Department of Communications and Digital Technologies Interview Transcript
Date: 2 March 2021
Time: 18H00
Venue: Virtual

Participants

Chairperson: Ms Martina Della Togna

DCDT Representatives: Acting DG – Ms Nonkqubela Jordan,

Ms Pari Pillay, Ms Cynthia Lesufi, Mr Collin Mashile, Mr Peter Mello, Mr Alf Wiltz, Ms Dimakatso Mojela, Ms Mariam Paul

Country Report Team: Dr David Makhado, Dr Marie Kirsten, Prof Anthea Garman, Dr Aletta Kleyn, Mr Richard Goode, Prof Stephanie Burton, Dr Happy Sithole, Prof Francis Hyera, Mr Nollen Mdhlovu

Chairperson: My name is Martina Della Togna. I'm one of the researchers looking at communications and community mobilization during the COVID, lockdown period 2020. I'm a PhD student and I was asked to convene the chapter given my purview over the communication space at a macro level in South Africa. And I'm joined here by number of different colleagues and research colleagues from the communications chapter, and other chapters in the country report, which is reaching a point of conclusion, I'd like to quickly hand over to Dr. David Makhado from DPME to just give you a quick introduction in terms of where this report fits into the bigger picture. And then maybe we can go straight into the interview, if that's okay with you.

Dr David Makhado: Good afternoon DG, my name is David Makhado. I'm the project manager at DPME. Then the purpose of this report is to document how as South Africa we have managed the pandemic, then in the process of documenting how we have managed and the pandemic, we managed to mobilize about roughly 80 experts in partnership with GTAC, and the NRF. And so far a good progress has been made. There are 12 draft chapters that haven't been produced. And the process that we're doing now is to engage the DGs of different departments to provide their inputs on the draft papers that have been done, and also to update in relation to their recent available data. Then Martina is going to facilitate the discussion. And I will hand over to her without wasting time.

Chairperson: Dr. Makhado, and just DG Jordan just so that you're aware, we probably won't have time to introduce every single person here on the call. But there's professors ranging from you know, all it's a multi sectoral research team. And I think this particular interview of is of interest

at a cross cutting level. So, the questions that we submitted are from a number of different chapters, and we hope that you've had a chance to look at them, and also post this particular interview if there's any further information that you wish to share with us. So that we can have a full grasp of both the scope of work and in the digital space and its relationship to COVID communications, then we look forward to receiving that after today. So, let me jump straight into it out. So, we're aware that within the Department of Communication and Digital Technology, you oversee a number of different entities, and the Minister is the shareholder of a number of different entities all tasked with regulation and or the provision of actual infrastructure broadcast and digital infrastructure to service the country. How did the department go about determining and implementing its regulatory approach during COVID-19? And what was the response of licensees to this regulatory approach? I mean, I think we'll go deeper into it as the interview goes by, but can you just give us an initial idea of how the department went about it?

ADG Jordan-Dyani: Thank you, I forgot to perhaps from my side to then say that I'm joined by the team from the department. So, we've got the colleagues dealing with the policy, and then also looking at legal and we've also got then the team from the infrastructure and So I would like then Mr Alf Wiltz to perhaps unpack the process with regards to the policy formulation or addressing it, Alf, please?

Mr Alf Wiltz: Thanks, ADG, I was perhaps not ready to unpack the policy but to say that, from the minister's perspective at the commencement of the COVID period, we issued the first policy document, setting out the department's expectations from the sector and ICASA. The document sets out a whole range of initiatives and the role that our department played in support of, for example, Health and Education departments through various initiatives as well as other matters from rapid deployment of networks, and for a short stint, some involvement in the whole track and trace method. So, without going into the detail of each of those, what I can say is a document was developed over time that tracked our progress in implementing all those objectives, which we set out to achieve. And from there, in terms of Disaster Management Act, our department similar to all other Department issued various Acts related policy documents setting out compliance, our required compliance with managing the effect of the pandemic. And so, I don't recall the exact number, but probably about six or seven policy documents were issued from outside over that period. From the regulatory perspective, we've also had meetings with them at a time and they've in turn develop regulations, the COVID-19 related ICT sector regulations. And those regulations were broadly aligned with the minister's policy on the matter. And ultimately, our role was then to try keep in mind that ICASA is independent and that you can't apply to ICASA,

because you do still operate even in the Disaster Framework, you do still operate in the framework of your existing legislation. So, in that context, we had to play a persuasive role to get ICASA to align their regulations as closely as possible to do the minister's policy, which we think we've largely achieved within the limitations that exists. And in turn, ICASA, with time then amended their regulations, sometimes following direction given by the department to ICASA, and why that's important, because in this context of a Regulatory Framework, it's only ICASA that that regulates and licenses the sector operators, and it is only ICASA that really have the authority to impose different obligations. And grant various rights here, for example, it is only ICASA that could assign them respect from as they've done to, to add to capacity to meet the demands of, of the extra requirements for bandwidth during the COVID. And similarly, we as we set our various requirements on for example, their Zero-Rating of websites, and, for example, the virtual classroom obligations or things like that we don't have under the Legislative Framework the power to impose that on anybody. We could, again, ask and persuade licensees to comply with the policy intentions but we don't have the regulatory power. So, it was important for ICASA from their side to then make appropriate regulations and set these into attorneys into obligations. to enforce those, that probably isa summary of the regulatory approach they can, thank you chair.

