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AUTHORITY OF SOUTH AFRICA

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# ICASA Presentation to PCCDT

17 September 2025

CLlr Mothibi G. Ramusi  
Chairperson

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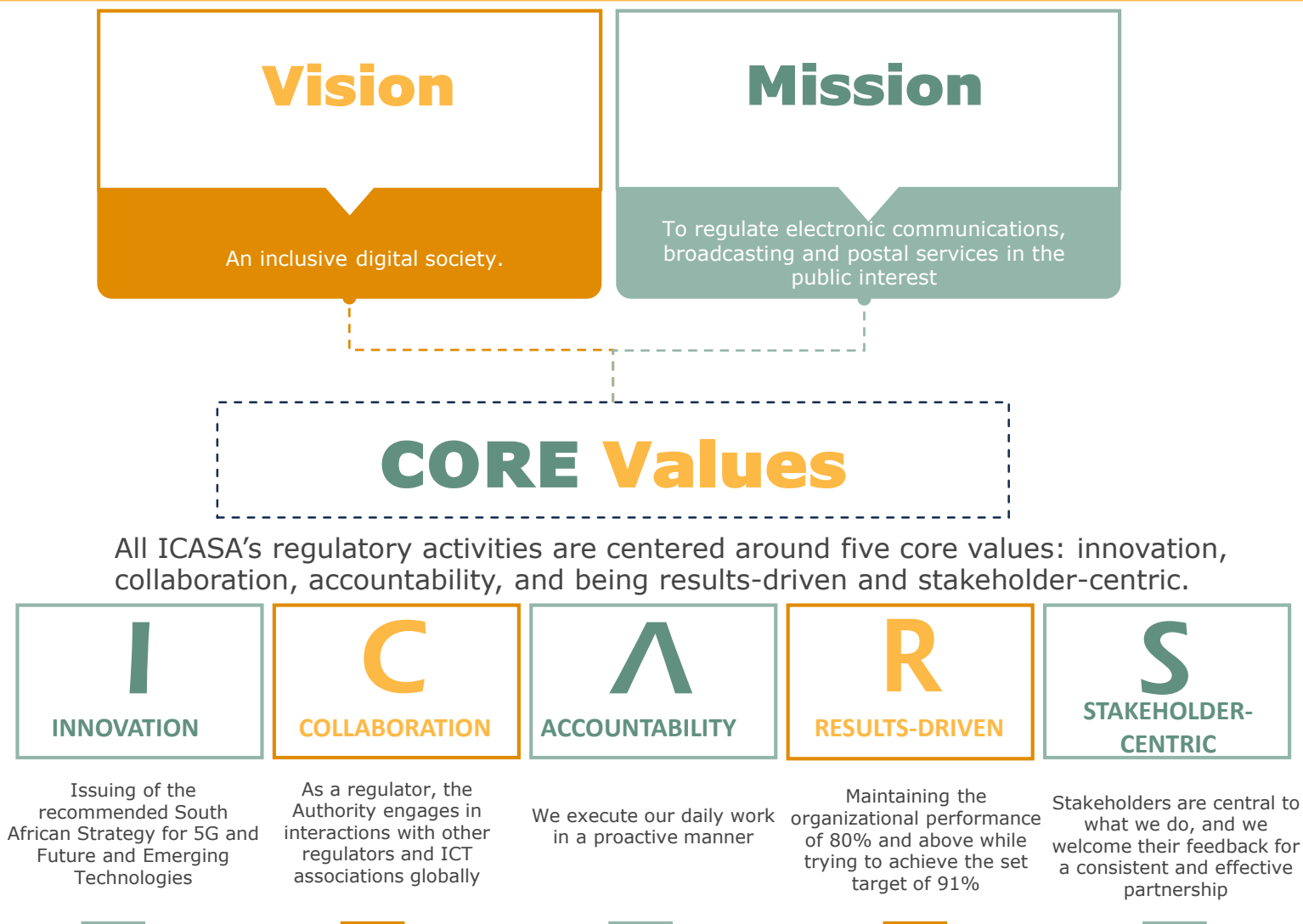


SAPO Regulations



Sports Broadcasting  
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# Overview: Vision, Mission and Values





