

ARE SOUTH AFRICA'S DIGITAL MIGRATION REGULATIONS OUTDATED? REGULATOR - ICASA - WANTS INPUT FROM THE COMMUNICATIONS SECTOR ON WHETHER THEY NEED TO BE REVIEWED

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Should ICASA review South Africa's Digital Migration Regulations? The Independent Communications Authority of South Africa ("ICASA") has published a notice that it intends conducting an inquiry on whether the country's Digital Migration Regulations of 2012 need to be reviewed.

What is digital migration?

Digital migration involves moving frequency spectrum licensees, such as broadcasters, from the frequencies they were originally using, to different frequencies. This is usually because the frequencies that those broadcasters originally used, could be used more efficiently. This typically happens when frequencies are no longer used for "old-fashioned" inefficient analogue broadcasting, but replaced with much more efficient digital broadcasting. For example, a broadcaster using analogue broadcasting will broadcast one channel on one frequency, but a digital broadcaster could broadcast up to ten channels on the same frequency.

South Africa's digital migration process has been a long and convoluted one. There have been many [missed deadlines and various legal challenges](#). All of these have resulted in the country missing the International Telecommunications Union's deadline for analogue shut-off of 2015, by many years.

What are digital migration's benefits?

We mention the first benefit of ICASA's proposed digital migration review above: having more channels available on a single channel. The second benefit, amongst others, arises when broadcasters' original frequency bands are then assigned to others such as mobile broadband service providers (International Mobile Telecommunication – IMT). They can use these frequency bands more efficiently and can add more value. For example, broadcasters have been moved out of the 700 MHz band and it has been allotted for IMT use. 700 MHz frequency spectrum can cover much wider geographic areas, especially in rural and remote locations. This means that mobile broadband service providers will have large infrastructure cost savings because they will need fewer base stations. Such connectivity cost savings could be passed onto consumers.

How will a digital migration review by ICASA help?

ICASA believes that much has changed since the Digital Migration Regulations were published in 2012. It seeks to determine, after digital migration has been completed:

- whether there is a need to reconsider how licensing and compliance matters will be addressed;
- whether technical aspects of digital broadcasting may need to be reconsidered;
- issues such as consumer considerations, such as ensuring that consumers from low-income households will not be adversely affected in how they receive information; leveraging the “digital dividend” (the spectrum efficiency gains that come from digital migration); and set-top boxes (needed to convert digital signals to signals that older televisions recognise) and how they will be distributed to those who need them; and
- aspects of the transition from analogue to digital, such as the timelines for when analogue signals will all be shut off.

When is the deadline to submit comments?

You can find a copy of ICASA's [notice and discussion document here](#). Interested parties have until 16h00, 45 (forty) five working days after the notice's publication on 22 March 2024. This would make the deadline 8 May 2024, but don't take our word for it, please do your own calculations.