

**COMPLAINTS AND COMPLIANCE COMMITTEE**

**CASE NO: 399/2020**

In the matter between:

**CCA**

Complainant

and

**eSAT (PTY) LIMITED**

Respondent

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**ORDER**

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**WHEREAS:**

- 1 The Complainant lodged a complaint to the Complaints and Compliance Committee of ICASA (“CCC”) regarding the Respondent’s failure to commence operations of the Broadcasting Services specified in its licence within 24 months from the date of issue as provided for in regulation 5(1) of the Standard Terms and Conditions for Individual Electronic Communications Services Regulations of 2010, as amended (“the Regulations”).
- 2 In its referral to the CCC, the Complainant sought relief in terms of section 17E(a) and (c) of the ICASA Act that:
  - 2.1 The Respondent be directed to desist from any further contravention of the Regulations; and

- 2.2 The Respondent be directed to take such remedial or other steps in accordance with the ICASA Act.
- 3 The Respondent admits that it failed to launch its services as required by the Regulations and, in particular, Regulation 5(1).
- 4 Pursuant to this, the Complainant and the Respondent reached an agreement of settlement on the terms set out below which they wish to be made an order of the CCC.
- 5 **By agreement between the parties**, the CCC is requested to make the following order:
- 5.1 The Respondent be directed to commence operations of the Broadcast Service specified in its licence by no later than 15 December 2022 and to desist from any further contravention of the Regulations in this regard while implementing the steps set out in paragraphs 5.2 to 5.4 below;
- 5.2 Within 21 days from the date upon which ICASA publishes this Order, the Respondent be directed to apply to the Council of ICASA for an extension of the commencement period as referred to in paragraph 5.1 above (“the application”);
- 5.3 Within 60 calendar days from the date on which the application is granted, the Respondent be directed to submit to the Council of ICASA a comprehensive plan of action setting out, amongst others, its operational plans, how such plans will be implemented, as well as clear

timelines on which such operations plans are to be executed and/or implemented;

- 5.4 The Respondent be directed to submit update reports on its progress and development in achieving its operational plans set out in paragraph 5.3 above at least three times in every six months.

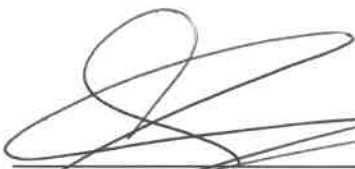


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**Dan Rosengarten**

Duly authorised by the Respondent

DATE: 15 NOVEMBER 2021.



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**David Maphakela**

Duly authorised by the Complainant

DATE: 15 NOVEMBER 2021.

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**Judge Thokozile Masipa**  
Chairperson of the CCC

DATE: \_\_\_\_\_