IT'S WORLD TELECOMMUNICATION AND INFORMATION SOCIETY DAY (WTISD-2017): A QUICK OVERVIEW ON SOUTH AFRICA'S MEMBERSHIP OF THE INTERNATIONAL TELECOMMUNICATIONS UNION

Category: Commercial Law,Privacy Law, Infosec, and POPIA
written by PPM Attorneys | May 17, 2017



About WTISD

1. The International Telecommunications Union ("**ITU**") celebrates WTISD on 17 May each year. According to the ITU, the purpose of WTISD "*is to help raise awareness of the possibilities that the use of the Internet and other information and communication technologies (ICT) can bring to societies and economies, as well as of ways to bridge the digital divide.*"
2. WTISD has a different theme each year. This year's theme is "Big Data for Big Impact". It focuses on the power of Big Data for development and "*aims to explore how to turn imperfect, complex, often unstructured data into actionable information in a development context.*"

South Africa and the ITU

3. South Africa is a member of the ITU. The ITU has a number of purposes which include "*to maintain and extend international cooperation among all its Member States for the improvement and rational use of telecommunications of all kinds.*"
4. The ITU achieves its purposes through a number of means. One of these is to "*coordinate efforts to eliminate harmful interference between radio stations of different countries and to improve the use made of the radio-frequency spectrum for radiocommunication services and of the geostationary-satellite and other satellite orbits.*"
5. From a reading of the ITU Constitution, it is evident that the ITU concerns itself with international cooperation. It does not concern itself with what happens within its member states, as long as radio stations and the use of radio-frequency spectrum within a country do not interfere with the spectrum of member states' neighbours.
6. The ITU Constitution is complemented by Administrative Regulations, which are binding on all

member states. These regulations are the International Telecommunications Regulations and the Radio Regulations.

7. The ITU divides the world into three regions. It then allocates radio frequency bands to different services/uses e.g. broadcasting (television and radio) and mobile (phone calls and data on cell phones). It tries to ensure that countries within a particular region align their national radio frequency allocations in line with its allocations for each region. South Africa falls into region 1.
8. As South Africa's representative at the ITU, the Minister of Telecommunications and Postal Services is responsible for ensuring that South Africa allocates radio frequency spectrum bands that accord with those the ITU has allocated for region 1 and which South Africa has adopted.[1]
9. The Independent Communications Authority of South Africa ("**ICASA**") takes into account what South Africa has adopted at the ITU and is required to prepare a national frequency band plan that accords with what the Minister has allocated.[2]
10. The ITU periodically holds what are referred to as World Radio Conferences ("**WRC**"). Resolutions covering a range of matters are taken at these WRCs. These resolutions may result in changes to the International Telecommunications Regulations and the Radio Regulations. These resolutions may also result in changes to national policy on spectrum allocation.

How South Africa regulates radio frequency spectrum

11. South Africa regulates radio frequency spectrum use through the National Radio Frequency Plan, 2013 ("**the NRFP**").
12. The NRFP takes radio frequency spectrum and allocates frequency bands to specific services. These are set out in the National Table of Frequency Allocations ("**the Allocation Table**") contained in the NRFP.
13. South Africa's plans for the future use of radio frequency spectrum are outlined in the National Integrated ICT Policy White Paper.

[1] Section 34(1) of South Africa's Electronic Communications Act ("the EC Act")

[2] Sections 34(2) to (7) of the EC Act.