

PADM5077

Approaches to Regulation

A core course in the degree of
Master of Management
in the field of ICT Policy & Regulation

Convenor: Charley Lewis

17 – 20 May 2010

			Learning Information Networking Knowledge
			Wits University Graduate School of Public and Development Management

Content overview

This core course examines a range of theories, approaches and models for the regulation of the ICT sector. The course covers: approaches to regulation, principles of regulation, international impacts on regulation, instruments of regulation, content of regulations, licensing, monitoring and enforcement, as well as strategies for regulatory management.

2 Session Summary

TIME	TOPIC	LECTURER
Monday 17 May		
09:30 – 12:30	Governance, Regulation and the State	Charley Lewis
13:30 – 16:30	Rationales and Theories of Regulation	Charley Lewis
Tuesday 18 May		
09:30 – 12:30	International Impacts on Domestic Regulation	Mandla Msimang
13:30 – 16:30	Institutional Design and Structures of Regulation	Charley Lewis
Wednesday 19 May		
09:30 – 12:30	Regulatory Accountability & Administrative Procedures	Luci Abrahams
13:30 – 16:30	Regulatory Impact Assessment	Simon White
Thursday 20 May		
09:30 – 12:30	Enforcement, Standards & Self-regulation	Charley Lewis
13:30 – 15:00	Writing a Literature Review	Charley Lewis
15:30 – 16:30	Presentations / Review	Charley Lewis

3 Course Outcomes

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

- articulate and analyse the concepts and theories underpinning ICT sector regulation;
- identify, distinguish and critique approaches to regulation;
- analyse, evaluate and critique regulatory objectives;
- identify and critically analyse the key principles and procedures of regulation;
- analyse, evaluate, and apply different types of regulation;
- describe and apply key instruments of regulation;
- describe and assess regulatory management strategies.

4 Core Readings

The following books are highly recommended for the course. Neither, unfortunately, is available in electronic format:

- Baldwin, R & Cave, M (1999) *Understanding Regulation: Theory, Strategy, and Practice*, Oxford University Press, Oxford (available in Management Library - [HD 3616.G7 BAL](#))
- Jordana, J & Levi-Faur, D (2004) *The Politics of Regulation: Institutions and Regulatory Reforms for the Age of Governance*, Edward Elgar, Cheltenham (available in Management Library - [HD 3612 POL](#))

You may also wish to access and download the following:

- Mahan, A & Melody, W (2007) *Diversifying Participation in Network Development*, LIRNE.NET, Montevideo, available online at <http://www.regulateonline.org/content/view/1044/63/>
- Mahan, A & Melody, W (2005) *Stimulating Investment in Network Development: Roles for Regulators*, LIRNE.NET, technical University of Denmark, Lyngby, available online at <http://www.regulateonline.org/content/view/435/65/>

Further online resources are available at:

- Body of Knowledge on Infrastructure Regulation (includes a detailed glossary and an annotated bibliography) - <http://www.regulationbodyofknowledge.org>;
- World Dialogue on Regulation - <http://www.regulateonline.org>;
- ICT Regulation Toolkit - <http://www.ictregulationtoolkit.org/en/index.html>.

5 Required Readings

One or more required readings is provided for each session. You are expected to **complete those readings required for each session in advance**, as the lecturer will assume familiarity with their content.

A number of these are available electronically, either on the public Internet or as journal articles accessible to Wits students. Details of these readings will be e-mailed out to you well in advance of the course, in order both to facilitate a structured preparatory reading programme, and to familiarise you with the procedures and skills required for such electronic access. These readings are marked below (*[by e-mail]*), and will **not** form part of the printed course pack, in order to minimise wastage.

The remainder of the required readings are printed out and included in your course pack.

Teaching aids or additional material provided by lecturers and facilitators will be made available to you as soon as practicable, either in hard copy format handouts, or electronically via the Wits Ignite web site. Such materials should be added to your course file and included as part of your course resources.

6 Additional Resources

An electronic library of course notes and additional reference material relevant to this course is made available via the Wits Ignite web site at <http://ignite.wits.ac.za>. You will be given a logon ID and password to allow you to access this material, which is loaded under the folder 'PADM5077 Approaches to Regulation'. You are strongly encouraged to make extensive use of resources and features of this course web site.