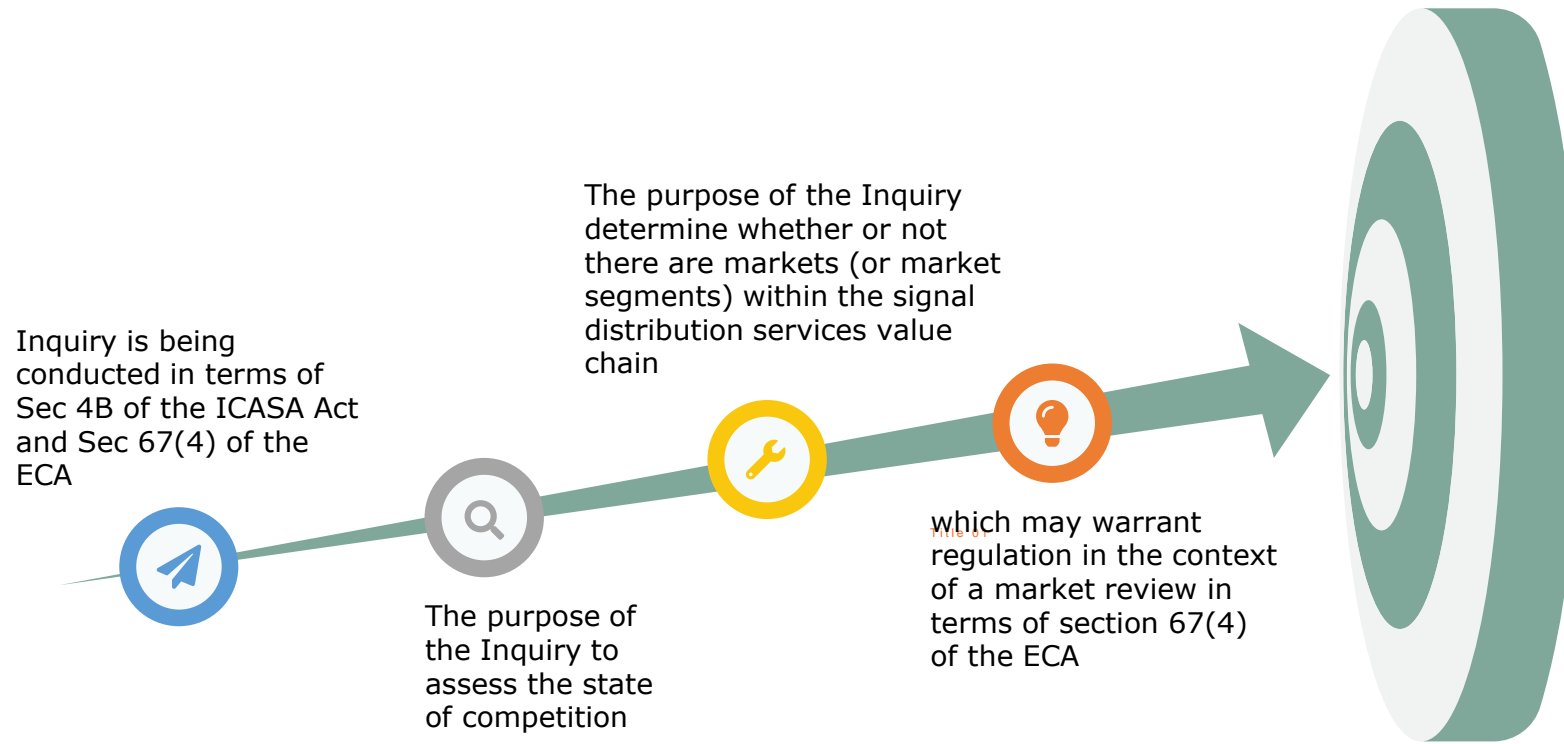
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# Signal Distribution Services Market Inquiry

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# What the project is about?



# Project Status: Signal Distribution



**17 Sept 2021**

Gazetted notice to conduct the inquiry & Published questionnaire on ICASA website

