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Contents

No.		Gazette No.	Page No.
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Independent Communications Authority of South Africa / Onafhanklike Kommunikasie-owerheid van Suid-Afrika			
3355	Electronic Communications Act (36/2005): Draft Digital Terrestrial Television Regulations, 2025; and explanatory memorandum on the Draft Digital Terrestrial Television Regulations, 2025	52946	3

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NOTICE 3355 OF 2025

THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

DRAFT DIGITAL TERRESTRIAL TELEVISION REGULATIONS, 2025

1. The Independent Communications Authority of South Africa ("the Authority") hereby publishes the draft Digital Terrestrial Television (DTT) Regulations ("draft Regulations") in terms of section 4(1) (a), (b) and (d), read with section 30 (2)(c) of the Electronic Communications Act, 2005 (Act No. 36 of 2005).

2. A copy of the draft DTT Regulations will also be made available on the Authority's website at http://www.icasa.org.za or can be sent via email upon request by interested persons.

3. The Authority hereby invites interested persons to make written representations on the draft DTT Regulations within thirty (30) working days from the date of publication, by e-mail to PCokie@icasa.org.za (in Microsoft Word or PDF) or hand delivery and marked specifically for attention:

   Ms. Pumela Cokie
   Independent Communications Authority of South Africa
   350 Witch-Hazel Road, Eco- Park
   Centurion
   0157

4. Enquiries should be directed to Ms. Honey Makola at 012 568 3665 or HMakola@icasa.org.za between 10h00 and 16h00, Monday to Friday.

5. Stakeholders may request confidentiality in terms of section 4D of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("ICASA Act"), on any information submitted to the Authority. Such a request for confidentiality must be accompanied by a confidential and non-confidential version of the stakeholder's submission. The Authority hereby refers stakeholders to the Guidelines for Confidentiality Requests published in Government Gazette No. 41839 (Notice No. 849) of 17 August 2018, in order to assist them when applying for confidentiality.

6. Non-confidential versions of the written representations received by the Authority pursuant to this notice will be made available on the Authority's website and for inspection at the Authority's library.

7. Persons submitting written representations are further invited to indicate, as part of their submissions, whether they require an opportunity to make oral representations on the draft Regulations, should the Authority elect to hold public hearings.

Mothibi G. Ramusi
ICASA Chairperson
Date: 01/07/2025

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The Independent Communications Authority of South Africa has, under section 4(1) (a), (b) and (d), read with section 30 (2)(c) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), made the regulations in the Schedule.

SCHEDULE

1. DEFINITIONS

In these Regulations, any word or expression to which a meaning has been assigned in the Electronic Communications Act, 2005 (Act No. 36 of 2005) and Broadcasting Act, 1999 (Act No. 4 of 1999) has the meaning so assigned, unless the context specifies otherwise.

"Act" means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended.

"digital broadcasting" means terrestrial broadcasting where the broadcast signal is in a digital format, and **"digital broadcast"** shall be construed accordingly.

"Digital Terrestrial Television (DTT)" means digital broadcasting of television broadcasting services over a terrestrial electronic communications network which employs radio frequency spectrum in the transmission of the broadcast signal and does not include television broadcasting services transmitted over a cable electronic communication network.

"e.tv" means e.tv Proprietary Limited.

"**fourth generation Moving Picture Experts Group (MPEG-4)"** mean a compression standard adopted by the ITU.

"high-definition television (HDTV)" means DTT transmissions with a resolution of at least 1280x720 pixels, progressive format.

"Kwesé" means Kwesé Proprietary Limited.

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"Second-Generation Digital Video Broadcast Transmission (DVB-T2) standard" means the DVB European-based Consortium standard adopted by the ITU and its radio Regulations.

"**Multiplex**" means a network of frequencies that allows multiple channels to be carried for the provision of digital terrestrial television.

"Multiplex 1" means the frequencies designated as "DTT SFN MUX1" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex 2" means the frequencies designated as "DTT SFN MUX 2" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex 3" means the frequencies designated as "DTT SFN MUX 3" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex 4" means the frequencies designated as "DTT SFN MUX4" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex 5" means the frequencies designated as "DTT SFN MUX5" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex 6" means the frequencies designated as "DTT SFN MUX6" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex 7" means the frequencies designated as "DTT SFN MUX7" in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz.

"Multiplex Operator" means a network operator for digital terrestrial broadcasting that provides the technical infrastructure for the terrestrial dissemination and bundling of digital programs.

"PAL I" means a Television colour encoding system for the standard-definition digital video mode of analogue television system adopted by South Africa.

