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REPUBLIC OF SOUTH AFRICA

**ANNOUNCEMENTS,
 TABLINGS AND
 COMMITTEE REPORTS**

TUESDAY, 7 MAY 2024

TABLE OF CONTENTS

ANNOUNCEMENTS

National Assembly and National Council of Provinces

1. Assent to Bills.....2

COMMITTEE REPORTS

National Assembly

1. Communications and Digital Technologies3

ANNOUNCEMENTS

National Assembly and National Council of Provinces

The Speaker and the Chairperson

1. Assent by President in respect of Bills

- (1) **Electoral Matters Amendment Bill** [B42B–2023] – Act No 14 of 2024 (assented to and signed by President on 4 May 2024) (*Molao wa Phetoho ya Ditaba tsa Dikgetho (Sesotho)*).
 - (2) **Second Adjustments Appropriation (2023/24 financial year) Bill** [B6–2024] – Act No 18 of 2024 (assented to and signed by President on 4 May 2024) (*Molao wa Diphetoho tsa Bobedi tsa Kabo (Selemo sa ditjhelete sa 2023/24 (Sesotho))*).
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COMMITTEE REPORTS

National Assembly

1. Report of the Portfolio Committee on Communications and Digital Technologies on activities during the 6th Parliament (May 2019 – March 2024)

Key Highlights (Divide this document into sections given the different issues)

1. Reflection on the Committee programme per year and on whether the objectives of such programmes were achieved

Over the 5-year term under review, the Committee had three Amendment Bills referred to it and conducted engagements for the South African Postbank Limited Amendment Bill [B12-2022], the South African Post Office SOC Amendment Bill [B12-2022] and the South African Broadcasting SOC LTD Bill [B32-2023]. The Committee conducted public hearings in four Provinces in the Country. The South African Postbank Amendment Bill is signed into law while the South African Post Office SOC Amendment Bill has been referred to the National Council of Provinces for concurrence.

The Committee has further received the written submissions on the South African Broadcasting SOC Bill and the submissions were analysed for further processing of the Bill. The Committee also received a legal opinion from Parliamentary Legal Services based on the submissions received and it agreed that the Bill be deferred to the 7th Administration for reconsideration and resuscitation given the number of written submissions which did not support the draft bill in its current form.

The Committee managed to conduct two oversight trips during the 5-year term which was in Gauteng, Free State and Northern Province.

The Committee did not have a strategic plan, nor did it have annual performance plans adopted by the Committee over the period. However, as mentioned above, it was able to conduct oversight as legislated by the Rules of the National Assembly. The congested programme of the Parliament had an adverse impact on the planning and programming of Committee work.

While the Committee Members remained consistent over the Parliament period with the minority party Member changes where most of the changes were from the opposition parties. The change in the Executive of the Departments that report to the Committee also had an

adverse impact on the stability and accurate oversight by the Committee. This was more evident specifically for the Department of Communications and Digital Technologies because of having had over 14 ministers in as many years, which has led to ambiguity in key policy directives. Understandably, every Minister needed to assert their style of leadership with every new deployment which sometimes led to sudden amendments to the plans of the Department. There were three different Ministers for DCDT for the 2019 to 2024 period. A key focus over the term was ensuring the smooth transition of the joining of the two Ministries, namely the Department of Communications and the Department of Telecommunications and Postal Services. The Department of Communications and Digital Technologies (DCDT) was established in June 2019 by the merger of the Department: of Communications (DOC) and the Department: of Telecommunications and Postal Services (DTPS).

2. Committee's focus areas during the 6th Parliament

The Committee focused on service delivery performance and financial oversight through analysis of quarterly and annual reports of the two Departments and Entities, this is over and above the processing of legislation referred to it as well as all the statutory appointments.

The Committee focused on its performance and budgetary oversight, quarterly reports of the two Departments and Entities, including the legislation referred to it as mentioned above. It should be noted that following the split of the Department into two Departments in June 2014, this was the first year of the again merged Department (namely the Department of Communications and the Department of Telecommunications and Postal Services), which had a myriad of administrative and logistical implications to the newly established Department, including shifting of Entities.

For the Committee, the stability of the newly formed Department was a priority, and this included particular oversight of the processes and progress to unify the departments including change management issues. This was over and above the legislated processes that measure the service delivery and financial performance of the Department. Furthermore, the Committee was vociferous on the filing of vacant posts at both Departments and Entities. In particular, the DCDT had no Director-General for the better part of the reporting term and the post was finally filled during the 3rd Quarter of the 2023/24 financial year with most senior positions being filled for both Departments and Entities. Similarly, the GCIS DG also resigned during the reporting period.

The Committee embarked on capacity development exercises by hosting round-table discussions and seminars to ensure that Members are ably equipped to conduct meaningful oversight. This assisted the Committee to engage on current issues of the ICT sector. During the 2023/24 financial year, the Committee hosted a symposium on misinformation, disinformation and content moderation practices leading the National Elections in 2024.

Lastly, with the impact of COVID-19, the Committee needed to engage with the Departments to understand their contribution towards informing, educating, and preventing the scourge of the pandemic, including addressing ways to prevent misinformation and disinformation during the pandemic. Furthermore, the DCTD in particular was mandated to ensure the sector provides necessary support to the implementation of a risk-adjustment strategy in response to the National State of Disaster Management Plan.

3. Key areas for future work

The future Committee should monitor the Department and Entities over the implementation of (i) the Auditor-General's recommendations; (ii) recommendations of its Budget Review Report (BRRR); and (iii) recommendations emanating from oversight reports and public hearings.

4. Key emerging challenges

Particular attention was on non-performing Entities reporting to the Department of Communications and Digital Technologies, namely the SABC, SAPO, and SITA all of whom were sighted as having regressed in performance by AGSA Reports. Stability in the governance of Entities has been the major challenge facing the Committee. Needless to mention the Committee managed to stabilise the SABC Board, however, there remains work to ensure that the current Board makes the public broadcaster sustainable. Similarly, the Boards for MDDA, SAPO, Postbank, SITA and USAASA will require stringent oversight to ensure that governance of the Entities retains high standards that can lead to the stability of the organisations.

On the Postbank, there was a KPMG which was sanctioned by the Department to investigate the fraud of about R89.5 million. The KPMG report was submitted to the Department last August for further processing. The Committee raised concerns that it was never

afforded access to the report and that not enough consequence management was implemented given the massive looting at the Entity.⁶ Only five employees were dismissed because of the findings from that report.

During the SABC 2022/23 annual reporting the SABC had agreed to conduct a forensic investigation on the bailout spending. The Committee raised concerns that there were several assets which had been sold by the Entity without leading to improvements on financial stability and the Entity is still in the same position before the bailout. The Committee had raised similar concerns around the irregular expenditure and lack of consequence management over the last three years. In the previous financial year, there was a net loss of R400 million and irregular expenditure of R200 million. The Committee recommended that a bailout inquiry be conducted, and the report presented before the Members.

One of the issues raised during the Committee oversight was the challenges of the sustainability of the Community radio stations. Besides the cost of salaries and maintenance of equipment, stations have also struggled to pay signal distribution to Sentech with many stations accumulating huge arrears. The 7th Parliament will need to ensure that the Community media remains relevant and sustainable by engaging the department and the MDDA on the financing model of Community radio stations.

The oversight instruments of Parliament, especially the Portfolio Committee on Communications and Digital Technologies should enable the Committee to leverage the very ICT tools they conduct oversight over. The sector is data-intensive making it increasingly difficult for the Committee to process and analyse information speedily, efficiently, and accurately. ICT use should underpin the oversight work of the Committee if any other Committee of Parliament.

For 6th Parliament, the Committee did not have ample time to undergo a formal capacity building nor go on a study tour owing to the congested programme of Parliament as well as the instability of firstly, the reconfiguration of the Departments into one; secondly, merging of the Parliament Committee into one during 6th Parliament; thirdly, the interchange in ministers of the Departments; and lastly, the rotation of Members of Parliament during the term.

The poor attendance of some Members in capacity-building exercises, which enable Members of Parliament and administrators to conduct oversight from an informed position and recommend and advise the Executive, accordingly, is a real challenge considering the technical nature of the sector and the constant and rapid changes necessitated by technology. Members consistently must be responsive

to all the technological developments, especially when considering the immense impact, it has on society and the achievement of equitable service delivery. Capacity-building exercises empower the Committee to identify legislative and regulatory impediments that could hamper the growth of the telecommunications, broadcasting, and postal industries; improve oversight models for an inclusive digital economy, the future of public broadcasting; and regulation in a 4IR environment, to name a few. National Assembly should make necessary adjustments to (i) the Parliament's programme; and (ii) qualification incentives to encourage Members to be flexible and consistent in both carrying out duties of the Committee as well as obtaining sector-specific training and development consistently over the term of office.

Furthermore, it was envisaged that the study tour would contribute to the international cooperation needed to encourage universal access to Information and Communication Technology services. In sum, the constantly evolving challenges facing policymakers, legislators, regulators, and regulatory practitioners in South Africa's dynamic ICT environment require ably equipped legislative acumen in order to achieve legislative, policy and regulatory certainty for an inclusive society; and this can only be achieved through participatory practices of capacity development initiatives of the Committee.