You may also be required to contribute to online discussions or to complete assignments and other forms of assessment via this web site.

Note that much of the material on this web site is presented in Acrobat Reader format, which will require you to have Acrobat Reader installed on your computer.

7 Preparation Requirements

Your preparation work – mainly reading - should be done individually before you come on the course. Questions to guide your reading may be provided for this reason. Please note that there may be tasks to prepare for specific sessions. These will assist you to work through the conceptual and theoretical understandings in each of the readings and begin to apply these to cases and issues. Read through each session outline carefully to ensure that there are no mishaps.

We assume that for every 1 hour that you spend in the classroom, 30 in total, you will need to spend approximately 4 additional hours in preparation. This includes reading, writing assignments and examinations.

8 Syndicates and Group Learning

An interactive and intensive learning methodology is utilised, which involves a combination of lectures, case studies, group and individual projects. Given that many participants are active in shaping the telecommunications sector, the P&DM endorses the “syndicate method” of teaching, which requires that some of the learning will be done in groups. This approach is designed to enable course participants to contribute to the course, bringing in their own practical experience, knowledge and expertise together with those of their peers to create a rich learning environment.

Each participant will be assigned to a syndicate group. Syndicates and group work are a vital component of the learning process and attendance at all syndicate meetings is required and compulsory.

Syndicate meetings will be organised by the group members at a time and place suitable to them in accordance with the programme’s schedule. Although the P&DM will make syndicate meeting rooms available, these meetings need not be held on campus. Syndicate meetings and interactions may also take place virtually, through the course WebCT site and via the mailing lists which will be made available for this purpose.

Problems within syndicate groups are to be reported timeously to the Academic Convenor of this course, so that steps may be taken to resolve them. Syndicates will only be able to change their syndicate group composition under exceptional circumstances, and at the sole discretion of the Academic Convenor.

8 Course Assessment

There are several components to the assessment for this course, viz:

- individual assignment - 15%
- group assignment - 15%
- individual exam equivalent assignment - 70%

The individual assignment will take the form of a short submission on a topic assigned to you at the beginning of the course, which will be required to be uploaded via

<http://ignite.wits.ac.za>. The deadline for completion of the individual assignment is **7 June 2010**.

The group assignment, which is done in syndicate groups during the week, will be distributed at the beginning of the week, and takes the form of a short presentation to the class on an assigned topic. Its due date for completion is Thursday **20 July 2010**.

The individual exam-equivalent assignment will count 70% towards your final mark for the course. Your lecturers will discuss its requirements during the course of the week, and it will be distributed at the end of the course. It is due for submission by **Monday 5 July 2010**.

You will be required to submit the individual exam-equivalent assignment online via the SafeAssign feature of Ignite (<http://ignite.wits.ac.za>). Be aware that this feature performs a check on your assignment for plagiarism and copying.

9 Information on Content Sessions

1 Governance, Regulation and the State	
Presenter	Charley Lewis, LINK Centre
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • Locate sector regulation in the broader governance framework and national policy; • Understand the impact of globalisation, particularly democratisation and liberalisation, on systems of governance; • Understand the changing nature of the state and markets.
Content	<ul style="list-style-type: none"> • Changing nature of the state • Emergence of regulation • ICT sector reform and regulation • Regulatory stakeholders and roles
Core Readings	<ul style="list-style-type: none"> • Hirst, P (2000) 'Democracy and Governance', in Pierre, J (ed) (2000) <i>Debating Governance: Authority, Steering and Democracy</i>, Oxford University Press, Oxford, available online at http://fds.oup.com/www.oup.co.uk/pdf/0-19-829514-6.pdf [e-mail] • Jordana, J & Levi-Faur, D (2004) 'The politics of regulation in the age of governance', in Jordana, J & Levi-Faur, D (2004) <i>The Politics of Regulation: Institutions and Regulatory Reforms for the Age of Governance</i>, Edward Elgar, Cheltenham, available online at http://www.competition-regulation.org.uk/publications/crc_books/Politics%20of%20Regulation%20.pdf [e-mail] • Levy, B & Spiller, P (1996) 'A Framework for Resolving the Regulatory Problem', in Levy, B & Spiller, P (eds) (1996) <i>Regulations, Institutions, and Commitment: Comparative Studies of Telecommunications</i>, Cambridge University Press, Cambridge [e-mail - attachment] • Moran M (2002) 'Understanding the Regulatory State', <i>British Journal of Political Science</i>, Vol 32, No 2, pp 391-413, Cambridge University Press, April 2002 [e-mail] • Scott, C (2004) 'Regulation in the Age of Governance: The Rise of the Post- Regulatory State', in Jordana, J & Levi-Faur, D (2004) <i>The Politics of Regulation: Institutions and Regulatory Reforms for the Age of Governance</i>, Edward Elgar, Cheltenham [e-mail]

