



**Independent Communications Authority of South Africa**

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# **STANDARD OPERATING PROCEDURE FOR PROCESSING INDIVIDUAL BROADCASTING APPLICATIONS**

**2023**



| DOCUMENT CONTROL PAGE                        |                                                                                                                                                                                                                 |               |                  |       |        |  |            |            |  |
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| PROCEDURE APPROVALS RECORD |                                                                                   |                                                       |
|----------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------|
|                            | Authorised by General Manager                                                     | Approved by Exco                                      |
| Name and job title         | Fikile Hlongwane<br>Executive: Licensing and Compliance                           | Tshiamo Maluleka- Disemelo<br>Chief Executive Officer |
| Signature                  |  |                                                       |
| Date                       | 21 February 2024                                                                  |                                                       |
| Implementation date        | Date: 01 / 04 / 2024                                                              |                                                       |

# **INTRODUCTION**

The procedure falls under the Electronic Communications Act No. 36 of 2005, ICASA Act No.13 of 2000, and applicable regulations. This procedure aims to promote effective and efficient management of the assignment of the radio frequency spectrum for broadcasting services, processing of broadcasting service licence applications and compliance with the aforementioned Act and regulations.

The applicable regulations are listed below:

- a. Processes and Procedures Regulations for Individuals Licences, 2010 as amended,
- b. Standard Terms and Conditions for Individual Licences Regulations, 2010 as amended,
- c. Radio Frequency Spectrum Regulations, 2015 as amended,
- d. Terrestrial Broadcasting Frequency Plan, 2013 as amended,
- e. Guidelines for Confidentiality Request in Terms of Section 4D of the ICASA Act.

# **BACKGROUND**

This procedure manual provides a framework for processing of Individual Broadcasting Services and Radio Frequency Spectrum applications within the Authority, for the provision of Commercial Sound Broadcasting Services, Commercial Television Broadcasting Services, Public Sound Broadcasting Services, Public Television Broadcasting Services, and Commercial Subscription Broadcasting Services. It sets out the detailed requirements and minimum levels of achievement necessary to establish an internal process for the approval

of licenses at the Independent Communications Authority of South Africa (“ICASA or the Authority”).

## **PURPOSE**

The purpose of the procedure is to illustrate the critical steps that should be adhered to when processing surrender, transfer, and amendment applications to issue individual broadcasting service licences and radio frequency spectrum licences.

## **SCOPE**

This procedure applies to all relevant employees within ICASA who process commercial broadcasting service and radio frequency spectrum applications.

# Procedure

| Name                                                | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Governance/Business Rule                                                                                                                                                                                                                                                                                                                                                                                     | Role      | Document                                                        |
|-----------------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------|
| Complete broadcasting licence application documents | 01 | <p>1. Applicant completes 2 sets of forms (obtained from ICASA's website/offices (walk-in). 1 Form is for the Individual BC Service licence application, and the other form is for the Radio Frequency Spectrum licence application.</p> <p><i>Applicable forms for Amendment of a licence to provide an Individual Broadcasting Service:</i></p> <ul style="list-style-type: none"> <li>a. Form C from Processes and Procedures Regulations for Individual Licences;</li> <li>b. Form A from Radio Frequency; and Spectrum Regulations.</li> </ul> <p><i>Applicable forms for Application to transfer a Licence:</i></p> <ul style="list-style-type: none"> <li>a. Form G processes and procedures Regulations for Individual licences</li> <li>b. Form B from Radio Frequency Spectrum Regulations</li> </ul> <p><i>Applicable forms for Applications to surrender a Licence:</i></p> <ul style="list-style-type: none"> <li>a. Form I from processes and procedures regulations for individual licences;</li> <li>b. Form C from Radio Frequency Spectrum Regulations</li> <li>c. Complete the relevant Individual BC licence forms.</li> <li>d. Registrants/Applicants must submit either one (1) soft copy of the application electronically (via email: <a href="mailto:broadcastingapplications@icasa.org.za">broadcastingapplications@icasa.org.za</a>) and /or two (2) hard copies (including an original) of the application as well as a soft</li> </ul> | <p>The applicant must provide:</p> <ul style="list-style-type: none"> <li>• completed and commissioned applicable forms; and</li> <li>• proof of payment as per General Licence fees Regulations, as amended;</li> </ul> <p>The application must include all relevant supporting documents.</p> <p>Renewal applications are not included in this process since they are dealt with by Council Committee.</p> | Applicant | <ul style="list-style-type: none"> <li>• Application</li> </ul> |

