
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**NOTICE 552 OF 2016****INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****INQUIRY INTO SUBSCRIPTION TELEVISION BROADCASTING SERVICES****ERRATUM AND CLARIFICATION OF PROCESS**

The Independent Communications Authority of South Africa (hereinafter referred to as the Authority) hereby issues an erratum with respect to the General Notice published in Government Gazette No. 40133 on 11 July 2016 ("the Notice").

The Authority would also like to use this opportunity to clarify the process to be adopted in conducting the inquiry.

A handwritten signature in black ink, appearing to read 'Paris Mashile', written over a horizontal line.

Paris Mashile
Councillor

Introduction

The Authority on 11 July 2016 published a General Notice in the Government Gazette No. 40133 which gave notice of the Authority's intention to conduct an inquiry.

The notice gave stakeholders the opportunity to submit questions of clarity in respect of the questionnaire to the Authority which were to be answered in the Frequently Asked Questions (FAQs) and published on the Authority's website. However, the Authority noted that several questions from Stakeholders related to the notice itself and has considered these comments and where appropriate has sought to amend the content of the notice of Government Gazette No. 40133 in the erratum and questions related to the questionnaire are addressed in the FAQs.

All communication and clarifications in terms of the Inquiry must be directed to the Chairperson of the Council Committee Cllr Katharina Pillay at kpillay@icasa.org.za and Ms Refilwe Ramatlo at rramatlo@icasa.org.za and kindly copy subscriptioninquiry@icasa.org.za on all correspondence in respect of the Inquiry.

Erratum

Substitution of Paragraph 1.3 of the Notice

1. The following paragraph is hereby substituted for paragraph 1.3 of the Notice:

"1.3 The Authority has the responsibility to ensure that all communications and broadcasting service markets are open, competitive and sustainable. The purpose of the inquiry is to establish the factors that have contributed to new subscription broadcasting service licensees not being able to successfully launch their services and/or attract a fair number new subscribers.

It is important for the Authority to understand the challenges faced by these licensees so that it can address the regulatory impediments, and create an enabling environment for the introduction of competition, if any.”

Substitution of Paragraph 1.4.1 of the Notice

2. The following paragraph is hereby substituted for paragraph 1.4.1 of the Notice:

“1.4.1 Information Gathering”.

Substitution of Paragraph 1.4.1.3

3. The following paragraph is hereby substituted for paragraph 1.4.1.3 of the Notice:

“1.4.1.3 The submission deadline for responses to the questionnaire is 15 September 2016.

Amendment of Paragraph 1.6 of the Notice

4. Paragraph 1.6 of the Notice is hereby amended by the substitution in paragraph 1.6 for the word “relevant stakeholders” of the word “interested stakeholders”:

-End of Erratum-

Outline of Process

1. The process outlined in Government Gazette No. 40133 remains the same, save for the extension for the submission deadline published on 12 August 2016 on the Authority's website. However, due to the number of questions of clarity received in

terms of the process the Authority restated the timelines in the table below and included a new element setting out the requirement from stakeholders for ease of reference:

| MILESTONE | DURATION | PURPOSE | STAKEHOLDER ACTIVITY |
|----------------------------------|---|--|---|
| Stakeholder questionnaire | 45 days | Data gathering to inform the content of the discussion document | Data provision |
| One-on-One engagements | 5 days | To discuss confidential data submitted, for clarification or further exploration, if necessary. All meetings will be minuted. | Limited only to stakeholders who submitted data on the questionnaire. |
| Discussion Document | 45 days | Publication of discussion for public comment. | Stakeholders to submit comments on discussion document. |
| Public hearings | 1 days, subject to the number of submissions received | Further interrogation of written submissions on the discussion document. | Participation in the public hearings is limited only to stakeholders who submitted written comments and restricted to the written comments submitted. |

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|--|--|---|---|
| Findings Document | | The Authority will publish a findings document that sets out its findings and next steps to address the findings on of the inquiry. | No activity required from stakeholders. |
| Further processes following the Findings Document | | Based on the findings set out in the Findings Document, the Authority may embark on a process of developing regulations in terms of section 67(4) of the Electronic Communications Act. | Consultative processes in accordance with regulatory processes. |

2. The process outlined above is not a section 4C (1) of the ICASA Act process. The process outlined in section 4C (1) of the ICASA Act refers to a process to be determined by the presiding officer at an inquiry scheduled for a specific date.

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