

**Memorandum of Understanding**

**Between**

**Regulatory Authority, Independent Communications Authority of South  
Africa,**

**in the Republic of South Africa**

**and**

**The Swedish Program for ICT in Developing Regions (Spider) at the**

**Department of Computer and System Sciences,**

**Stockholm University, Stockholm, Sweden**

## **PREAMBLE**

The Regulatory Authority, Independent Communications Authority of South Africa (hereinafter referred to as ICASA/ Authority), in the Republic of South Africa and The Swedish Program for ICT in Developing regions (Spider) at the Department of Computer and System Sciences (hereinafter referred to as Spider), of Stockholm University, Stockholm, Sweden, recognize the benefits to their respective organizations for capacity building and agree to broaden their collaboration by entering into the present Memorandum of Understanding (hereinafter referred to as MoU).

The Swedish International Development Cooperation Agency, Sida, has commissioned Spider and The Swedish Post and Telecom Authority (PTS) to jointly arrange the International Training Program which is called, “The ICT Regulation – Policy and Practice” (“Programme”) during 2017-2019 with two rounds per year and 25 participants in each round. The target group for participants are managers within ICT regulatory authorities as well as policy makers in ministries of ICT and/or other ministries responsible for ICT regulation in Sub-Saharan Africa. Spider is the main organizer of the Programme.

### **Article 1 Objectives and Activities**

- 1.1 The vision of the Programme is to contribute towards the population, both rural and urban, having access to universal and affordable telephony, and broadband services and communications with good quality and security in a consumer-oriented market with a high degree of self-regulating competition.
- 1.2 The Programme aims to support ICT regulatory development activity in Sub-Saharan Africa by providing tools, as well as discussing how policy making and regulatory practice, can meet an ever-changing ICT future; with the aim of creating a level playing field for operators and other business actors to safeguard the interests of end-consumers and authorities, to provide good service.
- 1.3 This MoU establishes cooperation and collaboration between Spider and ICASA for the round 2017B of the abovementioned Programme, during the period of November 2017 – September 2018. The cooperation will include the following activities:
  - 1.3.1 Two weeks of training in Stockholm for the participants to support the planning and implementation

of the Change Initiatives, as outlined in Annex I;

- 1.3.2 Coaching sessions facilitated through The Communications Regulators Association of Southern Africa (CRASA) during the period of November 2017 to August 2018;
- 1.3.3 Regional follow-up meetings in March 2018 at a location in the region to be determined; and
- 1.3.4 Assessment and evaluation reporting in September 2018.

#### 1.4 Programme phases

Phase	Name	Dates
1	Preparatory period	July – November 2017
2	Sweden – planning and training	20 November – 1 December 2017
3	Change initiative initiation	December 2017 – March 2018
4	Regional follow up	14-16 March 2018
5	Change initiative implementation	March – August 2018
6	Conclusion and evaluation	September 2018

## Article 2

### Implementation

- 2.1 Change initiatives are the corner-stone of the Programme. A change initiative is a project or endeavour which ICASA see as timely and in line with its strategic direction for ICT regulatory policy making and practice as well as that of its country. The list of change initiatives selected for this round are described in Annex I. These change initiatives have been selected and approved by the Chief Executive Officer of ICASA. The change initiatives also have the full support of the immediate supervisor of each of the participants in the programme who are responsible for implementing them.
- 2.2 The participants stated in Annex I will be allotted the appropriate amount of time between November 2017 and August 2018 to implement the change initiatives described in Annex I. ICASA will consider to the extent possible to include the change initiatives as part of the participants' performance contracts for the 2018/2019 financial year.
- 2.3 The endeavours are called change *initiatives*, rather than change projects. We foresee that several of the change initiatives will not be concluded in one round but rather could span over several

rounds and could grow to include other organizations, countries and even regions in later rounds. It is more important for the Programme's outcome that participants work on the change initiatives deemed to be timely and in line with the strategic direction of their organization, rather than continuously accumulating new change initiatives.

2.4 Spider will support the change initiatives in four main ways:

2.4.1 **Sweden:** The participants are invited to Stockholm, Sweden from 20 November – 1 December, 2017. The content of the two weeks of training will provide the subject knowledge required for the participants to succeed with their change initiative formulation. The bulk of the expertise will come from PTS. The participants will also be trained in gender equality and project management. The participants will make relevant study visits while in Stockholm. The first week will focus on plenary sessions with PTS experts and experts from other Swedish authorities and organizations, such as Ericsson. The second week will be focussed on meetings tailored to the specific needs of each change initiative.

2.4.2 **Coaching:** Starting in Sweden and continuing for the remainder of the Programme round, until August 2018, CRASA will provide coaching support for the participants to implement the change initiatives according to the project plan, and to integrate it into regional working groups which will facilitate harmonization of efforts within a region.

2.4.3 **Regional follow-up:** In March 2018, the members of the Programme Team, the coaches and the participants will meet for 3-5 days with presentations of results, as well as complemented training and discussions. The meeting will be held in one of the countries of the region. The Programme Team will travel to meet superiors of the participants and the involved policy makers for de-briefing, to discuss further participation of the countries in the Programme and also discuss further development of the Programme to better serve the participating countries in the future.