| Name                    | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Governance/Business Rule | Role                                                                                  | Document                                                           |
|-------------------------|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------|
|                         |    | <p>copy of the application on a USB or a disc to the ICASA Head Office;</p> <p>2. Complete the relevant Individual BC licence forms.</p> <p>3. Registrants/Applicants must submit either one (1) soft copy of the application electronically (via email: <a href="mailto:broadcastingapplications@icasa.org.za">broadcastingapplications@icasa.org.za</a>) and /or two (2) hard copies (including an original) of the application as well as a soft copy of the application on a USB or a disc to the ICASA Head Office.</p> <p><b>Proceed to step 02 "Obtain application pack".</b></p>                                                           |                          |                                                                                       |                                                                    |
| Obtain application pack | 02 | <p><b>For hard copies submitted to ICASA:</b></p> <p>1. Receive the submitted/couriered hard copies and softcopy via an external device of the application forms with relevant supporting documents.</p> <p><b>Proceed to step 03 "Issue the applicant with the receipt indicating date on which application was lodged with the Authority."</b></p> <p><b>For Applications received via email:</b></p> <p>1. Receive application forms with relevant supporting documents.</p> <p>2. Mailbox will send an automated response confirming the receipt of the email.</p> <p><b>Proceed to step 06 "Check application pack for completeness".</b></p> |                          | Registry/Applicant/Service Broadcasting Unit/Broadcasting Frequency Coordination Unit | <ul style="list-style-type: none"> <li>Application pack</li> </ul> |

| Name                                                            | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                     | Governance/Business Rule                                                                                                                                                               | Role                 | Document                                                                                |
|-----------------------------------------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------------------------------------------------------------------------|
| Issue receipt to the applicant                                  | 03 | <ol style="list-style-type: none"> <li>1. Complete receipt.</li> <li>2. Issue the receipt to the applicant.</li> <li>3. Hand/email the copy of the receipt (with date) to the applicant as confirmation that the application pack has been received by ICASA.</li> </ol> <p><b>Proceed to step 04 "Date stamp application pack".</b></p>                                                                                                        |                                                                                                                                                                                        | Registry             | <ul style="list-style-type: none"> <li>• Application pack</li> <li>• Receipt</li> </ul> |
| Date stamp application pack                                     | 04 | <ol style="list-style-type: none"> <li>1. Stamp the application pack to confirm the date of receipt thereof.</li> </ol> <p><b>Proceed to step 05 "Forward application pack to the relevant departments".</b></p>                                                                                                                                                                                                                                |                                                                                                                                                                                        | Registry             | <ul style="list-style-type: none"> <li>• Application pack</li> </ul>                    |
| Forward Individual application pack to the relevant departments | 05 | <ol style="list-style-type: none"> <li>1. Forward stamped application pack to the Licensing Division (Divisional Assistant).</li> </ol> <p><b>Proceed to step 06 "Check application pack for completeness".</b></p>                                                                                                                                                                                                                             |                                                                                                                                                                                        | Registry             | <ul style="list-style-type: none"> <li>• Application pack</li> </ul>                    |
| Check application pack for completeness.                        | 06 | <ol style="list-style-type: none"> <li>1. Receive the application pack from the Registry/Applicant/Service Licence unit/Broadcasting Frequency Coordination unit.</li> <li>2. Collate the application pack accordingly.</li> <li>3. Verify Proof of payment. Engage with finance to confirm that the licence application fees applicable have been paid in full.</li> </ol> <p><b>Proceed to step 07 "Issue Acknowledgment of Receipt".</b></p> | The application is subject to payment of a licence application fee. The processing of the application is subject to confirmation by Finance that the prescribed fee has been received. | Divisional Assistant | <ul style="list-style-type: none"> <li>• Application pack</li> </ul>                    |
| Issue Acknowledgement of Receipt.                               | 07 | <p><b>IF: Individual application documents are <i>incomplete</i>:</b></p> <ol style="list-style-type: none"> <li>a. Prepare an 'Acknowledgment of receipt' standard letter with a list of missing information.</li> </ol> <p><b>Proceed to step 08 "Inform applicant of missing information".</b></p> <p><b>IF: Individual BC licence application forms are <i>complete</i>:</b></p>                                                            | <ul style="list-style-type: none"> <li>• A channel Authorisation application is acknowledged by Licensing Officer via email.</li> </ul>                                                | Divisional Assistant | <ul style="list-style-type: none"> <li>• Application pack</li> </ul>                    |

