

## GENERAL NOTICE

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### NOTICE 690 OF 2015



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

#### APPLICATION FOR AMENDMENT OF AN INDIVIDUAL COMMERCIAL SOUND BROADCASTING SERVICE LICENCE BY CLASSIC FM SOUTH AFRICA (PTY) LTD

1. The Independent Communications Authority of South Africa (“the Authority”) hereby gives notice that it has received an application from Classic FM South Africa (Pty) Ltd (“Classic102.7 (Pty) Ltd”), for an amendment of its Individual Commercial Sound Broadcasting Service Licence lodged in terms of regulation 9 of the Processes and Procedures Regulations for Individual Licences and Special Temporary Authorisations of 2010 read with section 10 of the Electronic Communications Act, No 36 of 2005 (“EC Act”). 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 persons to submit written representations in relation to the application.
  
2. The amendment application seeks the approval from the Authority to amend the certain clauses of Classic FM’s Individual Commercial Sound Broadcasting Service Licence which are as follows:
  - 2.1 Clause 6.1 read as follows: *“The Licensee shall continue to develop the ‘singing schools’ project as an outreach project to contribute towards the Licensee’s South African music quota”*. Classic FM South Africa (Pty) Ltd seeks the approval of the Authority to amend Clause 6.1 to read as follows: *“The Licensee shall develop local music and contribute towards the Licensee’s South African music quota by hosting soirees at least quarterly. This shall be accompanied by an on air promotion of the artists concerned”*.

- 2.2 Clause 6.2 read as follows: *“The Licensee shall offer free on-air advertising for concerts, workshops and free live on-air interviews to music organisations whose music aligns with its format”*. Classic FM South Africa (Pty) Ltd seeks the approval of the Authority to amend Clause 6.2 to read as follows: *“The Licensee shall continue to be involved in the development of local music by offering a minimum of (one million rand) (R1 000 000.00) per annum in free-on-air advertising or on-air advertising at a reduced cost, allocated at its discretion for concerts, workshops, free live on-air interviews, the promotion of soirees and development of new artists whose music aligns with its format”*.
- 2.3 Clause 6.3 read as follows: *“The Licensee shall contribute R50 000 (fifty thousand rand) per annum to help the Johannesburg Philharmonic Orchestra’s Symphony Seasons”*.
- 2.4 Clause 6.4 read as follows: *“The Licensee shall contribute R195 000 (one hundred and ninety five thousand rand) to help new artists to record and release new local recordings”*. Classic FM South Africa (Pty) Ltd seeks the approval of the Authority for Clause 6.3 and Clause 6.4 to be deleted entirely and be covered by an ongoing and increased obligation in the proposed commitments provided for in Clause 6.2.
- 2.5 Clause 9.3 read as follows: *“The Licensee shall assist in producing three (3) local content music CD’s annually”*. Classic FM South Africa (Pty) Ltd seeks the approval of the Authority for Clause 9.3 to be deleted and the proposed amendments of Clause 6.2 will cover the local content obligations.
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.
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 Bongiwe Shabane at Broadcasting Service Licensing Unit, Licensing Division, at Block A, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg **OR** Private Bag X10002 Sandton, 2146 **OR** by fax no. (011) 566 3482 **OR** by e-mail: [bshabane@icasa.org.za](mailto:bshabane@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 Dominic Ntsele at 6<sup>th</sup> Floor, Jorissen Place, 66 Jorissen Street, Braamfontein, Johannesburg, 2001 **OR** sent by registered post to PO Box 782, Auckland Park, 2006, **OR** by telefax to (011) 403 5451 **OR** email: [dominic@classicfm.co.za](mailto:dominic@classicfm.co.za).
7. Classic FM South Africa (Pty) Ltd 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*. Classic FM South Africa (Pty) Ltd 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**