Chairperson: Thank you for that, following on from that, so what was the department's impression of the response by licensees, by the sector as a whole to kind of the overall policy approach by a push forward by the department as well as kind of the ICASA regulatory framework that evolved as the lockdown period rolled out? What do you, how do you how would you assess the sector's response to those regulations to be?

Mr Alf Wiltz: Thank you, Chair. I think anybody in the team can answer that, but I think generally supportive of the department's initiatives with a lot of voluntary compliance happening. Only a few operators carried in obligations to zero rated and sites, whereas, you know, a number of other operators also zero rated websites, and, and there were something like, I think it's about 1000 sites that were at some point zero rated. But that that has its limit. Over a period of time, the operators slowly started pushing back, saying it's now going too far. And we were sitting with a situation that, by the time we reach the end of the disaster period, they're unlikely to continue. There are some concerns going into the future, too. But I think, to respond to generally thecompliance has been reasonably good. There may be some exceptions to that. Thank you.

ADG Jordan-Dyani: I just want to add, even prior to that, the sector came on board in terms of

approaching the department as to how they can possibly assist. But then, if I may also expand further in terms of your question, so whilst there was a general positive acceptance in terms of their landing a role, and probably, I think it would probably fitted well with CSI, especially in the areas that we wanted, they were faced with numerous challenges in terms of the rollout of the set of obligations in terms of what it was meant to do. Just in terms of us being then truthful, and frank for about it. In terms of the deployment of the connectivity to schools, part of it was that there has been change of scope in terms of what they need to do. And then certainly there was the impact of the lockdown, so some of the equipment not being available, shipment, etc. So we've had also then reports back from them and then that has that has been translated to in terms of delays of the deployment of the infrastructure to some of the schools but generally as our office is that there was a positive attitude, in terms of them coming on board and giving their support.

Chairperson: Thanks DG for going into that space a little bit deeper. How did your department and the presidency cooperate, there's a collection of communications front end, let's say communications entities reporting and the Presidency? And your department looks after more than technology, but the SABC is also part of thatwas there, how did you re organize yourselves at an institutional level as part of kind of institutional arrangements for COVID were you part of the same committees under the NCCC and so forth? Give us an idea of how you arrange yourself during that period.

ADG Jordan-Dyani:
I just became Acting DG from the first of January, but the colleagues can also give then the further background. But yes, we are part of the NCCC for because of as you said, the number of issues that we have to also report upon the main public awareness messages is led by our sister department GCIS. But then in terms of certain programs that we have to report, I mean, that we are responsible for we we then given feedback to the NCC on that, what you've mentioned and what was mentioned, also the issues related to your zero rating, which was obviously prominent, the issues related to fake news, we leading on that, working with GCIS and many others. There are also the issues of the deployment, or the distribution of social grants or special grants is, you know, the post offices is working on that with SASSA. So, and then at an at a departmental level, we then established a COVID response committee and then in there, we've established various working streams. And then obviously, with that, then we have expanded it in terms of each working stream then meeting with the private sector as well as other implementing agencies in as far as execution or implementation of their work, the meetings, were on a weekly basis, in terms of effective and regular than that Pari can elaborate.And then obviously, then it would feedback, the small committees would then feed into

the wider meeting of the chairpersons. And then obviously then feeding out to the NCC. I can then ask Ms Pillay to then further elaborate.

Ms Pari Pillay: Good afternoon colleagues, the PMO was set up both the directions issued by the Minister of communications and the various work streams were formed. And the scope of the work of the PMO was on more the dissemination of real time public information, access to communication infrastructure and digital services, the support to education and health. And they're the actual workgroups looked into the different areas. And in terms of the working with the presidency, the GCIS is was part of the of the workgroup. So, they participated quite actively. And maybe Mr. Mashile, can talk more about the this area onbroadcasting and the creative industries.

Mr Collin Mashile: No, I think you have covered it in relation to the to the regulations.

Chairperson: Thank you, I think we'll get into some of all the content related and the creative industries a bit later. We're still on the digital divide and universal access as a theme and as a reality. DG what is behind the connectivity issues we face as a country. I mean, I think we all understand that the last year and a half has put quite a strain and accelerated South Africa, in the digital space, but we're still watching our members of parliament, ourselves kind of every second day, having connectivity issues. What is behind it and I mean, this has been a great testing period for testing the capacity. What would you say are your recommendations going forward in terms of ensuring that that there's adequate capacity and that you know and our country has full coverage? take that question?