| Name                                            | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Governance/Business Rule                                                                                                      | Role                 | Document                                                                                   |
|-------------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------------------------------------------------------------|
|                                                 |    | <p>a. Prepare an 'Acknowledgment of receipt' standard letter.</p> <p><b>Proceed to step 09 "Forward the application to relevant departments".</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                               |                      |                                                                                            |
| Inform applicant of missing information         | 08 | <ol style="list-style-type: none"> <li>1. Prepare the "Acknowledgement of receipt" standard letter signed by the relevant manager and attach it to the email.</li> <li>2. List the specific information not provided, which may include the following: <ol style="list-style-type: none"> <li>a. proof of payment of the applicable fee.</li> </ol> </li> <li>3. Forward the email to the applicant. Inform the applicant about the delay that may be caused due to waiting period.</li> <li>4. The application shall be put in abeyance pending receipt of proof of payment of the applicable fee.</li> <li>5. Upon receiving the proof of payment from the applicant, the Divisional Assistant must forward the received information to the identified relevant department for processing.</li> </ol> <p><b>Proceed to step 09 "Forward the application to relevant departments".</b></p> |                                                                                                                               | Divisional Assistant | <ul style="list-style-type: none"> <li>• Request for information email</li> </ul>          |
| Forward the application to relevant departments | 09 | <ol style="list-style-type: none"> <li>1. Forward a stamped soft copy of the application pack to the following departments on the day of receipt: <ol style="list-style-type: none"> <li>a. Finance;</li> <li>b. Compliance;</li> <li>c. Library;</li> <li>d. Either Service Broadcasting or Broadcasting Frequency Coordination Unit.</li> </ol> </li> </ol> <p><b>Proceed to step 10 "Assign Service application task" AND proceed to step 22 "Assign Spectrum Licence application task".</b></p>                                                                                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>• Forward non-confidential application to Finance, Compliance, and Library.</li> </ul> | Divisional Assistant | <ul style="list-style-type: none"> <li>• Individual BC licence application pack</li> </ul> |

| Name                                                             | #  | Description                                                                                                                                                                                                                                                                                                                                                                               | Governance/Business Rule | Role               | Document                                                             |
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|                                                                  |    | <p><i>Note:</i></p> <p><i>The licence application for BC service and Spectrum is considered simultaneously by both a licencing officer (in terms of the Service licence) and a RF Specialist (in terms of the spectrum licence).</i></p>                                                                                                                                                  |                          |                    |                                                                      |
| <b>STEPS 10 TO 21 RELATE TO THE BROADCASTING SERVICE LICENCE</b> |    |                                                                                                                                                                                                                                                                                                                                                                                           |                          |                    |                                                                      |
| Assign application task                                          | 10 | <ol style="list-style-type: none"> <li>1. Receive the application pack from the Divisional Assistant.</li> <li>2. Assign and forward the application pack to the Licensing Officer for analysis.</li> </ol> <p><b>Proceed to step 11 "Consider Confidentiality Request".</b></p>                                                                                                          |                          | BC Service Manager | <ul style="list-style-type: none"> <li>• Application pack</li> </ul> |
| Consider Confidentiality Request                                 | 11 | <ol style="list-style-type: none"> <li>1. Assess the application for confidentiality, completeness and correctness.</li> <li>2. Draft the legal vetting submission and a decision letter for confidentiality.</li> <li>3. Submit the draft submission to Service Broadcasting Manager.</li> </ol> <p><b>Proceed to step 12 "Signing off the Confidentiality Submission to Legal".</b></p> |                          | Licensing Officer  | <ul style="list-style-type: none"> <li>•</li> </ul>                  |
| Review and sign off the Confidentiality Submission to Legal      | 12 | <ol style="list-style-type: none"> <li>1. Service Broadcasting Manager review the draft submission.</li> </ol> <p><b>IF the draft submission is not satisfactory:</b></p> <ol style="list-style-type: none"> <li>a. <b>Proceed to step 11 "Consider Confidentiality Request".</b></li> </ol> <p><b>ELSE:</b></p>                                                                          |                          |                    | <ul style="list-style-type: none"> <li>•</li> </ul>                  |