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"public broadcasting service" means a public broadcasting service as defined in the Electronic Communications No. 36 of 2005 and public broadcaster shall have the same meaning.

"Radio Frequency Spectrum Regulations" means the regulations published in Notice No. 279 (Government Gazette No. 38641) of 30 March 2025, as amended.

"standard definition television (SDTV)" means digital transmissions with a resolution of at most 720 x 576 pixels, either interlaced/interfaced or progressive scanned formats.

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LIST OF ACRONYMS

ASO	Analogue Switch Off
CBS	Commercial Broadcasting Service
DTT	Digital Terrestrial Television
DVB-T2	Digital Video Broadcasting – Second Generation Terrestrial
EC	Eastern Cape Province
EC (1)	Eastern Cape Province (Part thereof)
ECA	Electronic Communications Act, 2005 (Act No. 36 of 2005)
ECNS	Electronic Communications Network Service
FS	Free State Province
FTA	Free to Air
HD	High Definition
GP	Gauteng Province
KZ	KwaZulu-Natal Province
KZ 1,2,3	KwaZulu-Natal Province (Parts thereof)
LP	Limpopo Province
LP (1,2)	Limpopo Province (Parts thereof)
MHz	Mega Hertz
Mux	Multiplex
MP	Mpumalanga Province
MP (1)	Mpumalanga Province (Parts thereof)
MPEG-4	Moving Picture Expect Group coding and transmission of Video
NC	Northern Cape Province
NC (1,2)	Northern Cape Province (Parts thereof)

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NW	North West Province
NW (1,2)	North West Province (Parts thereof)
SD	Standard Definition
SFN	Single Frequency Network
WC	Western Cape Province

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2. PURPOSE OF THE REGULATIONS

The purpose of these Regulations is to: -

(a) allocate capacity in the Radio Frequency Spectrum Assignment Plan for the Frequency Band 470 to 694MHz comprising of Seven (7) Multiplexes for the provision of digital terrestrial television in South Africa;
(b) prescribe the conditions applicable to the allocation of capacity in a multiplex;
(c) prescribe the procedure for the submission of applications for digital television channels authorisation on multiplexes; and
(d) prescribe the procedure for the licensing of the Multiplex Operator to provide signal distribution for the Digital Terrestrial Broadcasting services broadcast for the seven (7) multiplexes.

3. FRAMEWORK FOR DIGITAL TERRESTRIAL TELEVISION

(1) Digital Terrestrial Television must use the DVB-T2 standard and the MPEG-4 compression standard or any advanced compression standard.

(2) The digital broadcast of terrestrial television broadcasting services may be in SDTV mode or HDTV mode, or any advanced version of these standards.

(3) Where any capacity in Muxes is allocated under these Regulations to a television broadcasting service licensee, and the licensee does not fully utilise that capacity for content provision within thirty-six (36) months of capacity authorisation, the unutilised portion of the allocated capacity shall be forfeited and reallocated by the Authority as it deems appropriate in accordance with section 31 (9) of the ECA.

(4) The Authority will amend the radio frequency spectrum licence where capacity has been forfeited in terms of sub-regulation (3).

(5) A television broadcasting service licensee that is allocated capacity on Multiplex 1-5 in terms of these Regulations may use its capacity for the digital broadcasting of any digital television channels, which the television broadcasting service licensee is authorised to provide, in accordance with the procedures prescribed by these Regulations.

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4. MULTIPLEX ALLOCATION

MULTIPLEX 1 & 5

(1) The Public Broadcaster may use up to one hundred percent (100%) of the available capacity in Multiplex 1 and 5 for the digital broadcasting of:

(a) the Public Broadcaster's channels; and

(b) any other digital television channels, which the Public Broadcaster is authorised to provide, in accordance with the procedures prescribed by these Regulations.

MULTIPLEX 2

(2) e.tv must not exceed eighty-five percent (85%) of the available capacity in Multiplex 2 for the digital broadcasting of:

(a) e.tv television channels; and

(b) any other digital television channels, which e.tv is authorised to provide, in accordance with the procedures prescribed by these Regulations.

(3) Terrestrial television broadcasting service licensees that provide community broadcasting services must collectively not exceed fifteen percent (15%) of the available capacity in Multiplex 2 to broadcast their existing television channels.

MULTIPLEX 3

(4) Kwesé must not exceed fifty-five per cent (55%) of the available capacity of Multiplex 3 to broadcast their television channels.

(5) A FTA television broadcasting service licensees must not exceed forty-five per cent (45%) of the available capacity on Multiplex 3 in the provision of their services.

