

DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

NO. 759

10 JULY 2020

ELECTRONIC COMMUNICATIONS ACT, 2005**POLICY DIRECTION ON THE INTRODUCTION OF DIGITAL SOUND BROADCASTING IN SOUTH AFRICA**

I, Stella Tembisa Ndabeni-Abrahams, Minister of Communications and Digital Technologies, hereby issue the policy direction in the Schedule to the Independent Communications Authority of South Africa regarding the introduction of digital sound broadcasting in South Africa in terms of section 3(2) of the Electronic Communications Act, 2005 (Act No. 36 of 2005).



MS STELLA TEMBISA NDABENI-ABRAHAMS, MP
MINISTER OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES
DATE: 2020/07/01

SCHEDULE

POLICY DIRECTION ON THE INTRODUCTION OF DIGITAL SOUND BROADCASTING IN SOUTH AFRICA

PREAMBLE

RECOGNISING the Government *Gazette* No. 39226, Notice No. 918, published on 22 September 2015, whereby the Authority issued a moratorium on licensing, as a consequence of scarcity of the Radio Frequency Spectrum in relation to applications for Terrestrial Class Community Broadcasting Services Licences.

ACKNOWLEDGING section 3(2) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) (“the Act”) which provides that the Minister may issue policy directions to the Authority consistent with the objects of the Act and of the related legislation in relation to the determination of priorities for the development of electronic communications networks and electronic communications services;

RECOGNISING the decision made by the Southern African Development Community (SADC) on the harmonization of broadcasting technologies and networks to maximize on economies of scale within the Region;

ACKNOWLEDGING that the licensing approach in VHF Band III can be commenced as soon as possible as there is already an ITU co-ordinated DSB radio frequency allocation of 16 MHz (214-230 MHz) incorporated in the radio frequency plan, as may be amended from time to time;

CONSIDERING the regulations governing the usage of radio frequency spectrum in the Square Kilometre Array within the Northern Cape Province in line with the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007);

TAKING into consideration the provisions of the Broadcasting Act, the Act, ITU Radio Regulations of 2016, South African Band Plan, the SADC band plans and the Broadcasting Digital Migration Policy as they intend to achieve the following objectives:

- provide a licensing framework for broadcasting service licensees, signal distributors, electronic communications network service licensees, and new entrants taking into consideration the three-tier system of public, commercial and community broadcasting services;
- provide a framework for managing and monitoring the implementation of DSB services in South Africa;
- ensure optimum allocation and assignment of radio frequency spectrum in support of growth and development of the broadcasting sector;
- ensure efficient and effective use of the broadcasting radio frequency spectrum;
- stimulate, where economically feasible, the South African industry in the manufacturing of DSB receivers and ancillary gadgets; and
- encourage investment in the broadcasting sector;

DESIROUS to enable broadcasters to remain relevant, current and empowered to compete in an all-IP services and network converged environment; to provide certainty within the broadcasting sector; to ensure that there is spectrum efficiency, quality, and affordability for content developers to develop more much needed content within South Africa; and to attain the goals for universal service and access to all;

NOW, THEREFORE the Minister issues this policy direction to the Authority to determine priorities for the introduction of Digital Sound Broadcasting networks and services in South Africa.

1. DEFINITIONS AND ACRONYMS

- 1.1 “**AM**” means Amplitude Modulation
- 1.2 “**Digital Sound Broadcasting**” means the transmission of digital sound broadcasts by conventional over-the-air radio transmission infrastructure as opposed to internet based or broadband means
- 1.3 “**DAB**” means Digital Audio Broadcasting
- 1.4 “**DRM**” means Digital Radio Mondiale
- 1.5 “**DSB**” means Digital Sound Broadcasting
- 1.6 “**FM**” means Frequency Modulation
- 1.7 “**IP services**” refers to Internet Protocol based services
- 1.8 “**ITU Region 1**” comprises Europe, Africa, the former Soviet Union, Mongolia, and the Middle East west of the Persian Gulf, including Iraq
- 1.9 “**SADC**” means Southern African Development Community
- 1.10 “**VHF**” means Very High Frequency

2. POLICY DIRECTIONS

- 2.1 The Authority is hereby directed in terms section 3(2) of the Act to -
 - 2.1.1 Determine priorities for the establishment of digital broadcasting networks and services in the frequency bands allocated for these services, to introduce DSB services alongside the existing analogue sound broadcasting, to achieve the following developmental goals:
 - 2.1.1.1 universal services and access for all;
 - 2.1.1.2 introduction of new entrants;
 - 2.1.1.3 requirements of existing licensees;
 - 2.1.1.4 requirements of consumers;
 - 2.1.1.5 promotion of investment;
 - 2.1.1.6 promotion of competition;
 - 2.1.1.7 technology neutrality;

- 2.1.1.8 innovation;
 - 2.1.1.9 sustainability framework;
 - 2.1.1.10 maintain quality of service;
 - 2.1.1.11 reducing costs; and
 - 2.1.1.12 to increase the uptake and usage of digital radio.
- 2.1.2 Ensure that the three-tier system of public, commercial and community broadcasting services are catered for.
- 2.1.3 Take into account the lessons learnt in the analogue-to-digital migration coverage challenges experienced by the various tiers of television broadcasting (public, commercial and community) within the existing two multiplexer Digital Terrestrial Television environment, and consider the introduction of additional terrestrial multiplexers to ensure that different business operational models are catered for.
- 2.1.4 Take into consideration the developments around the introduction of DSB in Africa, the SADC region and around the world.
- 2.1.5 Consider harmonisation within the SADC region and as such consider DSB standards adopted within the SADC community, in line with the resolution taken at the meeting of SADC Ministers responsible for Communications and ICT, held in Durban, South Africa on 4-7 September 2017.
- 2.1.6 Encourage market availability and use of multi-standard receivers to allow for the continued use of analogue FM alongside the variants of the digital technologies, DAB and DRM.
- 2.1.7 Take into account the extensive trials undertaken by the South African broadcasting industry, as well as the SADC adopted position on digital sound technologies for the region, in line with the resolution taken at the meeting of SADC Ministers responsible for Communications and ICT in September 2017, and consider the following DSB standards to complement the respective analogue sound broadcasting services:

- 2.1.7.1 DRM30 to complement AM sound broadcasting service in the band 535.5-1606.5 kHz;
- 2.1.7.2 DRM+ to complement FM sound broadcasting services in the FM band 87.5-108 MHz; and in the allocated VHF sound broadcasting band 214-230 MHz.
- 2.1.7.3 DAB+ to complement VHF sound broadcasting services in the allocated VHF band 214-230 MHz;
- 2.1.7.4 All DAB and DRM variants of DSB standards to complement the existing analogue sound broadcasting in any other applicable sound broadcasting band within the confines of the prevailing radio frequency plan and consistent with ITU Radio Regulations for Region 1.