Mr Alf Wiltz: Chair, I'll give you a snippet of it, I think because this question is extremely wide and it and it's fundamental to what we do at the department and have been doing over a long period of time. If one considers just the National integrated ICT Policy White Paper of 2016, I think that would be a good reference for yourself as explaining the various findings of the ICT policy review panel, that 234 years of work to address, I think what you are talking to at the moment, so and it really consists of atleast 11 chapters, if this meeting is turned into a meeting about the White Paper, it will probably be appropriate to then take you through those chapters, because I can't speak on all of it from the top of my head. But you know, if we have to roll out, there are so many issues involved from ranging from backtracking to the to the GSA connector, that is broadband policy, and the extent to which that has been implemented or not implemented to date. So that's one critical matter on the infrastructure rollout site.

But then, also a range of other policy and regulatory measures that have been put in place over time, some have worked, some have not. But again, the white paper puts out various policy positions on how infrastructure connectivity can be improved. Some of these include, for example, competition. So, there's a whole chapter just focusing on competition, how competition can and should ideally be improved. It has a chapter on open access and sharing, trying to in the infrastructure context, promote how, you know,the dominant operators, and incumbents must move toward sharing of their infrastructure, there's a chapter on spectrum from going into detail on how the current spectrum frameworkcan be improved, including, again, spectrum sharing what should be done with high demand spectrum, it goes on to deal with the with open access networks, including the wireless open access network and, and how that could be a platform for many other service providers to then provide you already enabled so called service based competition on the infrastructure of one operator with access to spectrum, it will have a lot of information on reducing the cost to communicate, and various interventions that try to do achieve that policy intention, and energy. So, one can go on and on. But there's a whole range of ongoing policy interventions that come from many years ago. And as we speak, there are a whole range of new ones being considered and worked on. Just reflecting on our draft APP can speak to so many with its data and cloud with its digital transformation policy in whether it's the establishment of a digital development challenge fund. I mean, colleagues like Peter, when he comes back on board can speak to the current emphasis in the in on SA Connect, because the basis of this question is still infrastructure and the rollout there have but fundamentally, there's a phase two, and currently study studies being conducted on with the help of DBSA and Treasury on the most effective mechanism to ensure an achievement of the rollout targets in SA Connect. And then one can jump there's another chapter in the white paper that speaks about institutional arrangements and here, again, it tries to recognize the failures such as the USASA use of a model and see how that can be very achieved and so on. Let me pause there.

Chairperson: Thank you so much. At least it gives us a sense of the regulatory directive for the department as well and the areas of emphasis. Mr. Mello, are you able to give us some more tangible technical reasons why, what are the obstacles to our infrastructure being? So? so limited, particularly in rural areas and communities that that are not able to access digital signal, what's going on there? What is happening? And what do you plan to do as a department to encourage those gaps being closed so that all our citizens can be digital citizens?

Mr Peter Mello: Maybe to answer your question probably there are many reasons why there are challenges in terms of deployment of ICT or digital infrastructure. But I will maybe respond in

terms of what has happened with regard to private sector and what is government initiatives.For private sector, I think it's obvious the reason that looks at return on investment, the reason why a lot of private sector companies are not investing or building artificial infrastructure in rural communities is a simple reason. Based on what they would have done in terms of the business cases and return on investment. They won't invest in areas where they are driven by revenue, where they cannot recook the value of revenue, I think from government perspective, when this challenge was realized by government, that's where SA Connect came in, to ensure that we bridge the digital gap and the digital divide and connect the unconnected. The challenge in terms of the slow deployment of broadband infrastructure, or digital infrastructure, in some of the areas, especially rural areas, has been mostly on the funding of these initiatives. We have seen from national government, yes, we came up with a good policy and the challenge has been that they shortfall on funding. And we've seen provincial and local government also coming up with different initiatives to try and do the same or to complement SA Connect or the National department policy, but unfortunately, also they get stuck with the issue of the funding of those infrastructure, digital infrastructure OPEX intensive, I know initially, there is a lot of injection that is quite on capex, but the issue comes up in terms of operation and maintenance of the particular network. So, most provinces and local government they get stuck into the issue of OPEX. You'll see the City of Tshwane rollout, it's a Wi Fi in order to assist and supplement or complement the SA connect and provide connectivity to deep rural areas in Tshwane. Unfortunately, just the model was not sustainable, and it had challenges, but the issue is that sustainability and maintaining that connectivity of Gauteng province, with the Gauteng broadband also they ran into those challenges of operation and maintenance hence as the department what we did, once werealized that government on its own cannot be able to provide its own connectivity, we therefore encouraged private sector to come on board. The implementation of SA Connect involves both private and public sector entities or the ICT sector, our state-owned companies and also the private to basically we are saying to the private sector we will become anchored in it of the network that or the digital infrastructure that you will be deploying in various areas. Therefore, we conducted a feasibility study that is what called phase two feasibility study to see in terms of how we are going to address this gap well, the gap has been a challenge, we have realized the Minister of Finance have stated, government does not have enough funds to follow this infrastructure. Therefore, with this particular study that we conducted we are saying what are the best model in terms of PPP, the best funding model. But mainly in summary is to say from government perspective, the challenge has been on the funding, programme infrastructure funding for the last MTF was cut by almost 85%. Even the phase one, the numbers that were targeted, which was 6125 government facilities we could only do 970, which did not even contribute a quarter of