<p>Additional References</p>	<ul style="list-style-type: none"> • Bernstein, M (2007) 'Regulatory Economics and its discontents: some theoretical and historical observations', <i>info</i>, vol 9 nos 2/3, Emerald Group, Bingley • Evans, P (1995) 'Rethinking Embedded Autonomy', Chapter 10 in Evans, P (1995) <i>Embedded Autonomy: States and Industrial Transformation</i>, Princeton University Press, Princeton • Galperin, H (2004) 'Beyond Interests, Ideas and Technology: An Institutional Approach to Communication and Information Policy', <i>The Information Society</i>, Vol 20 No 3, Taylor & Francis, London • Jessop, B (1995) 'The Regulation Approach, Governance, and Post-Fordism: Alternative Perspectives on Economic and Political Change?', <i>Economy and Society</i>, Vol 24 No 3, pp 307 – 333, Routledge, London • Khan, M (2005) 'Markets, States and Democracy: Patron-Client Networks and the Case for Democracy in Developing Countries', <i>Democratization</i>, Vol 12 No 5, pp 704 – 724, Routledge, London • Lodge, M (2008) 'Regulation, the Regulatory State and European Politics', <i>West European Politics</i>, Vol 31 No 1, pp 280 – 301 • Mahan, A & Melody, W (eds) (2005) <i>Stimulating Investment in Network Development: Roles for Regulators</i>, Report on the World Dialogue on Regulation, World Dialogue on Regulation, Lyngby, available online at http://www.regulateonline.org/content/view/435/31/ • McCubbins M, Noll R, and Weingast B, (1989) Structure and Process, Politics and Policy: and the Political Control of Agencies', <i>Virginia Law Review</i>, Vol 75, No. 2, March 1989 • Majone, G (1994) 'The rise of the regulatory state in Europe', <i>West European Politics</i>, Volume 17, Issue 3, pp 77 – 101, July 1994 • Melody, W (1997) 'Policy Objectives and Models of Regulation', in Melody, W (ed) <i>Telecom Reform: Principles, Policies and Regulatory Practices</i>, Den Private Ingeniørfond, Technical University of Denmark, Lyngby, available online at http://lirne.net/2003/resources/tr/chapter02.pdf • Melody W (2004) 'The Next Generation Internet and its Governance: Foundation for a New Communication Economy', <i>Southern African Journal of Information and Communication</i>, Issue No 4, University of the Witwatersrand, Johannesburg • Peltzman, S, Levine, M & Noll, R (1989) 'The Economic Theory of Regulation after a Decade of Deregulation', <i>Brookings Papers on Economic Activity: Microeconomics</i>, pp 1 – 59, Brookings Institution Press, Washington DC • Posner, R (1974) 'Theories of Economic Regulation', <i>The Bell Journal of Economics and Management Science</i>, Vol 5, No 2 (pp 335 – 358), Autumn 1974
<p>Activity</p>	<p>Apply the readings above to the South African situation, prepare yourself to lead a discussion either on either:</p> <ul style="list-style-type: none"> • Is the nature of the state in post-colonial and developing countries incompatible with sector reform notions of independent regulation and is this a problem? <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Can a case be made for the need for specific state sector relations from a policy perspective?

About your Lecturer


Charley Lewis is a senior lecturer, researcher and consultant at the LINK Centre of the School of Public and Development Management at the University of the Witwatersrand. His areas of interest include: ICT sector policy and regulation; universal service and access; consumer protection regulation, the Internet, labour, work and ICT; and business process outsourcing. He has lectured and presented widely, on a number of ICT policy, regulation and development issues. He has undertaken research in a number of areas, including the Internet, call centres, e-learning and universal access and service. He holds the degree of Master of Commerce in the Management of Information Systems from the University of the Witwatersrand.



