

MM(ICTPR) Overview of Elective Choices 2010

During the second year of your studies you are required to choose **ONE** elective course from amongst the following list.

Please note that the delivery of elective courses is subject to several factors. Your first choice of course can therefore not be guaranteed.

- Not every elective course runs every year.
- The scheduling of courses is dependent on numbers - courses with five or fewer registrations will not be run.
- We have no control over courses run outside P&DM.

The following summary of available electives is provided to assist you in determining your preferences. Please ask if you need more information.

Courses that ran in 2009 were: PADM7004, PADM5081, PADM5082.

PADM7004: Broadcasting Policy & Regulatory Trends (to be offered in 2011)

The syllabus, as approved by the Wits Faculty Board, is as follows:

- Broadcasting history and evolution – global, Africa, SADC, South Africa;
- Broadcast policy/regulatory values & objectives – the public interest/public sphere, democracy, development, pluralism/diversity, freedom of expression, identity-building, nation-building, economic growth;
- National broadcasting sector models – PSB (public service broadcasting), commercial, mixed PSB/commercial, community broadcasters, state broadcasters;
- International technical & market trends – convergence, digitisation, content repurposing, interactive applications, satellite, internet, cable, DTT & mobile delivery, ecommerce, content imports and exports, broadcasting finance (advertising, tax, subscription, licence fees), commercialisation, PSBs' entry into non-broadcast ICT markets;
- African technical & market trends – wireless digital delivery (satellite/DTT/mobile), Internet, continental content, foreign content, commercialisation, increased private sector involvement
- International policy/regulatory trends – ITU, WTO, UNESCO Declaration on Cultural Diversity, WSIS/WGIG, EU (Television Without Frontiers Directive and liberalization package), secondary rights, regulating Internet-based content & interactive video-on demand, public service obligations (PSOs)
- African policy/regulatory trends – state v. PSB, commercial v. PSB, community broadcasting, PSOs, access, language, local content, distance education;
- Digital migration: policy, regulation and current status – international & Africa.

PADM7003 Content Regulation in the Information Age

One of the effects of the digital revolution is that content regulation impacts dramatically on communications policy. The course studies the complex interplay of content and communications regulation.

The successful learner will:

- Be able to recognise the mutual interplay of content regulation network architecture and telecommunication policy;
- Assess the impact of security measure such as interception, monitoring and encryption, on telecommunications services;
- Understand the governance of the free flow of information. Censorship, defamation and other secondary liability creates challenges for telecommunications service providers;
- Demonstrate knowledge of the relationship between the telecommunications sector and other socio-economic sectors;
- Demonstrate an ability to articulate an understanding of the relationships of the various factors;
- Analyse, evaluate and conduct advanced research in the ICT sector on content control, telecommunications and network architecture;
- Demonstrate ability to source, collect, analyse, organise, evaluate and use information for an advanced study.

Content to be covered in the course

- Survey of intellectual property law and treaties impacting on public knowledge management, international intellectual property trends, the impact of digitisation on public knowledge management.
- Challenges and strategies in caring for cultural heritage
- Public knowledge policy and development.
- Alternative intellectual property licensing.
- Open licensing a strategic option for the public knowledge management.
- Creative Commons enterprises.

PADM5081: Telecommunications Market Analysis (Andrew Barendse)

This course examines various methodologies to assess the functioning and profitability of the telecommunications sector. It covers the evaluation of individual companies, the intra industry competitiveness, the industry attractiveness as well as the macroeconomic environment.

On completion of this course, participants will be able to:

- Assess the investment climate of a country;
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- Analyse the fundamental drivers of the telecommunications sector and assess its competitiveness compared to other sectors;
- Assess the macro-economic environment of a country;
- Analyse and interpret financial statements and assess the profitability and operational effectiveness of operators;

- Understand the theoretical framework of Game Theory and its application to the telecommunication sector (licence auction, retail pricing).

PADM5082 ICT Applications (Barry Dwolatsky)

This module focuses on the interface between ICT applications and telecommunications regulation. The module covers the following main areas:

- E-commerce and e-business;
- e-Government, e-health and e-learning and e-education;
- Access to information and the promotion of democracy;
- Privacy, security, encryption, digital signatures and data protection;
- Intellectual capital, labour markets, trade unions and human resource development;
- Intellectual property rights;
- Regulation of ICT content.

PADM5083 Telecommunications Policy Frameworks for the Digital Economy

This module focuses on the appropriate institutional frameworks and policy processes required to support the development of a digital knowledge economy. The module covers the following main areas:

- Comparative analysis of international frameworks to support e-commerce and e-government;
- Consumer protection;
- Convergence policy;
- Technology foresighting;
- Innovation and research and development;
- Enabling legislation: ECT and other Acts;
- Demand and supply in the digital economy.