what we wanted to connect; hence we are saying that with phase 2 we will therefore be informed by the study to say, how do we then partner with government? What are the funding models? What is the implementation approach that government should look at to rebuild, own and transfer thenetwork, do we build own and maintain independent programmes, theimplementing agencies, SOCs the private sector? How do we robe them in? So those are the initiatives that we came up with to address the issue of the digital effects?

Chairperson: No, thank you very much for that, for that perspective. Are there any follow ups from my colleagues in the room? This is around the COVID App. And the WhatsApp account that was used as the main portal for information around COVID. Just in both senses, obviously, there's a collection of data, citizen data, and there's been to some extent, particularly with the app, there's been some skepticism around downloading of the app by some citizens, it's been you know, the app itself has been subject to some limited conspiracy theories. But they genuinely kind of a little bit of a reticence, can you give us an idea of what the take up of the app has been? And kind of what has the usage pattern for the WhatsApp portals that the department set up so quickly been? And what lessons have you learned for using WhatsApp and app technology for government citizen interface communication? So, is this an approach that you'll be using going forward? For other campaigns? DG, are you still with us?

ADG Jordan-Dyani: Maybe I can ask Perry to respond, please.

Ms Pari Pillay: Okay, in terms of the COVID app, it was not in the scope of our work. However, Cynthia can correct me we add the WhatsApp line for the fake news, reporting our fake news only so colleagues can assist with that, Cynthia?

Ms Cynthia Lesufi: Thank you Pari and good evening colleagues. Yes, you are correct, the issue of the WhatsApp Portal, it wasn't in the scope of the work that we were doing, what we did as a department was to create a WhatsApp line to tackle the issue of the fake news which then when I look at what is currently projected is not really talking to what is being projected here. So, what we did on WhatsApp is totally different from what iskind of appear on the screen at the moment.

Chairperson: Sorry so, you were not responsible for the fake news WhatsApp hotline, not for the COVID App or the or the WhatsApp information there were those managed by GCIS and the Department of Health with no support from your department? Is that correct?

Ms Cynthia Lesufi: Yes, we were never involved on the on the WhatsApp portal.

Chairperson: Okay, so tell us a bit about the fake news WhatsApp hotline. How did that work? What was the response to that? Is it something that you'll consider going forward?

Ms Cynthia Lesufi: The WhatsApp line that we had created, as I said, it was specifically to manage the issue of the fake news, what was happening there, it was just a normal line that we had created. So that anything that is related to fake news can be reported through that WhatsApp line. And what we did was to really monitor the numbers. And we were working closely with an NGO media Monitoring Africa, which was also helping the department in terms of monitoring the issue of the fake news, and, and how, you know, the fake news will then be taken down. And they were basically monitoring the number of fake news per week, in terms of how they were taken down, and how, then those fake news within a managed by different stakeholders in the in the in the in the PMO, as we have organized different stakeholders coming from different areas.

Chairperson: Thank you for that, is that a project that's going to be sustained and be applicable in other in other ways? Or is it just very specific to COVID now and this period until we emerge from the COVID emergency?

Ms Cynthia Lesufi: Yes, I think what has transpired from the implementation of the policy direction, and the lesson learned, as we were busy implementing the policy direction, it was quite clear that there's a need for South Africa to try and find a mechanism of dealing with fake news going forward. So we are developing the terms of reference for how SA will deal with the issue of fake news going forward, and fake news is something that requires a multi stakeholder approach, as opposed to government wanting to deal with this. So, we are busy putting together some sort of terms of reference, which will then guide us going forward. There are also constitutional issues that we must be considered. When we are done with the development of the terms of reference, and everything will then fall into place as to how do we plan to deal with the issue of the fake news as South Africa going forward, thanks chair.

Chairperson: Thanks, Ms Lesufi, I see Marium Paul has her hand up. Would you like to come in at this point, Marium?

