Independent Communications Authority of South Africa
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COUNCIL DECISIONS– 20 March 2018

ITEM NO.	AGENDA ITEM	DECISION
1.	**Submission of five (5) Broadcasting Annual Compliance Reports for Sound and Television Service licensees.** The purpose of the submission was to request Council to approve the five (5) Annual Compliance reports (ACRs) as part of the fifty (50) ACRs to be compiled for the 2017/2018 Financial Year Annual Performance Plan. The report was pursuant to Section 17F (5) read with section 4(3) (d) of the ICASA Act No. 13 of 2000 (ICASA Act) which provides for the monitoring of Compliance with licence terms conditions.	The five (5) Broadcasting Annual Compliance Reports were approved.
2.	**ECS/ECNS Compliance Annual Report for 2017/2018** The purpose of the submission was to request Council to note and approve the ECS/ECNS Telecoms Compliance Annual Report for the 2016/2017. In accordance with section 4(3) of the ICASA Act No. 13 of 2000, *"the Authority must monitor the broadcasting, postal and electronic communications sectors to ensure compliance within this Act and the underlying statutes"* Section 4(3) (d) of the ICASA Act, on the other hand provides that the Authority "*must develop, monitor*	**The ECS/ECNS Compliance Annual Report for 2017/018 was approved**.

	and enforce compliance with license conditions and regulations consistent with the object of this Act and the underlying statutes for different categories of licensees" It is on that premise that the ECS/ECNS compliance monitoring is undertaken.	
3.	**Submission of ten (10) Broadcasting Annual Compliance Reports for Sound and Television Service licensees.** The purpose of the submission was to request Council to consider and approve the ten (10) Annual Compliance Reports (ACRs) as part of the fifty (50) ACRs to be compiled for the 2017/2018 Financial Year Annual Performance Plan. The reports were pursuant to Section 17F (5) read with section 4(3) (d) of the ICASA Act No. 13 of 2000 (ICASA Act) which provides for the monitoring of Compliance with licence terms conditions.	The Broadcasting Annual Compliance Reports were approved.
4.	**2017/2018 Postal Compliance Annual Report** The purpose of the memorandum was to request Council to note and approve the Postal Compliance Annual Report for the Reserved and Unreserved Postal Services for the 2016/2017 financial year. Section 4 (3) (b) and (d) of the ICASA Act, makes a specific obligation for the Authority to monitor and enforce compliance by the Postal Services.	**The 2017/2018 Postal Compliance Annual Report was approved.**
5.	**Memorandum of Agreement** The purpose of the submission was to request Council to approve the establishment of a Memorandum of Agreement (MoA) between the Department of Science and Technology (DST), National Research Foundation (NRF) and the	**The request for the establishment of a Memorandum of Agreement (MoA) was approved**.

	Independent Communications Authority of South Africa (ICASA).	
6.	**Preliminary Report on IMT Identification** The purpose of the submission was to brief Council on the preliminary Identification of the Frequency Bands for International Mobile Telecommunications (IMT) and for Council to note: • The process undertaken to date, on the preliminary identification for International Mobile Telecommunications (IMT), on the frequency bands allocated to the Mobile Radiocommunication Services by the World Radio Communication Conference of 2015 (WRC-15), through developments up to and including the Thirtieth (30) meeting of Working Party 5 D on IMT systems (WP5D).	**The preliminary report on IMT identification was noted.**
7.	**Research report aimed at enabling Dynamic Spectrum Access in South Africa** The purpose of the submission was to request Council to note the: • Research Report towards enablement of Dynamic Spectrum Access; and • Research Report tutorial on "Dynamic Spectrum sharing (DSS) in future wireless network".	**The research report was noted.**
8.	**5G Project Report for 2017/18 Financial Year** The purpose of the memorandum was to request Council to note the Fifth Generation (5G) Project Report for 2017/2018 Financial Year. In September 2016, Council resolved to establish a South African Fifth	**The 5G Report for 2017/2018 Financial Year was noted.**

	Generation Forum ("the 5G Forum"). The main objective of the 5G Forum was to support ICASA in making meaningful contributions to the International Telecommunications Union (ITU).	
9.	**Decision on the process for licensing available international Mobile Telecommunications (IMT) Spectrum** The purpose of the submission was to request Council to: ▪ Recall that, in the Authority 's Strategic Plan 2016/2017-2021, one of the Strategic Objectives was to increase access to broadband spectrum from 566 MHz to 958MHz by 2020. ▪ Recognise that, the Radio Frequency Spectrum Assignment Plan (RFSAP) for International Mobile Telecommunication (IMT) for the frequency band 825 to 830 MHz to 875 MHz, (IMT850), is to be finalised during the first quarter (Q1) of 218-19 financial year. ▪ Recognise that the finalisation of the IMT850 forms a baseline document for the assignment process that is taking place through an Invitation to Apply (ITA), which includes all the IMT700 and IMT800, in terms of regulation 7 of the Radio Frequency Spectrum Regulations "Procedure in respect of section 31(3) of the ECA. ▪ Recognise that, the Authority's RFSAP for the IMT850 is geared at an orderly spectrum management, with rules for services operating in	**The decision on the process for licencing available International Mobile Telecommunications (IMT) Spectrum was approved**.

	the frequency band from 825 to 830 MHz and 870 to 875 MHz with the resultant to additional spectrum of 2x30 Frequency Division Duplex (FDD) in the IMT800 for licensing being available to achieve the desired strategic goal of 958 MHz by 2020. ▪ Note that, the Authority planned to review the spectrum requirements in the IMT700, IMT800 and IMT2600 for WOAN during Q1 of 2018-19 financial year, which require the revision of the pre-packaged amount of spectrum available for award (LOTS) to re-configure and revise the published ITA at an appropriate time. ▪ Note, the finalisation during Q1 of 2018/2019 financial year, of the IMT 850 which will enable the Authority to address the perceived unequal and value of Lot B in the Invitation to Apply (ITA), when the time arise, in time for the licencing process given the channel arrangement for the IMT700, IMT750, IMT800 and IMT850. ▪ Approve the re-issue, at an appropriate time, of a notice for an Invitation to Apply (ITA), which has been deferred until further notice, in order achieve the Authority 's Strategic Plan 2016/17-2021 objective.	
10.	**Submission of Findings Document and draft Regulations on Community Broadcasting Regulatory Framework for approval and Provincial Consultations** The purpose of the memorandum was to request Council to approve	**The Community Broadcasting Findings Document and draft Regulations for Community Broadcasting Services, Radio and Television were approved for publication in the Government Gazette**.

	the: • Community Broadcasting Findings Document; and • Draft Regulations for Community Broadcasting Services: Radio and Television for publication in the Government Gazette. Furthermore, the committee would like Council to note that it will embark on provincial consultations and Council is invited to participate in the process.	
11.	**Number Portability Regulations** The purpose of the memorandum was to request Council to approve the publication of the Final Number Portability Regulations. • In terms of section 68 (1)(b) of the ECA, The Authority must make regulations prescribing measures to ensure that number portability is introduced, including – ✓ The creation of a national number portability database; and ✓ Cost allocation and cost recovery among licensees.	**The Number Portability Regulations were approved by Round Robin Resolution.**