| Name                                        | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Governance/Business Rule | Role | Document |
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|                                             |    | <ol style="list-style-type: none"> <li>2. The Service Broadcasting Manager signs of the submission and submits it to Senior Manager: ICT Licensing Services</li> <li>3. Senior Manager: ICT Licensing Services forward the submission to the office of the Executive: Licensing and Compliance.</li> <li>4. The office of the Executive: Licensing and Compliance forwards the submission to LRCCC for vetting.</li> <li>5. LRCCC takes a minimum of 21 working days to vet the submission.</li> <li>6. When LRCCC revert with the vetted documents, the vetted letter of confidentiality is sent to the applicant –</li> <li>7. If the confidentiality request is granted, the applicant will be asked to submit a redacted version of their application.</li> <li>8. If the confidentiality request is refused, the applicant will be informed of its option to withdraw the information submitted.</li> </ol> <p><b>Proceed to step 13: Publication of Notice of Receipt of application in the Government Gazette.</b></p> |                          |      |          |
| Publication of Notice in Government Gazette | 13 | <ol style="list-style-type: none"> <li>1. Licensing Officer prepares the Notice and Cover Memo for consideration by the Manager Service Broadcasting</li> <li>2. Once the Manager is satisfied, the Manager signs it off.</li> <li>3. The manager sends it to the SM: ICT Licensing for noting.</li> <li>4. The SM ICT Licensing forwards the memo to Executive Licensing and Compliance.</li> <li>5. The Office of the Executive Licensing and Compliance forwards it to the office of the CEO for submission to the Chairperson.</li> <li>6. The Chairperson of the Authority signs the Notice for publication.</li> <li>7. Once the Notice is signed, the Chairperson's office sends the signed Notice to the office of the</li> </ol>                                                                                                                                                                                                                                                                                     |                          |      | •        |

| Name                                     | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Governance/Business Rule                                                                                                                          | Role              | Document                                                                                                                                  |
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|                                          |    | <p>Executive, Licensing and Compliance, who forwards it to the relevant manager.</p> <p>8. Manager forwards the Notice to the Divisional Assistant who arranges for publication.</p> <p><b>Proceed to 14 "Receipt of Representations and Responses"</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                   |                   |                                                                                                                                           |
| Receipt of Representations and Responses | 14 | <p>1. After publication of the Notice, stakeholders are provided with 14 working days to make representations to the Authority.</p> <p>2. In addition, the Applicant is given 14 working days to respond to any representations made.</p> <p><b>Proceed to 15 "Analyse the application"</b></p>                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                   |                   | <ul style="list-style-type: none"> <li></li> </ul>                                                                                        |
| Analyse the application                  | 15 | <p>1. Receive the application pack from the BC Service Manager.</p> <p>2. Log the application to the application Dashboard for tracking.</p> <p>3. Apply consideration as to whether the application adheres to the BC Service requirements.</p> <p><b>IF: Application information is incomplete:</b></p> <p>a. Prepare an email with a list of missing information.</p> <p><b>b. Proceed to step 16 "Request missing information".</b></p> <p><b>IF: Application information does meet the applicable legislative and regulatory provisions:</b></p> <p><b>a. Proceed to step 17 "Drafting of recommendation memo with reasons for decision, and rejection letter or licence."</b></p> | The Licensing officer considers the application, taking into consideration the representations received and the responses to the representations. | Licensing Officer | <ul style="list-style-type: none"> <li>Individual BC Service license application pack</li> <li>Technical Report (If available)</li> </ul> |
| Request missing information              | 16 | <p>1. Forward the email with a list of missing information to the applicant. Inform the applicant about the delay that may be caused due to waiting period.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                   | Licensing Officer | <ul style="list-style-type: none"> <li>Missing information standard letter</li> </ul>                                                     |

