



# Government Gazette

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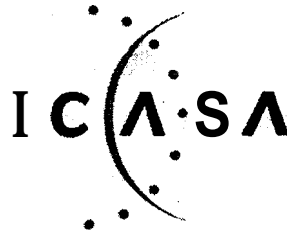
**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

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## GENERAL NOTICE

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### NOTICE 454 OF 2005



Independent Communications Authority of South Africa  
Pinmill Farm, 164 Katherine Street: Sandton  
Private Bag X10002, Sandton, 2146

### AMENDMENT OF BROADCASTING LICENCE: ELECTRONIC MEDIA NETWORK LIMITED

The Independent Communications Authority of South Africa ("the Authority") here by gives notice, in terms of section 52(5)(a) of the Independent Broadcasting Authority Act, Act No 153 of 1993 ("the Act") that it has decided to amend the subscription television service licence of Electronic Media Network Limited ("M-Net") in terms of section 52(1)(d) of the Act. The proposed amendments to M-Net's licence are as set out in Schedule A to this notice.

The Authority proposes that the proposed amendments to M-Net's licence take effect 18 months from the date of this notice.

Interested persons are hereby invited to make written representations on the proposals to the Authority within twenty-one (21) days of the date of the publication of this notice in the Government Gazette. Any interested person who makes written representations on the proposals to the Authority must, at the time of lodgment, furnish proof to the satisfaction of the Authority that a copy of the representation concerned has been delivered or sent by registered post or by facsimile to Mr Glen Marques, **CEO**, M-Net, at 137 Hendrik Verwoerd Drive, Randburg 2194 or PO Box 2963, Pinegowrie, 2132 or facsimile (011) 686-6316.

Any interested person who makes written representations on the proposals to the Authority must, at the time of doing so, furnish proof to the Authority's satisfaction that he or she has delivered a copy of such representations to **M-Net** by hand, or sent a copy of such a representation to M-Net by registered mail or facsimile. Interested persons who make such written representations to the Authority must simultaneously indicate whether they require an opportunity to make oral representations to the Authority on the proposals. All written representations must be directed to Mrs Lydia de Souza, Senior Manager: Licensing, Monitoring and Complaints: ICASA, Block D, Pinmill Farm, 164 Katherine Street, Sandton 2146 or Private Bag X10002, Sandton, 2146 or on facsimile (011) 444-5960.

The hearings on the proposals will take place on 21 and 22 April 2005 between 09H00 and 17H00 and will be held in Block C, Pinmill Farm, 164 Katherine Street, Sandton 2146.

**MANDLA LANGA**  
**CHAIRPERSON**  
**ICASA**

ICASA  
164 Katherine Street  
Sandton 2146  
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**SCHEDULE A**

- [ 1 Words in bold type in square brackets indicate omissions from the existing licence conditions.
- \_\_\_\_\_ Words underlined with a solid line indicate insertions in the existing licence conditions.

## Clause 1.9

["Open Window" means the period between **17h00** and **19h00** each day during which time the broadcast signal on the M-Net Channel is unencoded;]

## Clause 5.1

[Subject to paragraph 6.1, the] The licensee may televise its programmes in encoded form only, for reception by persons who subscribe to its service.

## Clause 6

**[6. THE OPEN WINDOW**

6.1 The licensee may broadcast an unencoded signal on ~~is~~ **M-Net** Channel only during the period **17h00** to **19h00** each day.

6.2 During the broadcasting of the unencoded signal on ~~is~~ **M-Net** Channel, the licensee must comply with the **following** programming requirements:

6.2.1 Generally, the Open Window must reflect at least three genres of the programming broadcast during encoded time. Compliance with this condition will be measured annually.

**6.2.2** The licensee must ensure that a weekly average **of 35% of** ~~is~~ programming consists **of** South African television content. Compliance with this condition will be measured annually.

**6.2.3** The licensee must ensure that a weekly average **of 20% of** ~~its~~ programming consists **of** South African drama. Compliance with this condition will be measured annually.]

**Clause 14.3**

[~~The~~ licensee must use no'more than an average **of** eight minutes per hour of the Open Window for the televising **of** advertisements subject to the provisions of **14.4**. This average will be measured over a year.]

**Clause 14.4**

[Advertising must not exceed a maximum **of** twelve minutes in any one hour during the Open Window.]

**Clause 20.1**

**The** licensee must submit to the Authority, ~~on~~ a quarterly basis, records of South African content, including South African Drama, broadcast [in both the Open Window and encoded time] during the previous quarter.

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