(6) A television broadcasting service licensee that is assigned capacity on Multiplex 3 in terms of sub-regulation (1) may use its capacity on Multiplex 3 for the digital broadcasting of any digital television channels, which the television broadcasting service licensee is authorised to provide, in accordance with the procedures set out in regulation 5.

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MULTIPLEX 4

(7) One hundred percent (100%) of the available capacity on Multiplex 4 is allocated to commercial subscription broadcasting television service licensee(s) subject to the publication of the Invitations to Apply for a Radio Frequency Spectrum Licence to be issued in terms of regulation 7 of the Radio Frequency Spectrum Regulations.

MULTIPLEX 6-7

(8) One hundred percent (100%) of capacity on Multiplex 6-7 is reserved for future innovation, wherein trials, experiments and demonstration can be undertaken in terms of regulation 40 of the Radio Frequency Spectrum Regulations.

(9) An application in terms of regulation 40 (2) of the Radio Frequency Spectrum Regulations for a special temporary authorisation to conduct services on a test or trial basis using the available capacity on Multiplex 6-7, provided that no test or trial services shall be conducted on a date as may be set by the Authority by notice in the Gazette.

(10) Sub regulation (9) is subject to the percentage capacity allocation agreed to at the sole discretion of the Authority having considered the number of trials already being conducted, the duration thereof and the capacity requested by the applicant.

5. CHANNEL AUTHORISATION PROCEDURE

(1) A television broadcasting service licensee which has been assigned capacity other than a broadcasting service licensee which provides a community broadcasting service, must make an application in writing to the Authority for authorisation to broadcast a specific digital television channel on the multiplexes.

(2) In the interest of procedural fairness, the Authority may invite public comments and conduct a public hearing in relation to an application to authorise a digital television channel in terms of sub-regulation (1).

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(3) Subject to sub-regulation (5), a television broadcasting service licensee must not commence broadcasting a digital television channel except where the Authority has given its written authorisation for the digital television channel.

(4) Within sixty (60) days of receipt of an application made in terms of sub-regulation (1), the Authority shall issue a certificate authorising or refusing to authorise the channel, unless if the Authority has elected to hold a public hearing in terms of sub-regulation (2).

(5) An application in terms of sub-regulation (1) by a television broadcasting service licensee, which provides a free-to-air broadcasting service, must include –

(a) the name of the proposed channel;
(b) the primary language(s) of the channel;
(c) a programming plan, including local content, where applicable;
(d) the country where the channel was packaged;
(e) the full name of the channel supplier; and
(f) any other related information as may be required by the Authority.

(6) An application in terms of sub-regulation (1) by a television broadcasting service licensee which provides a subscription broadcasting service must include the information stipulated in the Subscription Broadcasting Regulations for channel approval applications.

(7) An application in terms of sub-regulation (1) that does not contain the information that is required in terms of sub-regulations (5) and (6) shall be considered as incomplete and will not be considered by the Authority.

6. SIGNAL DISTRIBUTION OF THE DIGITAL TERRESTRIAL TELEVISION SERVICES

(1) The coverage requirements for DTT in Multiplexes will be based on the terrestrial television broadcasting service licensee's license conditions.

(2) Signal distribution services must be provided to each of the broadcasting service licensees for digital broadcasting, by an ECNS licensee or licensees appointed in terms of this regulation 6.

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(3) A television broadcasting service licensee, that cannot self-provide in terms of 63 of the ECA, must seek to conclude a commercial agreement with an ECNS licensee to provide signal distribution services.

(4) The agreement in terms of sub-regulation (3) must be submitted to the Authority six (6) months after the commencement of these regulations, and must include:

(a) a roll-out plan in line with the coverage targets;
(b) a technical plan consistent with the broadcast frequency plan; and
(c) tariff structure for signal distribution.

(5) Where a terrestrial television broadcasting service licensee fails to comply with sub-regulation (4) or where the Authority is not satisfied that the ECNS licensee selected by an broadcasting service licensee will achieve the roll-out targets specified in its licence or the broadcasting signal distribution objectives specified in section 62 of the Act, the Authority may publish an Invitation to Apply to ECNS licensees, to apply for the provision of signal distribution services to the terrestrial television broadcasting service licensee.

(6) A response to an Invitation to Apply in terms of sub-regulation (5) must include:
(a) the tariff framework to be applied;
(b) a roll-out plan in line with the individual licensee's coverage targets;
(c) a technical plan consistent with the broadcast frequency plan; and
(d) the electronic communications network service licensee's compliance with section 62 of the Act.