PADM5084 Convergence and New Media in the Information Economy

Course content:

- Opportunity for informal discussion of the seminar & its contents with Prof. Melody
- Progress and Prospects for Information Societies
- The Many Dimensions of Technological Convergence
- Market, Services and Industry Convergence
- Convergence Policy and Regulation: The Common Issues
- Convergence Policy and Regulation: Case Study - UK
- Assessing the Future of Public Broadcasting in a Converged Communication Environment
- Critical Review of the South Africa Convergence Bill
- Preparing for the e-Economy
- The Content Sectors in the e-Economy
- Priorities for Convergence Legislation in South Africa

PADM5187 Monitoring and Evaluation (P&DM Course)

The Monitoring and Evaluation Course introduces course participants to key issues in Monitoring and Evaluation. The focus of this debate is on international and local theoretical frameworks with specific comparisons to African models and experience. Present operational initiatives in South Africa will be analysed. Classical and contemporary theoretical frameworks will form the basis of such analysis and research. The course has a practical focus and case study facilitation, assignments and examinations will be of an applied and practical nature.

The objectives of the course are to equip the candidate with the theoretical and practical knowledge and experience, skills and ethos to act as a professional in advising clients on the facilitation of evaluation exercises. For this purpose the structure of the course consists of 6 main dimensions:

- conceptual approaches to monitoring and evaluation,
- evaluation frameworks (research / analysis frameworks),
- monitoring and information management,
- evaluation processes and performance management systems,
- institutional arrangements for monitoring and evaluation,
- the future of monitoring and evaluation in Public and Development Management.

The course has a number of particular foci, such as the relationship between monitoring and evaluation, related fields such as policy and programme management.

Elective Courses - in the Faculty of Law

LAWS5033 Advanced Broadcasting Law

The peculiar policy and historical forces impacting on South African broadcast law form the basis for a study of the current regime. Students will be introduced to the players: the South African Broadcasting Corporation, the independent broadcasters and the government regulator. The formation of the Independent Broadcasting Authority (IBA) and the subsequent merger with the South African Telecommunications Regulatory Authority (SATRA) to create the Independent Communications Regulatory Authority of South Africa (ICASA) will be viewed in light of the constitutional requirement of an independent regulator. The course will also examine the convergence of broadcasting and telecommunications technology and the consequent problems of separate regulatory regimes. The IBS and Broadcasting Act set the regulatory framework for cross-media control, foreign ownership restrictions, restrictions in respect of advertising, content and election broadcasts. Relevant case law will further illuminate these issues.

LAWS5046 Cyberlaw

The rapid advent of the Information Society has created a plethora of legal problems. Convergence between the technologies of telecommunications, broadcasting and computers is straining current regulatory mechanisms. Despite the unpredictability of technical and economic developments in this area modern society is increasingly reliant on information technology. Many of the legal issues are dealt with in the Electronic Communications and Transactions Act 2002. The course examines the provisions of the Act in detail. The course also covers issues not dealt with by the Act; including civil jurisdiction and choice of law, liability for on-line delicts and risk management, and e-contracts.

The course promises to be very interesting, adding value for those who practice in this area, as well as those for whom information technology law is incidental.

Special requirements

Students electing this course must be familiar with the Internet and capable of conducting research on the World Wide Web. It is essential that students who take this course have daily access to the Internet (both WWW and e-mail). Lack of access will not be used to excuse poor performance or failure in this course. Most of the material which students require is available on-line, usually from a link from the course website. Updates and course information are posted on the course website which students should check at least twice a week.

LAWS5013 Intellectual Property Law

The concept of intellectual property law; aspects of the substantive and procedural South African law pertaining to patents, trade marks, copyright, designs, passing off.

LAWS5025 Media Law

A critical survey of the body of common law and statutory law regulating the print, electronic and audiovisual media in South Africa; the basis of this critical perspective is the extent to which constitutional rights and values constrain the way in which the media can be regulated.

This course covers topics such as:

- Defamation and prior restraints;
- Hate speech and the Equality Act;
- Censorship and hate speech;
- Freedom of religion;
- Controlling information on the Internet;
- The pornography debate;
- Open democracy;
- Administrative justice;
- The role of media regulators.

LAWS5031 Space and Satellite Law

The course covers the international law of outer space as well as the current domestic provisions and initiatives. The focus is on public and private international

law as it relates to the launching, orbit and use of satellites and associated technology. This course examines a number of space and satellite law issues including:

- international space law treaties;
- Customary international space law including the history and theory of space law; resolutions: recommendations, cases;
- International inter-governmental space organizations and their move to corporatisation;
- The position of commercial players; natural and juristic persons; joint ventures
- Regional organisations affecting South Africa;
- The role and functioning of the International Telecommunication Union;
- State regulation on space; a comparative approach;
- Satellite telecommunications;
- Satellite broadcasting;
- Satellite technologies.

LAWS5026 Telecommunications Law

The course aims to critically assess legal mechanisms and regulatory structures that operate in the sector. It aims to locate the statutory framework for the regulation of telecommunications and broadcasting within the context of the policy that informed the legislation, including the technological and economic forces that guided policy formulation. This includes an analysis of how policy-making impacts on law and requires a consideration of the intersection with other fields of law, such as competition law and international trade obligations. This will in turn necessitate comparisons with international and regional jurisdictions and regulatory bodies.

Although not often thought of as a socio-economic right, telecommunications is key to development. This course provides an overview and understanding of the telecommunications regulatory environment in South Africa. Topics: telecommunications as a human right (including universal service);

Development of Telecommunications Regulation in South Africa;

- Licensing under the Electronic Communications Act;
- Competition regulation under the ECA;
- International trade issues & telecommunications regulatory regimes in comparative context.