| Name                                                                    | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Governance/Business Rule | Role                         | Document                     |
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|                                                                         |    | 2. The application shall be put in abeyance pending receipt of outstanding information.<br>3. Inform the Broadcasting Frequency Coordination (BFC) unit.<br>4. Upon receiving the outstanding information from the applicant, the Licensing Officer must proceed with the application assessment.<br>5. Inform the Broadcasting Frequency Coordination (BFC) unit that the information is complete.<br><br><b>Return to step 15 "Drafting of recommendation".</b>                                                          |                          |                              |                              |
| Drafting of recommendation memo , and draft decision letter or licence. | 17 | 1. Licensing Officer drafts the recommendation memo with decision letter or licence.<br>2. Licensing Officer forwards recommendation memo with decision letter or licence to the Service Broadcasting manager for review.<br><br><b>Proceed to step 18 "Consideration of the recommendation".</b>                                                                                                                                                                                                                          | •                        | Licensing Officer            | • Application analysis memo. |
| Consideration of the recommendation                                     | 18 | 1. Service Broadcasting Manager reviews the recommendation memo, decision letter or licence.<br><br><b>IF</b> the Service Broadcasting Manager is not in agreement with the recommendations – the Service Broadcasting manager provides inputs.<br><br><b>Proceed to step 16 "Drafting of analysis memo "</b><br><br><b>IF</b> the Service Broadcasting Manager is in agreement with the recommendations,<br><br><b>Proceed to step 19 "Approval of the Recommendation and signing of the decision letter or licence".</b> | •                        | Service Broadcasting Manager | •                            |

| Name                                                                         | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Governance/Business Rule                                                                                                                                                                                                                                                                                                                                                                                         | Role              | Document |
|------------------------------------------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------|
| Approval of the Recommendation and signing of the decision letter or licence | 19 | <ol style="list-style-type: none"> <li>1. The Service Broadcasting Manager signs of the submission and submits it to Senior Manager: ICT Licensing Services</li> <li>2. Senior Manager: ICT Licensing Services forward the submission to the office of the Executive: Licensing and Compliance.</li> <li>3. The office of the Executive: Licensing and Compliance forwards the submission to LRCCC for vetting.</li> <li>4. LRCCC takes a minimum of 21 working days to vet the submission.</li> <li>5. LRCCC reverts with the vetted submission to the Office of the Executive: Licensing and Compliance.</li> </ol> <p>IF there are comments to address:</p> <ol style="list-style-type: none"> <li>a. the Licensing Officer will have to engage with LRCCC, if necessary</li> <li>b. Revise recommendation memo and draft decision letter or licence.</li> <li><b>c. Proceed to 20 "Submission to OPCO/EXCO".</b></li> </ol> | <ul style="list-style-type: none"> <li>• Quarterly reporting by Service Broadcasting Manager to SM: ICT Licensing Services, to note outcomes of all applications.</li> <li>• IF the licensing process is automated – the rejection letter or licence will be signed by the automated system.</li> <li>• IF the licensing process is manual - the rejection letter or licence will be signed manually.</li> </ul> | Licensing Officer | •        |
| Submission to OPCO/EXCO                                                      | 20 | <ol style="list-style-type: none"> <li>1. Once the Licensing Officer has revised the memo and draft decision letter, or licence – the</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | •                                                                                                                                                                                                                                                                                                                                                                                                                |                   | •        |

| Name                                                    | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Governance/Business Rule                                                                | Role                      | Document                                                                        |
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|                                                         |    | <p>submission is sent to the Manager Service Broadcasting for approval.</p> <ol style="list-style-type: none"> <li>The Service Broadcasting Manager signs of the submission and submits it to Senior Manager: ICT Licensing Services</li> <li>Senior Manager: ICT Licensing Services forward the submission to the office of the Executive: Licensing and Compliance.</li> <li>The office of the Executive: Licensing and Compliance forwards the submission to OPCO/EXCO.</li> <li>After the submission is considered at OPCO/EXCO, the Executive Licensing and Compliance office forwards the submission to Council.</li> <li>Council considers and makes a final decision on the application.</li> <li>Notification of the decision by the council is sent to the department by the executive: licensing and compliance.</li> <li>The Licensing Officer will draft the cover memo for chairperson's signature.</li> <li>The cover memo and draft licence and decision letter are forwarded to Manager Service Broadcasting</li> <li>The Service Broadcasting Manager signs of the submission and submits it to Senior Manager: ICT Licensing Services</li> <li>Senior Manager: ICT Licensing Services forward the submission to the office of the Executive: Licensing and Compliance.</li> <li>The office of the Executive: Licensing and Compliance forwards the submission to office of the CEO.</li> <li>The CEO signs and forward the submission to the Chairperson for signature.</li> </ol> <p><b>Proceed to 21 "Communication of Decision to the Applicant and internal departments".</b></p> |                                                                                         |                           |                                                                                 |
| Communication of Decision to the Applicant and internal | 21 | <ol style="list-style-type: none"> <li>The decision letter and licences are sent to the Applicant by the office of the Chairperson.</li> </ol> <p><b>End of process:</b> Decision letter and Licences issued to</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>The Secretariat office will perform a</li> </ul> | Office of the Chairperson | <ul style="list-style-type: none"> <li>Application rejection letter.</li> </ul> |