Artificial Intelligence (AI) is rapidly becoming mainstream and digital platforms have become crucial tools transforming social, cultural and political interactions around the globe; this further put urgency on Members to be fully equipped to address all the dynamics brought about by these rapid technological developments.

Only through consistent and specific-to-sector capacity-building exercises can Members of Parliament positively contribute to South African legislation and conduct acute oversight over the Departments.

As indicated in the 5th Parliament Committee Legacy report indicated that the Electronic Communications Amendment Bill was returned to the Department partly on the basis that Members found the issues too technical to comprehend and therefore recommended that the Committee of the 6th Parliament undergo capacity development initiatives. Still, there was no focused training specific to this recommendation because the amendment was never tabled during the 6th Parliament, given the reasons already stated in paragraph 4 of this section. It is expected that the amendment Bill will be introduced during the 7th Parliament and therefore this recommendation will remain relevant, and the Committee will have to embark on specific training related to this amendment.

With the ever-demanding programme to prioritise key and legislative issues as directed by the House Chairperson, the Committee hosted limited joint sittings with other Committees due to scheduling challenges. However, joint sittings remain critical for a coordinated approach to service delivery.

PART A: BRIEF SECTOR OVERVIEW

1. Purpose of the report

The purpose of this report is to provide an account of the work of the Committee during the 6th Parliament and to assess key outstanding issues about the oversight and legislative programme of the Departments and their Entities.

This report provides an overview of the activities that the Committee undertook during the 6th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and summarises issues that should be considered for follow-up during the 7th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the committee's oversight and legislative roles in future.

2. Context and Background

Many countries, including South Africa, experienced a global economic crisis due to the COVID-19 pandemic. And economic recovery for South Africa has been uneven and risks remain high. Growth and fiscal sustainability have eluded the State leading to greater inequality and an increase in poverty. More than R308 billion is being directed towards bailing out struggling State-Owned Companies including the SABC and SAPO.

According to the United Nations Secretary-General's Road Map for Digital Cooperation Policy Brief 5 titled 'Our Common Agenda,' The cost of a smartphone in South Asia and sub-Saharan Africa is more than 40 per cent of the average monthly income, and African users pay more than three times the global average for mobile data. Fewer than half of the world's countries track digital skills, and the data that exists highlights the depth of digital learning gaps. Two decades after the World Summit on the Information Society, the digital

divide is still a gulf; while digital technologies are privately developed making it harder for governments to legislate and regulate ‘*in the public interest.*’⁹

“As a result of decades of underinvestment in State capacities, public institutions in most countries are ill-equipped to assess and respond to digital challenges. Very few can compete with private actors to harness talent and offer incentives to digitally skilled people to work in the public sector”¹

For South Africa, the achievement of the National Development Plan (NDP) 2030 is not on course to reach the envisioned outcomes such as consistent economic growth, inequality, poverty reduction, reducing unemployment, building an inclusive society, and a capable developmental State.²

South African President, Mr Cyril Ramaphosa, established the Presidential Commission on Fourth Industrial Revolution (PC4IR) in 2018. The Commission brought together policymakers, business representatives, civil society and academics to identify relevant strategies, necessitated by technological changes, which are appropriate to the local South African context³.

Various government initiatives have been established to explore the impact of digitalisation on the South African economy. The Department of Trade and Industry (now the Department of Trade Industry and Competition) established the Future Industrial Production and Technologies Unit, which examines the impact of digitalisation on the National Development Plan (NDP) and in light of the Sustainable Development Goals (SDGs) for 2030⁴. The Department of Science and Technology (now Science and Innovation) prioritised programs to develop science, technology, engineering, and mathematics (STEM) skills in the country. At the same time, the Department of Higher Education (DHET) convened studies into emergent technologies⁵.

The Presidential Fourth Industrial Revolution (4IR) Commission has noted that the possibilities and prioritisation of pathways presented by the 4IR are given material direction and purpose within the South African National Development Plan (NDP) towards 2030. The NDP, South Africa’s long-term development strategy, contains critical targets for the eradication of poverty and the reduction of

¹ United Nations, Our Common Agenda, 2023: <https://indonesia.un.org/en/238874-our-common-agenda-policy-brief-5-global-digital-compact>

² A Review of the NDP 2030: <https://www.nationalplanningcommission.org.za/assets/Documents/NDP%20REVIEW.pdf>

³ President Ramaphosa, SONA, 2018

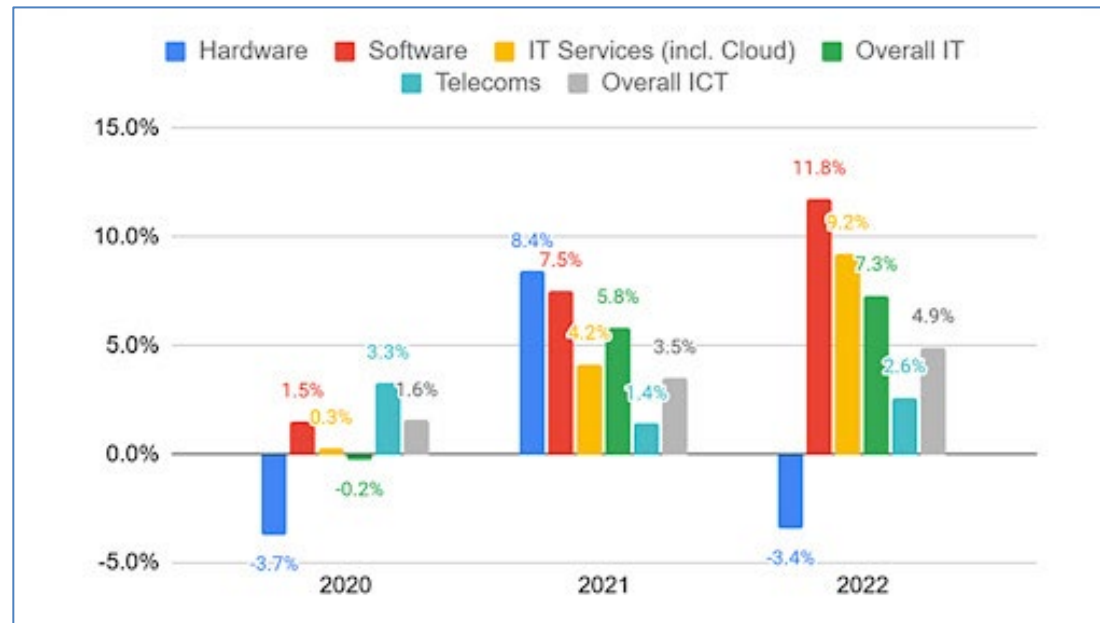
⁴ DTIC, 06 December 2023: <http://www.thedtic.gov.za/wp-content/uploads/fitp.pdf>

⁵ Gerber j(2018), <https://www.news24.com/news24/higher-education-getting-ready-for-fourth-industrial-revolution-pandor-20180518>

unemployment and extreme inequality. Thus, in evaluating the socio-economic impacts and opportunities of the 4IR, there is an opportunity to address the core concerns of the NDP and in so doing, provide a policy-embedded path towards our constitutional objectives in the context of a significantly improved and altered future.

2.1 The South African telecommunications and postal, broadcasting industry

The South African ICT sector outperformed the economy in 2022, despite the challenges brought by load-shedding, however, the growth across different segments was uneven, see chart on next page⁶ According to the ICASA’s State of ICT Sector Report 2023, load-shedding has impacted several industries in South Africa, including the ICT Sector. The availability of communication services is dependent on the consistent supply of electricity. Interruptions in the supply of electricity have an impact on, *inter alia*, the quality of communications services provided to the public and businesses. The total amount spent on batteries by licensees during load shedding was R2.6 billion in 2022. R873 million was spent on generators and almost R2.7 billion on batteries during this period.



