19 July 2016

Attention: Mr Rueben Mohlaloga
Acting Chairperson: Independent Communications Authority of SA
CCC: Coordinate Complaints and Compliance Committee
ICASA Block D, Pilmille Farms
164 Katherine Street
SANDTON

PER E-MAIL: chairperson@icasa.org.za

CC: Webber Wentzel
Rothiwa Nemokula
Email: rothiwa.nemokula@webberwentzel.com

CC: Dario Milo
Email: Dario.milo@webberwentzel.com

Your ref:
Our ref: NTM/LB/SABC.3668/009

Dear Sirs,

RE: SABC / THE TRUSTEES FOR THE TIME BEING OF THE MEDIA MONITORING PROJECT BENEFIT TRUST AND OTHERS

1. We refer to the abovementioned matter, our letters of 14 and 18 July 2016 and your letter of 18 July 2016, which was received by our office at 6.18 pm.

2. We acknowledge receipt of the resolution of the Council of ICASA which was attached to your letter and which resolution constitutes the order of the Council of ICASA as contemplated in the judgment/recommendation of the Complaints and Compliance Committee of ICASA (“CCC”).

3. This order was forwarded to the SABC immediately after it was received yesterday, on 18 July 2016. As you would have, however, noted from our letter of 18 July 2016, we were advised that the recommendation of the CCC as was and, without any further documentation constituted the order of the Council of ICASA. When we enquired further, we were then provided with the press statement which was forwarded to us on 15 July 2016, and which was presented as being the order of the Council of ICASA. Further, when we then addressed our third letter to the CCC, indicating that none of these documents could constitute the order of the Council of ICASA as contemplated in the judgment/recommendation of the CCC, only then in the evening of 18 July 2016 were we presented with the order of the Council of ICASA.
4. Under the circumstances, our instructions are to request the ICASA to undertake that it will not enforce its order as yet but will allow the SABC a fair opportunity until Monday, 25 July 2016 to consider the contents of the order and to allow the Chairperson of the SABC Board to communicate formally to the Council via the Office of the CCC Coordinator, the resolution taken by the SABC in relation to the order. The SABC has only now been provided with the order of the Council of ICASA.

Yours faithfully,

TITUS MCHUNU
MCHUNU ATTORNEYS
Sent electronically without signature