

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

### INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

#### NOTICE 1932 OF 2023



#### Independent Communications Authority of South Africa

##### REQUEST OF FURTHER INFORMATION FROM STAKEHOLDERS WITH RESPECT TO THE SIGNAL DISTRIBUTION SERVICES MARKET INQUIRY ("THE INQUIRY")

- 1.1. On 17 September 2021, the Independent Communications Authority of South Africa ("the Authority"), published a notice in the Government Gazette stating its intention to conduct the Inquiry.<sup>1</sup>
- 1.2. The Inquiry is being conducted in terms of section 4B of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("the ICASA Act") read with section 67(4) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the ECA").
- 1.3. The purpose of the Inquiry is to assess the state of competition and determine whether or not there are markets or market segments within the signal distribution services value chain which may warrant regulation in terms of section 67(4) of the ECA.
- 1.4. The notice stated that the Inquiry is conducted in terms of the following phases:
  - 1.4.1. Phase 1 – commencement of the review and request for information.
  - 1.4.2. Phase 2 – publication of the discussion document for public comments.
  - 1.4.3. Phase 3 – public hearings on the discussion document.
  - 1.4.4. Phase 4 – publication of the findings document in the Government Gazette.
- 1.5. On 02 and 18 November 2021, the Authority received submissions to the questionnaire from Radio Pulpit/ Radiokansel and the South African Broadcasting Corporation ("SABC"), respectively.<sup>2</sup>
- 1.6. On 14 January 2022, the Authority sent a letter to Sentech SOC Ltd ("Sentech") to submit all the information requested by the Authority in terms of the questionnaire and received a response on 1 February 2022.
- 1.7. On 22 April 2022, the Authority published the discussion document<sup>3</sup> setting out its preliminary views with regard to the Inquiry.
- 1.8. The Authority received six (6) written submissions to the Discussion Document from eMedia Holdings Limited, MultiChoice (Pty) Ltd, Primedia Group, Radio Pulpit 657 AM, SABC SOC Ltd and Sentech SOC Ltd before the published closing date of 29 June 2022.<sup>4</sup>

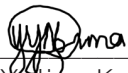
<sup>1</sup> <https://www.icasa.org.za/legislation-and-regulations/signal-distribution-services-market-inquiry-questionnaire>

<sup>2</sup> <https://www.icasa.org.za/legislation-and-regulations/inquiries/signal-distribution-services>

<sup>3</sup> Government Gazette No. 46255 in Notice No 986. Attached to this memo.

<sup>4</sup> <https://www.icasa.org.za/news/2022/icasa-reschedules-public-hearings-on-the-discussion-document-on-broadcasting-signal-distribution-services>

- 1.9. The Authority held virtual public hearings on the Discussion Document on 26 and 29 August 2022.
- 1.10. After due consideration of the above, the Authority is of the considered view that further engagements (including request for supplementary information, one-on-one meetings, oral hearings, etc.) with stakeholders are necessary before the Inquiry is concluded. These further engagements ensure that the Authority's findings are evidence-based and include all the relevant information.
- 1.11. To this end, the Authority has published under the Inquiry homepage<sup>5</sup> on its website requests for additional information from identified stakeholders in terms of section 4C(2)(a).
- 1.12. Stakeholders are invited to submit written responses to the questionnaires within forty-five (45) working days from the date of publication of this notice. Stakeholders are encouraged to make supplementary submissions in response to any issue raised during the course of the Inquiry.
- 1.13. Following the publication of this notice, the Authority may hold one-on-one meetings and/or a workshop with relevant stakeholders before and or after submission of information in terms of the questionnaires.
- 1.14. The information submitted by stakeholders would be used by the Authority to update the 2022 discussion document<sup>6</sup> which will be published in the Government Gazette for thirty (30) working days for public comments. The Authority may hold public hearings in relation to the written submissions on the supplementary or updated discussion document.
- 1.15. The Inquiry will be concluded after the publication of a summary of the findings in the Government Gazette and the findings document on the Authority's website.
- 1.16. The Authority remains committed to an open and transparent inquiry and will consider all inputs received within the specified time frames in the process of finalising the findings.
- 1.17. All communications relating to this Inquiry must be directed to the Chairperson: Signal Distribution Inquiry Council Committee at [signaldistribution@icasa.org.za](mailto:signaldistribution@icasa.org.za).



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Yolisa Kedama

Acting Chairperson

Date: 26/7/2023

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<sup>5</sup> <https://www.icasa.org.za/legislation-and-regulations/inquiries/signal-distribution-services>

<sup>6</sup> Published in the Government Gazette No 46255.