Ms Marium Paul: Yes, thank you. Good evening. I'm Marium Paul from DCDT, I joined late. About the WhatsApp number. Yeah, so we didn't manage that. But I was looking at the history, I see that

when the Department of Health started with the self-screening, when COVID started, the first request we received was on the 3rd of April, they asked us to look at zero rating, a USSD line, which was Star 134 star, a three two hash(*134*32#). What happened is that because when health workers were screening people for COVID, they wanted to get the information of that specific person to a specific directory or like a centralized directory. They wanted to use this USSD line. So that is the starting point. And they requested us to work with the operators to zero rate that specific USSD line so we did that we enable that to do that to get that USSD line zero rated. And then later on, this was actually running on a CSIR platform called, seemore.csir.co.za, which later on move to our COVID platform, you know, like a government COVID website. So then we zero rated that website. The USSD line, I think later on was deactivated because the health workers came up with the other way of reporting the screening information. I just want to say that we started with this this line, we enable them to zerorate that USSD, from all operators point of view, and then it moved on to a next level.

Chairperson: Thank you for that clarity. So what we've heard so far is that the private sector hasn't seen it feasible to kind of provide border to border coverage, six, cell phone signal coverage to many communities in South Africa, to the extent that almost half of the South African population doesn't have access to the internet at home, the way that that one would want. So that has obvious implications, and it is a form of discrimination. So, again, we've heard about the other regulate the policies that are coming up, we've heard about the policies that have been worked on thoroughly before, but given the urgency of the need for digital citizenship to be rolled out across the board to combat this thing of us living in two countries, one, which is fully digital, and one, which isn't, what is the department going to do to drive to drive universal digital access. And I know it might sound repetitive, but DG, I really want to get a sense of urgency from the department side in terms of we're leaving children behind we leaving a lot of sectors behind we're leaving entire communities behind. What is the department doing? Fully aware that that ICASA is an independent regulator, and there's an independence there. But the department is a caretaker entity and the minister needs to ensure that if the entity is reporting to her as shareholder representative are pushing digital access, what would you say? The main thrust of your plans are to ensure full coverage by citizens of South Africa for citizens? DG?

ADG Jordan-Dyani: I hope you can hear me I was losing you in terms the network coverage, which is so ironic. So the number of….it was like the worst timing? And I was like, Yeah, because initially, so firstly, I think we have to acknowledge the fact that there are gaps within our policy, current universal service policy, because we don't talk about as you said, digital access or internet to the whole SBN (43:00mins). However, we've also then introduced other policy instruments to try and drive this. As

such, that's the reason why we are licensing the high demand spectrum, as well as also the policy direction that we issued on the wireless open access network.

ADG Jordan-Dyani: So at least I'm just going to drop the key principles and then Alf and the colleagues can talk to. So that's why we are and then we also have the SA Connect, the SA Connect focuses in the main at the moment in terms of connectivity to critical government departments, meaning health education, public schools as well as government service delivery offices, which will be your police station and then the regional or local structures as your Home Affairs etc. But then they turn it off broadband in the long run, and therefore that is why we are starting off, with then issued the policy directive and as you know, ICASA is currently going to then issue the spectrum, the auctioning which should be taking place soon as well as then the awarding of the one, two, then theLast qualifying consortium entity, just in case you lose me, I'm going to ask Alf, and then also the other colleagues, I think Mr. Sono is also on the line to then expand or Peter, to then expand in terms of the other connectivity projects that we are running.

Chairperson: If one of the, of your colleagues can also reflect on satellite as an option?

ADG Jordan Dyani: Yes, certainly, that's also one of the key focus, because I think our focus is talking about technology neutrality and the fact that we would like to also augment it interms of ensuring that we also have satellite coverage as part of both redundancy but toensure wider coverage to other areas, underserved areas. So., I hand over to the colleagues.

Mr Alf Wiltz: Thank you, Chair, just to mention a few projects related to this. One of them is rapid deployment. So, we believe with the rapid deployment policy and policy direction, and intention of that is to make it easier for operators to roll out networks at a faster pace. We can also speak about the failure of the existing universal service access framework. And why is that so that's combination of issues or reasons for one of them could be the capacity of the regulator to enforce and monitor, for example, the universal service obligations they've imposed on operators over the years. A related matter is the failure of universal service access agency, USAASA and its use of the universal service and access fund. And we've just been through a status quo analysis to confirm what the white paper said, which effectively is that stakeholders lost trust in that framework, effective and not using not effective and must be overhauled and replaced with something else and they were working on a new entity that will be called the digital development challenge fund. That will work on a challenge fund approach, it will replace the current USAASA which then means they will be in depth consideration of the ICT landscape that the minister must annually determine

where market failures exist. And then through funding with those annual funding windows direct way where the funding of from the DDCF must be challenged typically among those funding areas could be infrastructure gaps. For example, I think that ADG spoke about spectrums on the spectrum. Now various obligations that ICASA seek to impose though that process on those potential spectrum recipients and the most relevant one to this discussion is the rule first rollout obligation that operators will carry similarly before they can use the spectrum in urban areas. Related an important matter is the improvement of competition through the spectrum assignment process and the DG spoke about the wireless open access network to do other related matters on the following the competition Commission's data services market inquiry report of December 2019. The department report makes recommendations on a number of methods that could improve competition including the reduction of data costs, and the department working on an amendment of the Electronic Communications Act to give effect to some of those recommendations and then another institutional reform that maybe relevant is the business case has been developed for a day for state digital infrastructure company. So the business model and the business case is not finalized but potentially such a state digital infrastructure company which in effect is a merger of BBI and Sentech. But depending on how each mandate pans out, it could be in depending on the developer to get funding, but it meant it could be to, to be to national carrier or national open access network that could cover the rural areas, as well.