| Name                                                                              | #      | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Governance/Business Rule                            | Role        | Document                                                                                              |
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| departments                                                                       |        | applicant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | quality check on the Licences                       |             |                                                                                                       |
| <b>STEPS 22 TO 24 RELATE TO THE BROADCASTING RADIO FREQUENCY SPECTRUM LICENCE</b> |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                     |             |                                                                                                       |
| Assign Spectrum license application task                                          | 2<br>2 | <ol style="list-style-type: none"> <li>1. Receive the application pack from the Divisional Assistant.</li> <li>2. Assign and forward the application pack to the RF Specialist for analysis.</li> </ol> <p><b>Proceed to step 23 "Consider Confidentiality Request".</b></p>                                                                                                                                                                                                                                                                                                                                          |                                                     | BFC Manager | <ul style="list-style-type: none"> <li>• Radio Frequency Spectrum license application pack</li> </ul> |
| Consider Confidentiality Request                                                  | 2<br>3 | <ol style="list-style-type: none"> <li>1. <b>IF</b> Application information is incomplete: <ol style="list-style-type: none"> <li>a. Prepare an email with a list of missing information.</li> <li><b>b. Proceed to step 28 "Request missing information".</b></li> </ol> </li> <li>2. Assess the application for confidentiality, completeness and correctness.</li> <li>3. Draft the legal vetting submission and a decision letter for confidentiality.</li> <li>4. Submit the draft submission to BFC manager.</li> </ol> <p><b>Proceed to step 24 "Signing off the Confidentiality Submission to Legal".</b></p> | <ul style="list-style-type: none"> <li>•</li> </ul> |             | <ul style="list-style-type: none"> <li>•</li> </ul>                                                   |
| Review and Sign off the Confidentiality Submission to Legal                       | 2<br>4 | <ol style="list-style-type: none"> <li>1. BFC Manager reviews the draft submission.</li> </ol> <p><b>IF</b> the draft submission is not satisfactory:</p> <ol style="list-style-type: none"> <li><b>a. Proceed to step 23 "Consider Confidentiality Request".</b></li> </ol> <p><b>ELSE:</b></p>                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>•</li> </ul> |             | <ul style="list-style-type: none"> <li>•</li> </ul>                                                   |

| Name                                        | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Governance/Business Rule | Role | Document |
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|                                             |    | <ol style="list-style-type: none"> <li>2. The BFC Manager signs of the submission and submits it to Senior Manager: Spectrum Licensing</li> <li>3. Senior Manager: Spectrum Licensing forward the submission to the office of the Executive: Licensing and Compliance.</li> <li>4. The office of the Executive: Licensing and Compliance forwards the submission to LRCCC for vetting.</li> <li>5. LRCCC takes at most of 21 working days to vet the submission.</li> <li>6. When LRCCC revert with the vetted documents, the vetted letter of confidentiality is sent to the applicant –</li> <li>7. If the confidentiality request is granted, the applicant will be asked to submit a redacted version of their application.</li> <li>8. If the confidentiality request is refused, the applicant will be informed of its option to withdraw the information submitted.</li> </ol> <p><b>Proceed to step 25 “Publication of Notice of Receipt of application in the Government Gazette”.</b></p> |                          |      |          |
| Publication of Notice in Government Gazette | 25 | <ol style="list-style-type: none"> <li>1. RF Specialist prepares the Notice and Cover Memo for consideration by the Manager BFC</li> <li>2. Once the Manager is satisfied, the Manager signs it off.</li> <li>3. The manager sends it to the SM: Spectrum for noting.</li> <li>4. The SM ICT Licensing forwards the memo to Executive Licensing and Compliance.</li> <li>5. The Office of the Executive Licensing and Compliance forwards it to the office of the CEO for submission to the Chairperson.</li> <li>6. The Chairperson of the Authority signs the Notice for publication.</li> <li>7. Once the Notice is signed, the Chairperson’s office sends the signed Notice to the office of the</li> </ol>                                                                                                                                                                                                                                                                                     | •                        |      | •        |

