

ICASA

Appendix A

Independent Communications Authority of South Africa
10001 The Square, 10001 The Square, Johannesburg
Private Bag 1200, Sandton 2008

INDIVIDUAL BROADCASTING SERVICE LICENCE

NO 006/COMMERCIAL/R/SEPT/08

GRANTED AND ISSUED

TO

PRIMEDIA (PTY) LTD

94.7 HIGHVELD STEREO

FOR THE PROVISION OF

A COMMERCIAL SOUND BROADCASTING SERVICE

SIGNED FOR AND ON BEHALF OF THE INDEPENDENT COMMUNICATIONS
AUTHORITY OF SOUTH AFRICA

AT SANDTON ON THIS 13th DAY OF DECEMBER 2008


Paris Mashile
Chairperson

1. LICENSEE

The License is issued to:

- 1.1 Name of Company/Entity: Primedia (Pty) Ltd
- 1.2 Shareholders: Mine Workers Investment Company (32%)
Kirsch Consortium (27.9%)
Primedia Management (20.1%)
Braai SA - Entities (20%)
- 1.3 Ownership held by persons from historically disadvantaged groups: 38.6%

2. CONTACT DETAILS

- 2.1 The contact person for the Licensee shall be:
 - 2.1.1 Name: Khabiso Mochaba
 - 2.1.2 Tel: 011 506 3472 / 011 506 3380
 - 2.1.3 Fax: 086 680 1181
 - 2.1.4 Cell: 082 325 8436
 - 2.1.5 Email: Khabiso@primedia.co.za
- 2.2 Should the Licensee propose to replace the person so designated, the Licensee shall notify the Authority in writing within seven (7) days after appointing the new designated person.

3. NOTICES AND ADDRESSES

The Licensee chooses the following addresses as its principal addresses:

- 3.1 Postal Address: P.O. Box 5572
Rivonia
2128
- 3.2 Physical Address: Primedia Place
5 Gwen Lane
Sandown
Sandton
2196

SCHEDULE

1. **Name of station**
94.7 Highveld Stereo.
2. **Geographic Coverage Area**
Southern Gauteng, as defined in the coverage map attached to the Licensee's radio frequency spectrum licence
3. **Broadcast Language**
Principal language: English.
4. **Format**
The Licensee shall have a programming format of talk and music in an adult contemporary format, providing a mix of music and information (including coverage of community affairs).
5. **Local Content Obligations**
The Licensee shall promote at least eight (8) local music concerts per annum and allocate airtime for the broadcasting thereof.
6. **General Programming Obligations**
 - 6.1 The Licensee shall broadcast a minimum of thirty (30) minutes of news per day between 05h00 and 23h00 during weekdays.
 - 6.2 The source(s) of all news material (other than news sourced from the Licensee) shall be disclosed during the news broadcast.
7. **Training and Skills Development**
The Licensee shall, over its licence period, allocate R350 000,00 (three hundred and fifty thousand Rand) per annum to training and development, particularly of staff from historically disadvantaged groups.
8. **Community-related Obligations**
 - 8.1 The Licensee shall:

8.1.1. raise at least R 250 000.00 (two hundred and fifty thousand Rand) in cash and goods annually, and

8.1.2 provide airtime worth R250 000.00 (two hundred and fifty thousand Rand) annually towards supporting community organisations such as those benefiting:

a) people infected or affected by HIV & Aids;

(b) the terminally ill and/or the elderly;

(c) schools;

(d) women;

(e) children; and/or

(f) animals welfare.

8.2 The Licensee shall train staff from community sound broadcasting services within its geographic coverage area in the areas of programme presenting and production, news, sales, marketing and sound engineering through mentoring and on-the-job training that is, having such staff "shadow" 34.7 Highveld Stereo presenters, producers, news reporters, sales representatives, marketing staff and sound engineers while at work.

9. Control Obligations

Directors of the Licensee shall retain control and responsibility for the running of the station notwithstanding the provisions of any management consultancy services engaged by the Licensee.

2. SPECIFIC LICENCE CONDITIONS

APPROVED

2.1 Shareholding and Ownership by historically disadvantaged groups

2.1.1 It is important to note that subsequent to ICASA issuing the licence to Primedia in December 2008, there were some changes in Primedia's shareholding. The changes were duly notified to ICASA.

2.1.2 The most recent notification to ICASA on Primedia's shareholding was on 30 June 2009 in a letter addressed to the General Manager – Licensing Unit and the shareholding remains as was notified which is as follows:

Mineworkers Investment	49.1%
Company (Pty) Ltd	

Kirst Consortium	25.1%
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Brail Entities	19.8%
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Titan	3%
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Sabvest, together with	1.0%
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BPESAM 1 Ltd and

BPESAM II Limited

KV & GR Direct	2%
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2.1.3 MIO is 100% owned by Mineworkers Investment Trust whose beneficiaries are all Black and are from the mining, construction and sectors. Thus, historically disadvantaged groups hold 49.1%. This shareholding is once again as was notified to ICASA on 30 June 2009.

