

Icasa looks into the subscription broadcasting services market

The Council of the Independent Communications Authority of South Africa (Icasa) has resolved that, based on ongoing developments in what is a rapidly changing market, the consultation process in respect of the Inquiry into the Subscription Broadcasting Services Market must be extended into the current financial year.



Source: www.pexels.com

This extension builds upon and will update and refine the work undertaken in the consultation process by the Icasas during the 2021-22 financial year.

“However, the Authority – upon considering the draft findings emanating from the Inquiry - is of the view that further consultation and engagement with stakeholders is required, as any regulatory intervention in this market ought to take account of current policy developments, as well as recent technological and market trends, including entry of complementary and competitive services introduced by, amongst others, OTT players” says ICASA chairperson, Dr Keabetswe Modimoeng.

Following the identification and definition of relevant markets and market segments, the empowering legislation (i.e. the Electronic Communication Act, 2005) provides that Icasas must assess the effectiveness of competition in those markets and market segments.



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Amongst other things, Icasas must consider matters such as (a) the non-transitory (structural, legal, and regulatory) barriers to entry into the applicable markets or market segments and (b) the dynamic character and functioning of the markets or market segments.

Icasa is mindful that any regulation of the market and/or its market segments must be aimed at enhancing competitiveness in the market going forward.

The extended consultation process will include, among others, the publication of a questionnaire to solicit comments and information from interested stakeholders (that will take into account the work emanating from the 2021-22 financial year inquiry).

Icasa will conduct a full inquiry that includes publication of an updated discussion document, as well as public hearings, to come to a conclusive determination of the subscription TV market dynamics going forward. “The rebooting of this process is meant to enable the Authority to take account of all relevant and current developments to inform a robust, forward-looking regulatory intervention that balances interests of consumers and stability of the broadcasting services market,” says Dr Modimoeng.

Modimoeng concludes that this is yet another opportunity for all interested stakeholders, including consumers of subscription-based services and OTT content to provide input to shape this important regulatory intervention.

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