| Name                                     | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Governance/Business Rule                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Role          | Document                                                                            |
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|                                          |    | <p>Executive, Licensing and Compliance, who forwards it to the relevant manager.</p> <p>8. Manager forwards the Notice to the Divisional Assistant who arranges for publication.</p> <p><b>Proceed to 26 "Receipt of Representations and Responses"</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |                                                                                     |
| Receipt of Representations and Responses | 26 | <p>1. After publication of the Notice, stakeholders are provided with 14 working days to make representations to the Authority.</p> <p>2. In addition, the Applicant is given 14 working days to respond to any representations made.</p> <p><b>Proceed to 27 "Analyse the application"</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <ul style="list-style-type: none"> <li></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               | <ul style="list-style-type: none"> <li></li> </ul>                                  |
| Analyse the Spectrum license application | 27 | <p>1. Complete the relevant Community BC licence forms.</p> <p>2. Registrants/Applicants must submit either one (1) soft copy of the application electronically (via email: <a href="mailto:broadcastingapplications@icasa.org.za">broadcastingapplications@icasa.org.za</a>) and /or two (2) hard copies (including an original) of the application as well as a soft copy of the application on a USB or a disc to the ICASA Head Office.</p> <p>3. Consider any received representations and responses.</p> <p>4. Perform cross boarder coordination, where applicable.</p> <p>5. Apply consideration as to whether the application adheres to the RFS requirements.</p> <p><b>Proceed to step 29 "Drafting of recommendation memo with reasons for decision, and decision letter or licence."</b></p> | <p>The RF Specialist should consider the application, taking into consideration that:</p> <ul style="list-style-type: none"> <li>A Spectrum licence may only be issued if the corresponding Service licence has been issued, where applicable. The Service Broadcasting unit will confirm the status of the Service licence by means of a signed Service licence.</li> <li>The TR can be signed off whilst waiting for the service licence verdict.</li> </ul> <p><u>Note:</u></p> <ul style="list-style-type: none"> <li>The <b>granting and issuance</b> of the Spectrum</li> </ul> | RF Specialist | <ul style="list-style-type: none"> <li>Spectrum license application pack</li> </ul> |

| Name                        | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Governance/Business Rule                                                                                                                                                                                                                                       | Role          | Document                                                                                |
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|                             |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>licence is dependent on issuance of the Service Licence. Thus, an application for RFS licence may be rejected on the basis that the application for Service licence is rejected, even though there is adherence to the requirements of the RFS licence.</p> |               |                                                                                         |
| Request missing information | 28 | <ol style="list-style-type: none"> <li>1. Forward the email with a list of missing information to the applicant. Inform the applicant about the delay that may be caused due to waiting period.</li> <li>2. The application shall be put in abeyance pending receipt of outstanding information.</li> <li>3. Inform the Service Broadcasting unit.</li> <li>4. Upon receiving the outstanding information from the applicant, the RF Specialist must proceed with the application assessment.</li> <li>5. Inform the Service Broadcasting unit that the information is complete.</li> </ol> <p><b>Return to step 23 "Consider Confidentiality Request"</b></p> |                                                                                                                                                                                                                                                                | RF Specialist | <ul style="list-style-type: none"> <li>• Missing information standard letter</li> </ul> |