Chairperson: Thank you, can you give us a timeline of the revised legislation? When is it going to Parliament? Or what is your rollout plan? What is, by When will we see these regulations coming into play to do estimates, and know it's hard to anticipate how long it takes at Parliament, but your best-case scenario?

Mr Alf Wiltz: When I spoke about strengthening the regulator, there's also related business case being developed for an integrated regulator. So it could be some form of regulatory reform board that will then look at the integration of different regulators into one and so strengthen that, Chair there are so many of these that I think it would be unwise for me to try to indicate timelines here, but you know, we have a draft AAP on the on the table and all of these boards, or reflected in the draft, APP, and or at different stages of development. So, a number of them, or currently, one or two of them are currently serving before had just gone to cluster and will be going to cabinet this month, for approval to the means public consultation, for example. Others are slightly behind that, and then one or two are ahead of that. So, but you know, the literal approval processes do, you take a lot of time, there are two rounds of going to cabinet first to get approval to do public consultation, then actual public consultation round, then going back to cabinet for approval to

use the parliament. And from there, we're in the legislature's hands in terms of the outcome of the actual intended legislation. So it's not possible to say when these will materialize.

Chairperson: Any follow up questions from Mr. Happy Sithole. Would you like to come in here?

Dr Happy Sithole: Yes, thank you just wanted to follow up on what Alf was talking about the state broadband entity will that look into the consideration of using spare capacity from what already exist in the SOEs like your Transet, Eskom, Telkom and so on. We talked about also some of the possible consideration for the spectrum and prioritizing, already also maybe considering that maybe we can prioritize some of the government entities that we found that they were struggling, for an example, education, health, and so on, that whoever gets the bid of the spectrum, they prioritize those areas, and there are favorable conditions in connecting those entities as part of the awarding of the spectrum. Thank you.

Mr Alf Wiltz: I'll do my best but, starting with the second question, one must appreciate the regulatory framework, so and the nature framework and the independence of ICASA based on section 192 of the Constitution, ICASA has a certain measure of independence and per the requirements of our legislation, they have to consider policy and policy direction issued by the Minister, and they stopped and it even goes further to say the minister can't get involved in licensing methods. So what that means in practice is that ICASA has a legal obligation to properly unduly apply their minds and apply its mind and consider the policy of, of government and the minister. But if they have to do consideration of such policy, feel differently and have rational reasons for doing something else. They can go in the opposite direction in effect, so and within those limitations, including the prohibition on the involvement of the minister in in licensing matters, it's impossible to dictate to the regulator how exactly how far they would go in a spectrum licensing procedure. So, so therefore, you know, typically our policy direction would be broader in terms of promoting various policy objectives. But ultimately, it's left to ICASA in terms of how they apply that, we would perhaps in a policy direction say that, that operators that gets spectrum must share facilities and must share their existing infrastructure, ICASA in turn has an obligation to consider that requirement, but they can reject it. And in the current scenario, something similar to that happened. And therefore, again, we don't have control to ensure that ICASA can prioritize government entities, for example, in, in a spectrum obligation, capacity, because it's a licensing method, in effect, we can however suggest policy intentions, such as promoting SMMEs, HDIs and, and targeted groups, we can say competition must be enhanced, and this and that policy objective, but again, it's up to ICASA. Similarly, we are supportive of obligations that that carry,

you know, obligations that seek to address universal service obligations and connecting rural and underserviced areas. And, and that's one of the more successful ones so far that that carried through to the ICASA process as a potential obligation that will be imposed on successful spectrum, licensed licensees. I know that it's an unsatisfying answer, but that is the legal framework within which we operate. And as we speak, there's a court case on related matters. Three years ago, the very issue was debated in front of the courts, ICASA deviated from government policy intentions and, and ultimately, the court had to decide on that matter, when it comes to the matter of the state digital infrastructure company being the merger of DPI. I'm not the project manager and an expert on that business case. I know it did not always been the intention. And as far as I understand, there are two phases to the project. And the first phase just focuses on the merger of these entities and, and determining its mandate, and, you know, functional business case for it. But the second phase has always been, and I think it's captured in the white paper, too, has always been to use the capacity of the state, to the other SOEs and how to bring that forth.

