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**Date:** 2 August 2025

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA NOTICE 3355 OF 2025 THE  
INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA DRAFT DIGITAL TERRESTRIAL  
TELEVISION REGULATIONS, 2025**

**SUBMISSION OF WRITTEN REPRESENTATIONS BY QREVOLUTION ORBIT (PTY) LTD**

**Attention:** Ms. Pumela Cokie  
Independent Communications Authority of South Africa  
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**Written Representations on the Draft Digital Terrestrial Television Regulations, 2025**

**1. Introduction**

1.1. QREVOLUTION ORBIT (PTY) LTD, a 100% black-owned, Level 1 B-BBEE contributor, hereby submits its written representations on the Draft Digital Terrestrial Television Regulations, 2025 ("the draft Regulations"). Our company is a prospective entrant into the South African broadcasting sector, with a vision to deliver innovative digital television services through our SportSphere and Qrevolution+ platforms.

1.2. We welcome the Authority's initiative to create a clear and forward-looking regulatory framework for the post-analogue switch-off era. Our comments are designed to assist the Authority in achieving the objectives of the Electronic Communications Act ("ECA"), which include promoting diversity, fostering competition, and facilitating technological innovation.

1.3. A copy of our B-BBEE certificate, demonstrating our Level 1 status and 135% procurement recognition, is attached as **Annexure A**.

1.4. In terms of Regulation 7, we request the opportunity to make oral representations on our submission at any public hearings the Authority may elect to hold.

## **2. Comments on Specific Regulations**

### **2.1. Regulation 2 – Purpose of the Regulations**

2.1.1. We fully support the stated purpose of the Regulations, particularly the objectives to allocate capacity for DTT services and to prescribe a procedure for the licensing of Multiplex Operators. These objectives are essential for creating a transparent and predictable environment for new market entrants.

### **2.2. Regulation 4 – Multiplex Allocation**

2.2.1. **Regulation 4(5) (Multiplex 3):** We welcome the Authority's decision to allocate 45% of the available capacity on Multiplex 3 to free-to-air (FTA) licensees. This is a crucial provision for fostering competition and enabling the entry of new players like Qrevolution Orbit. We believe this will directly address the Authority's mandate to promote a diverse and competitive broadcasting sector.

2.2.2. **Regulation 4(7) (Multiplex 4):** We note with interest that 100% of the available capacity on Multiplex 4 is allocated to commercial subscription broadcasting television service licensee(s). We intend to apply for capacity on this multiplex for our premium subscription service, Qrevolution+, subject to the publication of the Invitation to Apply. We believe this dedicated multiplex for subscription services is a rational approach to address the unique business models and technical requirements of pay-TV.

2.2.3. **Regulation 4(8) and (9) (Multiplex 6 & 7):** We commend the Authority for reserving 100% of the capacity on Multiplexes 6 and 7 for future innovation, trials, and experiments. This forward-thinking approach is vital for ensuring South Africa remains at the forefront of digital broadcasting. Our company has a specific interest in utilizing this capacity for our "Quantum Broadcast Pilot," which would explore the use of AI, quantum-secure overlays, and neuro-broadcast technologies. We confirm our intention to apply for a special temporary authorization in terms of Regulation 4(9).

### **2.3. Regulation 5 – Channel Authorisation Procedure**

2.3.1. We support the establishment of a clear and standardized channel authorization process in Regulation 5. This procedural clarity will reduce regulatory uncertainty and ensure an efficient pathway for licensees to launch new channels.

2.3.2. We note the sixty (60) day timeline for issuing a certificate. We submit that this timeline is reasonable and will aid in business planning and commercial roll-out.

### **2.4. Regulation 6 – Signal Distribution of DTT Services**

2.4.1. **Regulation 6(4):** We are concerned that the six (6) month deadline for submitting a signal distribution agreement may be ambitious for new licensees. The process of negotiating a complex commercial and technical agreement, including a roll-out plan and tariff structure, can be protracted.

We respectfully submit that this deadline be extended to **twelve (12) months** from the date of license issuance to allow new entrants sufficient time to secure a commercially viable and technically sound agreement.

2.4.2. We support the Authority's power in Regulation 6(5) to publish an Invitation to Apply for signal distribution services where a broadcaster fails to meet its roll-out targets. This provision is an important safeguard to ensure the objectives of universal service and coverage are met.

## **2.5. Regulation 9 – Penalties**

2.5.1. While we acknowledge the importance of robust enforcement, we believe the fixed penalty of R500,000 per day in Regulation 9 may be disproportionate for certain contraventions, particularly for smaller broadcasters or new entrants.

2.5.2. We propose that the Authority consider a **tiered penalty system** that takes into account the scale of the broadcaster (e.g., annual revenue), the nature of the contravention, and whether it is a first-time or repeat offense. This would align the penalties with principles of regulatory proportionality and fairness, as fines of this magnitude could be fatal for a start-up or community broadcaster.

## **3. Conclusion**

3.1. QREVOLUTION ORBIT (PTY) LTD is a committed and empowered prospective participant in the digital broadcasting sector. We believe our business model, which includes a strong focus on local content and technological innovation, is perfectly aligned with the objectives of the ECA and the intentions of the draft Regulations.

3.2. We thank the Authority for the opportunity to provide these representations and look forward to engaging further in this process.

Sincerely

Dr Modise R Seemela  
CEO  
QREVOLUTION ORBIT (PTY) LTD  
Contact: +2782 622 1736

## **Annexure A: B-BBEE Certificate**

*A scanned copy of the B-BBEE certificate for QREVOLUTION ORBIT (PTY) LTD, demonstrating its Level 1 Contributor status and 100% black ownership.*