|  |
| --- |
|  |
| **MINISTRY: COMMUNICATIONSREPUBLIC OF SOUTH AFRICA**Private Bag X 745, Pretoria, 0001, Tel: +27 12 473 0164 Fax: +27 12 473 0585Tshedimosetso House,1035 Francis Baard Street, Tshedimosetso House, Pretoria, 1000 |

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 704**

**DATE OF PUBLICATION: MARCH 2016**

**Ms J Edwards (DA) to ask the Minister of Communications:**

(1) What are the legal costs to be paid by the Independent Communications Authority of South Africa (ICASA) after the High Court in Pretoria set aside ICASA`s approval of the transfers of Neotel`s operating and spectrum licenses to Vodacom; (2) whether any steps will be taken against the persons responsible for (a) meeting allegedly unlawfully with Vodacom and (b) taking alleged unlawful decisions with regard to the transfer of Neotel`s operating and spectrum licenses to Vodacom; if not, why not; if so, what are the relevant details? NW819E

**REPLY: MINISTER OF COMMUNICATIONS**

(1) The legal costs to be paid by ICASA are yet to be determined. The full extent of these costs will only be determined upon taxation by the Taxing Master of the High Court. In terms of the Court Order the taxed costs are to be borne jointly and severally by ICASA, Vodacom and Neotel.

(2) The court found that meetings conducted between ICASA and Vodacom, without the participation of all interested parties, were improper and unlawful in that theywere impermissible in respect of a public process and that gave credence to the suspicion of bias. As a result the court concluded that ICASA’s decision is hereby reviewed and set it aside.

Kindly be informed that the Minister is currently in a process of obtaining the relevant information pertaining to the transfer of Neotel`s operating and spectrum licenses to Vodacom. Therefore, once ICASA submits all the information that the Minister requested, the Minister will be able to assess the matter and take the necessary and appropriate steps.

**MR NN MUNZHELELE**

**DIRECTOR GENERAL [ACTING]**

**DEPARTMENT OF COMMUNICATIONS**

**DATE:**

**MS AF MUTHAMBI (MP)**

**MINISTER OF COMMUNICATIONS**

**DATE**