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## GENERAL NOTICE

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### NOTICE 177 OF 2015



#### ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

#### APPLICATION FOR AMENDMENT OF INDIVIDUAL COMMERCIAL FREE TO AIR SOUND BROADCASTING SERVICE LICENCE BY CENTRAL MEDIA GROUP (PTY) LTD

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received an application from Central Media Group (Pty) Ltd ("OFM"), for an amendment of its Individual Commercial Free to Air Sound Broadcasting Service Licence lodged in terms of regulation 9 of the Processes and Procedures Regulations for Individual Licences read with section 10 of the Electronic Communications Act, No 36 of 2005 ("EC Act"), as amended. In terms of section 10(2) read with section 9(2)(a) of the EC Act, the Authority is required to give notice of the application in the *Gazette* and invite interested person to submit written representations in relation to the application.
2. The amendment application seeks approval from the Authority to amend certain clauses of OFM's Individual Commercial Free to Air Sound Broadcasting Service Licence as follows:
  - 2.1 Clause 6.4 reads as follows: "*The Licensee shall broadcast an average of at least thirty-five (35) minutes of news per day including half hourly bulletins during peak hours*" OFM seeks the approval of the Authority to amend clause 6.4 to read as follows: "*The Licensee shall broadcast an average of at least thirty-five (35) minutes of news per week day, reducing*

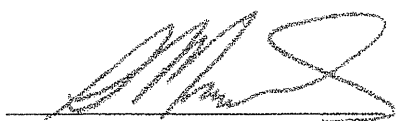
*to an average of 20 minutes over weekends, including half hourly bulletins during peak hours on week days."*

- 2.2 Clause 9.2 reads as follows: *"The Licensee shall ensure that at least thirty percent (30%) of its total full time staff complement is black."* OFM seeks the approval of the Authority to amend clause 9.2 to read as follows: *"The Licensee shall ensure that at least 30% of staff dedicated to the licensed business of the Licensee are black."*
- 2.3 Clause 1.3 reads as follows: *"Ownership held by persons from historically disadvantaged groups: Kagiso Media -24.9% and Africa Media Entertainment - 24.9%"*
- 2.4 Clause 8.2 reads as follows: *"The Licensee shall maintain ownership and control of the station by persons from historically disadvantaged groups at a minimum of fifty percent (50%)".*
- 2.5 OFM seeks the approval of the Authority to delete clause 1.3 and substitute Clause 8.2 with the following: *"The Licensee shall maintain ownership and control of the station by persons from historically disadvantaged groups at 30% or such other level as may be acceptable to the Authority, pending the determination by the Authority of a general applicable ownership quota in relation to all broadcasting licences in accordance with section 9(2)(b) of the applicable law."*
- 2.6 Clause 7 reads as follows: *"The Licensee shall donate any redundant equipment to community sound broadcasting services in its coverage area when it upgrades its studio equipment."* OFM seeks the approval of the Authority to amend clause 7 by replacing the obligation to donate redundant equipment to read as follows: *"The Licensee shall provide no fewer than 100 hours of training "on the job" for staff members at all such community radio stations in its coverage areas as may apply for such training, per annum. A programme of training on both technology and operations shall be developed by the Licensee and provided to the Authority, along with confirmation of the number of attendees, the name of*

*the community radio station where they were employed, and the number of training hours completed by the Licensee, at least once a year."*

3. The application, relevant schedule and any representations received pursuant thereto would be made available and be open for inspection by interested parties in the Authority's library during the Authority's normal office hours, as well as on the Authority's website: [www.icasa.org.za](http://www.icasa.org.za)
4. Interested parties are invited to lodge written representations in relation to the application within twenty one (21) working days of the date of publication of this notice in the *Government Gazette*. Persons who lodge representations must also indicate whether they wish to make oral submissions should the Authority decide to hold a public hearing in respect of the application.
5. All written representations, responses and other correspondence in terms hereof must be directed to Ms Refiloe Motsoeneng at Broadcasting Services: Licensing Division, at Block D, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg **OR** Private Bag X10002 Sandton, 2146 **OR** by fax no. (011) 566 3214 **OR** by e-mail: [rmotsoeneng@icasa.org.za](mailto:rmotsoeneng@icasa.org.za)
6. Persons who lodge representations in terms hereof, shall at the time of lodgement furnish proof to the satisfaction to the Authority that a copy of the representation has been delivered by hand to Mr Gary Stroebe at 1<sup>st</sup> Floor, MTN Building, Cnr Nelson Mandela Dr and 2<sup>nd</sup> Ave, Bloemfontein **OR** by registered post to PO Box 7177, Bloemfontein, 9300, **OR** by telefax to (051) 505 0905 **OR** email: [gary@ofm.co.za](mailto:gary@ofm.co.za)

7. OFM shall be entitled to respond in writing to written representations made by interested persons on the amendment application, and such written response must be lodged with the Authority within forty two (42) working days of the date of publication of this notice in the *Government Gazette*. OFM must, at the time of lodging such written response, furnish proof to the Authority's satisfaction that it has delivered a copy of such response by hand, **OR** has sent a copy of such response by registered mail **OR** by facsimile **OR** by email to the relevant person having made such written representations.



**DR STEPHEN MNCUBE**  
**CHAIRPERSON**

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