(7) After considering applications received in response to an Invitation to Apply published in terms of sub-regulation (5), and in the interest of procedural fairness, the Authority may elect to take any or all of the following steps: –
(a) invite interested persons to submit written representations in relation to application(s) received from electronic communications network service licensees to provide signal distribution services to a terrestrial television broadcasting service licensee within the period specified in the notice;
(b) allow the applicant(s) an opportunity to submit written responses to representations received in relation to the application within the period specified by the Authority; and/or

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(c) conduct a public hearing in relation to the application.

(8) The Authority may, after considering the application(s) submitted in response to an Invitation to Apply published in terms of sub-regulation (5), and any other relevant information submitted, appoint an ECNS licensee to provide signal distribution services to the terrestrial television broadcasting service licensee in question subject to the applicable terms and conditions contained in the issued licence.

(9) Where an ECNS licensee, appointed in terms of sub-regulation (8) receives any government subsidy intended to subsidise the signal distribution costs incurred by any terrestrial television broadcasting service licensee, the appointed ECNS licensee must reduce the tariffs charged to the terrestrial television broadcasting service licensee or licensees by the amount of the subsidy.

(10) The tariffs charged by an ECNS licensee appointed in terms of this regulation to provide signal distribution services are subject to regulation by the Authority.

7. MULTIPLEX OPERATOR FOR THE DIGITAL TERRESTRIAL TELEVISION.

(1) A Multiplex Operator must provide the technical infrastructure for the terrestrial dissemination and bundling of digital programs and additional services contained in a digital data stream contributed by a Television and or Sound Broadcaster.

(2) A Multiplex Operator must provide Digital Terrestrial Broadcasting, in particular DVB-T2, as well as mobile television.

(3) An electronic communications service network license is required to operate a Multiplex Platform.

(4) A spectrum license is required to operate a National DTT Multiplexer and/or a Provincial DTT Multiplexer (or part thereof).

(5) A Multiplex Operator must apply, in accordance with the Radio Frequency Spectrum Regulations, for the assignment of the frequencies making up the DTT Multiplex in accordance with the terrestrial television broadcasting multiplex structure summarised in **Schedule 2**.

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(6) Where an ECNS licensee is providing services referred to in sub-regulation 5 during the Broadcasting Migration Dual illumination period, the licensee may apply for an amendment of their license in accordance with the Radio Frequency Spectrum Regulations.

(7) An application in terms of sub-regulation (5) must be made in accordance with regulation 6 of the Radio Frequency Spectrum Regulations, that is, "Extended Application Procedure".

(8) The Authority may determine, on good cause shown, that the frequency assignments making up the DTT Multiplex may be carried out through the "Standard Application Procedure" process in accordance with regulation 5 of the Radio Frequency Spectrum Regulations.

(9) The duration of the radio frequency spectrum licence for the Mux Operator shall run concurrently with the duration of the service license of the television broadcasting service licensee to whom it operates the multiplex.

8. GENERAL OBLIGATIONS

(1) A terrestrial television broadcasting service licensee must ensure that an Electronic Programme Guide (a schedule of forthcoming available programmes broadcast by the licensee at defined intervals), and an Electronic Programme Information (information concerning the nature and content of programming) are made available to consumers for the programming broadcast on a particular channel.

(2) A terrestrial television broadcasting service licensee may provide data services and subject to agreement with the relevant channel provider, radio channels using the capacity allocated to it as per regulation (4), as the case may be, for the purpose of enhancing service to end-users.

(3) Licensed sound broadcasters may be accommodated on the various multiplexes, subject to a commercial agreement with the terrestrial television broadcasters.

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(4) Terrestrial television broadcasting service licensees, upon analogues switch off, are authorised to provide a multi-channel broadcasting service as provided for in these Regulations.

9. PENALTIES

(1) A television broadcasting service licensee that contravenes regulations 4(2) to (5) and (9); 5 (3); 7 (1) to (9); and 8(1) to (3) is liable for a fine not exceeding five hundred thousand rand (R500 000) for each day that it is in contravention of such provision.

(2) An ECNS licensee that contravenes regulations 6(9), (10) is liable to a fine not exceeding five hundred thousand rand (R500 000) for each day that an ECNS licensee is in contravention of such provision.

10. REPEAL OF REGULATIONS

(1) The Digital Migration Regulations, 2012, and the Promotion of Diversity and Competition on Digital Terrestrial Television Regulations, 2014, are hereby repealed.

11. SHORT TITLE AND COMMENCEMENT

(1) The Regulations are be called the Digital Terrestrial Television Regulations, 2025 and will come into effect upon analogue switch-off.

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SCHEDULE 2

SUMMARY REFERENCE TECHNICAL STRUCTURE OF THE TERRESTRIAL BROADCASTING PLAN IN SOUTH AFRICA.

