Independent Communications Authority of South Africa
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COUNCIL DECISIONS – June 2017

ITEM	DATE OF DECISION	PURPOSE	DECISION/RESOLUTION
Resolution for the Establishment of a Special Committee to consider applications for the Individual Commercial Free to Air Television Broadcasting Service and Radio Frequency Spectrum licence for MUX 3 Frequency	06 June 2017	The purpose of this memorandum was to recommend that Council approve the updated resolution for the establishment of a special committee to consider applications for Individual Commercial Free To Air Television Broadcasting Service and Radio Frequency Spectrum Licence for MUX 3 frequencies.	**It was resolved that the recommendation that the updated resolution for the establishment of a special committee to consider applications for the Individual Commercial Free To Air Television Broadcasting Service and Radio Frequency Spectrum Licence for MUX 3 frequencies be approved.**
Resolution for the Establishment of a Council Committee on Digital Sound Broadcasting.	06 June 2017	The purpose of this submission was to request Council to establish a Council Committee on digital Sound Broadcasting and to appoint Councillors to serve on the Committee. The purpose of the Council Committee is to develop a findings document on the use of Digital Sound broadcasting. The Committee will be assisted by members of staff from Policy Research and Analysis, Licensing, CT	**It was resolved that the establishment of the committee be approved.**

		Licensing services and Type approval, Compliance and Consumer Affairs, Engineering and Technology and the Legal division.	
South African Maritime Authority (SAMSA) Request for Meeting	06 June 2017	The purpose of this submission was to request Council to note 1. Management 's position on the request made by the South African Maritime Safety(SAMSA) for an exemption to pay fees related to Maritime Radio Frequency Spectrum("MRFS") Licences for subsistence fishers.	**It was resolved that Council cannot grant an exemption on the licence fees.** *Reasons:* *Regulations do not allow for fees exemption.* *Exemption will be in contravention of the ECA* *To allow for exemption will be amending the ECA.*
ITU Regional Office Request for South Africa to Host African Regulators Forum	06 June 2017	Request to host the African Regulators Forum by the ITU Regional Office.	**It was resolved that the request to host the African Regulators forum by the ITU Regional Office be approved.**

Publication of the revised notice to conduct Priority Markets Study	*13 June 2017*	The purpose of this memorandum was to request Council: 1. to approve the publication of the revised notice on Priority Markets; and 2. to note the media, release on priority Markets Study to be published on the Authority 's website.	**It was resolved that the request to approve the revised notice of intention to conduct an inquiry to identify Priority Markets in the Telecommunications Sector to be published in the Government Gazette and;** **To note the media, release on the state of Priority Markets Study to be published on the Authority s' website be approved with changes.**
M-Power: Application for Amendment of the Frequency Spectrum Licence	*13 June 2017*	The purpose of this submission was to request Council; to reject the application for the amendment of Radio Frequency Spectrum Licence of M-Power Radio.	**It was resolved that the request to reject the application for the amendment of Radio Frequency Spectrum Licence of M-Power be approved.** **Reasons for rejection**: 1. The proposed additional transmitter will cause harmful interference to the spare frequency of 94.7 MHz with an ERP of 10 kW, coordinated for public broadcasting services at the Letaba transmitter side. 2. The proposed additional transmitter will cause harmful interference to Hoedspruit transmitter 's spare frequency coordinated for community sound

			broadcasting service on a frequency of 94.4 MHz with ERP of 18 kW; and 3. The amendment is not in line with the provision of section 31(4) of the Electronic Communications Act.36 of 2005. The applicant to be advised of different alternative frequencies for consideration.
The Processes to Establish the Consumer Advisory Panel	*13 June 2017*	The purpose of this submission was to advise Council on the processes of establishing the Consumer Advisory Panel (CAP) and to request Council to approve the process, including the establishment of an interview panel for the appointment of CAP members.	**It was resolved that the process to establish the Consumer Advisory Panel be approved.**
Update on the Implementation of the Memorandum of Understanding ("MoU") signed between the Independent Communications Authority of South Africa ("the Authority") and the South African Bureau of Standards ("the SABS") on the Issuance of Certificates of Compliance("CoCs").	*13 June 2017*	The purpose of this submission was to provide an update to Council of the signed Memorandum of Understanding (MoU) between the Authority and the SABS on the issuance of the CoCs for electromagnetic compatibility and Electromagnetic interference (EMC/EMI) standards for non-telecommunications equipment.	**It was resolved that the update on the implementation of the Memorandum of Understanding ("MoU") signed between ICASA and the SABS on issuance of certificates of compliance be noted.**

Reasons Document for Decision in Respect of e-tv Licence Amendment Application	*13 June 2017*	The purpose of this memorandum was to request Council to approve the e.tv (Pty) Ltd, reasons document for publication in the Government Gazette.	**It was resolved that the reasons document be approved for publication in the Government Gazette**.