**22 April 2022**

Gazetted discussion document

**26-29 August 2022**

Public hearings on the Discussion Document

**2 October 2023**

Receipt of responses to the request of additional information

**9-10 April 2024**

Received written submissions on Supplementary Discussion Document

**28 October 2024**

Gazetted Findings Document



**2 November 2021 to 1 February 2022**

Receipt of responses to the questionnaire

**29 June 2022**

Receipt of written submissions on the Discussion Document

**28 July 2023**

Gazetted notice requesting additional information

**2 Feb 2024**

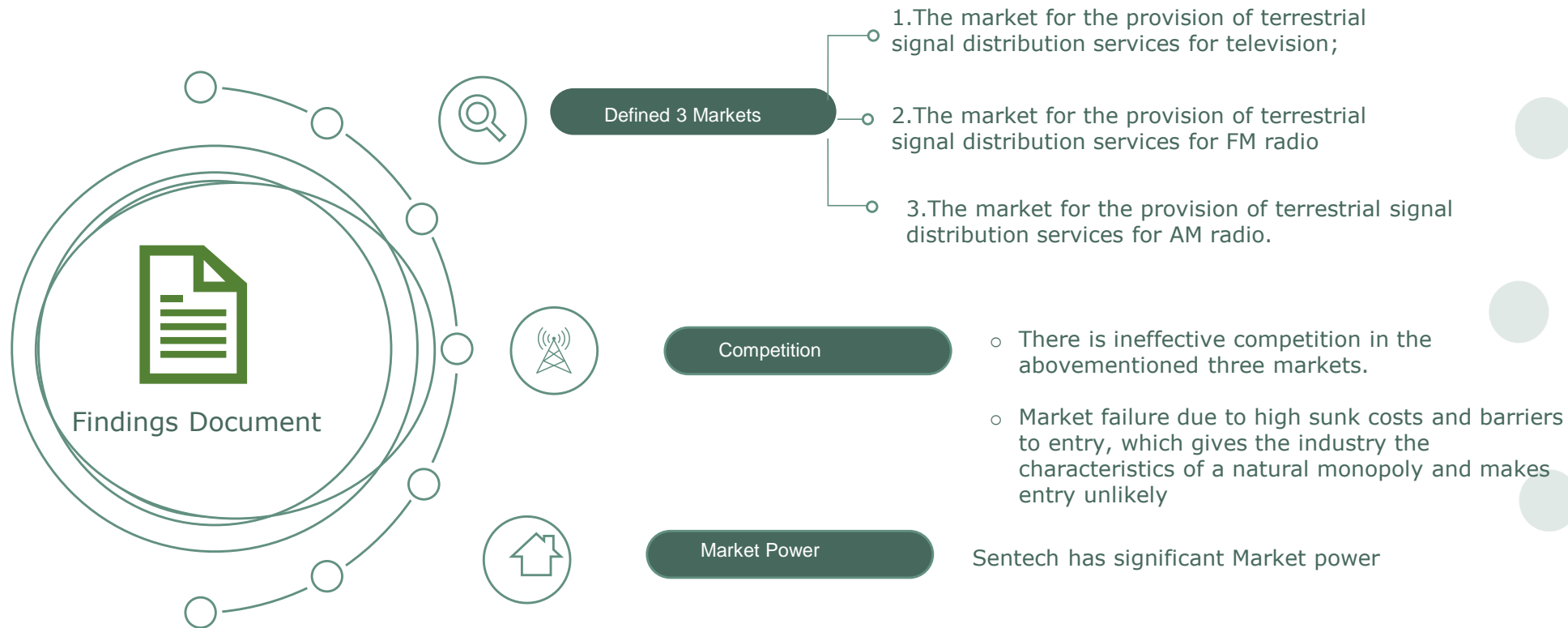
Gazetted Supplementary Discussion Document

**5 June 2024**

Public hearings on the Supplementary Discussion Document



# The Findings Document





# Next Deliverables

**Gazette of final Regulations**  
Q3 2025/26 FY

**Receipt of written submissions  
on draft regulations**  
Q2 2025/26 FY

**Public Hearings**  
Q2 2025/26 FY

**Gazette draft Signal Distribution  
Regulations for public comment**  
Q1 2025/26 FY





# Key Message

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The signal distribution market in South Africa suffers from ineffective competition, with Sentech holding significant market power, leading to a natural monopoly. This stifles innovation, limits consumer choice, and may raise costs for broadcasters and end users.



ICASA regulates the electronic communications, broadcasting, and postal sectors to ensure fair competition, promote innovation, and protect consumer interests. ICASA has conducted a market inquiry to evaluate competition and will develop regulations to enhance competition, reduce barriers to entry, and guarantee fair pricing and service quality.



By regulating this market, ICASA helps broadcasters access affordable and reliable signal distribution services, ultimately benefiting consumers through better service quality and lower costs.



