

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**INDEPENDENT
COMMUNICATIONS
AUTHORITY OF
SOUTH AFRICA
AMENDMENT BILL**

[B 18—2013]

*(As agreed to by the Portfolio Committee on Communications
(National Assembly))*

[B 18A—2013]

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PROPOSED AMENDMENTS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA AMENDMENT BILL

[B 18—2013]

CLAUSE 1

1. On page 2, after line 5, to insert:
 - (a) by the insertion after the definition of “Authority” of the following definition:

“ **‘broad-based black economic empowerment’** has the meaning assigned to it in the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);”.

CLAUSE 3

1. On page 3, in line 48, to omit “assign” and to substitute “control, plan, administer and manage the use and licensing of”.
2. On page 4, from line 8, to omit paragraph (k) and to substitute:

“(k) may make regulations on empowerment requirements [**in terms of Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)**] to promote broad-based black economic empowerment;”.

CLAUSE 4

1. On page 4, in line 59, to omit “30” and to substitute “45”.

CLAUSE 7

1. On page 5, from line 46, to omit subsection (1) and to substitute:

“(1) The Minister must, in consultation with the National Assembly, establish a performance management system to monitor and evaluate the performance of the chairperson [**and other**], councillors and the Council, individually and collectively.”.

CLAUSE 8

1. On page 6, from line 47, to omit paragraph (a).

CLAUSE 10

1. On page 7, from line 23, to omit subsection (3) and to substitute:

“(3) The minutes, contemplated in subsection (2), must be signed, confirmed and published on the Authority’s website and made available in its library within 30 days of the conclusion of the meeting, but any information determined to be confidential in terms of section 4D must be removed prior to such publication or availability.”.

CLAUSE 21

1. On page 9, from line 40, to omit paragraph (a).

CLAUSE 23

1. On page 10, from line 23, to omit subsection (1)(a) and to substitute:

“(1) (a) A person who has reason to believe that a licensee or another person is guilty of any non-compliance with—
(i) the terms and conditions of **[its]** a licence **[or]**;
(ii) **[with]** this Act; or
(iii) the underlying statutes,
may lodge a complaint with the Authority within 60 days of becoming aware of the alleged non-compliance.”.
2. On page 10, from line 28, to omit subparagraph (i) and to substitute:

“(i) where the complaint concerns a licensee, direct the complaint within 30 days of receipt of the complaint, to the Complaints and Compliance Committee for consideration;”.
3. On page 10, in line 35, after “complaint” to add “; or”.
4. On page 10, after line 35, to add:

“(iii) investigate the complaint as contemplated in section 4(3)(n).”