than dealing with competition issues in the context of an individual, compliant application. **Council resolved to approve the recommendation.**	**CEO / Executive: Licensing and Compliance**
8.	**Progress Update in relation to COLA 2026/27FY Negotiations** **This item was presented by the CEO, supported by the Executive: HR.** <u>Discussion / Comments</u> [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]	**CEO / Executive: HR**
9.	**Closure** The Chairperson then thanked all who were present in the meeting and declared the meeting adjourned at 09h42.	**Chairperson**

Signed: ______________________ **Date:** 20 Juy 2026

Mothibi G. Ramusi
(ICASA Chairperson)