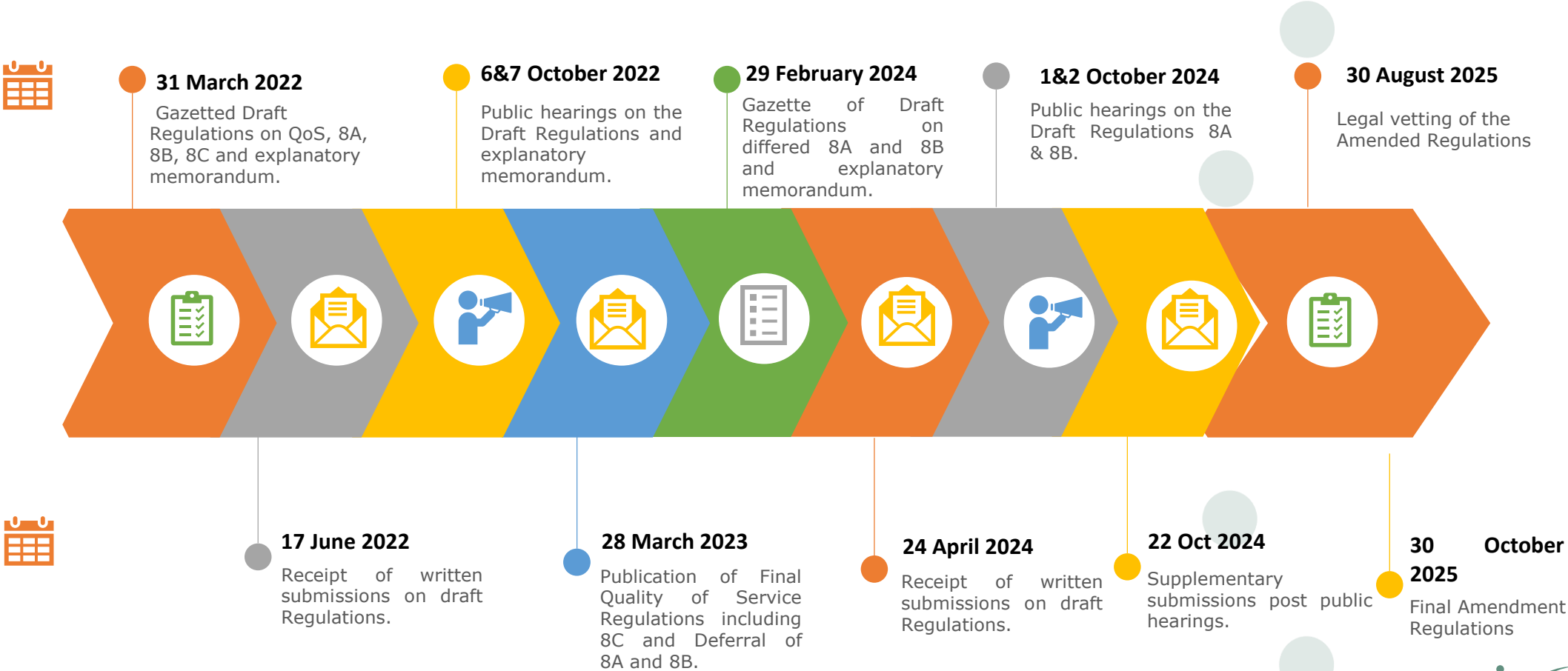
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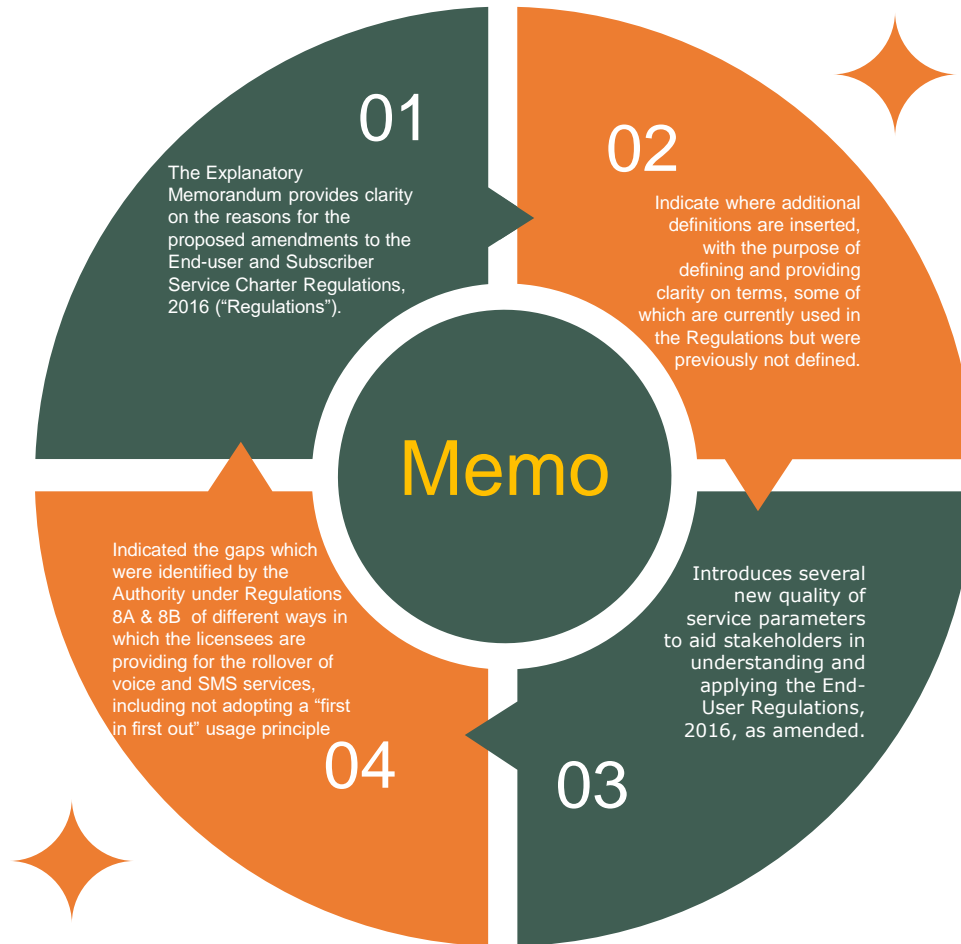
# Amendment of the End-User and Subscriber Services Charter Regulations, 2016 ("EUSSC")

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# Project Status: End-User and Subscriber Services Charter Regulations



# The Explanatory Memorandum



# Key Message

In 2023, ICASA amended the End User & Subscriber Charter Regulations, introducing additional quality of service ("QoS") parameters for ECS & adjusting existing ones.

The proposed amendments relate to regulations 8A and 8B of the Regulations to specify the expiry, roll-over and transfer rules of data, voice and SMS services.

01

Stakeholders, including consumer groups and social media campaigns, have raised concerns about data, voice, and SMS minutes expiry rules, high out-of-bundle rates, and the regulations affecting out-of-bundle services.

Benchmark studies also indicated that the current Regulations were not in line with international best practices.

02

These changes aim to enhance the monitoring & enforcement of customer care standards.