Chairperson: Thank you very much. I just want to quickly zoom in on the last two questions that were planned. The one is about Satellite Internet. And I'm not sure Peter, if you want to take this one on around is Satellite Internet a viable option? And one of the barriers, and then a question, perhaps to Mr. Mashile, around digital literacy, and to what extent the department's takes responsibility for developing digital literacy to enhance the experience of digital citizenship in South Africa. Yeah. So, Peter, perhaps you were there? Would you like to take on the satellite question?

Mr Peter Mello: As the DG said, alluded to the fact that we're looking at technology neutrality and that is the opportunity for SA Connect, meaning part of the requirement or the outcome of the feasibility study that was conducted will also highlight in terms of the technology options, what kind of technology should be deployed in terms of satellite, it's one of the technologies that we will consider utilizing. We know satellite previously has its own limitations, one in terms of the bandwidth latency, meaning the speed of delivery, and as well as the cost to deploy satellite, but you look at other areas in the Northern Cape next to the SKA project, where you may not be able to provide a solution, satellite can become a temporary solution up until our delivery of urban services. This can be done until the permanent solution comes on board. But yes, to answer your question, yes, we will consider satellite technology in areas where there are no possibilities, or challenges to deploy, whether it's wireless or other fix solution. But largely, I will say, you would have seen also in the industry satellite companies have come up with new developments that transit that can be done through satellite via different components or satellite elements then we will look at those kinds of solutions. Just maybe to add, during the COVID we extended the President call for

private and public sector companies to support. We have companies that came on board to assist in providing pro bono services via satellite to the close to 300 health facilities. As we're speaking those facilities are connected via broadband at 10 megabits per second more than that, in some areas by satellite. So, it shows that this satellite can also become one of the solution to address the problem connectivity also at a high speed, it is no longer the previous satellite system where it had challenges in terms of latency.

ADG Jordan-Dyani: Peter as well as Alf can you also talk about the TV wide space as well as also as a solution and then also in terms of the connectivity in terms of community? We've also got the community players, Cynthia, you could also perhaps some in with regards to the model by Senzeni.

Mr Peter Mello: Maybe let me come in first chair, yes. DG is correct. As I've mentioned earlier, we are looking at various technologies, TV wide space is one of the technology options that get broadband over power lines, another solution that we can look at, so, it will be important when the study report is being formally handed over to the Minister and Ministers and those that approved, I think it will be available for public consumption and in that study one will be able to see what kind of different options that could be deployed in various areas, then, the one of them, the TV wide space, we know that there is an extensive work that has been done between CSIR and ICASA in terms of piloting those solutions, and they do work and also the community networks that are currently taking place. One it in the Eastern Cape. So, those are the approaches that are in implementation, that this study has looked at and will advise in terms of how to move forward in terms of deploying such networks, can a community on its own, being able to run or build operate and maintain that particular aspect those are the elements that are outlined on the report. So yeah, I think in terms of technology options, we have looked at all these various technologies in a pool. That is the web and technology depending on an area of deployment, point to point, point to multipoint. Those are integral options, I mean solutions that will be considered to bridge the digital divide.

Dr Happy Sithole: I just wanted to check on the feasibility of the rollout of broadband, I think colleagues did indicate one of the challenges that are foreseen is the operation and maintenance. I wanted to find out if maybe on the feasibility study, if it articulates what are those big ticket items? And if there are opportunities to look at that, maybe the country to get if it is a question of skills, which will be required to operate and maintain these networks, if there could be a plan on how we can, over time build those skills so that we can have a sustainable broadband infrastructure in the country?

Mr Peter Mello: Yes, the feasibility study has looked at those approaches or models. And maybe at a high level, you will have seen what has happened previously, with government in all three spheres, in both the local and provincial and national, the idea, the model that, for example, that Gauteng implemented that is the operate and so one looks at it and it has its own challenges, because government is not in the business of building infrastructure, we therefore don't have the capacity, then one would have seen between 2018 and 2020 the challenge that Gauteng broadband was experiencing on that particular model and then you look at the lesson learned from Gauteng, which were implemented in Limpopo province, where Limpopo in actual established their own entity to run with this network. Unfortunately, they also opted for a built, operate and own. But the challenge is the capacity within the state, the state is not in the business of owning infrastructure. And so those are the challenges that this study has looked at and the study will recommend, what kind of model it might be a hybrid model where in some instances the build, operate, maintain might be an option. In some instances, it might not. It might not apply, for example, National and Provincial, but yes, to answer your question in short, is it the study has looked at those models then it provides a recommendation in terms of which one is best suited for which area. Thanks.

Chairperson: Can we move on to the digital literacy and content creation space? Mr. Mashile, please, can you give us your reflections on kind of the response to the regulations around content by broadcasters and ISP? Please go ahead.

