

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

## INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

## NOTICE 830 OF 2017

**ELECTRONIC COMMUNICATIONS ACT, 2005 AS AMENDED (ACT NO. 36 OF 2005)****APPLICATION FOR AMENDMENT OF AN INDIVIDUAL COMMERCIAL SOUND BROADCASTING SERVICE LICENCE BY RISE BROADCAST (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received an application from Rise Broadcast (Pty) Ltd ("Rise FM"), for the 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 as amended read together with section 10 of the Electronic Communications Act No. 36 of 2005 as amended ("the 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. Rise FM seeks approval from the Authority to amend its Individual Commercial Sound Broadcasting Service Licence as follows:
  - 2.1 To delete clauses 7.2, 7.3, 8.1 and 8.2 in their entirety.
    - 2.1.1 Clause 7.2 reads as follows: "The Licensee has entered into a management consultancy agreement with AME, in terms of which AME will operate and manage the radio station for the first period of the licence. The consultancy agreement entails the provision of services such as finances, technical, sales, marketing, programming, production, news and human resources. AME is also required to transfer skills and conduct training and development projects to equip the local residents who will eventually attend to the running of the station."

- 2.1.2 Clause 7.3 reads as follows: "AME will, in consultation with M-Power's board, nominate the managing and financial directors of M-Power, who will be trained to assume and discharge their responsibilities."
- 2.1.3 Clause 8.1 reads as follows: "The Licensee must ensure that it has majority black shareholding and remains black-controlled."
- 2.1.4 Clause 8.2 reads as follows: "No shareholder of AME will have more than a 20% stake in M-Power."
- 2.2 Rise FM seeks approval of the Authority to amend clause 8.4 of its licence to read as follows: "Directors of the Licensee shall retain control and responsibility for the running of the station."
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 fourteen (14) working days from 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 hand delivered to Resemate William Maswangani, Licensing Division, Block A, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg **OR** mail it to: Private Bag X 10002 Sandton, 2146 **OR** sent it by fax to: (011) 566 3208 **OR** sent it by e-mail to: [Rmaswangani@icasa.org.za](mailto:Rmaswangani@icasa.org.za).
6. Persons who lodge representations in terms hereof, shall at the time of lodgement furnish proof to the satisfaction of the Authority that a copy of the representation has been hand delivered to Mr Tony Murrel, Shop 38, The Grove Shopping Centre, Cnr R40 and George Street, Riverside Park, Nelspruit, 1201 **OR** sent by registered post to: PO Box 361, Nelspruit, 1200 **OR** email to: [tony@risefm.co.za](mailto:tony@risefm.co.za).

7. Rise FM shall be entitled to respond in writing to written representations made by interested persons on the amendment application, and such written responses must be lodged with the Authority within twenty one (21) working days from the date of publication of this notice in the *Government Gazette*. Rise FM must, at the time of lodging such written responses, 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.

A handwritten signature in black ink, appearing to read 'Paris Mashile', written over a horizontal line.

**PARIS MASHILE**

**ACTING CHAIRPERSON**