



Independent Communications Authority of South Africa

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Eco-Point Office Park
Centurion

COUNCIL DECISIONS– 29 SEPTEMBER 2021

ITEM NO.	AGENDA ITEM	DECISION
1.	<p>Report on the analysis of tariff notifications submitted to ICASA</p> <p>The purpose of the submission was to request Council to note the report on the analysis of tariff notifications submitted to ICASA for the period 01 January 2021 to 30 June 2021, which will be published on the Authority's website.</p> <p>1.1 In terms of the Standard Terms and Conditions Regulations of 2010 and End-user and Subscriber Service Charter Regulations of 2016, as amended, individual licensees are required to file notifications of tariffs and promotions with the Authority seven (7) days prior to launching them in the market.</p> <p>1.2 Following the 2020/21 FY fourth quarter (Q4) Tariff Analysis Report, the purpose of this report is to provide an update on tariffs that were filed by the different Individual Licensees during the period of 01 January 2021 to 30 June 2021.</p> <p>1.3 The report presents an analysis of the 243 tariff notifications received from individual licensees during the period under review. It entails the following:</p> <p>1.3.1. An analysis of the five types of prepaid tariff plans that were on offer in the market in the period under review, namely: the standard prepaid data tariffs, promotional prepaid data tariffs, standard prepaid voice tariffs, standard prepaid integrated bundles</p>	<p>The recommendation was noted.</p>

