

30 July 2012

Independent Communications Authority of South Africa

Attention: Ms Refilwe Ramatlo

Per e-mail: DigitalDividendandDigitalMigrationCommittee@icasa.org.za

Dear Ms Ramatlo

WRITTEN REPRESENTATION: DRAFT DIGITAL TERRESTRIAL TELEVISION REGULATIONS

Introductory Remarks

1. We refer to the Draft Digital Terrestrial Television Regulations and accompanying Explanatory Memorandum published as General Notice 532 of 2012 in Government Gazette No. 35508 of 10 July 2012 ("Draft DDT Regulations") and Digital Migration Policy for South Africa ("the Ministerial Policy") published by the Minister of Communications ("the Minister") in February 2012 in Government Gazette No. 35051.
2. We act on behalf of Mindset Network (NPC) and its subsidiaries ("Mindset"), which has instructed us to submit the below written representation to the Draft DDT Regulations.
3. Mindset requests that a slot be reserved for it to make oral representations should the Authority decide to hold public hearings.

High-Level Summary

4. Mindset notes that the Authority, in accordance with section 5 of the Ministerial Policy, wishes to amend the Draft DDT Regulations in order to, *inter alia*, provide a range of different but sustainable services to benefit both the public and the broadcasters. As a consequence the Authority seeks input on whether it should "utilise the Mobile Digital Terrestrial Television multiplex (MDTT2) in order to accommodate new entrants to stimulate the uptake of DTT services, foster content and enhance consumer choice".
5. Mindset submits that the Authority should:
 - 5.1. Proceed to utilise the MDTT2 multiplex as proposed for the accommodation of new entrants and diversity of choice amongst consumers; and
 - 5.2. Further make provision to reserve some of the capacity to be made available for the provision of public-benefit services provided on a non-profit basis and which seek to underpin the attainment of national policy objectives through the provision of locally-produced educational broadcasting services.

About Mindset

6. Mindset is an award-winning not-for-profit organisation providing educational solutions for the formal education, health and livelihoods sectors.
7. Mindset's **vision** is to empower communities through education by pioneering a network of thriving relationships to create centres of learning across Africa.
8. Since its inception, Mindset has grown in leaps and bounds, having developed curriculum-aligned content for several subjects for both primary and secondary school levels. Mindset's offering for formal education is not only learner-oriented but also has an educator component that is born out of the holistic approach that sees the educator as a key facilitator in the process of learning.



Teacher using Mindset Learn in the classroom

9. Mindset has also developed content on a number of pressing issues for the health sector. These include material on HIV/AIDS, tuberculosis and child survival to mention a few. The Mindset health offering (like the education offering) is made up of two components: one that is aimed at the public, and one that is aimed at healthcare providers. Again, this format is informed by the knowledge that these are the two main stakeholders in the process of preventing, treating and managing ailments and health conditions.

Founding Partners and Financing

10. Mindset has strategic partnerships with the Departments of Basic Education, Health, Communication and Science and Technology, and is supported by its lead founding partners, namely the Liberty Foundation and Standard Bank Foundation. Other founding partners include the Nelson Mandela Foundation, Multichoice Africa, Intelset, Sunday Times, Sentech and Telkom Foundation.
11. Mindset has also enjoyed support and endorsement from a number of local and international donors including organisations such as the World Health Organisation, USAID, Global Fund and NEPAD.
12. As a non-profit organisation, Mindset sources funding and in-kind contributions from relevant corporate, governmental, non-profit and philanthropic organisations as indicated above to attain its vision as set out above and achieve in its strategic aim of remaining a credible organisation, an opinion leader in ICTs in education as well as securing sustainability.

Mindset Learn

13. Mindset operates in the formal education sector through its Mindset Learn programme.
14. Mindset Learn has as its focal point, high school learners and educators with an especial focus on the Further Education and Training (FET) band i.e. Grades 10, 11 and 12.
15. Content has been distributed to over 1 000 high schools using various ICT platforms and 2 million homes in Africa via DStv's Channel 319 and recently Top TV's Channel 319.
16. To date, Mindset has installed free-to-air satellite television broadcast reception equipment into more than 350 high schools using Sentech's Vivid platform. DStv records indicate that the Mindset exam revision programmes attract approximately 100 000 cumulative viewers per week.
17. All Mindset Learn content is available on the Mindset website (www.mindset.co.za/learn), which currently enjoys over 300 000 page views per month.
18. Mindset has also been developing and broadcasting a television-based exam revision programme during Winter and Spring breaks and Final exams for Grade 12 learners. Pre-recorded videos and Live shows have been broadcast on its channels and support print materials have been distributed to schools as printed booklets and made freely available on the Internet for download.



Students making use of the Mindset website

19. In support of these exam revision programmes, Mindset has also set up a helpdesk through which learners can directly submit their questions, queries and comments to Mindset. The helpdesk receives submissions via the Mindset website, email, telephone, Facebook, PepTxt and Twitter. The Mindset Facebook page recently achieved the significant milestone of over 10 000 followers.
20. There has been a lot of positive feedback and expressions of thanks on the Mindset service offering, a sample of which is included for the Authority's information:



Collphelo Molala

Mindset Learn.

I thank you guys very much about your lessons, and as long as you do so, we always there all the time. God be with you guys.

Like · Comment · 20 hours ago via mobile

👍 Lehlogonolo Sanctified Divine Mohube likes this.