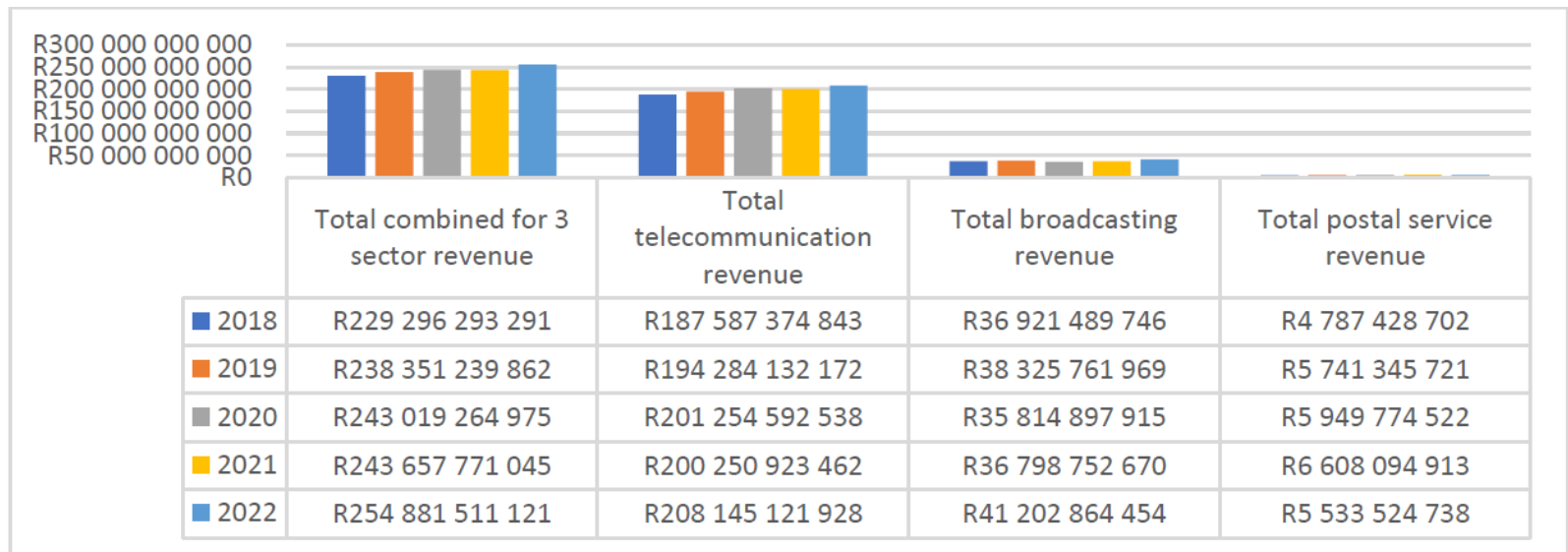
⁶ Admire Moyo, ITWeb, 24 May 2023: <https://www.itweb.co.za/content/kYbe97Xb44dqAWpG>

According to the 2021 Stats SA’s General Household Survey (GHS) Report, the proportion of households using only cellular phones for communication increased by 1.4 per cent from 89.4 per cent in 2020 to 90.8 per cent in 2021. The percentage of households using both cellular and fixed (or landline) phones decreased from 8.2 per cent (2020) to 6.5 per cent in 2021. The percentage of households with no access to either a landline or a cellular phone increased from 1.8 per cent in 2020 to 2.2 per cent in 2021. The proportion of households using just landlines has been steady at 0.1 per cent from 2016 to 2019 and increased to 0.5 per cent from 2020 to 2021.

2.2 Sector Revenue

The total revenue reported for the three sectors (telecommunications, broadcasting and postal) increased by 4.61 per cent from R243.6 billion in 2020 and 2021 to R254.8 billion in 2022, a significant increase compared to a growth of 0.3 per cent post-COVID-19. Despite the load-shedding faced by the country in 2022, telecommunications and broadcasting services revenue increased by 3.94 per cent and 11.97 per cent in 2022, respectively; however, the postal services revenue decreased by 16.26 per cent from R6.6 billion in 2021 to R5.5 billion in 2022.

The total revenue of the three sectors for the 12 months ending 30th September each year (2018-2022) is depicted in the chart on the next page:



The total telecommunications investment increased by 17.16 per cent from R33.9 billion in 2021 to R39.7 billion in 2022. National population coverage for 3G stood at 100 per cent in 2022. National population coverage for 4G/LTE stood at 98 per cent. National 5G population coverage increased from 7.5 per cent in 2021 to 20 per cent in 2022.⁷

2.3 Employment

Many features of modern-day South Africa depict a society which lacks equity and fairness in opportunities available to citizens. Unemployment is high, particularly among black youth. Women continue to suffer discrimination in both the education system and the labour market. However, in 2023, male employees make up 150 303 (58.7%) of the workforce, while women employees increased to 105 604 (41.3%). The changes reveal a total of 9 971 females became employees in the sector between 2020/21 and 2022/23, while the total for males was 3 970⁸

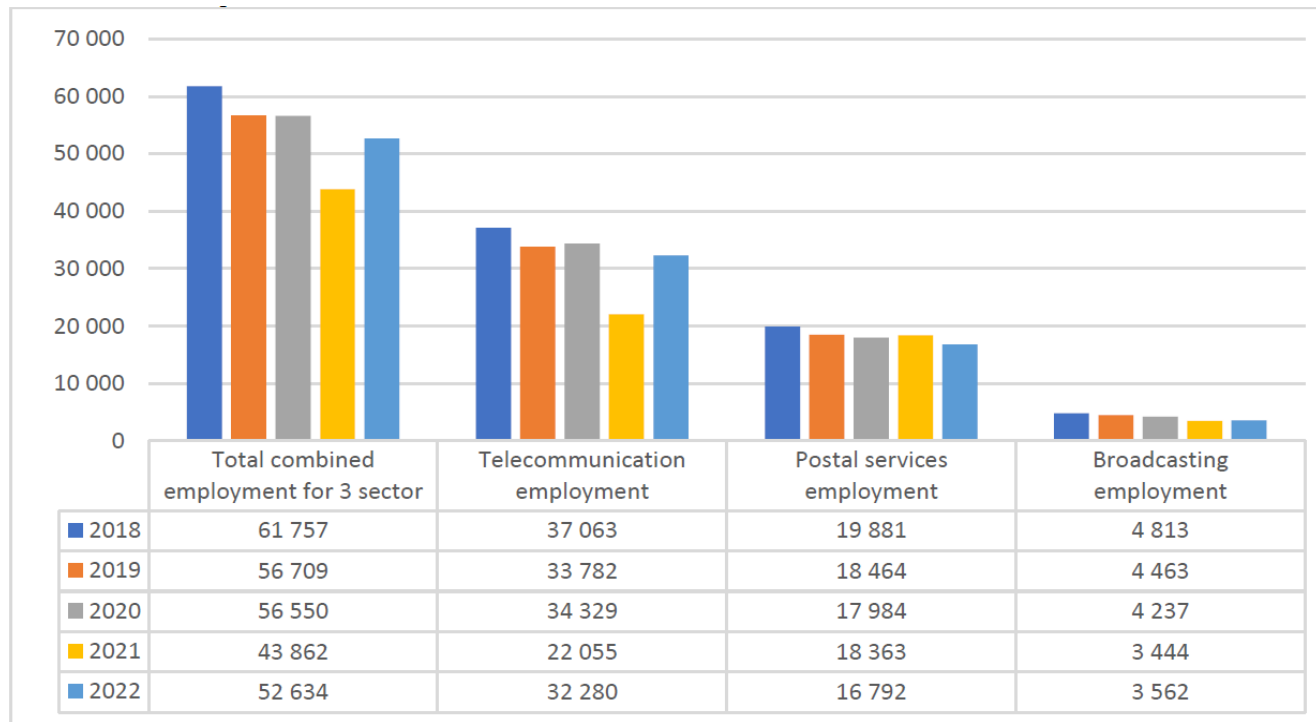
The same number of people were employed in 2020 as in 2014, but SA's unemployment rate rose steeply due to population growth and the fact that the increase in the working-age population was not absorbed by the labour market.⁹ The number of unemployed youth has risen sharply to over 2.8 million (12%) between the ages of 15-24.¹⁰ For the combined ICT sector, employment slightly decreased from 61 757 employees in 2018 to 53 634 employees in 2022, see chart below. This is a significant decrease and contrary to the government's commitment. However, the year-on-year 20 per cent increase in employment from 2021 to 2022 is commendable.

⁷ State of ICT Sector Report 2023: <https://www.icasa.org.za/legislation-and-regulations/state-of-ict-sector-report-2023-report>

⁸ Simnikiwe Mzekandaba, ITWeb 08 August 2023: <https://www.itweb.co.za/content/WnpNgq21YbVMVrGd>

⁹ NDP Assessment Report, 2021: <https://www.ber.ac.za/BER%20Documents/NDP-Assessment-Report/?doctypeid=1135>

¹⁰ PWC 2022, <https://www.pwc.co.za/en/publications/rebuilding-social-cohesion.html>



Source: ICASA Electronic Communications, Broadcasting and Postal Questionnaires 2018 – 2022

Some of the operators who submitted employment in 2022 did not submit in 2021.

2.4 Emerging technologies

South Africa needs to embrace advanced manufacturing approaches rapidly to improve competitiveness and arrest further job losses and deindustrialisation likely to emerge as a result of the Fourth Industrial Revolution (4IR). The high-tech industrialisation domain includes advanced manufacturing and technologies such as robotics, artificial intelligence (AI), Internet of Things (IoT) and additive manufacturing.¹¹ The same tools have propagated the rapid spread of lies and hate, causing real harm on a global scale, and necessitating rapid legislative and regulatory awareness of countries. South Africa has yet to counter generative artificial intelligence.

¹¹ South Africa Foresight Exercise for Science, 2019, Technology and Innovation: <https://www.naci.org.za/wp-content/uploads/2020/07/South-African-Foresight-Exercise-For-Science-Technology-and-Innovation-2019.pdf>

2.5 Postal industry

According to the ICASA State of ICT Sector Report 2023, the postal services revenue decreased by 16.26 per cent from R6.6 billion in 2021 to R5.5 billion in 2022. Irrespective of all the challenges faced by the sector over the years, in the last five years postal services revenue increased by 3.69 per cent. Over a period of 5 years, the total number of persons employed in the postal sector decreased by 4.13 per cent with female workers being the most affected.

