

NATIONAL ASSEMBLY
QUESTION FOR WRITTEN REPLY
QUESTION NUMBER: 1957 [NW2309E]
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1957. Mrs J D Kilian (Cope) to ask the Minister of Finance:

- (1) (a) What amounts in revenue from licence fee payments has Independent Communications Authority of South Africa (Icasa) paid into the National Revenue Fund in terms of section 15 of the Independent Communications Authority of SA Act, Act 13 of 2000, (i) in the 2012-13 financial year and (ii) during the period 1 April to 30 June 2013 and (b) how do the payments compare with licence revenue payments in the (i) 2009-10, (ii) 2010-11 and (iii) 2011-12 financial years;
- (2) whether the National Treasury has established a monitoring mechanism to ensure that all licence fees are duly collected by ICASA and transferred into the National Revenue Fund within 30 days of receipt thereof; if not, why not; if so, what are the relevant details;
- (3) whether the National Treasury has established a team to investigate the extent of the undercollection of licence and spectrum fees by Icasa annually; if so, what were the findings in terms of annual financial losses to the fiscus; if not, why not;
- (4) whether the National Treasury has intervened in any other way to reverse the undercollection of licence and spectrum fees by Icasa; if not, why not; if so, what are the relevant details;
- (5) whether he intends to put any (a) incentives and (b) punitive measures in place to improve the collection rate; if not, why not, in each case; if so, what are the relevant details in each case?

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REPLY:

- (1) The amounts collected and paid for license fees are as follows: R744.3 million in 2009/10; R530.2 million in 2010/11; R897.5 million in 2011/12, and R941.3 in 2012/13. R388m has been collected during the first quarter of 2013/14.
- (2) In terms of Section 38(1)(c) and (f) of the PFMA the Accounting Officer of ICASA is responsible to collect all money due to the constitutional institution and must settle all contractual obligations and pay all money owing, including intergovernmental claims, within the prescribed and agreed period. In addition, Section 39(2)(b) requires the Accounting Officer to report to the Executive Authority and the National Treasury any impending under collection of revenue.

In addition to communication received from ICASA, National Treasury monitors the payments into the National Revenue Fund and reviews the Annual Report and Financial Statements of ICASA and hence is aware of the outstanding liabilities.

- (3) No, the National Treasury has not established any such team. Under-collection of licence and spectrum fees, and other outstanding liabilities, are subject to the internal and external audit processes of ICASA. The draft 2012/13 financial statements indicate receivables of approximately R713 million.
- (4) In the case of the Department of Defence, which has a substantial unresolved invoice for outstanding licence and spectrum fee obligations, the relevant Treasury officials are in discussion both with ICASA and the department concerned.
- (5) If necessary, following discussion with ICASA and departments or entities affected, further steps will be taken in terms of the Public Finance Management Act to ensure that all monies due to the National Revenue Fund are timeously collected. However, the Treasury is confident that unresolved matters will be dealt with through consultation between ICASA and affected parties.