
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA
NOTICE 160 OF 2016****GENERAL NOTICE: DRAFT REGULATIONS ON THE CONSTITUTION OF THE
CONSUMER ADVISORY PANEL**

The Independent Communications Authority of South Africa ("the Authority") hereby publishes the draft regulations outlining the constitution of the Consumer Advisory Panel ("CAP") in terms of section 4 read with Section 71 of the Electronic Communications Act, 2005 (36 of 2005).

A copy of the amended draft regulations is available on the Authority's website at <http://icasa.org.za> and at the ICASA Library at 164 Katherine Street, Pinmill Farm, Sandton, Block D, between 8h30 and 16h00, Monday to Friday.

Interested parties are invited to submit written comments on the draft amended regulations by no later than 16 May 2016. Submissions may be made via post, e-mail or hand delivery for the attention of Mr Clarence Catin.

Post: The Independent Communications Authority of South Africa
Private Bag X10002
Sandton, 2146

Hand delivery: Block D,
Pinmill Farm,
164 Katherine Street
Sandton

E-mail: chairperson@icasa.org.za or cap@icasa.org.za

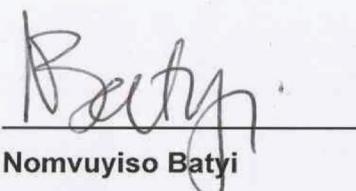
Note that comments received after the closing date may be disregarded.

General Enquiries

Contact Mr Clarence Catin on 011 566 3043 or e-mail him on ccatin@icsa.org.za for general enquiries in respect of this notice.

Media Queries

Contact Mr Paseka Maleka on 011 566 3455 or e-mail him at pmaleka@icsa.org.za in respect of media queries.



Nomvuyiso Batyi
Acting Chairperson

**REGULATIONS ON THE CONSTITUTION OF THE CONSUMER ADVISORY
PANEL**

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1. DEFINITIONS

In these Regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned.

“Act” means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended;

“Authority” means the Independent Communications Authority of South Africa;

“Chairperson” means a Panel member appointed by the ICASA Council to chair the Consumer Advisory Panel;

“Consumer” means an end user as defined in Section 1 of the Act;

“ICASA Council” means Council of the Independent Communications Authority of South Africa appointed in terms of Section 5 of the ICASA Act;

“ICASA Act” means the Independent Communications Authority of South Africa Act 13 of 2000;

“Panel” means the Consumer Advisory Panel established in terms of Section 71 of the ECA;

“Panel Member” means a member of the Consumer Advisory Panel established in terms of Section 71 of the Act.

2. PURPOSE OF REGULATIONS

The purpose of these Regulations is to provide for the manner in which the Panel is to be constituted.

3. CONSTITUTION OF THE PANEL

- (1) The Panel must consist of not more than eleven (11) members, one of which will be appointed as a chairperson by the Council of the Authority and one Councillor
- (2) Members of the Panel must be appointed by the Authority after a nomination and selection process.
- (3) The Authority will determine terms of reference for the Panel from time to time.
- (4) The Panel will include persons from organizations that represent:
 - (a) women;
 - (b) youth;
 - (c) persons with disabilities;

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- (d) small micro and medium enterprises (SMME's);
 - (e) organisations conducting consumer research;
 - (f) government representation including the National Consumer Commission; and
 - (g) community based organisations (CBO's) or non-governmental organizations (NGO's).
- (5) The chairperson of the Panel is appointed by the Council of the Authority based on the degree of knowledge and skill with regard to consumer issues in the ICT, broadcasting or postal services sectors.
- (6) A member of the Panel must be a fit and proper person and must:
- (a) have suitable qualifications and experience in communications; economics, electronic engineering, broadcasting, postal services, law, commerce; technology, public policy or consumer issues;
 - (b) represent a community of interest;
 - (c) be committed to the objects of the Act;
 - (d) not be an office-bearer or an employee of any party, movement or organisation of a party-political nature;
 - (e) not be an un-rehabilitated insolvent;
 - (f) not be mentally ill or disordered;
 - (g) not have been convicted of an offence after the commencement of the Constitution of the Republic of South Africa, 1996 and sentenced to imprisonment without the option of a fine; and
 - (h) not be subject to any disqualification contemplated in section 6 of the ICASA Act and be subject to the provisions of section 12 of the ICASA Act.

4. REPEAL OF THE REGULATIONS

These Regulations repeal the Regulations on the Establishment and Constitution of the Consumer Advisory Panel of ICASA as published in Government Gazette No. 30273 of 10 September 2007.

5. SHORT TITLE AND COMMENCEMENT

These Regulations are called the Consumer Advisory Panel Regulations and will come into operation on the date of publication.

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