The expiry rules aim to contribute to the protection of end-users from losing the financial value of unused data, voice and SMS minutes, with an option of transferring same to other end-users of their choice to enhance value creation.

03



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# Update on Amendment of RICA

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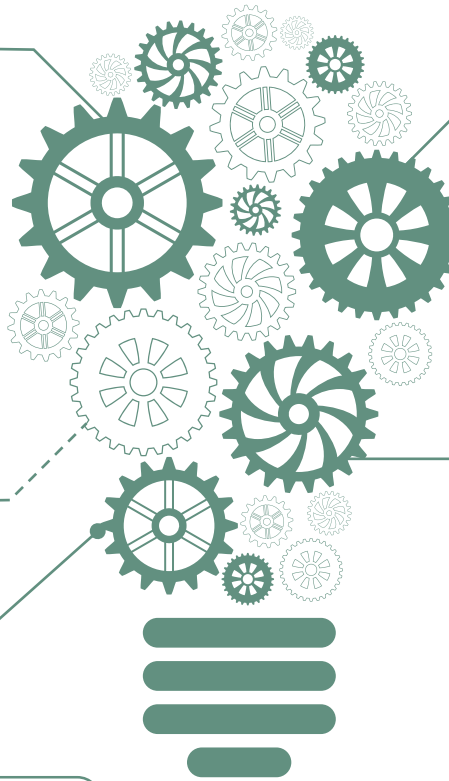
# UPDATE ON AMENDMENT OF RICA

## RICA Amendment Bill

RICA falls within the jurisdiction of the Department of Justice ("DoJ & CD") as enjoined by Chapter 7 of the Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002.

To date, the President has referred the RICA AB back to Parliament for its reconsideration of certain concerns regarding the constitutionality of the Bill.

The RICA AB thus has/will now become the primary focus, particularly as there is a Constitutional Court deadline which has lapsed and as it is essential to cure the constitutional defects in RICA as a matter of priority.



## ICASA's involvement in RICA Amendment

There is a direct correlation between the responsibilities of DoJ & CD and ICASA concerning SIM registration emanating from provisions of Sections 39-41 of RICA and Section 68 of the ECA.

- ❖ Mainly, the Authority has a mandate to regulate the efficient use of numbering resources in terms of the amount of SIM cards in use, which has a direct bearing on the allocation of numbers (a scarce resource).
- ❖ There is a challenge with the proliferation of unregistered SIMs which impacts the Authority's ability to efficiently manage the use of numbering resources.
- ❖ Chapter 7 of RICA places an obligation on telecommunications service providers who are licenced by the Authority to:
  - register all SIM cards by verifying customer information.
  - to retain customer data, and to respond to lawful interception requests.
- ❖ DoJ&CD administers the RICA database which the Authority and licensees have no access to.

- ❖ The Authority is currently considering its position on a parallel alternative to regulating numbering activation that will support SIM registration





# Key Message



The Authority is reviewing its mandate on managing the use of numbers to protect consumers against SIM fraud, by introducing biometric SIM registration process.



This review seeks to determine a more effective regulatory framework that could improve the use of numbers to enhance visibility between the registered and unregistered SIM cards that are currently in circulation in South Africa.



The Authority aims to:

- ensure that available numbers are used optimally, and that the registration process is streamlined.
- SIMs in circulation can be traced to their users

This will ultimately benefit both consumers and service providers while helping to combat SIM fraud and issues related to the allocation and use of numbering resources.



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# SAPO Regulation

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# Background

- The mandate to regulate Postal Services is laid out in the Postal Services Act (PSA), 1998 (Act No. 124 of 1998).
- The PSA demarcates the postal market in two areas namely: the Reserved and Unreserved postal services

## ICASA's Mandate

01

Monitor compliance of licensees with terms and conditions of their licenses;

02

Promote the interest of postal services users in respect of cost and quality;

03

Promote and encourage expansion of the postal infrastructure; and

04

Promote the universal access to postal services to facilitate equal access for all citizens regardless of their physical location and cater for the needs of persons with disabilities.



# Reserved & Unreserved Postal Services

## Reserved Postal Services Licence



- ✓ The South African Post Office is the licensed operator for reserved postal services and was first issued with an operating license in 2001
- ✓ The licence sets out terms and conditions for universal services
- ✓ Terms and conditions include: the roll out of physical infrastructure (retail point offices), postal delivery addresses, customer care standards and delivery service standards.

