Independent Communications Authority of South Africa
350 Witch-Hazel Avenue, Eco Point Office Park
Eco Park Centurion
Private Bag X10, Highveld Park, 0169

COUNCIL DECISIONS – 24 October 2019

ITEM NO.	AGENDA ITEM	DECISION
1.	**Update on the Implementation of the MoU signed between the Independent Communications Authority of South Africa (ICASA) and the South African Bureau of Standards (SABS) on Certificates of Compliance (CoCs)** 1.1 The purpose of the submission was to update Council on the latest developments related to the Memorandum of Understanding (MoU) between ICASA and the South African Bureau of Standards (SABS) on the issuance of COCs for the Electromagnetic compatibility and Electromagnetic interference (EMC/EMI) for non-telecommunications equipment and further request to approve the Authority to publish a notice to industry reaffirming the Authority's support and enforcements of the SABS CoC Program	**The update was noted.** **Council approved the publication of a notice to industry.**
2.	**Recommendation by CCC to Council in the matter between South African Post Office and Postnet Southern Africa (Pty) Ltd.** The purpose of the submission was to table the recommendation of the Complaints and Compliance Committee in the matter between South African Post Office (SAPO) and	**The recommendation was approved.**

	Postnet SA (Postnet). 2.1 On 19 February 2018, the Consumer and Compliance Affairs (CCA) of ICASA referred a complaint they received from SAPO complaining against Postnet alleging the following; 2.1.1 By operating a reserved postal service without a valid licence and this violation of section 15(1) and (2) of the Act. 2.1.2 The relevant sections 15(1) and (2); 16 (3) and (4) (a) of the Postal Services Act. **Recommendation to Council** The CCC resolved to advise Council of ICASA to issue the following order: 2.1.3 That Postnet be ordered by the Council of ICASA to desist from contravening section 15 (1) of the Postal Services Act 1998 as subsection provides as follows; 2.1.4 That the desist order will apply as from ninety working days from the date on which this judgement was issued by ICASA.	
3.	**Recommendation by CCC to Council in the matter between IPROP (Pty) Ltd and Telkom SA SOC Ltd.** The purpose of the submission was to table the recommendation of the Complaints and Compliance Committee in the matter between IPROP (Pty) Ltd and Telkom SA SOC Ltd	**The recommendation was approved**

	3.1 On 26 April 2019, iProp referred a dispute against Telkom alleging the following: 3.1.1 Section 25 (4) of the Electronic Communications Act of 36 of 2005 (ECA) was contravened by Telkom. **Recommendation to Council** The CCC advised Council as follows: 3.1.2 That the complaint was not upheld on the facts before the CCC and therefore no order was imposed. 3.1.3 The CCC advised to Council in terms of s17B (b) of the ICASA Ac was to inquire from Telkom whether the matter of payment of costs or part thereof has been reconsidered in terms of s25(7) and the reasons for the decision.	
4.	. **Recommendation by CCC to Council in the matter between Pangea Communications Corporation and Telkom SA SOC Limited/Business Connexion (Pty) Ltd**. The purpose of the submission was to table the recommendation of the CCC in the matter between Pangea Communications Corporation (Pty) Ltd and Telkom SA (SOC) Ltd /Business Connection Pty Ltd. 4.1 On 29 April 2019, the CCC office received a complaint from Pangea in terms of section 17B of the Independent Communications Authority of South Africa No 13 of 2000, alleging the following:	**The recommendation was approved.**

	4.1.1 Pangea 's customers experienced several incidents of slower connection speeds ranging between 2400 and 4800 bauds across 086 numbers resulting in lengthier transmissions and costlier service charges. 4.1.2 . Pangea argued that various unidentified Value-Added Services("VAS") providers appointed by Telkom were either (1) utilising defective or faulty intrastate, or (ii) intentionally or negligently lowering the connection speed or baud rates. **Recommendation by Council.** The CCC found that the respondents did not contravene the act and as such dismissed the complaint.	

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ISSUED BY: Secretariat Office on behalf of Council