

Draft Consultation Document on Spectrum Outlook 14 April 2022

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Q20: Broadcasting

Trends identified to influence future demands for the broadcast spectrum includes the following services/applications, *inter alia*:

- High Definition (HD) and Ultra High Definition (UHD);
- Interactive Broadcast Broadband (IBB);
- Time-shifted services;
- Local, regional and community services;
- Pay-TV programme services;
- 5G Broadcast;

Practicality of 10 – 20 years outlook

Section 34 of the EC Act clearly state that South Africa's National Radio Frequency Plan is influenced by the outcomes or ITU-R Treaties (WRC). The ITU WRCs are held every four (4) years, it is therefore difficult to see how the Authority will manage the 10 – 20 year spectrum plan when global spectrum regulation issues are reviewed and revised every fourth (4th) year. Section 4(3)(c) of the ICASA Act state that the Authority “must control, plan, administer and manage the use and licensing of the radio frequency spectrum in accordance with bilateral agreement or internal treaties entered into by the Republic”.

Section 4(3)(i) further indicate that the Authority “may attend conferences convened by the relevant United Nations Specialised Agencies and any other bodies and, where applicable, must implement any decisions adopted by such Agencies and other bodies to which the Republic is a party”. Section 4(3)(i) of the ICASA Act is enabled by section 30(2) of the EC Act. In terms of section 34(1) of the EC Act, the Minister of Communications and Digital Technologies is the country's representative on WRC matters as the conference reviews and revises international treaty governing the global use of the radio-frequency spectrum. Section 34(1), (2), (7)(c) and (16), amongst others, outline the Minister's role and responsibilities with respect to spectrum planning.

Regulatory and Policy: Long Term Spectrum Planning

National Development Plan

In contemplating the “relevant regulatory and policy aspects of long-term spectrum planning”, the Authority must acknowledge the holistic intention of the NDP with respect to the public interest. As an SOE, SENTECH will like to bring to the attention of the Authority the NDP’s role with respect to State intervention.

SA Connect

Broadband infrastructure provision to the public sector as well as to under-serviced areas in South Africa is an important priority to the government. SA Connect is the primary programme for this initiative. The intention behind SA Connect is to provide a clear framework for the implementation of an open-access regime for the wireless and fibre networks planned for South Africa. SA Connect is South Africa’s broadband policy and seeks to operationalize the National Development Plan (NDP), the New Growth Path (NGP) and provide practical expression to the Presidential Infrastructure Coordinating Commission (PICC) Strategic Integrated Project (SIP) 15.

Regulatory and Policy: Long Term Spectrum Planning (cont...)

National Infrastructure Plan 2050

Public infrastructure investment is central to achieving greater productivity and competitiveness, reducing spatial inequality and supporting the emergence of new job-creating sectors. It is therefore one of the non-negotiable foundations of transformation and inclusive growth. The construction of infrastructure generates employment and broad-based black economic empowerment opportunities, further contributing to the goals of the National Development Plan (NDP).

The NDP supported by section 3(1A) of the EC Act (as amended) anticipates the use of SOEs to "ensure strategic ICT infrastructure investment", it is on this basis that there is a need for spectrum planning to ensure assignment for public use linked to State spending under SIP 15. The challenge of radiofrequency infrastructure assignment not accommodating State sponsored projects, limits the State's role in intervening in national developmental goals. Therefore, there is a need for the reservation of spectrum for public services used to achieve NDP goals.