## Unreserved Postal Services Regulations

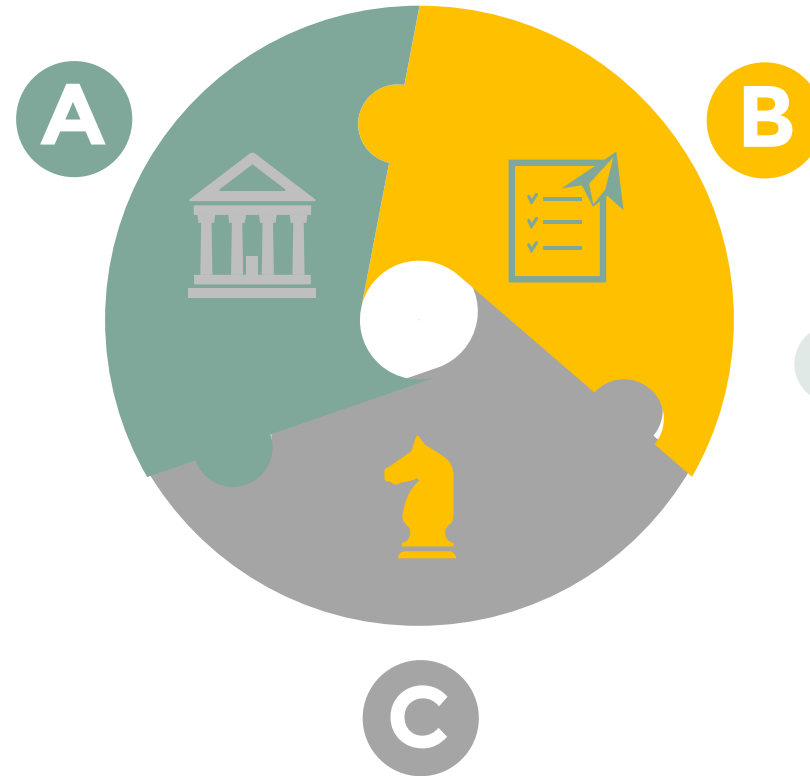


- ✓ The purpose of these Regulations is to set out:
  - the prescribed procedure for the application, renewal, notification for change of information, and the surrender of the registration certificate for the provision of unreserved postal services;
  - fees payable for the application of an unreserved postal services and renewal of a certificate for the provision of unreserved postal services.
  - the duration of the registration certificate (five years), obligation on third party contracting; and
  - penalties applicable for the contraventions of these Regulations

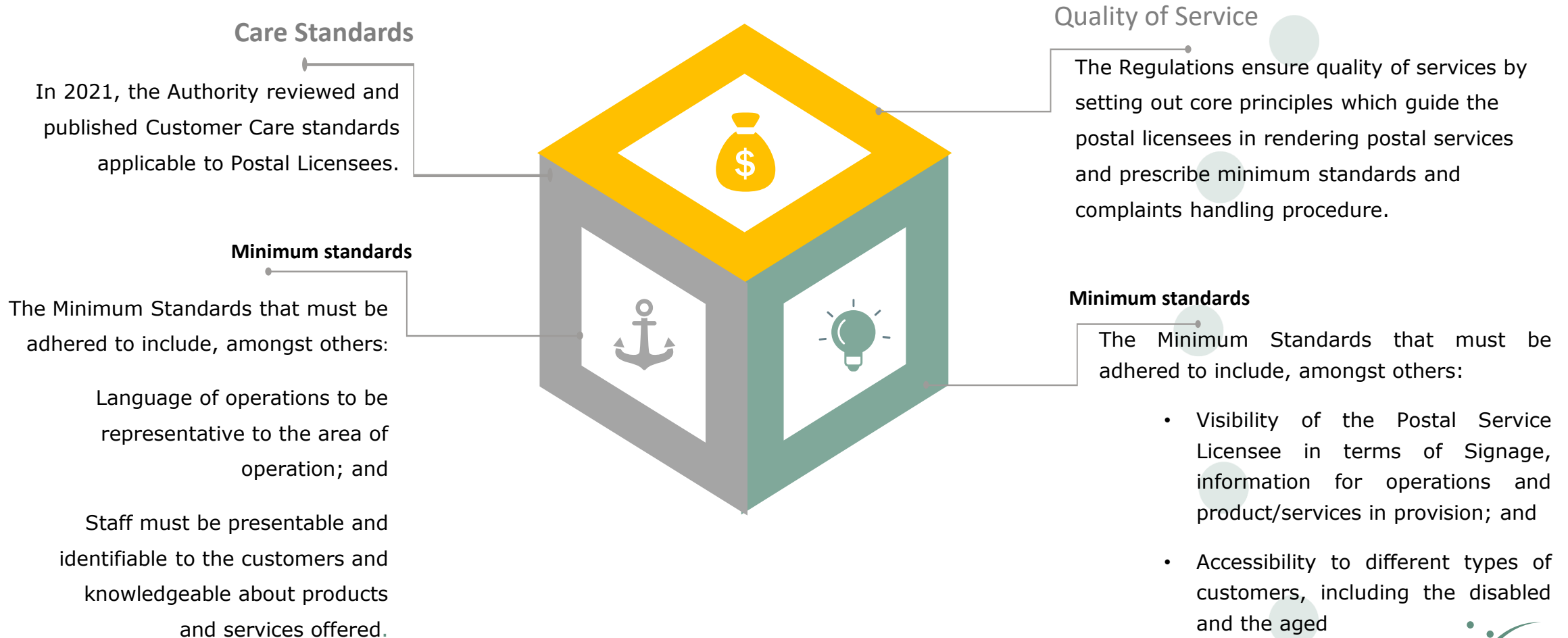
# Code of Practice for the Postal Industry, (2012)

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- The code sets to codify and strengthen relationships between operators and ICASA
- The code is applicable to both reserved and unreserved postal operators.
- The Code sets minimum standards of conduct within the postal industry taking into consideration relevant legislation and regulations governing the industry.