Primedia submits that, from the information reported on above regarding shareholding and ownership by historically disadvantaged employees Primedia is in compliance with the relevant licence conditions

"ANNEXURE 1"

MONITORING AND COMPLAINTS UNIT

COMMERCIAL RADIO GENERAL PROGRAMME LOG

BROADCASTER: 94.7 HIGHVELD STEREO

FORMAT: ADULT

CONTEMPORARY

LANGUAGE(S): ENGLISH

MONTH: DECEMBER 2009

PROGRAMMES BROADCAST		
TIME SLOT	NAME OF PROGRAMME	BRIEF DESCRIPTION OF PROG
04H00 – 06H00	RICCI REGNANI	MUSIC / ENTERTAINMENT SHOW
06H00 – 09H00	THE RUDE AWAKENING	MUSIC / ENTERTAINMENT SHOW
09H00 – 13H00	ALEX JAY	MUSIC / ENTERTAINMENT SHOW
13H00 – 16H00	PABI MOLOI	MUSIC / ENTERTAINMENT SHOW
16H00 – 19H00	REVIN JOHN	MUSIC / ENTERTAINMENT SHOW
19H00 – 22H00	RYAN SEACREST	MUSIC / ENTERTAINMENT SHOW
22H00 – 01H00	CAROL RALEFETA	MUSIC / ENTERTAINMENT SHOW
01H00 – 04H00	VARIOUS	MUSIC / ENTERTAINMENT SHOW

MUSIC			
DATE (START AND ENDING)	SA Music tracks #	Foreign Music tracks #	% SA Music
	212	874	22.58
	325	1017	22.56
	337	1152	21.28
	432	1261	23.63
	256	740	24.55

AVG JANUARY = 25.67%

NEWS				
CATEGOR	SOUTH AFRICAN (Minutes/18 hrs)	INTERNATIONAL (Minutes/18 hrs)	% SELF ORIGINATED	% FROM OTHER SOURCES
DAILY NEWS				

Total of news, including South African and non-South African, broadcast during the period 05:00 – 23:00

This refers to news items not originated by the broadcaster itself

Appendix D

January to March 2009 PSAs Airtime Value

For the quarter January to March 2009, the PSAs flighted on 94.7 Highveld Stereo were worth R867,175.00 of airtime.

The following PSAs amounting to total amount of R658,473.00 worth of airtime were aired on 94.7 Highveld Stereo in January 2009.

Think Bike	R 24,241.00
Salvation Army	R 102,002.00
Cancer Association of SA	R 99,588.00
Moment in Time	R 52,308.00
SPCA	R 27,028.00

<u>TOTAL</u>	<u>R 305,157.00</u>
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The following PSAs amounting to total amount of R 259,418.00 worth of airtime were aired on 94.7 Highveld Stereo in February 2009.

Cancer Association of SA	R 46,087.00
WWF	R 42,231.00
Little Eden	R 118,104.00
I Can Help Africa Foundation	R 48,996.00
Moment in Time	R 4,000.00

<u>TOTAL</u>	<u>R 259,418.00</u>
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The following PSAs amounting to total amount of R 93,688.00 worth of airtime were aired on 94.7 Highveld Stereo in March 2009

Rose Foundation	R 50,053.00
Moment in Time	R 43,635.00
<u>TOTAL</u>	<u>R 93,688.00</u>

April to June 2009 PSA's Airtime Value

For the quarter April to June 2009, the PSAs flighted on 94.7 Highveld Stereo were worth R887,175.00 of airtime.

The following PSAs amounting to total amount of R 124,724.00 worth of airtime were aired on 94.7 Highveld Stereo in April 2009.

Rose Foundation	R 51,840.00
Sasol Bird and Birding	R 29,478.00
MES	R 43,406.00
TOTAL	<u>R 124,724.00</u>

The following PSAs amounting to total amount of R 387,891.00 worth of airtime were aired on 94.7 Highveld Stereo in May 2009.

Refina SA	R 69,546.00
The Gateway Society	R 48,552.00
Active Learning and Leisure Liberty SA	R 80,656.00
Multiple Sclerosis	R 35,972.00
Key School / Autistic Children	R 77,769.00
Canse / Men's Health Breakfast	R 75,396.00
TOTAL	<u>R 387,891.00</u>

The following PSAs amounting to total amount of R 374,560.00 worth of airtime were aired on 94.7 Highveld Stereo in June 2009.

Rose Foundation	R 55,900.00
Refina SA	R 75,555.00
SA Guide Dogs	R 85,743.00
SANBS	R 77,784.00
SANCA	R 79,578.00
TOTAL	<u>R 374,560.00</u>

October to December 2009 PSAs Airtime Value

For the quarter October to December 2009, the PSAs flighted on 94.7 Highveld Stereo were worth R 1, 856,295.00 of airtime.