2 Rationales and Theories of Regulation	
Presenter	Charley Lewis, LINK Centre
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • Critically analyse the rationales for regulation of the ICT sector; • Discuss a range of approaches to ICT regulation; • Describe and analyse the factors underpinning regulatory effectiveness; • Articulate and analyse the justification for economic regulation in ICT markets; • Assess the rationale and instruments of social regulation of the ICT sector.
Content	<ul style="list-style-type: none"> • ICT sector reform and regulation • Rationales for regulation • Overview of regulatory approaches & structures • Principles of regulation: independence, transparency, accountability, funding
Core Readings	<ul style="list-style-type: none"> • Baldwin, R & Cave, M (1999) 'Why Regulate?', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford [e-mail - attachment] • Baldwin, R & Cave, M (1999) 'Explaining the Origins and Development of Regulation', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford [e-mail - attachment] • InfoDev (2006) 'Module 6: Legal and Institutional Framework', ICT Regulation Toolkit, InfoDev, Washington DC & International Telecommunication Union, Geneva, available online at http://icttoolkit.infodev.org/Mod6ExecSummary [e-mail] • Laffont, J (2005) 'Overview of regulatory issues' in Laffont, J (2005) <i>Regulation and Development</i>, Cambridge University Press, Cambridge [e-mail - attachment] • Noll, R (1986) 'The political and institutional context of communication policy' in Snow, M (ed) (1986) <i>Marketplace for telecommunications: regulation and deregulation in industrialised democracies</i>, Longman, New York [e-mail - attachment]
Additional References	<ul style="list-style-type: none"> • Ogus, A (2003) 'W(h)ither the economic theory of regulation? What economic theory of regulation?', conference paper, The Barcelona Workshop 29-30 November 2003, Universitat Pompeu Fabra, Barcelona, available online at http://regulation.upf.edu/reg-network/papers/ogus.htm • Geradin, D & McCahery, J (2003) 'Regulatory Competition and Co-opetition, conference paper, The Barcelona Workshop 29-30 November 2003, Universitat Pompeu Fabra, Barcelona, available online at http://regulation.upf.edu/reg-network/papers/coop2.pdf • Intven, H, Oliver, J & Sepúlveda, E (2000) 'Overview of Telecommunications Regulation', in <i>Telecommunications Regulation Handbook</i>, Intven, H (ed), World Bank, Washington DC, http://www.infodev.org/projects/314regulationhandbook/module1.pdf • Monasso T & Van Leijden, F (2007) 'Telecommunication Regulation as a game: deepening theoretical understanding', MPRA Working Paper no 7625, Munich University Library, Munich, available online at http://mpra.ub.uni-muenchen.de/7625/1/MPRA_paper_7625.pdf

About your Lecturer	See above.
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3 International Impacts on Domestic Regulation	
Presenter	Mandla Msimang, Pygma Consulting
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • understand the architecture of the WTO and the multilateral trading framework • understand the WTO main instruments and particularly with regard to services • grasp the main principles and tenets underlying the GATT and the GATS • critically apply SA's WTO commitments in the sphere of telecoms to the reality of SA's telecom framework • appreciate how domestic regulatory instruments can be used as barriers to trade in service.
Content	<ul style="list-style-type: none"> • International trade • Trade in services • Domestic regulatory tools • Regulatory transparency and credibility
Core Readings	<ul style="list-style-type: none"> • Cohen, T (2001) 'Domestic Policy and South Africa's Commitments under the WTO's Basic Telecommunications Agreement: Explaining the Apparent Inertia', <i>Journal of International Economic Law</i>, Vol 4 No 4, Oxford University Press, available online at http://jiel.oxfordjournals.org/cgi/reprint/4/4/725 • Drahos, P & Joseph, R (1995) 'Telecommunications and investment in the great supranational regulatory game', <i>Telecommunications Policy</i>, Vol 19, Issue 8, Elsevier Science, Amsterdam [e-mail] • Djiofack-Zebaze, C & Keck, A (2008) 'Telecommunications Services in Africa: The Impact of WTO Commitments and Unilateral Reform on Sector Performance and Economic Growth', <i>World Development</i>, Vol 37, No 5, pp 919–940 [e-mail] • WTO (2006) 'An Introduction to the GATS', World Trade Organisation, Geneva, available online at www.wto.org/english/tratop_e/serv_e/gsintr_e.doc [e-mail] • WTO (nd) 'The General Agreement on Trade in Services (GATS): objectives, coverage and disciplines', World Trade Organisation, Geneva, available online at http://www.wto.int/english/tratop_e/serv_e/gatsqa_e.htm [e-mail]