Council Decisions 27 June 2017

Re: Amendments to the National Radio Frequency Plan 2017(NRFP-17.)	*27 June 2017*	The Office of the Acting Chairperson received a letter dated 08 June 2017 from the Office of the Minister of Telecommunications and Postal Services, MP referring to the approval by Cabinet of the National Frequency Plan 2017 and noting ICASA s' objections.	**It was resolved that the Authority should draft the letter acknowledging receipt and State the position of ICASA on the matter, and copy the Minister of Communications and enclose the previous correspondence.**
Publication of a Notice and Discussion Document for Public Comment-Call Termination	*27 June 2017*	The purpose of this memorandum was to request Council to approve a notice together with a discussion document on the review of the pro-competitive conditions imposed on licensees in terms of the 2014 Call Termination for public comments.	**It was resolved that the Notice be approved for publication.**
Publication of the revised notice to Conduct Priority Markets Study.	*27 June 2017*	The purpose of this memorandum was to request Council to approve the revised notice of intention to conduct an inquiry to identify Priority Markets in the telecommunications sector to be published in	**It was resolved that the Notice be approved for publication.**

		the Government Gazette.	
Procedure for Publication of CCC Judgements by the Corporate Services of ICASA.	*27 June 2017*	The purpose of this submission was to request approval of the procedure for the publication of CCC Judgements on the ICASA website by Corporate Services.	**It was resolved that the request for approval of the procedure for publication of CCC judgements on the ICASA website by Corporate Services be approved.** The Standard Procedure documents includes the roles of CCC and Corporate Services in the publication of the CCC judgements and are applicable only after the CCC recommendation has been approved by the Council of ICASA, in terms of ICASA Act.
Recommendation by Complaints and Compliance Committee ("CCC") to Council in the matter between the Compliance Division of ICASA and Netwave Internet.	*27 June 2017*	The purpose of this submission was to table recommendation of the CCC in the matter between the Compliance Division of ICASA and Netwave Internet ("the Licensee")	**It was resolved that the recommendation by the CCC to,** revoke the licences of Netwave Internet in terms of section 4(3)(e) of ICASA Act, and declaring that the licences no longer exist be approved.
Recommendation by Complaints and Compliance Committee ("CCC") to Council in the matter between the Compliance Division of ICASA and Bultimex CC T/A Inetsure	*27 June 2017*	The purpose of this submission was to table the recommendation of the CCC in the matter between the Compliance Division of ICASA and Bultimex CC T/A Inetsure. Bultimex CC T/A Inetsure failed to: • commence operations as canvassed in its licence terms and conditions; • request an extension for the	**It was resolved that** the licence of Bultimex CC t/a InetSure be revoked in terms of section 4(3) of the ICASA Act, declaring that the licence no longer exist; and A notice be placed in the Government Gazette and on the ICASA website. **the Reasons approval:** *In line with section 17B (b) of the ICASA Act No. 13 of 2000 (As amended*)

		commencement of operations: and • Provide reasons as to its inability to commence operations.	
Spectrum monitoring for International Mobile Telecommunications (IMT) and Public Protection and Disaster Relief (PPDR) Bands, North West, Quarter 4 2016/2017.	*27 June 2017*	The purpose of this memorandum was to request Council to note the Spectrum Monitoring Report for monitoring the IMT and PPDR bands, in the North West Province, for Quarter 4, 2016/17.	**It was resolved that the Spectrum Monitoring for International Mobile Telecommunications (IMT) and Public Protection and Disaster Relief (PPDR) Bands, North West Province Q4,2016/2017 be noted.**
Notice of Erratum in Respect of Invitation to apply ("ITA") for Individual Commercial Free to Air Television Broadcasting Service Licence(s) and the applicable Radio Frequency Spectrum Licence (MUX 3 Frequencies)	*27 June 2017*	The purpose of this memorandum was to recommend that Council approves a notice of erratum in respect of the invitation to apply ('ITA") for Individual Commercial Free-to Air Television Broadcasting Service Licence and applicable Radio Frequency Spectrum Licence (MUX 3 frequencies).	**It was resolved that the notice of erratum be approved.**
Report of the Wireless World Research Forum's 5G Huddle Conference held in Ottawa, Canada from 31 May to 1 June 2017.	*27 June 2017*	The purpose of this submission was to request Council to note and approve the report of the Wireless World Research Forum(WWRF)'s 5G Huddle Conference held in Ottawa, Canada from 31 May to June 2017. The WWRF is a non-profit association incorporated in terms of the Swiss Civil Code. The seat of the WWRF is Zurich,	**It was resolved that the Report of the Wireless World Research Forum's 5G Huddle Conference held in Ottawa, Canada, from 31 May to 1 June be noted and approved.**

		Switzerland. The purpose of the WWRF is to: 1. contribute to the development of a common and comprehensive vision for the Wireless World; 2. Concentrate on the research relevant to the Wireless World. including pre regulatory impact assessments; 3. disseminate and communicate Wireless World concepts; and 4. provide a platform for the presentation of research results.	