ANALOGUE TERRESTRIAL TELEVISION	**TERRESTRIAL TELEVISION BROADCASTING MULTIPLEXES IN SOUTH AFRICA.**									
Frequency assignments	**Mux name**			**ECNS Operator**	**Broadcast mode**		**Bitrate**		**Remarks**	**Non-exhaustive list of channels**
Analogue Television	**DTT Dual Illumination Network Plan**	**Post DTT Dual Illumination Network Plan**	**Post-Switchover SFN operating names**	**Signal Distributor / DTT Multiplex Operator**	**Pre-Analogue switchover**	**Post-Switchover**	**Pre-Switchover**	**Post-Switchover**	**Description**	**Non-exhaustive list of channels.**
Annexes E, F - Government Gazette 36321 (Notice 298 of 2013)	**Annexure G** Amendment: - DTT Frequency Assignments During Analogue to Digital Migration **DTT1** as contained in Government Gazette 38005 (Notice 801 of 2014). **PS:** Single Frequency Network (SFN) Post Coordination	**Annexure J** - Post ASO: Digital Terrestrial Television SFN Network Post 2015 Government Gazette 38005 (Notice 801 of 2014) **PS**: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	1. CA1 2. EC1 3. GT1 4. KZ1 5. MP1 6. NC1 7. NC1A 8. NP1 9. NP1A 10. NW1	Sentech (Regulation 6 of the Radio Frequency Migration Regulations and Plan 2013, Government Gazette 36334 (Notice 352 of 2013) applies.	PAL I	DVB T2	Analogue (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme channel uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3 of GG 43341 Notice 284 0f 2020	6 HD channels OR Up to 22 SD channels OR Combination of SD and HD channels not exceeding stipulated Bitrate

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	in accordance with the GE06 Agreement.									
Annexes E, F - Government Gazette 36321 (Notice 298 of 2013)	Annexure G Amendment: - DTT Frequency Assignments During Analogue to Digital Migration **DTT2** as contained in Government Gazette 38005 (Notice 801 of 2014) **PS:** Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	Digital Terrestrial Television Frequency Networks 2013 (DTT1) Contained in Annexure G – Government Gazette 38005 (Notice 801 of 2014) **PS**: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	1. CA2 2. EC2 3. GT2 4. KZ2 5. MP2 6. NC2 7. NC2A 8. NP2 9. NP2A 10. NW2	**Sentech** (Regulation 6 of the Radio Frequency Migration Regulations and Plan 2013, Government Gazette 36334 (Notice 352 of 2013) applies.	PAL I	DVB T2	Analog (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme channel-uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3 of GG43341 Notice 284 0f 2020	6 HD channels OR Up to 22 SD channels OR Combination of SD and HD channels not exceeding stipulated Bitrate
Annexes E, F - Government Gazette 36321 (Notice 298 of 2013)	Annexure G Amendment: - DTT Frequency Assignments During Analogue to Digital	Digital Terrestrial Television Frequency Networks 2013 (DTT1) Contained in Annexure G –	1. CA3 2. EC3 3. GT3 4. KZ3	TBD (Regulation 6 of the Radio Frequency Migration Regulations and Plan	PAL I	DVB T2	Analog (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme channel-	6 HD channels OR Up to 22 SD channels OR Combination of SD and

	Migration **DTT3** as contained in Government Gazette 38005 (Notice 801 of 2014). PS: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	Government Gazette 38005 (Notice 801 of 2014). PS: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	5. MP3 6. NC3 7. NC3A 8. NP3 9. NP3A 10. NW3	2013, Government Gazette 36334 (Notice 352 of 2013) read with. the Promotion of Diversity and Competition on Digital Terrestrial Television Regulations, Government Gazette 37929 (Notice 682 of 2014) to be considered.					uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3 of GG43341 Notice 284 0f 2020	HD channels not exceeding stipulated Bitrate
Post Analogue Switch-Off.	**PS**; Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	**Annexure J** - Post ASO: Digital Terrestrial Television SFN Network Post 2015 Government Gazette 38005 (Notice 801 of 2014). **PS:** Single Frequency	1. CA4 2. EC4 3. GT4 4. KZ4 5. MP4 6. NC4 7. NC4A 8. NP4	TBD	PAL I	DVB T2	Analog (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme channel- uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3	6 HD channels OR Up to 22 SD channels OR Combination of SD and HD channels not exceeding stipulated Bitrate