# THE AMENDED CUSTOMER CARE STANDARDS REGULATIONS, 2021



# Conveyance of Mail Regulations

## Regulations

These Regulations are currently under review. The Final Regulations will be published in this calendar year 2025.

## Consumer

The review provide for enhanced consumer protection measures in the form of relief to consumers in cases where conveyors fail to comply with Regulations, specifying recourse in case of loss, theft, damages of mail and including notification to sender in cases of delay.

Step 01



Step 02



Step 03



Step 04



## Postal Services

The Regulations are applicable to all conveyors of mail, this includes both Reserved and Unreserved Postal Services.

## Framework

The Regulations set out to provide the following framework:

- the regulation of the conveyance of mail and the general powers and duties of conveyors;
- the legal possession and ownership of mail and the security of mail;
- data security, the conveyance of dangerous and prohibited goods; and
- disaster management.



# Accounting Separation Regulations & Price Cap Regulations

## Accounting Separation Regulations

ICASA prescribed the Accounting Separation Regulations for Reserved Postal Services, 2011 in terms of section 8 read with section 30 of the Postal Services Act.

The purpose of the Accounting Separation Regulations is to prescribe a structured accounting and regulatory reporting framework for SAPO's reserved postal services

This aims to achieve uniformity and consistent reporting of elements required to determine fees and charges for reserved postal services before the said fees and charges are implemented.



## Price Cap Regulations

The determination of postal fees and charges is done in accordance with the Price Cap Regulations, 2013.

The Price Cap Amendment Regulations regulate SAPO's tariffs for reserved postal products and services

The regulation of tariffs for reserved postal products and services is mainly intended to minimize SAPO's monopoly power in setting tariffs.

SAPO submits tariff increase applications to ICASA on an annual basis.



# Accounting Separation Regulations & Price Cap Regulations cont.



The Authority promote the interests of users of postal services in respect of the cost of reserved services, the continuity of postal services and the quality thereof.



The Authority's obligation to ensure that postal tariffs are affordable is based on section 8 of the Postal Services Act.



The Authority ensure that the terms and conditions contained in SAPO's licence are complied with.



In terms of section 30 of the Postal Services Act, the Authority is required to determine fees and charges for reserved postal services before the said fees and charges are implemented. This is done in accordance with the **Amended Price Cap Regulations, 2021**



The Authority can determine the cost reflective nature of the price caps through the evaluation of the submitted Regulated Financial Statements ("RFS"), which are submitted in accordance with section 7.6 of the SAPO Licence conditions and Accounting Separation Regulations. SAPO submits RFS on an annual basis to ICASA for evaluation.

# Legislative and Regulatory Update

**May 2024:** SAPO exclusivity extended until 1 April 2025



**MAY 2024**

**JUL 2023**



**July 2023:** SAPO BRPs appointed

**DEC 2024**

**Dec 2024:** SAPO SOC LTD Amendment Act, no. 19 of 2024 – expand the mandate of SAPO, to include logistics and e-commerce etc



**March 2025:** Conveyance of Mail Amended Regulations to be finalised by March 2025



**NOW**

**APR 2025**



**Apr 2025:** SAPO's licence expires on 1 April 2025. It is renewable

# Key Message



SAPO has a monopoly over reserved postal services, as per its licence, which is due to expire on 01 April 2025.

ICASA is mandated to regulate SAPO to ensure compliance with its license conditions, promote universal access to postal services, and protect consumer interests.

ICASA monitors SAPO's financial performance and tariff structures to promote affordability and accessibility of postal service, especially in underserved (rural) areas. SAPO remains non-compliant with regards to submitting Audited Annual Regulatory Financial Statements.

The Regulations aim to expand the postal infrastructure, particularly in underserved areas and ensure good service quality of postal services.



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# Sports Broadcasting Regulations

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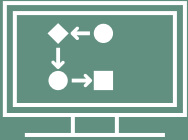
# Regulatory Framework on Sports Broadcasting



Section 60(1) of the ECA prohibits SBS licensees to acquire exclusive rights that prevent or hinder free-to-air broadcasting of events classified as National Sporting Events.



The Sports Broadcasting Services Regulations, 2010 (as amended in 2021), govern the broadcasting of national sporting events considered to be in the public interest.



A National Sporting Event is defined as a sporting event deemed to be of national interest and includes the South African Senior National Team or National Sporting Representative.



Regulation 6(1) of the Sports Broadcasting Services Regulations provides that SBS who have acquired rights of listed Sporting Event in terms of Regulation 5 must inform FTA licensees within 5 days of acquiring such rights, of the opportunity to tender for same

# Steps undertaken to amend the Sports Broadcasting Services Regulations

	In 2018 ICASA began a process to amend the 2010 Sport Broadcasting Regulations.
	In December 2018, the Authority published the draft regulations for public comment.
	The Authority received written representations from 39 different stakeholders (both juristic entities and private individuals).
	The public hearings were held from 27 to 31 May 2019. The Second draft regulations were published on 9 November 2020, and 13 written representations were received.
	The Authority consulted with the Minister of Communications and Digital Technologies and the Minister of Sport when reviewing the Regulations in terms of section 60(1) of the ECA.
	In March 2021 ICASA published the amended Sports Broadcasting Services Regulations.