<p>Additional References</p>	<ul style="list-style-type: none"> • Blouin, C (2000) 'The WTO Agreement on Basic Telecommunications: A Re-evaluation', <i>Telecommunications Policy</i>, no 24 • Bronckers, M & Larouche, P (1997) 'Telecommunications Services and the World Trade Organization', <i>Journal of World Trade</i> vol 31 no 5 • Drake, W Noam, E (1998) 'Assessing the WTO Agreement on Basic Telecommunications', in Hufbauer, G & Wada, E (eds) <i>Unfinished Business: Telecommunications After the Uruguay Round</i>, Institute for International Economics, Washington DC, 1998 • Fredebeul-Krein, M & Freytag, A (1999) 'The Case For a More Binding WTO Agreement on Regulatory Principles in Telecommunications Markets' <i>Telecommunications Policy</i> no 23 • Janisch, H (1998) 'International Influences on Communications Policy in Canada', in Orr, D & Wilson, T (eds) <i>The Electronic Village, Policy Issues of the Information Economy</i>, C D Howe Institute, Toronto, 1998 • Mukerji, A (2000) 'Developing Countries and the WTO', <i>Journal of World Trade</i> no 34 • Sherman, L (1998) "'Wildly Enthusiastic' About the First Multilateral Agreement on Trade in Telecommunications Services", <i>Federal Communications Law Journal</i> no 51 • Trebilcock, M & Howse, R (2000) <i>The Regulation of International Trade</i>, 2nd ed, Routledge, London • Tuthill, L (1996) 'Users' Rights? The Multilateral Rules on Access to Telecommunication', <i>Telecommunications Policy</i> no 20
<p>About your Lecturer</p>	<p>Mandla who holds a BA from Cornell University (Ithaca, New York) and an MSc in Regulation (Utilities) from London School of Economics, has 12 years of experience in the ICT industry having worked at different times for the regulator, an operator and as an independent consultant. Mandla started her career in the telecommunications sector as an Advisor to Council at the South African Telecommunications Regulatory Authority (SATRA, now Independent Communications Authority of South Africa) and later, (2001) became a Senior Manager at ICASA responsible for competition policy, research and economic & financial analysis in 2001. Her work at ICASA involved managing the Policy Analysis and Development Division which dealt with competition issues and economic and financial analysis in the telecommunications sector. Her areas of focus are licensing, convergence and universal access and service. Mandla joined Cell C (Pty) Ltd in 2004 as Senior Manager: Regulatory Affairs, and left in Q1 2007 to start Pygma Consulting.</p> 

4 Institutional Design and Structures of Regulation	
Presenter	Charley Lewis, LINK Centre
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • Analyse the appropriateness and scope of differing regulatory models; • Discuss the composition and effectiveness of differing regulatory structures; • Analyse the impact of the sector reform process on institutional configuration; • Analyse the components and value of regulatory independence; • Recommend appropriate institutional design for effective regulation.
Content	<ul style="list-style-type: none"> • Regulatory institutions and structures • Organisational configuration and regulatory competencies • Sector specific regulation • Competition regulation • Multisector regulation • Convergence regulation • Institutional models • Regulatory independence
Core Readings	<ul style="list-style-type: none"> • Baldwin, R & Cave, M (1999) 'How to Regulate: Strategies', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford • Baldwin, R & Cave, M (1999) 'Who Regulates? Institutions and Structures', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford [e-mail - attachment] • Tenbücken, M & Schneider, V (2004) 'Divergent convergence: structures and functions of national regulatory authorities in the telecommunications sector', in Jordana, J & Levi-Faur, D (2004) <i>The Politics of Regulation: Institutions and Regulatory Reforms for the Age of Governance</i>, Edward Elgar, Cheltenham • Laffont, J (2003), 'Design of Regulatory Institutions in Developing Countries', in Laffont, J (2003), <i>Regulation and Development</i>, Cambridge University Press, Cambridge [e-mail - attachment]