SAPO has not been able to fulfil this mandate. This is largely due to its ongoing financial difficulties, as well as a lack of implementation of the turnaround strategy. This is further impacted by the instability in leadership, resulting in a deteriorating financial position. The delivery of postal and other similar services is a key service to the public, especially when it comes to people living in rural areas. SAPO has been severely impacted by a loss of customers and planned revenues due to the cash flow effects and consequent non-payment of critical suppliers. The closure of SAPO branches continues to impact the customer's ability to transact, thus impacting the bank's transactional revenue generation capability. More evidently the uptake of digitization has negatively impacted on the traditional postal business globally and requires a rethink on adaptation.

2.6 Transforming society and uniting the country

According to the NDP Assessment Report, 2021, Social cohesion can be seen as an 'outcome variable' of how SA is performing with respect to many of its other development objectives to the degree of social integration and inclusion in communities and society at large, and the extent to which mutual solidarity finds expression itself among individuals and communities. Social cohesion influences economic and social development, and nurturing a more cohesive society is an important policy goal in itself for any country.¹² South Africa's crisis such as unemployment, inequality, poverty, violence, gender conflicts, mistrust, and corruption, lead to poverty which makes it more difficult to address inequality and racism among others, which in turn reduces trust, erodes a sense of national identity,

¹² University of Cape Town: Poverty Inequality Initiative (PII) Social Cohesion Workshop, 2014, 2014: <https://commerce.uct.ac.za/poverty-inequality/social-cohesion>

and spreads division among South Africans. The issue of vandalism and ageing of infrastructure also remains a serious concern which will also need policy intervention and enforcement.

According to a Price Water Coopers (PWC) Report on Rebuilding social cohesion is essential to SA's economic development (2022), the growing gap between the 'haves' and the 'have-nots' is a key driver for the decline in social cohesion across many societies and economies, including South Africa, which has deteriorated over the five to ten years.¹³ However, South Africa has made many positive strides in the past three decades.

2.7 Trust in other groups

Most South Africans do not have a high degree of trust in people from other ethnic or religious groups. Only 37 per cent of respondents said they have 'somewhat' (25%) or 'a lot' (12%) of trust in people from other ethnic groups, while there is a similar lack of trust in people from other religions.

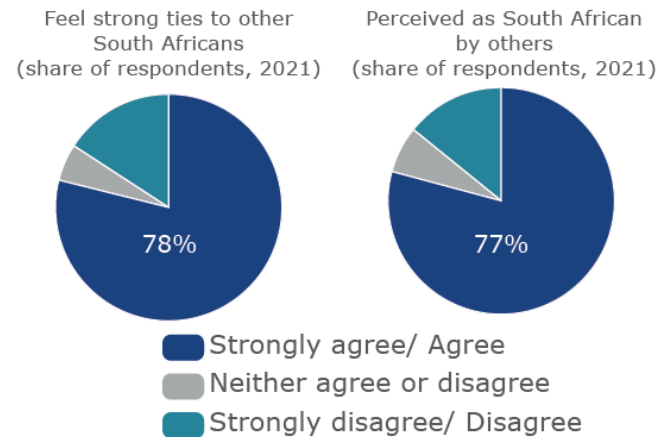
2.8 Strength of national identity

During the interviews for the NDP Assessment Report 2022, respondents were asked: *Please tell me whether you agree or disagree with the following statements: I feel strong ties with other South Africans; Other South Africans think of me as a South African just like them.* The graphs on the next page are the results of the survey.

Despite a relatively high degree of distrust in certain groups, most South Africans (78%) agree that they feel strong ties to other South Africans and most (77%) agree that they are perceived as South African by others. These findings point to a relatively strong sense of national identity and a reciprocal recognition of this shared identity.

Public service is an important ingredient to national identity because it counters the eroding nature of mistrust in government. Ensuring public service means that the proliferation of government information on all mediums including digital platforms is important.

¹³ PWC 2022, <https://www.pwc.co.za/en/publications/rebuilding-social-cohesion.html>



South Africa needs to build a more equitable society where opportunity is not defined by race, gender, class, or religion. This would mean building people's capabilities through access to quality education, health care and basic services, as well as enabling access to employment, and transforming ownership patterns of the economy. Redress measures that seek to correct imbalances of the past should be strengthened.¹⁴

2.9 BRICS Collaborations

In 2018, the BRICS (Brazil, Russia, India, China, and South Africa) heads of state noted not only the benefits of technological advancement but also recognised the challenges to society if nations were ill-prepared for these advancements. In light of this, the Partnership on New Industrial Revolution (PartNIR) was established to promote collaboration in all areas of BRICS economies affected by technological advancement. The need for sharing information and technology in this space requires that the member states self-reflect and identify strengths and weaknesses that will be affected by technological change. Given the numerous efforts in South Africa and across BRICS, it will be crucial that the local context drives South African policy. Some of the core focus areas of policy development should include innovation promotion, regional integration, reducing the barriers to market entry and supporting the greater industrialisation of the manufacturing sector.

¹⁴ National Development Plan 2030, Chapter 15: National Planning Commission

The BRICS heads of state have declared that knowledge sharing and partnerships are pivotal for developing new technologies and innovations that will collectively propel the bloc forward. Cross-sector knowledge sharing has also been reported as key to the development of technical and entrepreneurial skills. With knowledge sharing, weaknesses can be identified that may be resolved through revisions to regulations and improved data analysis.

PART B: COMMITTEE REPORT

3. Method of Work of the Committee

Oversight is a constitutionally mandated function of legislative organs of the State to scrutinise and oversee executive action and any organ of the State. Oversight entails the informal and formal, watchful, strategic, and structured scrutiny exercised by legislatures with respect to the implementation of laws, the application of the budget, and the strict observance of statutes and the Constitution.¹⁵ In achieving this mandate, the Committee is primarily guided by the Parliamentary Programme as updated by the Programme Committee. For the 6th Parliament, the oversight responsibilities of the Portfolio Committee were over two Budget Votes (4 and 30) belonging to the GCIS and DCDT respectively. The total number of Entities over the period was 13 and these were the following: .za Domain Name Authority (ZADNA), Broadband Infraco (BBI), Film and Publication Board (FPB), Independent Communications Authority of South Africa (ICASA), National Electronic Media Institute of South Africa (NEMISA), SENTECH, South African Broadcasting Corporation SOC Limited (SABC), South African Post Office (SAPO), State Information Technology Agency (SITA), Universal Service and Access Agency of South Africa (USAASA) and Universal Access Funds (USAF).

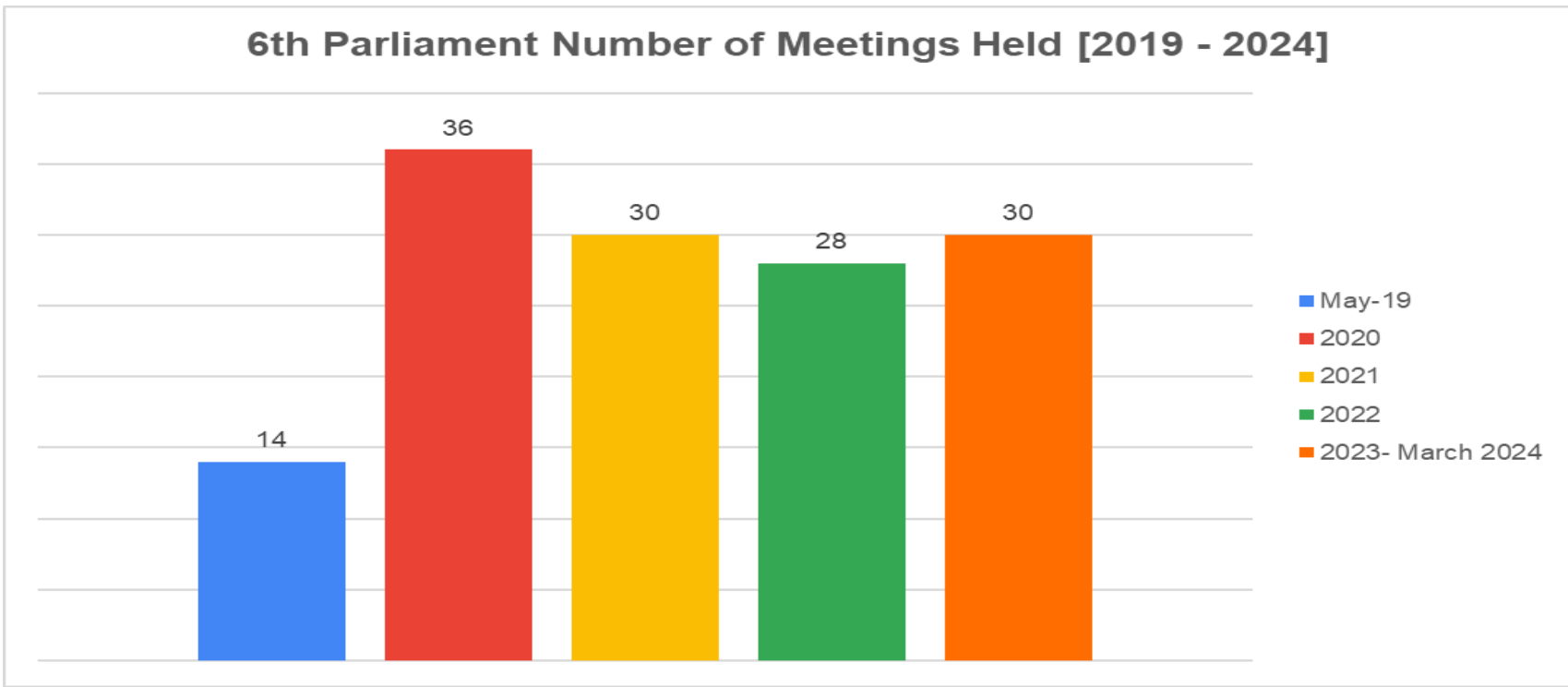
The Committee oversees the tabling of the legislated processes such as strategic and annual performance plans, and quarterly and annual reports. The Committee's strategic vision was guided by the Chairperson of the Committee to have a holistic approach to the oversight methodology. This included interactions with various sector stakeholders resulting in robust consultative processes over the reporting period. First and foremost, collaboration with other Committees of Parliament and extended government departments and organs of State complemented the core work of the Committee. Engagement with the Boards and Councils including relevant regulators which

¹⁵ OVAC Model: <https://www.parliament.gov.za/storage/app/media/oversight-reports/ovac-model.pdf>

continuously improved relations with the organs of State. While the engagement with the unions of employees of both the Departments and Entities only happened in 2023, a year before the end of the 6th Parliament, it was always a part of the broader oversight methodology.