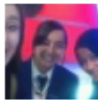


Tionge Mseteka


I enjoy the English and Maths literacy programmes, they help a lot.....thnx

Like · Comment · 2 hours ago






Kaashifa Gathoo ▶ Mindset Learn Xtra

Wednesday at 6:03pm · 

Good luck to all writing

Make us all proud, mindsetters! Let's make Cathy, Peter, Phil n all the other teachers (not forgetting Thai, Indi, n Katleho) proud to be teaching us as we are proud to be taught by them... But more so. Make yourself proud! Let's all hav a huge grin on our faces while writing :D n hopefully an even bigger one will be waiting for us when we receive our reports :p

Unlike · Comment

 Mindset Learn Xtra and 2 others like this.



Zama Pwesh Khumalo

I've learnt a lot today and believe me since its my first time watching mindset i must say i will never stop viewing this channel thank you mindset channel crew im happy, im excited, im speechless


Like · Comment · 4 minutes ago

Like · Comment · Share

 5 people like this.




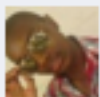
Claire Helen Deacon The challenge is to get my son to like your page and follow...

5 minutes ago via mobile · Unlike ·  1




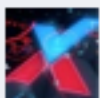
Claire Helen Deacon I think you are doing a fantastic job

5 minutes ago via mobile · Unlike ·  1



T-Tydo Bws Baas @Claire thats soo true the show is really helpin us especially matriculants Job welldone with the founders of the show. ✕

3 minutes ago via mobile · Unlike ·  1



Mindset Learn Xtra Thank you so much Claire Helen Deacon, we love hearing from parents and it makes us extra proud hearing that we're doing a good job!


2 seconds ago · Like



Çhärmäiñè Lèylöw Mählängû

Today I Was Writing My Last Paper...And I Wrote Successfully,So Did I With My Previous Papers And It's All Thanx Ta Yu...:)-♥-

Unlike · Comment · 49 minutes ago

 Mindset Learn Xtra likes this.



Letlhogonolo-nolo Sweetchick-lee Matshana

learn extra has been the boom helped me so much #huggies especial bruce

Unlike · Comment · about an hour ago via BlackBerry

 Mindset Learn Xtra and Reflectable Mkakha Mahmoud like this.



Mindset Learn Xtra Thank you for the kind comment, we really do love it when Mindsetters let us know how they feel!
7 minutes ago · Like



Manuella Barbie Manzambi

The best thing that ever happend to the world is technology,the best thing that ever happend to school is MINDSET LEARN :D :D

Unlike · Comment · 23 minutes ago

 Mindset Learn Xtra likes this.



Mindset Learn Xtra Manuella what an awesome comment!!
Thank you for making our day!
2 seconds ago · Like



Tshoghatso-Mpho Mosupye

Mindset is doing an awesome job. The government must award them for the brilliant work!
I think after November exams all the mindset team and mindsetters show get together ,may go on a camp and have a great time :)

Like · Comment · 5 minutes ago

 Mahlatse Desiree Dee Ncha likes this.

Mindset's challenge

21. Mindset currently exists as an Education service but is limited to subscribers of the pay-tv broadcasters, which limits the impact it can have.
22. Mindset seeks to add value to the education system and the people of South Africa, and it sees the best way of doing that as acquiring its own broadcasting service licence, with which it can broadcast high quality, relevant empowering content to its target audiences.
23. In addition to the wider and more diverse audience that Mindset can reach with a broadcast service licence, this will also enable Mindset to react to changes in demand in the market and allow it to the versatility to respond to such changes timeously and without constraint from external parties.

Representations on Draft DTT Regulations

24. Mindset supports the Authority's views that the Mobile Digital Terrestrial Television (MDTT2) multiplex should be utilised to accommodate new entrants aimed at stimulating the uptake of DTT services, fostering content and enhancing consumer choice. Mindset agrees that the Authority should use the MDTT2 multiplex as proposed.
25. Mindset submits that the Authority should, in finalising the DTT Regulations, reserve some of the capacity for services which benefit the public on a non-profit basis, particularly educational services. This will ensure that the public is best served, with the provision of locally-produced educational broadcasting services going some way towards achieving national policy objectives.
26. Mindset supports the focus on original South African television content, recognising its importance both for the need to promote and showcase South African talent as well as the creation of jobs and the continued development of local production sector. Mindset's education content is fully original South African content, having been developed and adapted to keep up with the current curriculum.
27. Mindset also submits that the Authority ensures that the proposed services which offer public benefit on a non-profit basis should be subject to the Must Carry obligations in terms of the ICASA Must Carry Regulations, 2008 as may be amended.

Conclusions

28. Given Mindset's status as a not-for-profit organisation, the financial considerations of obtaining a broadcast service licence – particularly given the nature of the service provided and the manner of its funding – make it untenable for Mindset to consider obtaining a broadcasting service licence as a viable solution for the provision of its services.

29. Mindset accordingly submits that the Authority should consider creating special dispensation for its service offerings, in order that Mindset may provide educational solutions for the formal education, health and livelihoods sectors across the widest and most diverse possible audience that would benefit from this service offering.
30. Mindset invites the Authority and all other relevant stakeholders to meet with it as its offices in order to tour and inspect its facilities and to view some of the content which it currently provides throughout South Africa.

regards

Ellipsis Regulatory Solutions CC