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		Network (SFN) Post Coordination in accordance with the GE06 Agreement.	9. NP4A 10. NW4						of GG43341 Notice 284 0f 2020	
Post Analogue Switch-Off.	**PS**: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	**Annexure J** - Post ASO: Digital Terrestrial Television SFN Network Post 2015 Government Gazette 38005 (Notice 801 of 2014). **PS**: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	1. CA5 2. EC5 3. GT5 4. KZ5 5. MP5 6. NC5 7. NC5A 8. NP5 9. NP5A 10. NW5	TBD	PAL I	DVB T2	Analog (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme channel-uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3 of GG43341 Notice 284 0f 2020	6 HD channels OR Up to 22 SD channels OR Combination of SD and HD channels not exceeding stipulated Bitrate
Post Analogue Switch-Off.	**PS**: Single Frequency Network (SFN) Post Coordination in accordance with the	**Annexure J** - Post ASO: Digital Terrestrial Television SFN Network Post 2015	1. CA6 2. EC6 3. GT6 4. KZ6		PAL I	DVB T2	Analog (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme	6 HD channels OR Up to 22 SD channels OR

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	GE06 Agreement.	Government Gazette 38005 (Notice 801 of 2014). **PS**: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	5. MP6 6. NC6 7. NC6A 8. NP6 9. NP6A 10. NW6						channel-uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3 of GG43341 Notice 284 0f 2020	Combination of SD and HD channels not exceeding stipulated Bitrate
Post Analogue Switch-Off.	**PS**: Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	**Annexure J** - Post ASO: Digital Terrestrial Television SFN Network Post 2015 Government Gazette 38005 (Notice 801 of 2014). **PS:** Single Frequency Network (SFN) Post Coordination in accordance with the GE06 Agreement.	1. CA7 2. EC7 3. GT7 4. KZ7 5. MP7 6. NC7 7. NC7A 8. NP7 9. NP7A 10. NW7		PAL I	DVB T2	Analog (No bitrate Option)	30.01 Mb/s OR 33.27 Mb/s	(HD programme channel uses 5 Mb/s/CH) (SD programme channel-uses 1.5 Mb/s/CH) See information in sections 6.1 and 6.3 of GG43341 Notice 284 0f 2020	6 HD channels OR Up to 22 SD channels OR Combination of SD and HD channels not exceeding stipulated Bitrate

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EXPLANATORY MEMORANDUM ON THE DRAFT DIGITAL TERRESTRIAL TELEVISION REGULATIONS, 2025

TABLE OF CONTENTS

LIST OF ACRONYMS 3

1. INTRODUCTION AND BACKGROUND 4

2. LEGISLATIVE AND POLICY FRAMEWORK 5

3. REGULATION 2- PURPOSE OF THE REGULATIONS 6

4. REGULATION ANALYSIS 6

4.1. Multiplex Allocation Overview 6

4.2. Regulation 4.1- Multiplex 1 and 5 7

4.3. Regulation 4.2- Multiplex 2 7

4.4. Regulation 4.3- Multiplex 3 8

4.5. Regulation 4.4 and 4.5- Multiplexes 4, 6 and 7 8

5. Channel Authorisation 9

6. Regulation 6- Signal Distribution 9

7. Regulation 7 - Multiplex Operator 10

8. CONCLUSION 11

LIST OF ACRONYMS

ASO	Analogue Switch Off
DTT	Digital Terrestrial Television
ECA	Electronic Communications Act, 2005 (Act No. 36 of 2005)
FTA	Free to Air
HD	High Definition
ICASA	Independent Communications Authority of South Africa
ICT	Information Communication and Technology
Mux	Multiplex
SFN	Single Frequency Network

1. INTRODUCTION AND BACKGROUND

1.1. On 22 March 2024, the Independent Communications Authority of South Africa ("the Authority") commenced an inquiry through the publication of a Discussion Document[1], aimed at reviewing the Digital Migration Regulations, 2012[2] ("Digital Migration Regulations"). The primary purpose was to solicit stakeholder input concerning the regulatory framework necessary to effectively manage the broadcasting environment following the Analogue Switch-Off ("ASO").

1.2. The Discussion Document considered key regulatory aspects, including technological advancements, spectrum allocation, licensing frameworks and consumer access to broadcasting services. Stakeholders were initially invited to submit written comments by 29 May 2024; however, this deadline was subsequently extended to 13 June 2024 in response to stakeholder requests. To further engage stakeholders and clarify their submissions, the Authority also held oral hearings on 28 June 2024.

1.3. Following this consultative process, the Authority published a Findings Document[3] summarising stakeholder submissions and discussions, highlighting significant regulatory opportunities, challenges and priorities identified during the Inquiry.

1.4. The above Findings have directly informed the formulation of the Draft Digital Terrestrial Television (DTT) Regulations, 2025, which are now presented for consultation.

1.5. This Explanatory Memorandum accompanies the Draft Digital Terrestrial Television Regulations, 2025, and outlines the rationale, objectives, and intended effects of the proposed regulations.