# Listed National Sporting Events

The Regulations specify the National Sporting Events that can be broadcast live, delayed live, or delayed by free-to-air Broadcasting Service Licensees.

Commonwealth Games

IAAF World Athletics Championships

TAFISA World Sport for All Games

Rugby World Cup

Africa Cup of Nations

COSAFA Cup

ICC Cricket World Cup

Super Rugby

MTN 8



FIFA Women's World Cup



ICC Women's Cricket World Cup



CAF Champions League

Netball World Cup

All Africa Games

ICC T20 Cricket World Championship

Currie Cup

Nedbank Cup

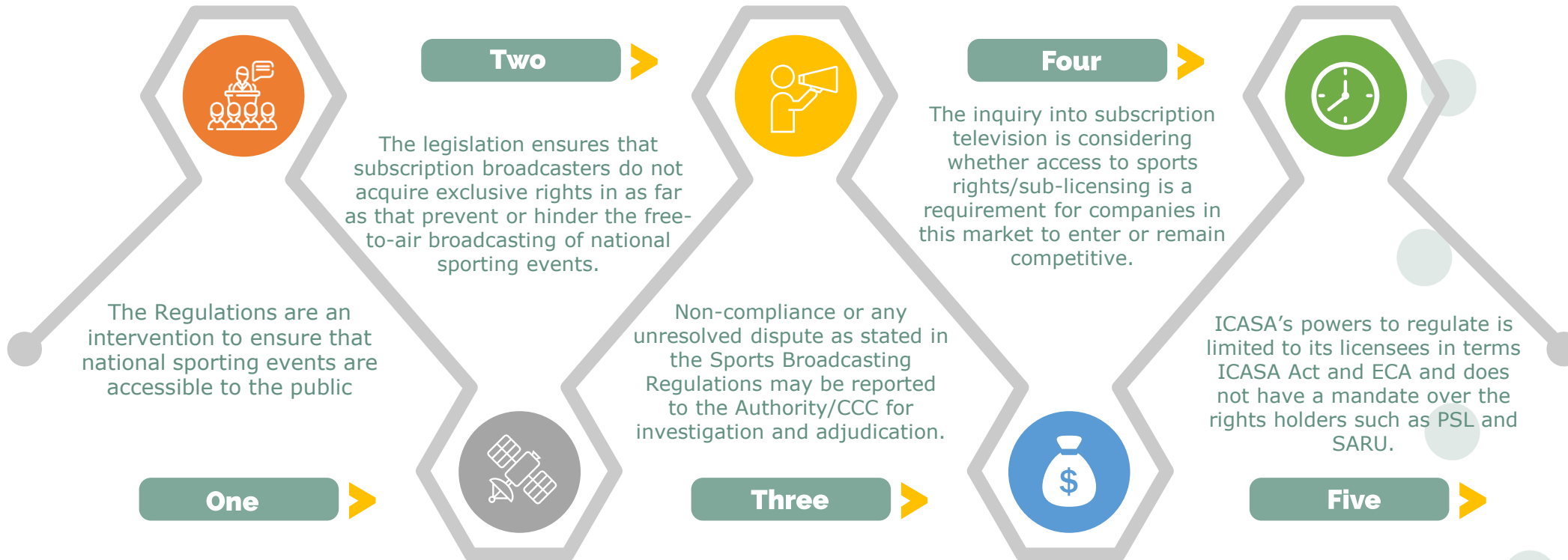
CAF Confederations Cup

FIFA World Cup

Paralympics

Summer Olympic Games

# Compliance with the Sports Broadcasting Services Regulations and Next Steps



# Key Message

01	<b>Social Cohesion</b>	Sports play a significant role in South African culture and society. Ensuring that national sporting events are accessible to all citizens, regardless of their ability to pay for subscription services, is crucial for social cohesion and national identity.
02	<b>Inequality</b>	South Africa faces significant inequalities in television access. Many national sporting events are mainly broadcast live on subscription channels, limiting access for those who cannot afford subscription fees. The sports industry relies on selling broadcasting rights, leading to a denial of access to sports of national interest for most South Africans. To address this, the Authority's 2021 Sports Broadcasting Services Regulations aim to implement Section 60 of the Electronic Communications Act of 2005 (ECA), balancing broadcasters' financial sustainability with improved access to national sporting events.
03	<b>Access</b>	ICASA's amended Sports Broadcasting Regulations ensure that national sporting events are accessible to the public through free-to-air broadcasters. These regulations prevent subscription broadcasters from acquiring exclusive rights that could hinder free access, allowing all citizens to enjoy these events, regardless of their financial situation. Limiting public access to national sporting events through exclusive rights would undermine the cultural & social importance of sports in South Africa.



**THANK YOU**