

Department's appeal bid may delay digital migration

The migration to digital broadcasting from analogue signal has suffered another major setback after yesterday's decision by the Department of Communications to appeal against last month's court decision in favour of e.tv.



Last year the broadcaster challenged Minister of Communications Dina Pule's decision to grant control of the encryption signal - also referred to as the conditional access system - on set-top boxes to state-owned signal distributor Sentech. The set-top boxes, which will be sponsored by the government, will be used to receive the digital signal. Controlling the encryption signal will among other things prevent the use of counterfeit boxes and ensure all boxes meet the required standards.

The South Gauteng High Court last month ruled that Pule overstepped her authority by appointing Sentech manage the set-top box conditional access system. Pule's decision to appoint Sentech was found to be unlawful. e.tv argued that the conditional access system should be managed by e.tv, the SABC and other broadcasters.

"The decision (to appeal) was taken after considering the implications of the judgment on other broadcasters, particularly potential broadcasters, in line with the Broadcasting Digital Migration Policy," said the minister's spokesman Siyabulela Qoza. The government will subsidise about 5-million set-top boxes for more than R2bn.

Qoza said the department was consulting with broadcasters and the Independent Communications Authority of SA on the role of each party in the implementation of conditional access according to the court judgment.

No formal notification

e.tv said it had not received any formal notification from the ministry. The appeal would be "unfortunate", it said, and only cause further delays in a commercial launch of digital terrestrial television. However, e.tv said it would "defend its rights to ensure that free-to-air broadcasters are responsible for the set-top box control system for free-to-air digital terrestrial television".

The move to appeal against the ruling could result in the country missing the deadline to switch off the analogue broadcasting signal by June 2015. If it misses the deadline, the signal will not be protected by the International Telecommunications Union against interference from other sources.

Marian Shinn, the Democratic Alliance's shadow minister of communications, said should the appeal take a year or so to settle it would take many more months before the successful set top box manufacturers were chosen and were able to start planning for production.

It would then take another six to nine months before the set-top boxes were ready for retail.

"This means that the majority of South Africans are unlikely to have STBs (set-top boxes) to enable them to watch high-quality digital television before the country is obliged to switch off its analogue broadcasting signals," Shinn said.

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Source: *Business Day* via I-Net Bridge

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