Where there were openings in the programme of the Committee, stakeholder engagements were extended to the broadcasting and telecommunications network operators' interest groups, Social Media Network Platforms, civil organisations and lobby groups. The Committee extended invites to various entities on topics related to the service delivery of the Portfolio.

As raised previously, the Committee only managed two oversight visits during the 6th Parliament. It is in the interest of Parliament and the public to have proper measures in place to ensure effective oversight programming. A number of Committee oversight applications including international study tours were declined due to unexpected changes in the Parliamentary programming.



Oversight instruments when applied proportionally, guarantee that information presented by the Departments to the Committee coincides with the real experience of ordinary citizens. Similarly, it helps to measure whether the budgets allocated to the Departments for targeted programmes are used appropriately in line with service delivery objectives.

4. Department/s and Entities falling within the Committee's Portfolio

4.1 Department of Communications and Digital Technologies

Following the May 2019 National Elections, the President pronounced the establishment of the Department of Communications and Digital Technologies. Accordingly, the Presidential Proclamations in the Government Gazette dated 14 August 2019 (President Minute: 372) confirmed the transfer of administration, powers and functions entrusted by legislation to the Minister of Communication and Digital Technologies in terms of Section 97 of the Constitution.

The Department's 2022/23 APP was guided by the MTSF of government, which outlines specific outcomes and priorities focused on addressing the challenges of poverty, inequality, and unemployment. The Department's mandate is to: *lead South Africa's digital transformation to achieve digital inclusion that must result in economic growth through creating an enabling policy and regulatory environment*. The legislative mandate of the Department is embedded in the legislation as reflected below: The Sentech Act No. 63 of 1996, Former States Posts and Telecommunications Act No. 5 of 1996, Former States Broadcasting Reorganisation Act No. 91 of 1996, Postal Service Act No. 124 of 1998, Department of Communications Rationalisation Act No. 10 of 1998, Electronic Communications and Transactions Act No. 25 of 2002, Electronic Communications Act No. 36 of 2005, ICASA Act No. 13 of 2000, South African Postbank Limited Act No. 9 of 2010, South African Post Office SOC Ltd Act No. 22 of 2011, State Information Technology Agency Act No. 88 of 1998, Broadband Infraco Act, Act No. 33 of 2007. In executing its role, the Department is also guided, amongst others, by:

- The Constitution of the Republic of South Africa Act 108 of 1996.
- The Public Service Act 103 of 1994 as amended; and
- The Public Finance Management Act 1 of 1999 as amended.

The Department's impact statement is: *Digitally Enable, Inclusive and Competitive Economy and Society*. Through this Impact Statement, the Department recognizes that the importance of universal access to digital technologies cannot be underestimated, as it

enables the citizens to do their work, socialize, access government services, become economically active and hold those in power accountable.

The NDP recognises that the ongoing development of quality communications infrastructure, services, content, and applications is key to the rapid economic, social, and cultural development of the country. Chapter 15 of the NDP¹⁶ focuses on Transforming Society and Uniting the Country. The NDP notes that inequality and inequity are still prevalent in the country despite the work being done to unite the country since 1994. The NDP further envisages an active citizenry that participates in the socioeconomic life of the country, and the Department's work contributes in particular to outcome 14 (nation-building and social cohesion) of the 2014-2019 medium-term strategic framework.

Therefore, the Department has a vital role to play in fostering unity and “*forging a new overarching identity.*” Nation-building and social cohesion matter; both as an end-state and as a facilitator. A balance needs to be found between healing the divisions of the past, broadening economic opportunities (particularly for black people) and building a sense of inclusion and common purpose among all South Africans.

In line with the mandate of the Department, the priorities for the medium-term focused on:

- (i) Enabling Digital Transformation Policies, Strategies and Regulation
- (ii) Increased Access to Secure Digital Infrastructure and Services
- (iii) Digitally Transformed Economy and Society and
- (iv) High Performing and Sustainable Portfolio to enable the achievement of their respective mandates and policy objectives. This contributes to achieving the desired impact of digitally enabled citizens with secure and affordable universal access.

During the five years, the work of the Department largely related to the finalisation, approval and implementation of the National Integrated ICT White Paper. Attention was given to developing the ICT SMME Strategy, the National e-Strategy and the e-Government Strategy. These strategies strive towards the attainment of strategic goals and objectives to advance socio-economic development

¹⁶National Development Plan (2014)

through ICTs. The Committee received a legal opinion on the South African Broadcasting SOC LTD Bill [B32-2023] and a resolution to defer the Bill to the 7th Administration for reconsideration and resuscitation.

4.1.1 Key Policy Developments and Legislative Changes

During the reporting period, the Department processed the SABC SOC Ltd Bill. The Bill, amongst other things, proposes reducing the size of non-executive Board members from 12 to 11 and the executive members from three to two. It proposes a revised governance structure and funding model for the SABC. The Committee has conducted public participation in the Bill and there have been a number of written submissions. The submissions are currently being analysed and the Bill is likely to be referred to the 7th Administration for resuscitation and further public engagements.

The SAPO Amendment Bill was also submitted to the Cabinet for approval to be introduced in Parliament. The proposed amendments sought to enable SAPO to adapt to the technological developments in the courier service space and expand its mandate. The Committee processed the Bill and passed by the National Assembly and is now before the NCOP for concurrence. The changes are in line with the National Integrated Information and Communications Technology Policy White Paper of 2016. These two pieces of legislation will have an impact on the operations of the above-mentioned Entities of the Department.

Furthermore, the Electronic Communications Amendment Bill was also submitted to Cluster and Cabinet for public consultation approval. The Bill seeks to provide an opportunity for the Government to make strategic interventions on infrastructure investments whenever it deems necessary. However, the Bill has not been introduced in Parliament and will be dealt with in the 7th Parliament Administration.

The purpose of the proposed amendments is to increase the level of competition in the telecommunications sector and drive down prices. The amendments to the Electronic Communications Act will allow ICASA flexibility to regulate competition issues in the sector.

4.1.2 Entities Reporting to the Department

Name of Entity	Role of Entity
Independent Communications Authority of South Africa (ICASA)	<p>To license broadcasters, signal distributors, providers of telecommunication services and postal services;</p> <p>To make regulations;</p> <p>To impose license conditions; and</p> <p>To plan, assign, control, enforce and manage the frequency spectrum.</p>
Universal Service Access Agency of South Africa (USAASA) and Universal Service and Access Fund (USAF)	<p>The main role of the agency is to promote universal services and access to communications technologies and services for all South Africans. It also facilitates and offers guidance in evaluating, monitoring and implementing schemes which propose to improve universal access and service. In addition, it is involved in setting up telecentres, which provide ICT services, especially in rural areas, on a cost recovery basis. The agency is mandated by the Electronic Communications Act, no: 36 (2005) to broaden its universal access services to the community radio sector.</p>
Broadband Infracore (BBI)	<p>The main role of BBI is to design, engineer, build and operate a wholesale long distance Telecommunications Carrier of Carriers business. It offers network services to the South African wholesale ICT market consisting of licensed operators and Internet Service Providers as well as projects of national importance.</p>
Sentech	<p>SENTECH offers signal distribution services to most of the country's licensed broadcasters, including the Public Broadcaster, Commercial and Community Broadcasters. It also offers facilities leasing to those operators looking for the best geographic operations that offer broad signal coverage.</p>