	<p>and prepaid promotional integrated bundles;</p> <p>1.3.2. Brief analysis of month-to-month (MtM) LTE and Wi-Fi tariff plans;</p> <p>1.3.3. Brief analysis MtM FTTH plans and offerings; and</p> <p>1.3.4. A discussion of regulatory interventions under way to address the cost of data and reduction of the cost to communicate.</p> <p>1.4. The Authority made the following observations in this report:</p> <p>1.4.1. In the mobile data services market, salient changes in the period under review were the amendment of the 30-day standard prepaid data bundles from Vodacom.</p> <p>1.4.2. In the daily and weekly data services market, there were amendments from Cell C and MTN. Cell C's amendment entailed the introduction of new daily and weekly data bundles and price amendments. MTN's amendment of the Rush Hour and Daily Data Bundles entailed a price reduction of selected data bundles and the introduction of new hourly and daily data.</p> <p>1.4.3. The Authority also observed that operators continue to offer voice bundles, which is seen by the Authority as an effort by the operators to capture more revenue from voice services.</p> <p>1.4.4. The Authority amended the ICT COVID-19 National Disaster Regulations in the period under review, which amendment came into effect on 01 June 2021. The amended regulation (regulation 4) with respect to filing tariff notifications with the Authority states that "any tariffs associated with a service in terms of the Act, which are intended to benefit and/or support customers during the National State of Disaster, may be</p>	
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	<p>lodged with the Authority one (1) day prior to their operation/commencement”.</p> <p>1.4.5. A total of 152 notifications were filed in accordance with the ICT COVID-19 National Disaster Regulations in the period under review, and 25 of the tariff notifications were to the benefit of customers.</p> <p>1.4.6. The Authority also observed positive changes in the fibre services market from various Operators, in the form of reduced subscription fees and/or improved line speeds, and these are seen as beneficial to the public. A total of 50 notifications regarding fibre services were received from various Operators in the period under review.</p> <p>1.4.7. The Authority is of the view that the positive amendments which were filed for the fibre services are as a result of the Telkom/Openserve and agreement with the Competition Commission substantially to reduce excessive pricing attached to wholesale broadband access costs. This resulted in Openserve introducing a new wholesale product suite that would reduce wholesale charges to ISPs.</p> <p>1.4.8. The Authority also observes that MNOs continue to offer various promotional products and/or services in the period under review to help alleviate the social, economic, and financial impact of the COVID-19 pandemic to the public.</p> <p>Recommendation to Council</p> <p>It was recommended that Council note the report on the analysis of tariff notifications which were submitted to ICASA for the period 01 January 2021 to 30 June 2021, which will be published on the Authority’s website.</p>	
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<p>2.</p>	<p>Close-out report on Sports Broadcasting Services Regulations Amendment, 2020</p> <p>The purpose of the submission was to request Council to approve the notice regarding the Inquiry for the implementation of the Radio Frequency Migration Plan, and the International Mobile Telecommunications (IMT) Roadmap.</p> <p>2.1 The Authority is in the process of developing implementation plans for the Radio Frequency Migration Plan 2013 and 2019, as well the Implementation Plans of the IMT Roadmap 2014 and 2019, and the development of the respective consequential Radio Frequency Spectrum Assignment Plans ("RFSAPs").</p> <p>2.2 Section 34(16) of the Electronic Communications Act No 36 of 2005 (the ECA) mandates the Authority to develop Frequency Migration Plans for frequencies identified during the development of the National Radio Frequency Plan for migration and the implementation thereof.</p> <p>2.3 The implementation of the Radio Frequency Migration Plan is to be undertaken in two (2) phases as follows:</p> <p>2.3.1. Phase 1: The Authority will conduct Technical and Economic Feasibilities Studies for all the frequency bands identified in the Radio Frequency Migration Plan 2013 and 2019, taking into consideration the regulatory framework insofar as managing and assigning the radio frequency spectrum is concerned.</p> <p>2.3.2. Phase 2: The Authority, taking into consideration the results of the feasibility studies, will develop and / or revise the Radio Frequency Spectrum Assignment Plans (RFSAPs) to give effect to the implementation of the Radio Frequency Migration Plans 2013 and 2019.</p> <p>2.4 The outcome of the feasibility studies will be the report mapping out different scenarios, and, amongst others, will include the following recommendations:</p>	<p>The recommendation was noted.</p>
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	<p>2.4.1. Detailed cost analysis of the spectrum migration process and the affected users in the bands being migrated.</p> <p>2.4.2. Detailed analysis, identifying destination radio frequency bands for the incumbent services in instances where there is no recognition by the frequency migration plan.</p> <p>2.4.3. Detailed project phases for migration of the identified frequency bands.</p> <p>2.4.4. The best fit in terms of internationally and / or regionally harmonised channel arrangements and plans with provision for options for spectrum re-use.</p> <p>2.4.5. Estimated time frames for the migration to identified destination bands.</p> <p>2.5. The Project has been budgeted for as part of the 2020/2021 and 2021/2022 business plan.</p> <p>Recommendation to Council</p> <p>It was recommended that:</p> <p>2.6. It was recommended that Council approve the publication of the notice regarding the inquiry for the implementation of the radio frequency migration plan and the IMT Roadmap, as well as publication on the ICASA website of the same.</p>	
<p>3.</p>	<p>Establishment of the Council Committee on the review of the CCC Regulations</p> <p>The purpose of the submission was to request Council to approve the establishment of a special Council Committee on the review of the Regulations Governing the Aspects of the Procedures of the Complaints and Compliance Committee, 2010 ("CCC Regulations").</p> <p>3.1 In terms of section 17 (1) of the ICASA Act, the Authority may establish standing or special committees for purposes that Council may deem necessary, with a view to assisting it in</p>	<p>The recommendation was approved.</p>

	<p>the effective exercise and performance of its powers and duties.</p> <p>3.2 The CCC Regulations are aimed at providing details of the procedures to be followed when the CCC executes its mandate in accordance with section 17B of the ICASA Act, which is to investigate, to hear if appropriate, and make findings on:</p> <p>3.2.1 All matters referred to it by the Authority;</p> <p>3.2.2 Complaints received by it; and</p> <p>3.2.3 Allegations of non-compliance with this Act or the underlying statutes received by it.</p> <p>Recommendations to Council</p> <p>3.3 It was recommended that Council:</p> <p>3.3.1 Establishes a special Council Committee on the review of the CCC Regulations;</p> <p>3.3.2 Nominates Councillors who will form part of the Committee; and</p> <p>3.3.3 Approves the resolution.</p>	
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**ISSUED BY: Secretariat Office
on behalf of Council**


 Nicholous Mabilane
 Corporate Secretary