Independent Communications Authority of South Africa
350 Witch-Hazel Avenue,
Eco-Point Office Park
Centurion

COUNCIL DECISIONS– 15 January 2019

ITEM NO.	AGENDA ITEM	DECISION
1.	**Recommendation by CCC to Council in the matter between Anthony Duke and Five Others and Whale Coast FM** The purpose of the submission was to table the recommendation by Complaints and Compliance Committee in the matter between Anthony Duke and Five Others and Whale Coast FM. On the 23 April 2018, the CCC received a complaint in terms of Section 17B(a) of the Independent Communications Act of South Africa (ICASA) act 13 of 2000, to investigate and hear if appropriate, and make a finding on allegations of non-compliance against Whale Coast FM. The Complaints allege that Whale Coast FM has failed to comply with the following licence conditions of its Class Broadcasting Licence: • Clause 1.3. Control Licensee: "Control shall vest in the governing body of Breakthrough Adventures NPC". • Clause 4.2. "The Licensee shall provide for the	**It was resolved that the recommendation by CCC to Council in the matter between Anthony Duke and Five Others and Whale Coast FM be approved as presented.**

	participation of community members in the affairs of the station in the following ways: 4.2.1 The Licensee shall hold at least two (2) meetings annually with its community focusing on programming policies of the station. 4.2.2 The Licensee shall furnish the Authority with proof of such meetings as well as the attendance thereof by members of the community. 4.2.3 The Licensee shall hold Annual General Meetings (AGM) for the following purposes: 4.2.3.1. To provide feedback on the Licensee's compliance with licence conditions; 4.2.3.2 To provide feedback on the Licensee's operational and financial performance, and any Special Annual General Meeting as and when required by the constitution; and 4.2.3.3 To elect members of the controlling structure e.g. Board of Directors, Trustees etc. subject to the licensee's founding documents. • Clause 8.1. "The Licensee	

	shall provide for the participation of community members in the affairs of the station in the following ways: • Special phone-in programmes by members of the community.	
2.	**South African Post Office SOC Ltd (SAPO) Annual Tariff Application for 2019/2020 Price Control Period and Amendment Proposal Submission** The purpose of the submission was for Council to: • Approve and average decrease of 0.5% (which amounts to -R 13.37 million) in revenue for reserved postal products and services; and • Approve SAPO's request to discontinue surface mail destined for African countries and a single rate for outbound mail destined for African countries.	**It was resolved that the South African Post Office SOC Ltd (SAPO) Annual Tariff Application for 2019/2020 Price Control Period and Amendment Proposal Submission be approved.**
3.	**Radio Frequency Spectrum Assignment Plan for the Frequency Band 825 to 830 MHz and 870 to 875 MHz** The purpose of the submission was to request Council to: • Note that the Authority's Strategic Plan 2016/2017 – 2021 Strategic Objective is to increase access to broadband spectrum from 566MHz to 958MHz by 2020.	**It was resolved that the Radio Frequency Spectrum Assignment Plan for the Frequency Band 825 to 830 MHz and 870 to 875 MHz be approved.**

	• Note that the Radio Frequency Spectrum Assignment Plan for the International Mobile Telecommunication for the Frequency band 825 to 830 MHz and 870 to 875 MHz, (IMT850) is to be published during the first quarter of 2018/19 financial year. • Note that the finalisation of the IMT850 forms a baseline document for the assignment process that is taking place through an Invitation to Apply which includes all the IMT700 and IMT800, in terms of regulation7 of the Radio Frequency Spectrum Regulations.	
4.	**Notice Regarding the Final Radio Frequency Spectrum Assignment Plans** The purpose of the submission was for Council to approve: • The notice regarding final radio frequency spectrum assignment plan for the specific service. • The publication of the notice regarding final radio frequency spectrum assignment plan for the specific service in the Government Gazette and the ICASA website.	**The report was approved as presented.**
5.	**Decision on the Licensing process for the Radio frequency spectrum license for 45% of multiplex 3 capacity for commercial subscription broadcasting services**	**It was resolved that the Decision on the Licensing process for the Radio frequency spectrum license for 45% of multiplex 3 capacity for commercial subscription broadcasting services be approved as presented.**

	The purpose of the submission was to: • Advise Council of the outcome of the Invitation to Apply for the Radio Frequency Spectrum Licence for 45% of Multiplexer 3 Capacity for Commercial Subscription Broadcasting Service (45% Mux 3 frequencies) that was published on 26 July 2018, Government Gazette number 41799; and • Recommend to Council to defer the licensing process for 45% Mux 3 frequencies.	
6.	**Request to approve the final Radiocommunication frequency migration plan 2019** The purpose of the submission was to request Council to approve: • The final Radiocommunication Frequency Migration Plan edition 2019; • The publication of the final Radiocommunication Frequency Migration Plan edition 2019 in the Government Gazette and ICASA website; and • The letter to advise the Honourable Minister of the publication of the final Radiocommunication Frequency Migration Plan edition 2019.	**It was resolved that Council approves:** • **To give effect to the achievement of the Annual Performance Plan for the 2018/2019 financial year;** • **To give effect the Authority's Five Year (5) Strategic Objectives and Goal (SOOG 1.1), which is "To increase access to broadband spectrum from 566MHz to 958MHz by 2019/2020;** • **To give effect to the Authority's primary objectives of ensuring universal availability of broadband services as well as a vibrant and competitive telecommunications industry and to promote investments; and** • **To ensure orderly Management of the Spectrum Resources.**
7.	**Implementation of 116 for**	**It was resolved that**

	Childline Services The purpose of the submission was to request Council to approve and the notice pertaining to the implementation of the short code 116 for the provision of Childline services as per the resolution adopted by the Communications Regulatory Association of Southern Africa.	**Implementation of 116 for Childline Services** **be approved as presented.**

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ISSUED BY: Secretariat Office on behalf of Council