



**SABC SUBMISSION TO THE INDEPENDENT COMMUNICATIONS AUTHORITY OF
SOUTH AFRICA**

**DRAFT REGULATIONS ON DYNAMIC SPECTRUM ACCESS AND OPPORTUNISTIC
SPECTRUM MANAGEMENT IN THE INNOVATION SPECTRUM 3800 – 4200MHz AND
5925 – 6425MHz**

30 MAY 2025

1. Introduction

- 1.1. On the 28th March 2025, the Independent Communications Authority of South Africa (ICASA), published the Draft Regulations on Dynamic Spectrum Access and Opportunistic Spectrum Management in the Innovation Spectrum Frequency Ranges 3800 – 4200MHz and 5925 – 6425MHz, in terms of section 4 read with section 32 (1) and 33 of the Electronic Communications Act (Act No. 36 of 2005) “The Draft Regulations”.
- 1.2. The SABC would like to thank the Independent Communications Authority of South Africa (“The Authority”) for the opportunity to make submissions on The Draft Regulations. The SABC welcomes and appreciates ICASA’s invitation to contribute to this initiative.
- 1.3. As the only public broadcaster within the Republic of South Africa charged with a specific mandate set out in Chapter IV of the Broadcasting Act No. 4 of 1999 to provide not only radio and television programming that informs, educates and entertains; but further states that these are to be made available throughout The Republic.
- 1.4. This presents an opportunity to the SABC to provide these services to all corners of South Africa, through various means that include Satellite Services in broadcasting television and radio services to the masses, in fulfilling this mandate.
- 1.5. The SABC has commercial agreements with other ICASA ECNS license holders for contribution and distribution satellite uplink services, including a cross-carriage agreement with a (Direct To Home) DTH platform operator.
- 1.6. The SABC will therefore rely on the submissions of its signal carrier partners on these draft regulations. The SABC submission is nevertheless limited to general concerns on The Draft Regulations.

2. General Comments and Concerns

- 2.1 As the Public Broadcaster, our mandate is to render TV and Radio services to all South Africans in all corners of the country. South African audiences should be able to access SABC content regardless of where they reside in the country.
- 2.2 The Draft Regulations raises concerns of interference in the Satellite Network
- 2.3 The SABC also has concerns on the constraints that the Draft Regulations will have on the expansion of future services.
- 2.4 As the SABC we would like to understand the rationale of defining the identified band as innovation band, whereas there are operators already in the band.
- 2.5 The Draft Regulations specifies “exclusive zones”, and the concern from the SABC is how then will the entire spectrum be available for downloads with “exclusive zones”.
- 2.6 The Draft Regulations do not give information about the receiving devices.
- 2.7 The SABC has reservations about the process being followed in its entirety.

3. Recommendations

We humbly recommend that The Authority reconsider these Draft Regulations and rather place this responsibility on industry bodies such as the Joint Spectrum Advisory Group (J-SAG). The Draft Regulations should guard against emulating and implementing what is done in other continents and countries but rather look at the unique needs of South Africa.