



Rm	2018	2017
24. Commitments		
24.1 Capital commitments¹		
Capital expenditure contracted for but not yet incurred	2 692	2 361
Capital commitments for property, plant and equipment and computer software will be financed through internal cash generation and bank funding.		
Note:		
1. The Group entered into a facilities leasing, services and roaming agreements with Wireless Business Solutions (Pty) Limited which will result in R1 225 million (2017: R1 740 million) future capital expenditure for the Group. The majority of this expenditure is non-current. Capital commitments do not include the aforementioned.		
24.2 Operating lease commitments		
Future minimum lease payments under non-cancellable operating leases comprise:		
Within one year	1 764	1 992
Between one and five years	6 587	7 031
After five years	3 180	3 975
	11 531	12 998

Operating leases include leases of certain transmission and data lines, offices, distribution outlets, sites, buildings, office equipment and motor vehicles. The remaining lease terms vary between six months and 15 years (2017: three months and 15 years) with escalation clauses that vary from an annual fixed escalation rate between 7.0% and 12.0% (2017: 7.0% and 10.0%) per annum or an annual variable consumer price index rate. Various options to renew exist.

The total of future minimum sublease payments expected to be received under non-cancellable subleases is R1 898 million (2017: R1 533 million).

24.3 Other commitments

Other commitments include commitments for purchases of handsets; other goods and services; and activation commissions.

As at 31 March 2018, purchase commitments amount to R28 658 million (2017: R11 089 million) of which R8 557 million (2017: R6 704 million) relate to payments due within 12 months. The increase relates mainly to the commitment with regards to the roaming agreement with Rain. The net commitment including committed revenue amounts to R2 143 million (Committed cost of R17 174 million and committed revenue of R15 032 million).

25. Contingent liabilities and legal proceedings

25.1 Unresolved tax matters

The Group is regularly subject to an evaluation by tax authorities of its direct and indirect tax filings. The consequence of such reviews is that disputes can arise with tax authorities over the interpretation or application of certain tax rules applicable to the Group's business. These disputes may not necessarily be resolved in a manner that is favourable to the Group. Additionally, the resolution of the disputes could result in an obligation to the Group. The Group has made sufficient provision for any losses arising from tax exposures that are more likely to occur than not.

The Group has discussions with relevant tax authorities on specific matters regarding the application and interpretation of tax legislation affecting the Group and the industry in which it operates. All reliable assessments of tax exposure identified have been quantified and accounted for as appropriate.

The Group has considered all matters in dispute with tax authorities and has accounted for any exposure identified, if required.

25.2 Various legal contingencies

The Group is currently involved in various legal proceedings and has, in consultation with its legal counsel, assessed the outcome of these proceedings. Following this assessment, the Group's management has determined, after assessing recoverability, that adequate provision has been made in respect of these legal proceedings as at 31 March 2018.

Notes to the consolidated annual financial statements continued

25. Contingent liabilities and legal proceedings continued

25.3 G.H. Investments (GHI) and Vodacom Congo (RDC) SA (Vodacom Congo)

Vodacom Congo contracted GHI to install ultra-low cost base stations on a revenue share basis. Shortly after rolling out the first sites GHI sought to renegotiate the contractual terms, which Vodacom Congo declined. GHI then accused Vodacom Congo of infringing its intellectual property rights and demanded payment of compensation in the sum of US\$1.16 billion, later revised down to US\$200 million. In July 2016, Vodacom Congo filed a request for arbitration with the International Chamber of Commerce's International Court of Arbitration (ICC). GHI failed to pay its share of the arbitration fees to the ICC, resulting in the matter being struck out from the ICC roll.

25.4 Mr Puati vs Vodacom Congo

A patent infringement claim was filed in July 2016 against Vodacom Congo. The plaintiff was asking the Commercial Court of Kinshasa/Gombe, inter alia, to prohibit Vodacom Congo from providing the M-Pesa service and to order Vodacom Congo to pay damages in excess of US\$200 million for losses resulting from the alleged patent infringement. On 22 November 2017, the Commercial Court issued a judgment in favour of Vodacom Congo, barring the action and claim that Plaintiff had initiated against Vodacom Congo.

25.5 Kenneth Makate vs Vodacom (Pty) Limited

Negotiations in accordance with the Constitutional Court order to determine a reasonable compensation for Mr Makate for a business idea that led to a product known as 'Please Call Me' have deadlocked and the matter has been referred to the Group's Chief Executive Officer to determine reasonable compensation in accordance with the Constitutional Court order.

25.6 Guarantees

The Group issued various guarantees, relating to external financial obligations of its subsidiaries, which amounted to R116 million (2017: R119 million).

Foreign denominated guarantees amounting to R889 million (2017: R1 005 million) are in issue in support of Vodacom Congo (RDC) SA relating to liabilities included in the consolidated statement of financial position.

Vodacom (Pty) Limited provides a guarantee for borrowings entered into by Vodacom Group Limited. At 31 March 2018, and in prior years, none of the borrowings under guarantee were utilised.

26. Post-employment benefits

The Group operates a number of pension plans for the benefit of all its employees throughout the Group, which vary depending on the conditions and practices in the countries concerned. The Group's pension plans are provided through defined contribution schemes. Defined contribution schemes offer employees individual funds that are converted into benefits at the time of retirement. Current contributions to the defined contribution schemes amounted to R296 million (2017: R280 million). South African funds are governed in terms of the Pension Funds Act of 1956. The assets in the funds are held in separate accounts and funds are raised through payments from employees and the Group.

27. Events after the reporting period

27.1 Dividend declared after the reporting period and not recognised as a liability

A final dividend of R7 316 million (425 cents per ordinary share) was declared for the year ended 31 March 2018, payable on Monday 25 June 2018 to shareholders recorded in the register at the close of business on Friday 22 June 2018. The net dividend after taking into account dividend withholding tax for those shareholders not exempt from dividend withholding tax is 340.00000 cents per share.