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[1] Notice 238 Government Gazette No. 50329, 22 March 2024.
[2] Notice 1070 *Government Gazette* No.3600, 14 December 2012.
[3] Notice 3090 *Government Gazette* No. 52392, 27 March 20235.

1.6. Stakeholders are invited to submit further representations to ensure the final regulations adopted are robust, inclusive and aligned with South Africa's broader economic, social and technological imperatives.

1.7. The Draft DTT Regulations are intended to give effect to the objectives set out in section 2 of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the ECA"), which include the efficient use and management of the radio frequency spectrum, the facilitation of universal and equitable access to broadcasting services, the encouragement of technological innovation and the promotion of a competitive and diverse broadcasting sector within the broader ICT landscape.

1.8. The Authority acknowledges and values the ongoing participation and constructive input from stakeholders, which are essential to achieving a balanced regulatory environment conducive to the sustainable growth and development of South Africa's digital broadcasting landscape.

2. LEGISLATIVE AND POLICY FRAMEWORK

2.1. In terms of section 4 of the ECA, the Authority may make regulations with regard to any matter in terms of the ECA or related legislation which must or may be prescribed, governed or determined by regulation. Section 4(1)(a) of the Act empowers the Authority to make regulations regarding any technical matter necessary or expedient for the regulation of all licensed services as identified in Chapter 3 of the ECA. Section 4(1)(b) of the Act provides that the Authority may make regulations on any matter of procedure or form which may be necessary or expedient to prescribe for the purposes of this Act or the related legislation. In terms of section 4(1)(d), the Authority may make regulations regarding the control of the radio frequency spectrum, radio activities and the use of radio apparatus.

2.2. Section 30(2)(d) requires the Authority to "plan for the conversion of analogue uses of the radio frequency spectrum to digital, including the migration to

digital broadcasting in the Authority's preparation and modification of the radio frequency spectrum plan".

3. REGULATION 2- PURPOSE OF THE REGULATIONS

3.1. The objectives of these regulations are to provide a regulatory framework for the provision of digital terrestrial television post-analogue switch-off. With the analogue switch-off process ongoing, the regulatory focus shifts from enabling the migration process to the regulatory management of a fully digitally broadcasting environment.

4. REGULATION ANALYSIS

4.1. Multiplex Allocation Overview

4.1.1. The Authority, having considered submissions received during the consultation process, notes that stakeholders in general do not support the concept of multiplex sharing. The prevailing view is that each broadcaster should be allocated its own dedicated multiplex, as sharing impacts the geographical reach of services and imposes cost burdens due to divergent coverage requirements.

4.1.2. Stakeholders expressed support for a flexible and adaptable licensing framework that is responsive to the dynamic nature of the digital broadcasting environment. Such a framework must account for the adoption of new technologies, shifting consumer viewing behaviours, and the growing competitive pressures presented by on-demand content providers.

4.1.3. While these Draft DTT Regulations are forward-looking and the Authority supports, in principle, the idea of assigning separate multiplexes to individual broadcasters, this allocation takes into consideration the currently available infrastructure in the event that the analogue switch-off occurs sooner than anticipated.

4.1.4. The Draft DTT Regulations propose an increase in the percentage allocation of multiplex capacity to afford broadcasters the ability to increase channels and/or the quality of broadcasting without compromising the viability of their services as follows:

4.2. **Multiplex 1 and 5**

4.2.1. The regulation proposes that Mux 1 and 5 be allocated entirely (100%) to the public broadcaster (the SABC) in order to fulfil its public broadcasting mandate[4] and enable HD broadcasting expansion.

4.2.2. This allocation addresses the current capacity allocation under Mux 1, which poses significant constraints for the public broadcaster's ability to transition to high-definition (HD) broadcasting.

4.2.3. Support was noted for the reallocation of capacity on Mux 1 to allow for greater flexibility, efficiency and scalability in the provision of digital broadcasting services. Ther was also support for increased allocation for the public broadcaster.

4.3. **Multiplex 2**

4.3.1. The regulation proposes that up to eighty-five percent (85%) of Mux 2 be allocated to the incumbent commercial FTA broadcasters (e.tv) and fifteen percent (15%) to community broadcasters.

4.3.2. This allocation increases from the previously assigned capacity of 50% with an additional 35% capacity for the incumbent commercial FTA and supports stakeholders' suggestion that FTA broadcasters who serve public interest obligations should be prioritised in Mux allocation.

4.3.3. The model supports fair and efficient use of spectrum while promoting diversity through limited, but meaningful, community access.