| Name                                                                                            | #  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Governance/Business Rule                            | Role          | Document                                                                       |
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| Drafting of TR, recommendation memo with reasons for decision, and rejection letter or licence. | 29 | <ol style="list-style-type: none"> <li>1. RF Specialist drafts the TR (where applicable), recommendation memo with reasons for decision, and decision letter or licence.</li> <li>2. RF Specialist forwards TR, recommendation memo with reasons for decision, and decision letter or licence to the BFC manager for review.</li> </ol> <p><b>Proceed to step 30 "Consideration of the recommendation".</b></p>                                                                                                                                                                                                                                                                                                                                           |                                                     | RF Specialist | <ul style="list-style-type: none"> <li>• Application analysis memo.</li> </ul> |
| Consideration of the recommendation                                                             | 30 | <ol style="list-style-type: none"> <li>1. BFC Manager reviews the TR, recommendation memo with reasons for decision, and decision letter or licence.</li> </ol> <p><b>IF</b> the BFC Manager is not in agreement with the recommendations – the BFC provides inputs.<br/> <b>Proceed to step 29 "Drafting of TR, recommendation memo with reasons for decision, and rejection letter or licence".</b></p> <p><b>IF</b> the BFC Manager is in agreement with the recommendations,<br/> <b>Proceed to step 31 "Approval of the Recommendation and signing of the decision letter or licence".</b></p>                                                                                                                                                       |                                                     | BFC Manager   | <ul style="list-style-type: none"> <li>•</li> </ul>                            |
| Approval of the Recommendation and signing of the decision letter or licence                    | 31 | <ol style="list-style-type: none"> <li>1. The BFC Manager signs of the submission and submits it to Senior Manager: Spectrum Licensing</li> <li>2. Senior Manager: Spectrum Licensing forward the submission to the office of the Executive: Licensing and Compliance.</li> <li>3. The office of the Executive: Licensing and Compliance forwards the submission to LRCCC for vetting.</li> <li>4. LRCCC takes a maximum of 21 working days to vet the submission.</li> <li>5. LRCCC reverts with the vetted submission to the Office of the Executive: Licensing and Compliance.</li> </ol> <p>IF there are comments to address:</p> <ol style="list-style-type: none"> <li>a. the RF Specialist will have to engage with LRCCC, if necessary</li> </ol> | <ul style="list-style-type: none"> <li>•</li> </ul> |               | <ul style="list-style-type: none"> <li>•</li> </ul>                            |

| Name                    | #      | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Governance/Business Rule                                                                                                                                        | Role | Document                                           |
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|                         |        | b. Revise recommendation memo and draft decision letter or licence.<br>c. <b>Proceed to 32 "Submission to OPCO/EXCO".</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                 |      |                                                    |
| Submission to OPCO/EXCO | 3<br>2 | 1. Once the RF Specialist has revised the memo and draft decision letter, or licence – the submission is sent to the BFC Manager for approval.<br>2. The BFC Manager signs the submission and submits it to Senior Manager: Spectrum Licensing<br>3. Senior Manager: Spectrum Licensing forwards the submission to the office of the Executive: Licensing and Compliance.<br>4. The office of the Executive: Licensing and Compliance forwards the submission to OPCO/EXCO.<br>5. After the submission is considered at OPCO/EXCO, the Executive Licensing and Compliance office forwards the submission to Council.<br>6. Council considers and makes a final decision on the application.<br>7. Notification of the decision by Council is sent to the department by the executive: licensing and compliance.<br>8. The RF Specialist will draft the cover memo for chairperson's signature.<br>9. The cover memo and draft licence and decision letter are forwarded to the BFC Manager<br>10. The BFC Manager forwards the submission and submits it to Senior Manager: Spectrum Licensing<br>11. Senior Manager: Spectrum Licensing signs and forwards the submission to the office of the Executive: Licensing and Compliance.<br>12. The office of the Executive: Licensing and Compliance forwards the submission to office of the CEO.<br>13. CEO submits to the Chairperson for signature.<br><br><b>Proceed to 33 "Communication of Decision to the Applicant and internal departments"</b> | <ul style="list-style-type: none"> <li>Quarterly reporting by BFC Manager to SM: Spectrum Licensing, to note outcomes of all applications.</li> <li></li> </ul> |      | <ul style="list-style-type: none"> <li></li> </ul> |

| Name                                                                | #      | Description                                                                                                                                                                                                                                                                                       | Governance/Business Rule | Role          | Document |
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| Communication of Decision to the Applicant and internal departments | 3<br>3 | <ol style="list-style-type: none"> <li>1. The decision letter and licences are sent to the Applicant by the office of the Chairperson.</li> <li>2. Decision letter and Licences issued to applicant.</li> </ol> <p><b>Proceed to 34 "Updating of Terrestrial Broadcasting Frequency Plan"</b></p> | •                        |               | •        |
| Updating of Terrestrial Broadcasting Frequency Plan                 | 3<br>4 | <ol style="list-style-type: none"> <li>1. The RF Specialist updates the frequency assignment in the Terrestrial Broadcasting Frequency Plan.</li> </ol> <p><b>End of process: "Terrestrial Broadcasting Frequency Plan updated".</b></p>                                                          |                          | RF Specialist | •        |