Name of Entity	Role of Entity
.ZADNA Domain Name Authority	. ZADNA manages and regulates the .ZA namespace and administers and issues licenses in terms of the Electronic Communications and Transactions Act.
South African Post Office (SAPO)	<p>The role of SAPO is to conduct postal services in the country in terms of its Universal Service Obligation and offer financial services through the Postbank. To amend the South African Post Office SOC Ltd Act, 2011, to provide for the revised duties and expand on the mandate of the South African Post Office as provided for in this Act and the Postal Services Act, 1998; provide for the repurposing of the Post Office infrastructure so as to provide diversified and expanded services and exploit the infrastructure capacity to extract value and forge partnerships with other stakeholders; to provide for the revised governance structure of South African Post Office; to provide for the establishment, appointment and functions of the Stamp Advisory Committee; and to provide for matters connected therewith.</p>
Postbank	<p>The mission of Postbank is to be the trusted partner of government in financial inclusion, and it aims to offer inclusive, accessible, simple and secure channels, and in so doing, become the bank of choice for government, business and individual customers in the underserved communities.</p> <p>Postbank draws its mandate from the Postbank Amendment Act 44 of 2013, which is primarily the provision of accessible and affordable financial services, including responsible lending, to the unbanked and underserved.</p> <p>Although Postbank is not yet a registered bank, it is a full participant in the National Payments System, and it offers secure, reliable, accessible, and affordable banking products such as card-based transactional accounts and</p>

Name of Entity	Role of Entity
	book-based savings and investment accounts. After receiving a Section 13 approval to establish a bank in July 2016, Postbank applied for a Section 16 banking license in June 2017 and the approval process with the South African Reserve Bank (SARB) is nearing completion.
National Electronic Media Institute of South Africa (NEMISA)	NEMISA develops e-skills capacity in South Africa by creating a partnership framework that guides e-skills initiative. It addresses e-skills interventions through teaching and learning, research, innovation, monitoring and evaluation, as well as aggregation.
State Information Technology Agency (SITA)	SITA renders value added Information and Communications Technology (ICT) service to the public sector in a secure, cost-effective, and integrated manner, contributing to citizen convenience
South African Broadcasting Corporation (SABC)	The main object of the Corporation is to supply broadcasting and information services and services that are ancillary thereto, to the general public in the Republic of South Africa and beyond its borders and to achieve the objectives as set out in the Broadcasting Act 4 of 1999, as amended, ('Broadcasting Act') in accordance with the objectives set out in the Independent Broadcasting Authority Act 153 of 1993, as amended, that are directly relevant to the Corporation.
Film and Publications Board (FPB)	<p>Regulate the creation, production, possession and distribution of films, games and certain publications by way of classification;</p> <p>Protect children from exposure to disturbing and harmful material and from premature exposure to adult material; and</p> <p>Render the use of children in, and exposure of children to pornography, a punishable offence.</p>

Name of Entity	Role of Entity
	The amendment of the Films and Publications Act 65 of 1996 (FPA) provides more clarity on the regulation of online commercial distributors and the processes that they are required to follow to distribute content in South Africa.

5. Government Communication and Information System (GCIS)

The GCIS was formally established in terms of section 239 of the Constitution of the Republic of South Africa of 1996 and as a strategic unit in The Presidency in terms of section 7 of the Public Service Act, 1994 (Act 103 of 1994). Furthermore, GCIS's mandate is derived from section 195(g) of the Constitution of South Africa (1996), which stipulates that the public should be provided with information that is timely, accurate and accessible. This is in support of the constitutional principles of freedom of expression, and transparency and openness of government.

In a variety of ways, information held by the government can be used to bring people together. Public record information can provide both the media and others with valuable information that identifies people who live in a certain area or who are involved in a certain line of business. State records can link individuals to specific information (such as genealogical records, financial needs, hobbies, and business interests) and provide interested parties with the information necessary to make valuable contacts.

Many important benefits come from public access to information held by the government. Access to government records is needed for effectively monitoring government activities. The ability of citizens to hold government accountable may be directly related to their ability to see what information is collected, how it is maintained, who it is about, and how it is used.

Access to government information also may smooth the flow of commerce and create economic efficiencies. Insurance companies, credit bureaus and direct marketing organisations use government records to obtain a large volume of information that may otherwise not be cost-effectively available. They use it to offer people products that benefit them. When businesses can collect information about potential customers from a central repository like a government database, they can pass the savings along to consumers.

Access to government information also protects public safety. Records of arrests and convictions, for example, help people determine whether they want to hire prospective employees for sensitive jobs. They may help people learn of and respond to dangerous people

living in their communities. Access to government information may also protect against crimes like identity fraud by enabling people and companies to confirm who they are dealing with.

The GCIS’s mandate is to coordinate, guide and advise on government communication. This includes media liaison, development communication and marketing. It provides an integrated, coordinated, and coherent communications function between government and the public. It seeks to enable the public to be involved in the country’s transformation and drives coherent messaging across the three spheres on the key priorities of government.

The work of the Department is further informed by:

- The Constitution of the Republic of South Africa of 1996;
- The Public Finance Management Act (PFMA) of 1999, as amended;
- International bilateral and multilateral agreements;
- National Treasury’s Framework for Strategic Plans and Annual Performance Plans; and
- The Medium-Term Strategic Framework (MTSF) 2014-2019.

Its goal is to achieve integrated, coordinated, and clear communications between government and South African citizens to enable the public’s involvement in the country’s transformation.

5.1 Entities Reporting to the Department

Name of Entity	Role of Entity
Media Development and Diversity Agency (MDDA)	<ul style="list-style-type: none"> • Create an enabling environment for media development and diversity which reflects the needs and aspirations of all South Africans. • Redress exclusion and marginalization of disadvantaged communities and persons from access to the media and the media industry. • Promote media development and diversity by providing support, primarily to community and small commercial media projects. • The Agency is established to promote development and diversity in the South African media, consistent with the right to freedom of expression as enshrined in Section 16 (1) of the Constitution Act 108 of 1996. • Our approach to grant funding in pursuit of the Agency mandate.

Name of Entity	Role of Entity
	<ul style="list-style-type: none"> • Grant funding - provision of subsidies to individual media projects and to create an enabling environment for the development of diverse media. • Leveraging resources and support through technical assistance. • Conducting and funding research. • Facilitating capacity building.

Threats to information integrity are having an impact on progress on global, national, and local issues. For South Africa to achieve social cohesion, the government communication system must be drastically emboldened to respond to the ever-increasing platforms perpetuating misinformation and disinformation.

6. Key Statistics

The table below provides an overview of the number of meetings held, legislation and international agreements processed, the number of oversight trips and study tours undertaken by the committee, as well as any statutory appointments the committee made during the 6th Parliament:

Activity	July 2019	2020	2021	2022	2023-March 2024	Total
Meetings held	14	36	30	28	30	138
Legislation processed	None	None	None	1	2	3
Oversight trips undertaken	None	None	None	None	2	2
Study tours undertaken	None	None	None	None	None	None
International agreements processed	Final Acts of the ITU World Radio Conference 2019	None	None	None	None	Non
Statutory appointments made	None	2	0	2	3	7
Interventions considered	None	None	None	None	None	None

Activity	July 2019	2020	2021	2022	2023-March 2024	Total ²⁸
Petitions considered	None	None	Employees of Sundane projects, Mzansi Broad Band, ACSS Telecoms	Petition from residents of Jansenville and Klipplaat	Folo Electricals and others, in which they request the Assembly to investigate why Telkom and OpenServe treat them unfairly and remain in a deadlock with their companies	
		Executive summary report from OUTA on its investigations relating to USAASA.				

6. Stakeholders within the Sector

Apart from the Department of Telecommunications and Postal Services and the regular interactions with the Office of the Auditor General and the State Law Advisor, the Committee had interactions with several stakeholders including:

- Vodacom
- MTN
- Cell C
- Telkom

- Research ICT Africa
- Council for Scientific and Industrial Research
- Independent Communications Authority of South Africa (Wireless Open Access Network (WOAN) Forum
- National ICT SMME Chamber
- National Association of Broadcasters
- National Community Radio Forum
- Business Unity South Africa (BUSA)
- South African Communications Forum (SACF)
- SOS Coalition
- Media Monitoring Africa (MMA)
- WITS University
- Meta Inc
- Google Inc

7. Briefings and/or public hearings

The Committee received various briefings from the Departments and its Entities in the form of Strategic Plans and Annual Performance Plans, the Budget of the Departments, briefing on legislation and bills emanating from the ICT White Paper Policy, and quarter performance reports, among others.

The South Postbank Amendment Bill was considered and processed by the Committee. The Committee held public hearings on the Bill on 25 October 2022. Organisations such as the Financial Sector Conduct Authority (FSCA), Banking Association of South Africa (BASA), Congress of South African Trade Unions (COSATU), Ombudsman for Banking Services (OBS) and Right2Know made oral submissions. The Bill was enacted into law on 16 February 2024.

The Committee conducted 4 public hearings over the five years. The public hearings focused on the SAPO Amendment Bill and were held in four (4) Provinces as follows:

- (a) Western Cape Province, Saturday, 9 September 2023, in the Cape Winelands District Municipality Drankenstein Local Municipality - Paarl (Simondium Hall);
- (b) Eastern Cape Province, Friday, 15 September 2023, Amathole District Municipality Mbhashe Local Municipality – Idutywa;
- (c) Limpopo Province, Tuesday, 19 September 2023, Vhembe District Municipality, Thulamela Local Municipality – Thohoyandou; and
- (d) Gauteng Province, Wednesday, 20 September 2023, City of Ekurhuleni, Tembisa.

8. Legislation

The following pieces of legislation were referred to the committee during the 6th Parliament.

