

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 1595

13 DECEMBER 2019



**NOTICE OF ERRATUM IN RESPECT OF THE NOTICE OF INTENTION TO REVIEW
THE PRICE CAP REGULATIONS FOR RESERVED POSTAL SERVICES, 2013
NOTICE (GG 42657)**

1. The Independent Communications Authority of South Africa ("the Authority") hereby issues an erratum, to Government Gazette No: 42657 **published on 23 August 2019** ("the Notice"), to the extent reflected in the schedule.
2. The Erratum seeks to clarify that the Review Process (Clause 4 of the Notice) is conducted in terms of regulation 10 of the Price Cap Regulations for Reserved Postal Services, 2013 ("Regulations") and does not include an inquiry in terms of section 4B of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000).
3. All enquiries should be directed to the Chairperson (Price Cap Regulations Review Council Committee) at PCRreview@icasa.org.za. or 012 568 3601.

DR KEABETSWE MODIMOENG
ACTING CHAIRPERSON

ERRATUM

Paragraph 4 of the Notice is hereby substituted to the extent reflected below:

"4.The Review Process

4.1.The Authority will conduct the review of the Regulations in a series of phases as follows.

4.1.1.Phase 1 (commencement of the review and publication of questionnaire)

- (a) The Authority will publish a questionnaire or request for information and opinions from market participants and stakeholders.
- (b) The information and opinions obtained from the market participants (i.e. SAPO and stakeholders) will be taken into account which will cover:
 - (i) SAPO's financial sustainability and efficiency;
 - (ii) competition in the parcels and letters sectors;
 - (iii) levels of customer satisfaction; and
 - (iv) the appropriateness of past and proposed regulatory conditions.
- (c) Stakeholders will be invited to submit written responses to the questionnaire within thirty (30) working days from the date of publication for the attention of the Chairperson (Price Cap Regulations Review Council Committee) at PCRreview@icasa.org.za.
- (d) The Authority may request one-on-one meetings in relation to information submitted by a stakeholder where necessary to clarify information that is submitted. The Authority will inform the relevant stakeholder in advance of the information to be clarified and will give adequate notice to stakeholders of the proposed meetings.

4.1.2.Phase 2 (Report in terms of regulation 10 of the Regulations)

The Authority will publish in the *Gazette* a report of the review conducted in terms of regulation 10 of the Regulations).

4.1.3.Phase 3 (draft Regulations)

If necessary, the Authority will publish draft regulations for public comment for a period of thirty (30) working days, in terms of sections 2(a), 8(a) and 30(2) of the PSA, regulation 10 of the Regulations read with section 4 of the Electronic Communications Act, 2005 (Act No. 36 of 2005).

4.1.4.Phase 4 (Public Hearings on the draft Regulations)

- (a) The Authority may hold public hearings in respect of the draft Regulations.
- (b) The Authority will, if it deems it necessary to hold public hearings, notify stakeholders of the date, time and the venue of the public hearings.

4.1.5.Phase 5 (Final Regulations and the Reasons Document)

Having considered the views of all stakeholders, the Authority will publish in the *Gazette* final regulations and the reasons document.

4.2 Confidentiality

4.2.1 A stakeholder may request confidentiality on the information submitted in terms of section 4D of the ICASA Act. The request for confidentiality must be accompanied by a written statement explaining why the specific information should be treated as confidential in terms of section 4D(4)(a) to (e) of the ICASA Act. The Authority may determine that such representations or any portion thereof is to be treated as confidential in terms of section 4D of the ICASA Act. Where the request for confidentiality is refused, the person who made the request will be granted an opportunity to withdraw such representations or portion(s) thereof."