



## Report of the Adjudicator

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| Complaint number               | <b>#61194</b>                              |
| Cited WASPA members            | <b>Telestream Communications (Pty) Ltd</b> |
| Notifiable WASPA members       | <b>N/A</b>                                 |
| Source of the complaint        | <b>WASPA</b>                               |
| Complaint short description    | <b>Failure to comply with a sanction</b>   |
| Date complaint lodged          | <b>2025-04-14</b>                          |
| Date of alleged breach         | <b>2025-03-27</b>                          |
| Applicable version of the Code | <b>17.9</b>                                |
| Clauses of the Code cited      | <b>24.40</b>                               |
| Related complaints considered  | <b>30748, 41661</b>                        |
| Fines imposed                  | <b>R 15 000-00, possible suspension</b>    |
| Other sanctions                | <b>N/A</b>                                 |
| Is this report notable?        | <b>Not notable</b>                         |
| Summary of notability          | <b>N/A</b>                                 |

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## **Initial complaint**

A formal complaint was logged by WASPA against the Member for failure to comply with the sanction of complaint 60732.

The formal complaint was sent to the Member on 2025-03-28

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## **Member's response**

By 2025-04-14 no response was received from the Member

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## **Complainant's response**

N/A

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## **Member's further response**

N/A

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## **Sections of the Code considered**

24.40. If no appeal is lodged, or if the adjudicator has specified certain sanctions as not being suspended pending an appeal, the failure of any member to comply with any sanction imposed upon it will itself amount to a breach of the Code and may result in further sanctions being imposed. WASPA itself may initiate a further complaint against a member for non-compliance with any sanctions.

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## **Decision**

In reaching a decision the Adjudicator relies on all the information provided by both the Complainant and Member in this matter.

The Member failed to provide any response and the Adjudicator finds the Member in breach of section 24.40 of the WASPA Code of Conduct.

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## Sanctions

In determining appropriate sanctions against the Member, the following factors have been taken into consideration:

- any previous successful complaints made against the Member in the past three years;
- any previous successful complaints of a similar nature;
- the nature and severity of the breach; and
- any efforts made by the Member to resolve the matter.

A fine of R 15 000-00 is levied against the Member for its breach of section 24.40, to be paid within seven days to WASPA after having received notice hereof.

The Member is further instructed to comply with the sanction levied in Adjudication 60732 within seven days to WASPA after having received notice hereof.

**Failure to comply with any of the sanctions above will lead to the Member being suspended until date of compliance with the issued sanctions. The “suspension” is a reference to the suspension of the Member’s WASPA membership and the MNOs should be notified accordingly.**

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## Matters referred back to WASPA

None

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