Year	Name of Legislation	Tagging	Objectives	Completed/Not
2022	South African Postbank Amendment Bill [B 12B– 2022] Referred on 17 May 2022.	75	The Bill seeks to amend the South African Postbank Limited Act, 2010, to amend and insert certain definitions; to further amend the objects of the Act; to facilitate the transfer in shareholding from the South African Post Office SOC Limited to the Government and the creation of a bank controlling company for “The Postbank SOC Limited” in terms of the Banks Act, 1990; which will provide for the appointment of the chief executive officer and the chief financial officer, and provide for matters connected in addition to that.	Completed. The Bill has been enacted into law on 16 February 2024.

Year	Name of Legislation	Tagging	Objectives	Completed/Not
2023	South African Post Office Amendment Bill [B 11-2023] Referred 10 May 2023	75	The Bill seeks to amend the South African Post Office SOC Ltd Act, 2011, to provide for the revised duties and expand on the mandate of the South African Post Office as provided for in this Act and the Postal Services Act, 1998; provide for the repurposing of the Post Office infrastructure to provide diversified and expanded services and exploit the infrastructure capacity to extract value and forge partnerships with other stakeholders; to provide for the revised governance structure of South African Post Office; to provide for the establishment, appointment and functions of the Stamp Advisory Committee; and to provide for matters connected therewith.	Completed. The National Assembly has referred the Bill to the NCOP for concurrence.
2023	SABC SOC LTD Bill [B32-2023] Referred on 13 October 2023	75	The Bill seeks to repeal the Broadcasting Act, 1999; to regulate the continued existence of the South African Broadcasting Corporation SOC Ltd; to provide for its governance; to amend the Independent Communications Authority of South Africa Act, 2000, and the Electronic Communications Act, 2005; and to provide for matters connected therewith.	Still in the Committee public participation process. The Bill has been referred to legal services for an opinion after the comprehensive public participation. Both the analysis

Year	Name of Legislation	Tagging	Objectives	Completed/Not
				of the written submissions and the legal opinion will be made available on request. The Bill will be deferred to the 7 th Administration for resuscitation and further public engagement.

a) Challenges emerging

The following challenges emerged during the processing of legislation:

- The determination and the tagging of bills remain a concern and there will be a need for the 7th Administration to be enlightened on the criteria used to tag bills by the Joint Tagging Mechanism (JTM).
- public participation in amendments and new legislation is very cost-intensive and the 7th Administration will need to look into other cost-effective measures for the engagement of the public without compromising on the quality of the involvement of the citizens in law-making by Parliament.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- Committee Members should be capacitated enough to deal with the Electronic Communications Amendment Bill; and
- Monitoring of the BDM and SA-Connect policies by way of increasing oversight of areas to spot-check access, adoption and usage.
- Portfolio Committee to be appraised on the tagging of bills and the criteria used to classify bills under section 75 or 76.

9. Oversight trips undertaken

The following oversight trips were undertaken:

Date	Area	Objective	Recommendations	Follow-up
29 to 31 March 2023	Gauteng and Free State Report adopted	<p>To assess:</p> <ul style="list-style-type: none"> • the implementation of the Digital Terrestrial Television (DTT) programmes of the DCDT over and above other programmes of both Departments. • the implementation of the SA-Connect programme. • the role of the Departments as the first order of priority as well with the respective Management structures. • the role of the Entities experiencing challenges. Such a strategy was important to efficiently conduct oversight of critical areas of the portfolio, namely at SAPO, SABC MDDA and SITA. • Lastly, the Broadcasting Digital Migration Programme value chain was also identified as a key oversight focus, over and above the Community Media Projects and assessment of critical communications infrastructure. 	<p>The Minister to ensure:</p> <ul style="list-style-type: none"> • that an effort is made to review the funding model of ICASA so that it continues to build sustainable collaborations for the benefit of all South Africans; • that the Department presents to the Committee a timeline overview before the end of the 6th Parliament relating to legislative amendments specific to the expected acquisition; • that the Department appears before the Committee before the end of the 6th Parliament to present a comparative study on the remuneration of similar regulators; and • that the Department appears before the Committee before the end of the 6th Parliament to present mitigating plans to address the growing SABC debt. <p><i>A full report with recommendations is available upon request</i></p>	Ongoing engagement with DCDT, GCIS & SABC, SITA SAPO, FPB and MDDA

Date	Area	Objective	Recommendations	Follow-up
19 to 21 April 2023	Gauteng to Northern Cape Report adopted	<p>To assess:</p> <ul style="list-style-type: none"> key programmes of DCDDT, namely the implementation of the SA Connect Broadband Policy and the Direct-To-Home (DTH) broadcasting, which is a subset of the Digital Terrestrial Television (DTT) project; the priority programmes of the Department and Entities 	<p>The Minister to ensure:</p> <ul style="list-style-type: none"> that DCDDT ensures that there is collaboration amongst its Entities, such as NEMISA, ZADNA, BBI, USAASA and SITA for wider uptake of installed connectivity infrastructure. that the Department endeavours to improve communication relations between National, Provincial and Local government and other stakeholders with interest. That the Department and relevant Entities must report back to the Committee before the end of the 6th Parliament <p><i>A full report with recommendations is available upon request</i></p>	Ongoing engagement with DCDDT, BBI, USAASA, SITA and Sentech

a) Challenges emerging from the oversight visits

The following challenges emerged during the oversight visit:

That the DTT and analogue switch-off remained a major concern and the Public Broadcaster raised some concerns that this is likely to affect its financial stability and sustainability. The broadband rollout and universal access also remain a challenge as a number of government facilities connected raised issues on the network uptime and reliability.

One of the issues raised was the concern about the sustainable funding model for ICASA, the shortage of suitably trained and skilled staff, and the retention of talent.

The acquisition of BBI by Sentech also remained a major concern and the 7th Administration will need to ensure that this is finalised as a matter of urgency.

b) Issues for follow-up

The 7th Parliament should consider:

- Follow-up oversight visits are recommended.
- The Committee is to rigorously monitor the implementation of the business rescue plan for the South African Post Office.

10. Study tours undertaken

None of the applications for international study tours by the Committee were approved. The Portfolio Committee had planned to undertake an international study tour to India from 1 October to 6 October 2023, and the approval for the tour was not granted due to budgetary constraints. The primary objective of the tour was mainly for benchmarking exercises and learning from fellow BRICS Members in adopting digital economy policies.

a) Issues for follow-up

The 7th Parliament should consider the following concerns that arose:

- Members to undertake an international study tour to gain insight and in preparation for the processing of legislation.
- That Parliament allocates budgets in such a way that every Committee has a fair chance to undertake study tours and international trips.

11. International Agreements

Date Signed	Country	Title of Agreement
20211202	Cote D'Ivoire	Memorandum of Understanding between the Government of the Republic of South Africa and the Government of the Republic of Cote D'Ivoire on Cooperation in the fields of Information and Communications Technologies
20220928	China	Memorandum of Understanding (MoU) between the Department of Communications and Digital Technologies of South Africa and the Ministry of Industry and Information Technology of the Peoples Republic of China on Cooperation in the field of Digital Economy.
20221015	Saudi Arabia	Memorandum of Understanding between the Government of the Republic of South Africa and the Government of the Kingdom of Saudi Arabia on Cooperation in the fields of Information and Communications Technologies.

20230228	Uganda	Memorandum of Understanding between the Government of the Republic of South Africa and the Government of the Republic of Uganda on Cooperation in the fields of Information and Communications Technology.
20230516	Singapore	Memorandum of understanding with Republic of Singapore on Cooperation in the field of Information and Communications Technology.

12. Statutory appointments

The Committee has a statutory requirement to facilitate the appointment of the Boards of (i) the South African Broadcasting Corporation, (ii) the Media Development and Diversity Agency and (iii) the Independent Communications Authority of South Africa. During the reporting period, the Committee facilitated seven (7) statutory appointments. The vacancies were either as a result of the resignation of a Member, expiry of the term of office or the end of the term of the entire Board. As things stand, there are no outstanding statutory appointments or imminent vacancies on all three Boards. The Committee has noted the recent resignation of Ms Martina Della Togna and the vacant position will be deferred to the 7th Administration for processing.

13. Interventions

None

14. Petitions

The Committee considered two petitions. On 1 March 2021, a petition was received from the employees of Sundane Projects, Mzansi Broad Band, ACSS Telecoms, Folo Electricals and others, in which they request the Assembly to investigate why Telkom and OpenServe treat them unfairly and remain in a deadlock with their companies. (Mr H C C Kruger). On 22 February 2022 a petition from residents of Jansenville and Klipplaat, located in the Dr Beyers Naude Local Municipality in the Eastern Cape, calling on the Assembly to investigate the failure of the Jansenville Post Office to serve its residents was considered by the Committee. The Committee further received and processed a petition from OUTA on the executive summary report on its investigations relating to USAASA.

15. Obligations conferred on Committee by legislation:

As specified by Section 5 of the Money Bills Amendment Procedures and Related Matters Act (MBAP) of 2009, the National Assembly, through its Committees, must annually assess the performance of each national department. A Committee must submit the Budgetary Review and Recommendation Report (BRRR) annually to the National Assembly which assesses the effectiveness and efficiency of the Department's use and forward allocation of available resources and may include recommendations on the use of resources in the medium term.