Q2: Protection of Democracy

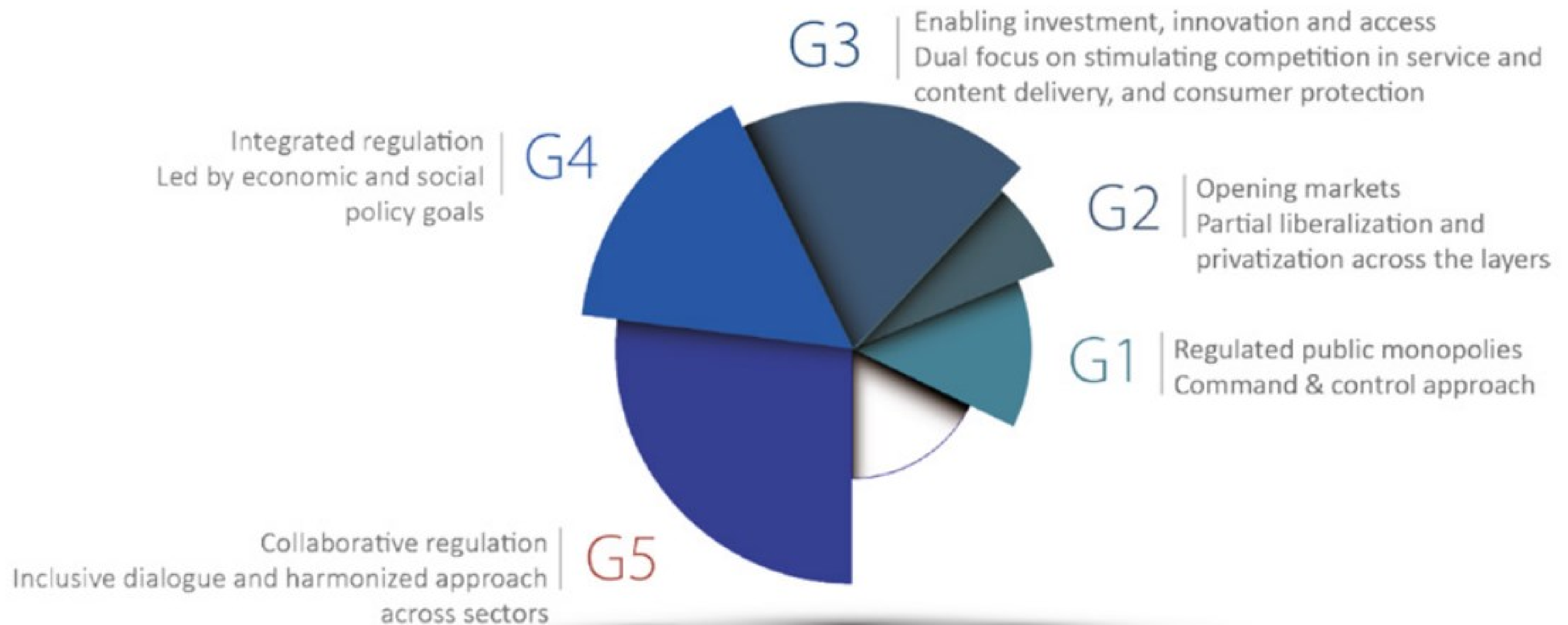
There are several services requiring spectrum allocation and assignment in the national interest in compliance with provisions of the Constitution, such as, inter alia: Bill of Rights, Security Services, etc.

The Authority must acknowledge the need to protect spectrum for the following, amongst others: 1) Safety of life (aircrafts, ships, emergency position indicators beacons), 2) Security services (defence, police and security services), 3) Public protection and disaster relief (fire services, ambulance, etc.), 4) Scientific research (meteorological services, radio astronomy, space research, earth exploration, and remote sensing).

Taking into consideration the definition of trade-off, SENTECH argues that is not an appropriate principle to consider in several cases. The services mentioned are crucial to a country's stability, ability to offer crucial services and protection of country borders and individuals. Spectrum free of interference is also crucial to ensure safety of life. These principles are catered for the EC Act, particularly sections 34(2), 34(7)(c) and 34(16).

Q4: Collaborative Regulation

- Provide a framework within which spectrum is made available for the constantly evolving radio spectrum needs, and the spectrum management system;
- Support and follow the major directions and needs of the current and future spectrum users.



Q6: Traffic Pressures

The Authority should be concentrating on encouraging collaboration between different platforms to contribute to addressing issues of universal access, rather than making this predominately a technology matter. For example, the combination of a high fiber penetration and Wi-Fi relieves traffic from the mobile networks. There is also an increasing deployment of satellite services to provide universal broadband. Technology developments and/or usage trends are influenced by new services offerings in the data - driven revolution.

Thank You