Mr Collin Mashile: I think it was a strategic intervention, DG, it'sok ay. But to say our department is Department of Communications and Digital Technologies, not Science. And the points that I think DG, and all my colleagues made is that, and after the regulations were passed, we formed a working group that consisted of broadcasters, the mobile operators, the industry and all the key stakeholders involved. And I think they appreciated that for the first time there was that cooperation between government regulators, and all of the people involved in the sector. And I think it was one of the most progressive thing that happened during this COVID period. From our side, and I think, in terms of the lessons learned, at the end of the sort of period, we produced the report, where we learned in terms of what is it that we needed to do moving forward where there was a survey that went to the industry, but interms of the ICASA, COVID regulations. There was a working group that was focusing on media and entertainment, and the broadcasters approached ICASA to say, because of COVID and close out production, we wanted you to reduce our obligation. The intention was that when the CCC (triple C) the commission that looks at

compliance comes at the end of the year, they should not penalize the broadcaster. So they had required an exemption from ICASA, and this was not only happening in South Africa, Australia, and other countries had given that exemption because they have to cognize that due to COVID, the production companies had closed and there was no content for broadcasters. We also worked with the Department of Arts and Culture on this matter. So ICASA produced the regulations based on the recommendations of the broadcasters, and there was that cooperation with the broadcasters, the issue came from the producers who had felt that itwas not fair. But I think they engaged with ICASA. And they understood where ICASA coming from. And we supported the cause in terms of what it was trying to do, because it was being fair to the center so that when the Triple C comes in answers is that we should not think that they did not comply in terms of digital literacy, digital literacy, for the citizenship, as we said, in terms of the report certain policies that emerged that we neededto deal with, in terms of our audio-visual media policy. This little middle trace is one of the key issues that we deal with, as it is currently, various organizations are dealing with it.

And for most years, when we're doing difference in publications, we had to recognize that you needed to deal with digital media literacy across so that schools, universities, industry, South Africans, regulated everyone knows how to engage with this environment. So, the recommendation that is there is not in line with international benchmark there are diverse options, but the option that we are considering is the one where we are going to assign the responsibility to one regulator that we'll be dealing with it. So that there is a continuous report six monthly report, there's a report in terms of to, to gather, or to measure progress in terms of how far we are. But their spirit is that it's not the responsibility of one entity. It's a multi stakeholder collaborative effort. But it will be led bythe regulator that will have to give 6 monthly report. And if we check across the globe, this is one of the most critical areas that the regulators are dealing with and policy makers. The intention is to give it to the content regulator that we'll be dealing with. So that it gives the report but it is one of the key policies that we have considered that this media literacy is across. Currently, the media and others are also carrying out various digital media literacy initiatives, MDDA carrying them out. And so is FPD and the ICASA to a certain extent, but you want to consolidate so that the country is able to give yearly andsix monthly reports.

Chairperson: Thank you, Mr. Mashile. And I wonder if you or if the DG can maybe after this interview, because a number of reports, white papers and APPS and draft APPS have been mentioned in the in the past hour, and I'm wondering whether your officials could maybe prepare a package that you could share, that can give us more detailed insight into these plans and findings, and, and so forth, we would really appreciate it. Just to give you an idea where we're

completely completing our chapter four in the next couple of weeks it will really be nice to look at trends and possible recommendations going forward. It seems to me one of the biggest challenges in that the department that that that is being faced is that with all the goodwill and all the good policies of the department, it is ultimately the regulator itself that has the biggest sphere of influence in terms of both enforcement and content analysis and so forth. So really, the big question is, is it Parliament that holds the ICASA accountable when things don't get enforced? And what is the tension between or what is what is that dynamic between the department, the regulator and parliament to ensure that the digital divide is closed as soon as possible? So really, that's two questions one would you be able to share some the documents that have been referred to by officials and to how do you how does one ensure that ICASA is meeting its obligations?

Mr Collins Mashile: Usually, the next person is in line, but ICASA reports to Parliament via the Department of communications, and they, they appear there appear to be totally, parliament to address any other issues. So, the oversight is done by both parliament and us so but report to Parliament via the GCIS.

Ms Pari Pillay: Yes. In terms of the additional content required by yourself? I will be able then to package it for you? So, the point of contact in the DG's office, should you require further information? Thanks.

Chairperson: Thank you, that'll be much appreciated. Unless any further questions, can I ask my academic fellow researchers to indicate to me there's any other follow up questions you'd like to pose, but we'll do this via email. And thanks to DPME to, Dr. Makhado, for facilitating this interview. And Nollen, thank you very much, Pari, thanks to the Acting DG and everybody who, who shared in your, in your experiences, your insights and information has been most valuable. I don't know if you have any questions for us.

Mr Collin Mashile: Yes, you should consider also talking about the good work that we did around the Postal sector how it contributed to the planning of the of the grants and other issues. And so the was a critical role played by the postal sector. So you should consider it in your questions.

Chairperson: Thank you Mr. Mashile. You're right. It is one of the gaps in our questions. But you're right, we will have a look and we'll request some information from Pari around that as well. Okay, if there's nothing else then have a good evening, everybody. And we'll be in touch. Thank you so much. ---END---