[4] As defined in the Broadcasting Act No. 4 of 1999

4.3.4. The regulation reserves 15% of the capacity for community broadcasters with the awareness that the community broadcasters are not in a position to utilise the whole capacity if allocated a Mux of their own. In this case, sharing a Mux maintains the Authority's objective of efficient use of spectrum.

4.3.5. Whilst the Authority acknowledges that there might be benefits of coverage spillage for a larger audience reach and possible advertising opportunities, it also recognises that those benefits might not outweigh the costs of coverage spillage for a community broadcaster. Furthermore, the draft regulations are to consult stakeholders on the introduction of the multiplex operator, which separates the functions of signal distribution and multiplexing.

4.4. **Multiplex 3**

4.4.1. The regulation proposes maintaining fifty-five percent (55%) of Mux 3 capacity to the incumbent commercial FTA broadcasters. This allocation supports the submissions for the need for separate multiplex allocations between FTA and subscription broadcasters, given their differing operational models and market demands.

4.4.2. The remaining forty-five percent (45%) will be made available to one or more commercial FTA broadcasters. This allocation is in support of enabling market entry for new players in order to foster innovation, promote diversity and enhance sector competitiveness.

4.4.3. Furthermore, this allocation allows for the incumbent commercial FTA broadcaster to use this allocation should the need for increased capacity arise.

4.5. **Multiplexes 4, 6 and 7**

4.5.1. The regulation proposes allocating one hundred percent (100%) of the available capacity on Multiplex 4 to one or more commercial subscription broadcasting television service licensee(s) through a competitive licensing process. The Authority is open to the possibility of licensing future commercial subscription television broadcasters.

4.5.2. Regulation 4.5 proposes that Multiplexes 6 and 7 are to be reserved for future innovation and shall be utilised for trials, demonstrations and experimental purposes, in accordance with regulation 40 of the Radio Frequency Spectrum Regulations, 2015.

4.5.3. This allocation supports the submission highlighting the importance of preserving spectrum for the advancement of broadcasting, particularly for HD services and future technological innovations.

5. Regulation 5- Channel Authorisation

5.1. Proposes a standardised channel authorisation process for broadcasters, excluding community broadcasters, for additional channels for authorisation.

5.2. The standardised process is aimed at improving efficiency and fairness, creating a level playing field. Notwithstanding, the Authority retains the discretion to require public hearings where circumstances so warrant for all television broadcasting services.

6. Regulation 6- Signal Distribution

6.1. Maintains the provision for the regulation of signal distribution and requires the broadcaster to notify the Authority of its preferred signal distributor within a period of six (6) months.

6.2. This regulation has taken into consideration that broadcasters are not allocated frequency spectrum; however, they appoint ECNS licensees as signal distributors in this regard. Therefore, the extended period for notification to

the Authority will provide reasonable time for the arrangement pending the announcement to switch off.

6.3. The Authority found that high signal transmission costs and the lack of competition in the distribution sector continue to burden broadcasters, especially community broadcasters. Stakeholders emphasized the need for regulatory intervention to address market dominance and promote fair pricing.

6.4. The signal distribution inquiry has been completed, and the Authority has published draft signal distribution services Regulations[5] with pro-competitive remedies to address pricing transparency.

7. Regulation 7 - Multiplex Operator

7.1. The Authority has included provisions in the Draft DTT Regulations to initiate consultation on the establishment of a regulatory framework for a Multiplex Operator. Regulation 7 introduces the concept of a digital terrestrial Multiplex Operator, intended to manage and facilitate access to multiplex capacity. This proposal supports the potential introduction of a regime comprising small provincial Single Frequency Networks (SFNs) and Multi-Frequency Networks (MFNs), aimed at enhancing spectrum use efficiency.

7.2. Furthermore, regulation 2(d) sets out, as one of the purposes of the regulations, the prescription of a process for licensing a Multiplex Operator to provide signal distribution services for the digital terrestrial broadcasting services carried on the seven (7) multiplexes. The definition of the Multiplex Operator recognises the operator as a network service provider responsible for the technical infrastructure required for the terrestrial dissemination and bundling of digital broadcasting services. While the current migration process relies on radio frequency assignments under the existing plan, it is anticipated that these frequencies will require reassignment following Analogue Switch-Off

[5] Government Gazette No. 52622 of 8 May 2025

(ASO), thereby reinforcing the need for a dedicated operator under a clearly defined regulatory framework.

8. CONCLUSION

The Authority expresses its appreciation to all stakeholders who participated in the Inquiry. Their input helped shape the draft Regulations. The Authority remains committed to a transparent, inclusive and evidence-based regulatory process, and looks forward to further engagement as it finalises the DTT Regulations, 2025.

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