**REGULATORY IMPACT ASSESSMENT OF THE ICASA MUST CARRY REGULATIONS (“MUST CARRY”).**

Questionnaire for the Public

Contact details OF THE respondent

Please complete the table below. Where there is more than one contact person please include the full details of the additional contact person/s in the format provided below.

|  |  |
| --- | --- |
| Prefix (Mr., Mrs., MS, Prof, etc.) |  |
| First Name |  |
| Last Name |  |
| Designation |  |
| Name of Entity |  |
| Department/ Division |  |
| Telephone (Switchboard) |  |
| Telephone (Direct line) |  |
| Mobile |  |
| E-mail |  |

**Background**

The Independent Communications Authority of South Africa (“the Authority”) is conducting a Regulatory Impact Assessment (“RIA”) on the Must Carry Regulations published in Government Gazette No. 31500 of 10 October 2008.[[1]](#footnote-1)

The Must Carry Regulations are meant to regulate the extent to which the Subscription Broadcasting Services (“SBS”) must carry the television programmes provided by the Public Broadcast Service Licensee (“PBS”); to provide the terms and conditions under which the SBS licensees will carry the television programmes of the PBS licensee; determine transparent, equitable and reasonable terms and conditions under which the PBS licensee may offer its television programmes to the SBS licensees; and provide exemptions for certain SBS licensees from compliance with these regulations.

The Authority seeks to obtain information and views on the effectiveness and impact of the Must Carry Regulations from stakeholders.

The Authority therefore requests you to please complete a questionnaire as accurately as possible. When providing written responses, as well as supporting evidence and data, please indicate clearly to which question the information pertains.

Should there be any questions or further clarification required, kindly address your questions to [**shlongwane@icasa.org.za**](mailto:shlongwane@icasa.org.za) or [**egopane@icasa.org.za**](mailto:egopane@icasa.org.za)

Please complete and submit data in terms of the questionnaire within twenty-two (22) working days from the date of this questionnaire being published on the ICASA website.

Thank you in advance for taking time to complete a questionnaire.

**Section 1. Objective of Must Carry**

The Must Carry obligation is driven by a policy goal to ensure that PBS television programming is available to all citizens, targeting those citizens that use subscription services as their preferred means of access to television. It is a part of universal service obligations imposed on subscription services.

Please answer the following questions:

1. Describe your organization, its positioning in the broadcasting sector and its key objectives.
2. Who are your members and what is the criteria for membership?
3. Do you think the PBS television programmes are accessible to the public? If not, what are some of the challenges in accessing the PBS television programmes?
4. Are you affected by the Must Carry regulations? If so, How?
5. What do you understand to be the objective of the Must Carry Regulations?
6. Do you think the Must Carry Regulations have achieved the intended objective?
7. Do you think the Must Carry Regulations have enabled the public, who ordinarily would not have access to PBS television programmes, to access PBS television programmes?
8. What do you consider to be the advantages and disadvantages of the Must Carry Regulations?
9. Other than the Must Carry Regulations, what other mechanisms would you suggest to achieve universal access to the PBS television programmes?
10. Will the Must Carry Regulations still be necessary to achieve universal access to the PBS television programmes in the digital television environment?
11. What will be the impact of repealing the Must Carry Regulations?

1. Government Gazette No. 31500 of 10 0ctober 2008 Vol no. 520 [↑](#footnote-ref-1)