<p>Additional References</p>	<ul style="list-style-type: none"> • Bruce, R & Marriott, A (2002) 'Discussion Paper on the Use of Alternative Dispute Resolution Techniques in the Telecom Sector', International Telecommunication Union, Geneva • Henten, A, Samarajiva, R & Melody, W (2002) 'The Next Step Telecom Regulation: ICT Convergence Regulation or Multisector Utility Regulation', World Dialogue on Regulation for Network Economies, Centre for Information and Communication Technologies, Technical University of Denmark, Lyngby • Intven, H, Oliver, J & Sepúlveda, E (2000) 'Overview of Telecommunications Regulation', in <i>Telecommunications Regulation Handbook</i>, Intven, H (ed), World Bank, Washington DC, http://www.infodev.org/projects/314regulationhandbook/module1.pdf • Kiessling, T & Blondeel, Y (nd) 'The EU Regulatory Framework in Telecommunications: A Critical Analysis', <i>Telecommunications Policy</i>, available online at https://dspace.mit.edu/retrieve/799/kiessling_paper.pdf • Makhaya, G (2002) 'The Determinants of Regulatory Effectiveness in Liberalised Markets: Developing Country Experiences', TIPS Working Paper No 4, Trade and Industrial Policy Strategies Pretoria, available online at http://www.tips.afrihost.com/research/papers/pdfs/490.pdf • Min, W (2000) 'Telecommunications Regulations: Institutional Structures and Responsibilities', Working Paper no 237, Organisation for Economic Co-operation and Development, Washington DC, available online at http://www.oalis.oecd.org/oalis/1999doc.nsf/c16431e1b3f24c0ac12569fa005d1d99/c125685f0037ebabc12568ea003b7ec7/\$FILE/00078042.PDF • Samarajiva, R (1997) 'Telecom Regulation in the Information Age', in Melody, W (ed) <i>Telecom Reform: Principles, Policies and Regulatory Practices</i>, Den Private Ingeniørfond, Technical University of Denmark, Lyngby, 1997, available online at http://lirne.net/2003/resources/tr/chapter28.pdf • Smith, W (1997) 'Utility Regulators - The Independence Debate', Public Policy for the Private Sector Note No 127, World Bank, Washington, available online at http://rru.worldbank.org/documents/PublicPolicyJournal/127smith.pdf • Spyrelli, C (2004) 'Regulating The Regulators? An Assessment of Institutional Structures and Procedural Rules of National Regulatory Authorities', <i>International Journal of Communications Law and Policy</i>, Issue 8, Winter 2003/2004, available online at http://www.ijclp.net/files/ijclp_web-doc_1-8-2004.pdf
<p>Activity</p>	
<p>About your Lecturer</p>	<p>See above...</p>

5 Regulatory Accountability & Administrative Procedures	
Presenter	Luci Abrahams, LINK Centre
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • Articulate and analyse the principles and procedures of regulatory accountability and transparency; • Describe and critique the effectiveness of instruments, mechanisms and institutional structures to ensure regulatory accountability; • Analyse options for the acquiring of regulatory legitimacy; • Analyse the evolution and accountability of the regulatory regime and its structures in South Africa.
Content	<ul style="list-style-type: none"> • Principles and procedures of accountability and transparency • Instruments and mechanisms of accountability • Accountability and Institutional structures • Evolution of regulatory structures in South Africa • Challenges of regulatory management • Regulatory legitimacy
Core Readings	<ul style="list-style-type: none"> • Baldwin, R & Cave, M (1999) 'Accountability', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford [e-mail - attachment] • Lodge, M (2003) 'Accountability and Transparency in Regulation: Critiques, Doctrines and Instruments', conference paper, The Barcelona Workshop 29-30 November 2003, Universitat Pompeu Fabra, Barcelona, available online at http://regulation.upf.edu/reg-network/papers/lodge2.pdf [e-mail] • Mc Cubbins M, Noll R, and Weingast B, (1989) 'Structure and Process, Politics and Policy', <i>Virginia Law Review</i>, vol 75, no 2, March 1989, Virginia Law Review Association, Charlottesville VA • Moyo, D & Hlongwane, S (2009) 'Regulatory independence and the public interest: the case of South Africa's ICASA', <i>Journal of African Media Studies</i>, Vol 1 Number 2 • Samarajiva, R (2001) 'Regulating in an imperfect world: building independence through legitimacy,' <i>info</i>, Vol 3 Issue 5

