



Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 485 Pretoria 10 November 2005 **No. 28224**



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GENERAL NOTICE

NOTICE 1221 OF 2005



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

ICASA SOUTH AFRICAN MUSIC CONTENT REGULATIONS, 2002

The Independent Communications Authority of South Africa ("the Authority") hereby gives notice of its intention to amend the ICASA South African Music Content Regulations, 2002 for public comment.

These Regulations came into effect on 22 August 2003 and the proposed amendments reflect the policy intentions outlined in the Position Paper on Subscription Broadcasting published on 1 June 2005.

The Authority hereby invites interested parties to comment on the proposed amendments by **16h00** on 09 **December** 2005. Submissions will be public documents and must be provided to the Authority in both electronic and hard copy formats. Electronic copies will facilitate the posting of the submissions on the Authority's website (<http://www.icasa.org.za>). Representations should be confined to technical amendments.

Representations should be sent to:

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P Mashile, (Chairperson), N Bulbulia, T Cohen, ZR Masiza, M Mohlala, L Mtimde, M Zokwe (Councillors)
JB Manche (Chief Executive Officer)

General Explanatory Note:

[] Words in bold type in square brackets indicate omissions from existing regulations.
_____ Words underlined with a solid line indicate insertions in existing regulations.

1. Definitions

It is proposed that Regulations 1.1 to 1.7 be renumbered Regulations 1.2 to 1.8 to reflect the insertion of a definition of bouquet. Regulation 1.1 should read as follows:

1.1 “Bouquet” means a collection of video and/ or audio channels marketed as a single package, often transmitted in a single data stream, or a thematic environment where channels are devoted to a specific programming genre;

3. Imposition of Sound Broadcasting Licence Conditions Regarding South African Music

It is proposed that the current Regulation 3.4 be renumbered Regulation 3.5 and that it should further be amended by the deletion of **[sub regulations (1,2 and 3)]** and the insertion of the words regulations 3.1,3.2,3.3 and 3.4..if. Regulation 3.5 should be inserted and read as follows:

3.4 Subscription Sound Broadcasting Licence

It is proposed that a new Regulation 3.4 be inserted under the heading Subscription Sound Broadcastina Licence. The new Regulation 3.4 should read as follows

Every holder of a subscription sound broadcastina licence to which these regulations apply must ensure that after eiahteen months of these reaulations comina into effect, a minimum of 10% of the sound channels on their bouauets are of South African origin.

3.5 Exemption

The Authority may, upon written application and good cause shown by the holder of a sound broadcasting licence, vary any condition imposed by regulations 3.1, 3.2, 3.3 and 3.4, if it is satisfied that the variation is consistent with the objects of the IBA Act, 1993 and the Broadcasting Act, 1999, and any regulations made thereunder.
