



Independent Communications Authority of South Africa
Pinmill Farm, 164 Katherine Street, Sandton
Private Bag X10002, Sandton, 2146

INFORMATION REQUEST

INQUIRY INTO TELEVISION SUBSCRIPTION BROADCASTING

2016

GUIDELINE FOR COMPLETING INQUIRY INTO TELEVISION SUBSCRIPTION BROADCASTING QUESTIONNAIRE

1. Purpose of the questionnaire

- 1.1 The questionnaire is the data gathering tool that the Authority is using in the Section 4(B) of the ICASA Act No. 13, of 2000 inquiry into the Subscription Television Services Market.
- 1.2 The Authority is distributing questionnaires to relevant stakeholders to solicit initial views on the Subscription Television Broadcasting Services market to investigate whether the market is effectively competitive. Following the publication of the questionnaires the Authority may hold meetings with stakeholders. Such meetings will be conducted in an open and transparent manner.

2 Questionnaire Format

- 2.1 This document seeks to assist the respondent to complete the questionnaire. The questionnaire is divided into eight sections consisting of the following worksheets:
- 2.2 **GENERAL INFORMATION** to capture general information about the respondent and the company that they represent. An indication of the Stakeholder Grouping that the respondent falls under is required. A confirmation of the correctness of submitted information is requested.
- 2.3 **SECTION A** is directed at Subscription TV broadcasters. Section A consists of the following sections General Information, Industry Perspectives, Market Share, Audience and Revenue, Channels and Content.
- 2.4 **SECTION B** is directed at Free To Air Broadcasters. Section B consists of the following sections General Information, Industry Perspectives, Market Share, Audience and Revenue, Channels and Content.
- 2.5 **SECTION C** is directed at Community Broadcasters. Section C consists of the following sections General Information, Industry Perspectives, Market Share, Audience and Revenue, Channels and Content.
- 2.6 **SECTION D** is directed at Over the Top / Streaming and Video on Demand Broadcasting Services. Section A\D consists of the following sections General Information, Industry Perspectives, Market Share, Audience and Revenue, Channels and Content.
- 2.7 **SECTION E** is directed at Pay TV Channel Operators / Providers. Section E consists of Industry Perspectives, Revenue and Platform Negotiations, Channel and Content and Distribution.
- 2.8 **SECTION F** is directed at Content Rights holders / Producers (Local and International). Section F consists of General Information, Industry Perspectives and Content.
- 2.9 **SECTION G** is directed to Broadcasting Associations. Section G consists of General Information and Industry Perspectives.

- 2.10 Each respondent is requested to complete only the Part/s of each Questionnaire relevant to it. The Part/s that the respondent replies to must be completed in their entirety. As such, where a question within the Part is not applicable to a respondent, **"N/A"** should be inserted in the relevant space.
- 2.11 With respect to the request in the Questionnaires for audited financial statements, such should be provided for the last 3 (three) years. Those respondents not required by law to produce audited financial statements may request that ICASA accept another type of financial statements, and should motivate same should it be requested.
- 2.12 Licensees are welcome to submit additional "explanatory notes" with responses to the Questionnaires to clarify any submissions, or to provide detail on the approach used in responding to a question.

3 Provision of information

- 3.1 ICASA is empowered to request licensees to furnish information in terms of section 4(C)(2) ICASA Act (No. 13 of 2000).
- 3.2 Furthermore, in terms of the regulations entitled "Standard Terms and Conditions for Individual/Class licences" (Government Gazette No. 30530 and 30512 respectively), under Regulation 9, ICASA may request information from Licensees that would enable it to, amongst others:
- 3.2.1 "monitor and enforce consumer protection, quality of service, competition and other requirements of Act and related legislation [and]
- 3.2.2 compile and aggregate information that would enable sectoral planning and reporting."

4 Submission instructions

- 4.1 All licensees must complete and submit the questionnaire to ICASA on or before 5 August 2016.
- 4.2 All Sections A to G must provide an electronic version of the submission (in Microsoft Excel format only unless stated otherwise). Submissions in Portable Document Format (".pdf") will not be accepted unless they are copies of the Excel submissions. Such submissions should be password protected, with the password being provided as a separate file.
- 4.3 Documents provided must be clearly labelled and/or indexed. Data provided must be in Microsoft Excel format (unless otherwise stated). Such submissions should be password protected, with the password being provided as a separate file.
- 4.4 Licensees may submit hard copies if deemed necessary, in addition to the Excel submission.
- 4.5 The Authority requires Regulatory Executive and Chief Financial Officer sign off on the information submitted to ensure accuracy and quality assurance.
- 4.6 All information must be submitted to subscriptioninquiry@icasa.org.za. The deadline for submissions is 5 August 2016.

5 Confidentiality

- 5.1 Where a licensee is of the view that information that is being submitted is confidential, the steps in section 4D apply.
- 5.2 The licensee must clearly mark the appropriate sections as confidential and must furthermore provide a written explanation in terms of section 4D(1)(b) explaining why the information is confidential. The Authority will respond within [14] days of receiving

a request for confidentiality whether or not the request for confidentiality has been granted.

- 5.3 Should the Authority determine that a request for confidentiality cannot be acceded to, the party providing the information will be given an opportunity to withdraw such information.

6 Terminology & Definitions

- 6.1 In these Questionnaires where dates are stated in rows, information for the financial year indicated must be provided.

- 6.2 In these Questionnaires, any word or expression to which a meaning is assigned in the Electronic Communications Act, 2005 (Act No. 36 of 2005) or the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000), as amended by the Independent Communications Authority of South Africa Amendment Act, 2006 (Act No. 3 of 2006), shall have the meaning assigned to it unless otherwise specified.

7 Queries

All queries regarding the questionnaire are to be submitted to: subscriptioninquiry@icasa.org.za.