<p>Additional References</p>	<ul style="list-style-type: none"> • Gillwald, A (2005) 'Stimulating Investment in Network Extension: The Case of South Africa', in Mahan, A & Melody, W (eds) (2005) Stimulating Investment in Network Development: Roles for Regulators, Report on the World Dialogue on Regulation, World Dialogue on Regulation, Lyngby, available online at http://www.regulateonline.org/content/view/435/31/ • Jamison, M (2004) 'Survival Guide for the Independent Regulator', Public Utility Research Center, University of Florida, Gainesville, available online at http://bear.cba.ufl.edu/centers/purc/international/documents/SurvivalGuidefortheIndependentRegulator.pdf • Jamison, M (2005) 'Leadership and the Independent Regulator', Public Utility Research Center, University of Florida, Gainesville, available online at http://www.cambridge-leadership.com/images/leadership-and-the-independent-regulator.pdf • Melody, W (2005) 'Regulation and Network Investment: A Framework for Analysis', in Mahan, A & Melody, W (eds) (2005) Stimulating Investment in Network Development: Roles for Regulators, Report on the World Dialogue on Regulation, World Dialogue on Regulation, Lyngby, available online at http://www.regulateonline.org/content/view/435/31/ • Spyrelli, C (2004) 'Regulating The Regulators? An Assessment of Institutional Structures and Procedural Rules of National Regulatory Authorities', <i>International Journal of Communications Law and Policy</i>, Issue 8, Winter 2003/2004, available online at http://www.ijclp.net/files/ijclp_web-doc_1-8-2004.pdf
<p>About your Lecturer</p>	<p>Luci is a senior lecturer at Wits and Director of the LINK Centre. She was instrumental in the establishment of the ICT4D programme, precursor of the LINK Centre, in 1996. She serves as member of the National Advisory Council on Innovation (NACI), the advisory body to the Minister of Arts, Culture, Science and Technology on innovation matters. She was a Director of the Development Bank of Southern Africa from 1996 – 2005, the State Information Technology Agency (SITA) from 2002 – 2005, the National Research Foundation (NRF) from 2005 – 2008 and Advisor to the Premier of Gauteng from 2006 – 2008. She currently serves on the Council on Higher Education.</p> 

6 Regulatory Impact Assessment	
Presenter	Dr Simon White, LINK Centre & Southern African IDEAS
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • Articulate the concepts underpinning regulatory impact assessment • Discuss the theory and practice of regulatory impact assessment (RIA) • Apply regulatory impact assessment tools in the formulation of ICT sector policy and regulation
Content	<ul style="list-style-type: none"> ▪ Introduction to Regulatory Impact Assessment ▪ Role of RIA in policy and regulation ▪ RIA principles and methodology ▪ Application of RIA to the ICT sector
Core Readings	<ul style="list-style-type: none"> ▪ Radaelli, C & de Francesco, F (forthcoming) 'Regulatory impact assessment', Chapter 15 in Cave, M, Baldwin, R & Lodge, M (forthcoming) <i>The Oxford handbook of regulation</i>, Oxford University Press, Oxford ▪ OECD (2008) 'Measuring regulatory quality', <i>Policy Brief</i>, April 2008, Organisation for Economic Cooperation and Development, Paris, available online at http://www.oecd.org/dataoecd/38/13/40395187.pdf [e-mail] ▪ Kirkpatrick, C & Parker, D (2004) 'Regulatory impact assessment and regulatory governance in developing countries', <i>Public Administration and Development</i>, No 24, pp 333-344 [e-mail]
Additional References	<ul style="list-style-type: none"> ▪ Cordova-Novion, C (2007) 'Evaluating the impact of regulations and regulatory policies on the private sector', Jacobs & Associates, Washington DC, available online at http://www.regulatoryreform.com/pdfs/Evaluating%20Regulatory%20Impacts%20Cordova%202007.pdf ▪ OECD (2008) <i>Introductory Handbook for Undertaking Regulatory Impact Analysis</i>, Organisation for Economic Cooperation and Development, Paris, available online at http://www.oecd.org/dataoecd/48/14/44789472.pdf ▪ Sutherland, E (2010) 'The European Union approach to better regulation: impact assessment', Social Science Research Network, available online at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1557702 ▪ Knight-John, M (2006) <i>Regulatory Impact Assessment: A Tool for Improved Regulatory Governance in Sri Lanka?</i>, CRC Annual Conference 2005, Centre on Regulation and Competition, University of Manchester, Manchester, available online at http://www.competition-regulation.org.uk/conferences/mcr05/knightjohn.pdf
Activity	<ul style="list-style-type: none"> •