2.4.4 **Assessment and evaluation:** After the completion of the final round, in September 2018, results of the change initiatives will be reported, along with discussions of lessons learned and assessments of potential future developments of the change initiatives. This will be initiated by the Programme Team with each participating regulatory authority and CRASA.

## **Article 3**

### **Funding**

#### **3.1 Costs covered by Spider:**

- Flights (return ticket economy class) to Stockholm for the Sweden training phase, and travel to the regional follow up phase;
- Airport transfer in Sweden and regional follow up locations;
- Hotel and meals in Stockholm for the Sweden training, and in the location of the regional follow up phase;
- Participation in the training, study tours and planned social activities, training material and local transport costs in Sweden and the regional follow up;
- Group insurance for the Sweden training phase and the regional follow up phase; and
- Coach support once every three weeks for each change initiative throughout the Programme.

#### **3.2 Costs covered by the organization or participants:**

- Visa costs for Sweden and possibly for other African country for regional follow up;
- Travel to international airports in home country;
- Salary and continued employment for the participant during the duration of the Programme round;
- Any additional costs related to the implementation of the change initiative of the organisation; and
- Access to computer and internet connectivity related to the implementation of the change initiative of the organisation.

## **Article 4**

### **Terms of the MoU**

- 4.1 This MoU will commence on the signature date of the last signing party and will remain in force until 31 September 2018 or terminated by either party in terms of Article 5.

## **Article 5**

### **Termination of the MoU**

- 5.1 Any Party may withdraw from this MoU at any time by notifying the other Party. The MoU will terminate within ninety (90) days of the date the other Party received written communication to withdraw from the MoU.

## **Article 6**

### **Resolving Disagreements**

- 6.1 This MoU and matters relating to the performance and validity thereof shall be construed, interpreted, applied and governed in all respects in accordance with the laws of Sweden and laws of Republic of South Africa. In the event of any conflict, the laws of England will apply.
- 6.2 All disputes shall be settled amicably through negotiations between the Parties in good faith.

## **Article 7**

### **Language**

- 7.1 This MoU is only written in English.

**IN WITNESS WHEREOF** the parties have caused this MoU to be executed by and through their duly authorised representatives

**SIGNED and DATED** at .....on the day of .....2017

for and on behalf of: **ICASA** duly authorized thereto

-----  
**Paris Mashile**  
**Acting Chairperson**  
**Independent Communications Authority of**  
**South Africa, Republic of South Africa**

**AS WITNESSES**

**1.** \_\_\_\_\_

**Name in Print:** \_\_\_\_\_

**2.** \_\_\_\_\_

**Name in Print:** \_\_\_\_\_

SIGNED and DATED at Stockholm on the day of 30th of Nov 2017

for and on behalf of: **SPIDER** duly authorized thereto

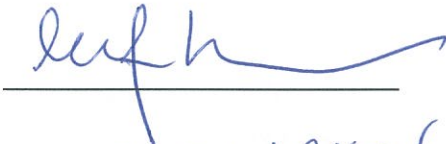


**Kerstin Borglin**

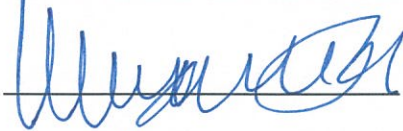
**Director, Spider**

**Department of Computers and Systems  
Sciences, Stockholm University, Sweden**

**AS WITNESSES**

1. 

Name in Print: ULF LARSSON

2. 

Name in Print: Magda Berhe Johnson



**Annex I – Change Initiatives and participants from ICASA taking part in round 2017B**

<b>Title of Change Initiative (CI)</b>	<b>Brief description of the relation of the CI to the organisations strategy</b>	<b>Participants name</b>	<b>Participants' title/role in the organisation</b>
<b>Institutional &amp; legal framework</b>	<p>To enhance ICASA's capacity to fulfil its mandate through professionalism and improved organizational performance</p> <p>To position ICASA as an independent and credible regulator that inspires the confidence of consumers and other stakeholders</p>	Mr Nkheteleni Norman Gidi	Executive Legal, Risk & CCC
<b>Competition regulation</b>	<p>To facilitate investment in and access to broadband infrastructure for sustainable socio-economic development</p> <p>To promote competition and facilitate access to a broad range of communication services at an affordable cost</p>	Ms Violet Letsiri	Senior Manager: Social Policy for ICT Service

<b>Consumer protection &amp; transparency</b>	To position ICASA as an independent and credible regulator that inspires the confidence of consumers and other stakeholders	Ms Anele Nomtshongwana	General Managers: Regions
<b>Spectrum management</b>	<p>To facilitate investment in and access to broadband infrastructure for sustainable socio-economic development</p> <p>To promote competition and facilitate access to a broad range of communication services at an affordable cost</p>	Ms. Leah Maina	General Manager: Licensing

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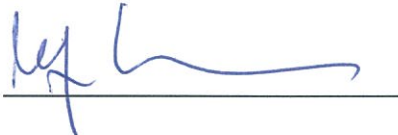


**Kerstin Borglin**

**Director, Spider**

**Department of Computers and Systems  
Sciences, Stockholm University, Sweden**

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