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21 October 2005

Mr Kgaogelo Lekgoro, MP
Chairperson
Parliamentary Portfolio Committee on Communications
Parliament of the Republic of South Africa
Fax No: 021 403 3845

Dear Honourable Mr Lekgoro

**RE: INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA
AMENDMENT BILL [B32-2005] – WRITTEN SUBMISSION FROM THE
SOUTH AFRICAN NATIONAL EDITORS' FORUM (SANEF)**

The South African National Editors' Forum would like to thank the chairperson of the Parliamentary Portfolio Committee on Communications for this opportunity to make a written submission on the ICASA Amendment Bill (B 32-2005).

Sanef recognises the timely promulgation of this Bill and supports the central objective of strengthening the regulator and creating certainty around this area of the communications environment.

However, the editors' forum would like to register its strong opposition to any amendments which in any way reduce the independence of the regulator or its ability to carry out its constitutional obligations. Section 192 of the Constitution provides for an independent body to be charged with regulating broadcasting in the public interest.

Sanef argues that the proposal to amend the procedure for the appointment of councillors, with an increased role to be played by the Minister of Communications in the appointment process, takes the power of selecting Icasa councillors out of the hands of Parliament.

The amendment could therefore reduce the independence of the regulator as required by the constitution. Sanef feels this independence is vital in creating confidence that the regulator will be able to look after the interests of all concerned parties and calls for the current process for selecting Icasa councillors to be kept.

In addition, Sanef opposes the changing of the name of Icasa to the Electronic Communications Authority of SA as the emphasis on “independent” should remain and therefore should be reflected in its name.

Yours sincerely

Elizabeth Barratt
Sanef Deputy Chairperson

Ferial Haffajee
Sanef Media Freedom Convenor