**About your
Lecturer**

Dr Simon White is a specialist in strategy, policy and programme development. He has worked with senior levels of government, international development and donor agencies, business membership organizations, consulting and research firms, and non-governmental organizations. With expertise in private sector development, business environment reform, job creation, and regional and local economic development, he is skilled in working within a wide range of professional disciplines.



He is the Managing Director of the consulting firm, Southern African IDEAS (Initiatives for the Development of Enterprising Action and Strategies) Pty. Ltd., based in Johannesburg.

He is also a Visiting Adjunct Professor at the Graduate School of Public Development Management, University of the Witwatersrand, Johannesburg, South Africa where he provides academic advice and supervision to students undertaking a 50 percent research-based Masters of Management in ICT Policy and Regulation at the Graduate School of Public Development Management, consulting and research firms, and non-governmental organizations.

7 Enforcement, Standards & Self-regulation	
Presenter	Charley Lewis, LINK Centre
Outcomes	<p>Participants will be able to:</p> <ul style="list-style-type: none"> • Debate and evaluate strategies for the enforcement of regulation in the ICT sector; • Assess and compare the implications of differing approaches to regulatory enforcement.
Content	<ul style="list-style-type: none"> • Enforcement of regulation • Styles of regulatory enforcement • Information asymmetry • Standards setting • Self-regulation • Incentives, sanctions and penalties
Core Readings	<ul style="list-style-type: none"> • Baldwin, R & Cave, M (1999) 'Enforcing Regulation', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford • Baldwin, R & Cave, M (1999) 'Setting Standards', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford • Baldwin, R & Cave, M (1999) 'Self-Regulation', in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford • Baldwin, R & Cave, M (1999) 'Regulating Risks' in Baldwin, R & Cave, M (1999) <i>Understanding Regulation: Theory, Strategy, and Practice</i>, Oxford University Press, Oxford • Laffont, J (2003) 'Enforcement, Regulation and Development', in Laffont, J (2003) <i>Regulation and Development</i>, Cambridge University Press, Cambridge
Additional References	<ul style="list-style-type: none"> • Intven, H, Oliver, J & Sepúlveda, E (2000) 'Licensing Telecommunications Services', in <i>Telecommunications Regulation Handbook</i>, Intven, H (ed), World Bank, Washington DC, http://www.infodev.org/projects/314regulationhandbook/module2.pdf
About your Lecturer	See above.

8 Writing a Literature Review	
Presenter	Charley Lewis, LINK Centre
Outcomes	Participants will be able to: <ul style="list-style-type: none"> • Write a review of core academic literature on a selected topic in the appropriate format.
Content	<ul style="list-style-type: none"> • Requirements of a literature review • Literature review: guidelines and principles
Core Readings	<ul style="list-style-type: none"> • Emerald (nd) 'How to... write a literature review', Emerald Group Publishing Limited, Bingley, available online at http://info.emeraldinsight.com/authors/guides/literature.htm?PHPSESSID=75lqbnue1bmjdg0n70qcsi1r12& • Ferfolja, T & Burnett, L (2002) 'Getting Started on Your Literature Review: A General Guide for Postgraduate Research Students', The Learning Centre, University of New South Wales, Sydney, available online at http://www.lc.unsw.edu.au/onlib/litrev.html • UNC (nd) 'Literature Reviews', The Writing Center, University of North Carolina, Chapel Hill, available online at http://www.unc.edu/depts/wcweb/handouts/literature_review.html • Obenzinger. H (2005) 'What can a literature review do for me? How to research, write, and survive a literature review', Stanford University, available online at http://ual.stanford.edu/pdf/uar_literaturereviewhandout.pdf
About your Lecturer	See above.