The Committee must submit the BRRR after the adoption of the budget and before the adoption of the reports on the Medium-Term Budget Policy Statement (MTBPS) by the respective Houses in November of each year. The Committee was briefed by the Auditor General (AG) and the Department of Communications and Digital Technologies over the 5 years. The Committee considered and adopted its BRRR during this period.

a) Challenges emerging

The following challenges emerged during the Implementation of Budgetary Review and Recommendation Reports:

- Late tabling of reports by some Entities;
- Follow-up of previous years' outstanding issues can still be improved upon; and
- Budget analysis quality and monitoring were compromised due to the non-filling of a long-term vacancy of a dedicated Researcher to the Committee.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- Implementation of consequence management for Departments and Entities that submit reports late;
- Improvement of achievement of targets; and
- Continue to monitor BRRR recommendations according to set deadlines throughout the year.

16. Portfolio Committee's engagement with the ICT Sector and Academia

The Committee conducted several capacity-building exercises including a successful Symposium on the misinformation and disinformation leading the general National Elections of 2024, and this was undertaken over 2 days from the 29th to the 30th of August

2023. The Committee was further engaged in several roundtable discussions on capacity building including the Public Service Commission roundtable on the mandate of SITA. After the Symposium on misinformation and disinformation, the major digital platforms have conducted capacity-building training for the Members on the responsible use of the platforms leading to the 2024 national and provincial elections. These ensure a consistent engagement of the sector by the Portfolio Committee.

The Committee needed to assess the State of Readiness of institutions of the sector and their capacity to meet the mandate to disseminate information fairly for the upcoming national government elections and to guard against misinformation for future elections of the Republic.

The Committee engaged all digital media platforms to explore the environment within which they operate. The advent of the Provincial and National government elections brings about a need for the South African legislature to engage further on the implications and influence social media network platforms in the political outcomes of the sovereign Republic.

The symposium covered several aspects which included the following, amongst others:

- Digital media platforms and their influence or minimisation of the Integrity of electoral processes in South Africa;
- Enlighten the Members on the practical dangers posed by digital media platforms around user-data misappropriation and the measures put in place to protect digital media platform users;
- The digital media platforms' self-regulation and the policies that are in place to promote the protection and personal privacy of the end-users; and
- Budget allocations for identifying misinformation by social network platforms for South Africa and in contrast to profits generated in the country.

In addition, there were several lecture series with the Wits Link Centre and several capacity-building roundtable discussions conducted.

Broader lecture series objectives relevant to the Parliamentary oversight function were the following:

- To explore the constantly evolving challenges facing policymakers, legislators, regulators and regulatory practitioners in South Africa's dynamic electronic/digital communications environment;
- To assess the implications of emerging digital technologies and market development for policy and regulation; and

- To consider the capacities required to work on policy and regulatory challenges arising in the context of the digital economy.³⁹

Over the term, the Committee held various roundtable discussions and Seminars in order to broaden knowledge as well as to identify key issues engulfing the sector. The table below is a summary of all the engagements of the Committee:

Date	Topic	Convener
19 June 2020	Seminar on Spectrum Management: Implications for effective Parliament oversight on policy and regulations	WITS Link Centre
21 August 2020	Digital Dividend – Sharing the UHF Spectrum, or Taking Over?	WITS Link Centre
24 August 2020	Broadcasting Market Trends, Developments & Drivers	WITS Link Centre
28 August 2020	Cloud Computing, Privacy and Security in the African Cyber Space	CSIR
2 September 2020	Roundtable on State of Broadcasting in South Africa	MDDA, NAB, IPO, SOS and SABC
3 September 2020	Digital Technologies and the Evolution of African Markets	WITS Link Centre
13 September 2020	Telecoms Policy Regulation and Management	WITS Link Centre
16 September 2020	Market Structures and Regulatory Reform	WITS Link Centre
17 September 2020	Global Trends in Regulatory Reforms	WITS Link Centre
27 October 2020	Global trends in ICT governance for African cyber space: Telecoms Policy Regulation and Management within the SADC digital economy and the oversight role of Parliament	WITS Link Centre
25 November 2020	Public service broadcasters: experiences from Europe	Head of Global Research Cullen International
25 May 2021	Roundtable discussion on impact of digital media in misinformation & content moderation	PYGMA Consulting, Google SA

29 March 2022	Moving forward to SMART environments: From outdated policy to building the digital economy for all	WITS Link Centre
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17. Other matters referred by the Speaker.

- Notice Determining the Remuneration of Councillors of the Independent Communications Authority of South Africa (ICASA) dated 12 September 2023.
- Public Protector Report No 113 of 2021/2022 on an investigation into allegations of maladministration in the appointment of service providers and employees by the State Information Technology Agency (SITA) dated 17 February 2023.
- Independent Communications Authority of South Africa (ICASA's) Performance Management System pursuant to S6A of ICASA Amendment Act (Act No 13 of 2000), dated 8 November 2022.
- Matters on statutory appointments (ICASA) process and SABC Board in 2023
- The letter received from the Minister of Communications and Digital Technologies on the filling of six vacancies on the Council of the Independent Communications Authority of South Africa (ICASA), dated 30 June 2020.
- The latest referral on the resignation of Ms Martina Della Togna from the MDDA board will be processed in the next Administration.

18. Recommendations

The detailed report will be needed to be tabled for the SABC and SITA and this will be processed in the next administration. As committed by the Department, the Electronic Communications Amendment Bill will be referred to the Committee for consideration and report. The Committee reaffirms the need to first and foremost, at the start of the 7th Parliament, adequately capacitate and train Members of the Committee to adequately oversee the growth of the ICT sector in South Africa through thorough interpretation and analysis of the anticipated and highly technical amendment Bill. Especially as it deals directly with competition in the telecommunications sector.

The Committee must continue to partner with a leading university or universities knowledgeable on the subject matter. Members should also take advantage of the training offered to prepare Members for the upcoming National Elections as was offered by Meta Inc. TikTok and others. The Committee should furthermore:

- (i) Ensure the Committee conducts an international study tour for Members to contextualise (i) the work of the South African legislator in relation to ICTs, 4IR and the digital economy; (ii) establish and increase International Corporation; and (iii) learn best practice, especially in relevant countries such as those from the BRICS;
- (ii) Ensure the appointment of a Committee Researcher, dedicated Communications Officer, and Law Advisor to assist the Committee in its research, communications and legislative responsibilities respectively;
- (iii) Develop a five-year strategic plan for the Committee;
- (iv) Monitor implementation of recommendations emanating from public hearings on the various legislation adopted;
- (v) Monitor outstanding Budget Review Report Recommendations;
- (vi) Monitor the implementation of recommendations emanating from the oversights, and legislative amendment processes;
- (vii) Continue to engage in Sector trends through roundtables, workshops and public seminars during Committee work;
- (viii) Continue to timeously fill outstanding vacancies in both Departments (DCDT and GCIS) and their Entities;
- (ix) Monitor governance challenges across all Entities;
- (x) Monitor the improvement of labour issues in both Departments and Entities;
- (xi) Monitor the progress of the work of Special Investigating Unit (SIU) investigations relating to the Departments;
- (xii) Monitor progress made on cases that had been referred to the National Prosecuting Authority (NPA) by the SIU;
- (xiii) Monitor the impact of the Department's progress to increase participation, and competition in the telecommunications sector and to drive down prices;
- (xiv) Ensure engagement with Minister of Finance and DCDT to fund the SAPO BRP process;
- (xv) Ensure monthly updates of the Oversight Task Team on the SAPO/BRP implementation;
- (xvi) Monitor the implementation and finalisation of the BDM.
- (xvii) Ensure that the KPMG forensic report on the R89.5 million is presented before the Committee in the 7th Parliament.

- (xviii) Ensure that the full forensic enquiry was conducted on the SABC R3.2 billion bailout and the full report to be presented before the Committee in the 7th Parliament.
- (xix) Ensure that the Minister finalises the Audio-visual Policy White Paper;
- (xx) Monitor the progress on the tariff dispute between Sentech and the SABC;
- (xxi) Ensure that the short-term strategy on stop-gaps for the turnaround of the SABC is monitored closely and the Department report back to the Committee on the progress;
- (xxii) Ensure that immediate separation of commercial services from the public service mandate of the SABC (does not have to wait for the Bill)
- (xxiii) the DCDT and National Treasury must ensure that the public service mandate of the SABC is fully funded until the funding model is clarified;
- (xxiv) the DCDT Minister must utilize legal instruments to assist the commercial services of the SABC to timeously procure compelling content;
- (xxv) Every effort must be made by the government to ensure the SABC is able to discharge its duties pre and post 29 May 2024 elections (this includes mitigation of signal distribution debt that poses a risk in this period).
- (xxvi) Monitor the implementation of the SA-Connect Policy;
- (xxvii) The Draft South African Broadcasting SOC LTD Bill [B32-2023] is to be reconsidered and resuscitated during the 7th Parliament;
- (xxviii) The rigorous monitoring of the business rescue plan for the turnaround of the South African Post Office; and
- (xxix) Monitor the progress on the financial performance improvement of SABC and SITA.

19. Committee strategic plan

The Committee has not conducted a strategic planning session.

20. Master attendance list

To be attached.