

TERMS OF REFERENCE FOR THE DIGITAL DZONGA ADVISORY COUNCIL

1. Background and Rationale

1.1. The Department of Communications has established the Digital Dzonga Advisory Council (“the Advisory Council”) to assist the DoC to ensure the migration of South Africa’s analogue broadcasting services to digital in line with Government’s Broadcasting Digital Migration Policy. The need to establish the Advisory Council is motivated by the complexity and the magnitude of the Digital migration process which requires a dedicated body that is solely tasked with the responsibilities of:

1.1.1. Providing a forum for discussion and decisions by digital migration stakeholders on all matters related to the migration ;

1.1.2. Giving strategic guidance to the Minister and the Department regarding the migration to digital;

1.1.3. Making recommendations regarding the implementation of the Broadcasting Digital Migration Policy;

1.1.4. Developing an implementation plan for migration to digital broadcasting systems by South Africa’s terrestrial television services;

1.1.5. Coordinating and monitoring the implementation plan;

1.1.6. Communicating with public on broadcasting digital migration;

1.1.7. Providing oversight of the Digital Dzonga project office.

2. Nature

- 2.1. The Advisory Council constitutes an association of representatives from government, the regulator, industry, consumer groups and members of the general public. The Advisory Council is appointed by and makes recommendations to the Minister of Communications. In executing its functions, the Advisory Council shall interact with ICASA, role-players and the DoC throughout the process on matters relating to digital migration.
- 2.2. The Digital Dzonga is the term used to describe the project office appointed to assist the Advisory Council in the execution of its duties.

3. Funding

- 3.1. The Digital Dzonga Advisory Council and the Digital Dzonga are funded through budget vote of the Department of Communications.

4. Members of the Digital Dzonga Advisory Council

- 4.1. The Advisory Council is a non-executive body.
- 4.2. The Advisory Council:
 - 4.2.1. shall consist of up to 15 members of which one must be the Chairperson
 - 4.2.2. shall comprise the Chairperson, 10 members representing various stakeholders, the Chief Executive Officer of the Digital Dzonga and two mandatory members representing both government and the Regulator, ICASA.
- 4.3. The members of the Advisory Council will elect a deputy chairperson from amongst the members.

- 4.4. The members should possess suitable qualifications, expertise and experience in the fields of, amongst others, broadcasting, electronic engineering, economics, consumer issues, technology, frequency band planning and any other relevant expertise or qualification(s).

5. Functions of the Digital Dzonga Advisory Council

The Advisory Council shall:

- 5.1. Be responsible for giving strategic guidance to the Minister and the Department of Communications to ensure that the migration from analogue to digital is achieved in a swift, effective and co-ordinated manner;
- 5.2. Establish working groups for such purposes as the Advisory Council deems necessary to assist Advisory Council members in the effective exercise and performance of their duties. Each working group shall be chaired by a member of Advisory Council. Working groups may be established to assist Advisory Council members on the following issues:
 - 5.2.1. Technology and Standards
 - 5.2.2. Broadcast Infrastructure
 - 5.2.3. Help and Support
 - 5.2.4. Communications
 - 5.2.5. Monitoring and Research
- 5.3. Conduct research and provide regular reports on the progress of South Africa's migration to digital;
- 5.4. Develop an implementation plan for digital migration including a communications plan and a plan to assist low income and special needs groups to switch to digital television;

- 5.5. Address conformance issues including the branding and marketing of a digital television logo for digital television equipment, to help the public identify compliant equipment;
- 5.6. Liaise with other departments and agencies to ensure a smooth digital migration process;
- 5.7. Consult with representatives of consumer groups, to ensure that the views of these groups are taken into account.

6. Appointment procedures

- 6.1. As a non-executive body, the Digital Dzonga Advisory Council is appointed by the Minister of Communications from nominations received from government, the regulator, industry, consumer bodies and general public following a call for members of the public to nominate. However, two members representing both the government and the regulator are mandatory and are therefore, not appointed through a public nomination process.

7. Terms of Office

- 7.1. Unless extended or terminated by the Minister, the Digital Dzonga will have a limited lifespan until 2016. However, the tenure of Advisory Council members shall be a period not exceeding 5 years with an option to renew.

8. Removal from Office

- 8.1. A member of Digital Dzonga Advisory Council can be removed by the Minister from on account of:

- 8.1.1. Resignation;
- 8.1.2. Inability to perform duties as required;
- 8.1.3. Absence from three consecutive meetings of the Advisory Council without a written request to the Chairperson to be excused from the meeting, and without good cause shown;
- 8.1.4. Gross misconduct
- 8.1.5. Death

9. Vacancies

Once a vacancy becomes available due to reasons stipulated above, the procedures contemplated in 7 apply, except if a member represents the Authority or Government.

10. Remuneration of the Digital Dzonga Advisory Council

- 10.1. The Digital Dzonga Advisory Council comprises representatives from government, industry, academia and any other sector that is relevant for the functioning of the Digital Dzonga. Therefore, members of the Advisory Council shall receive remuneration for serving on this body in accordance with the remuneration table attached to these terms of reference. In addition expenses incurred by members of the Advisory Council in the scope of the affairs of the Digital Dzonga shall be reimbursed.

11. Observers

- 11.1. If a member of the Advisory Council is unable to attend a meeting, such member may nominate a representative to observe the meeting on their behalf. The nominated representative may only attend the meeting with the express permission of the Chairperson which must be sought by the members before the meeting. The nominated representative will attend only as an observer and will not be entitled to vote on any matter.

11.2. Members are encouraged to personally attend meetings and if a member has failed to more than two meetings in a calendar year, the Chairperson shall be entitled to refuse to allow the attendance of an observer.

11.3. Observers shall not be entitled to be remunerated for their attendance at meetings nor reimbursed for any expenses incurred.

12. Meetings of Advisory Council

12.1. Meetings of the Advisory Council must be held at such times and places as the Advisory Council may determine. The number of meetings is left to the discretion of the Advisory Council.