The following PSAs amounting to total amount of R 390,696.00 worth of airtime were aired on 94.7 Highveld Stereo in October 2009.

Rose Foundation	R 59,506.00
Wings and Wishes	R 17,441.00
Teddy Bear Clinic	R 21,683.00
SANES	R 82,920.00
Chris Burger	R 117,168.00
Epilepsy	R 91,975.00

TOTAL R 390,696.00

The following PSAs amounting to total amount of R 748,813.00 worth of airtime were aired on 94.7 Highveld Stereo in November 2009.

Nkosi's Haven	R 6,239.00
Toy Run	R 156,542.00
Nicarela	R 136,882.00
Salvation Army	R 67,584.00
Animal Anti Cruelty	R 39,219.00
Endeavour	R 232,808.00
Children's Disability	R 32,389.00
Imbizo Yethu	R 77,150.00
TOTAL	<u>R 748,813.00</u>

The following PSAs amounting to total amount of R 716,786.00 worth of airtime were aired on 94.7 Highveld Stereo in December 2009.

W/S Pediatric Centre	R 78,425.00
Nkosi Haven	R 73,392.00
Breast Cancer	R 86,044.00

WWF	R 123,003.00
Child Welfare	R 102,238.00
Think Bike	R 73,176.00
New Life for Girls	R 119,686.00
The Trust Foundation	R 60,822.00
TOTAL	<u>R 716,786.00</u>

ICASA LOCAL CONTENT

Broadcaster: 94.7 Highveld Stereo

Month: October 2009

Local Music Content in Performance Period:	23.42%	See ICASA Local Content Report:	01/10/2009-31/10/2009
Promoting tracks by new musicians:	0.00%	See ICASA Log Sheet:	October 2009
Interviews with South African Musicians:	4.40%	See ICASA Log Sheet:	October 2009
Total Local Content:	27.82%		

Month: November 2009

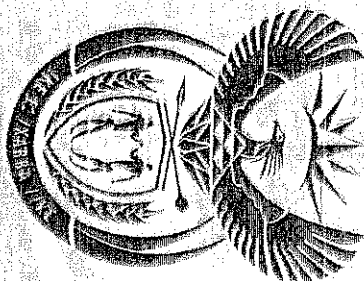
Local Music Content in Performance Period:	21.82%	See ICASA Local Content Report:	01/11/2009-30/11/2009
Promoting tracks by new musicians:	0.00%	See ICASA Log Sheet:	November 2009
Interviews with South African Musicians:	5.00%	See ICASA Log Sheet:	November 2009
Total Local Content:	26.82%		

Month: December 2009

Local Music Content in Performance Period:	22.79%	See ICASA Local Content Report:	01/12/2009-31/12/2009
Promoting tracks by new musicians:	0.00%	See ICASA Log Sheet:	December 2009
Interviews with South African Musicians:	5.20%	See ICASA Log Sheet:	December 2009
Total Local Content:	27.99%		

Appendix E

Appendix E



Vol. 487 Pretoria, 31 January 2006 No. 28453



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GENERAL NOTICE**Independent Communications Authority of South Africa****General Notice**

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GENERAL NOTICE

NOTICE 153 OF 2006



ICASA SOUTH AFRICAN MUSIC CONTENT REGULATIONS

The Independent Communications Authority of South Africa has under sections 53 (3), 53 (4) and 53 (5) read with section 78 (1) of the Independent Broadcasting Authority Act, 1993 (Act 153 of 1993), made the regulations in the Schedule.

SCHEDULE

1. Definitions

In these regulations any word to which a meaning has been assigned to it in the Independent Broadcasting Authority Act, 1993 (Act No. 153 of 1993) and the Broadcasting Act (Act No. 4 of 1999), shall have that meaning and, unless the context indicates otherwise-

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;

1.2 **"Documentary"** means a factual presentation or analysis of musicians or composers, whether past or present, with a normal minimum duration of five minutes;

1.3 **"Interview"** means conversation between a radio presenter and musician(s) or composer(s) used as a basis of a broadcast, with a normal minimum duration of five minutes;

1.4 **"New Musician"** means a musician whose debut album has been on the market for six months or less;

1.5 **"Performance Period"** means the period of 126 hours in one week measured between the hours 05h00 and 23h00 each day;

1.6 **"Sound Broadcasting Licence"** means a broadcasting licence granted and issued for the purpose of providing a sound broadcasting service;

1.7 "the Broadcasting Act" means the Broadcasting Act, 1999 (Act No.4 of 1999);

1.8 "the IBA Act" means the Independent Broadcasting Authority Act, 1993 (Act No.153 of 1993).

2. Application of these Regulations

These regulations shall apply to the holder of any category of sound broadcasting licence, which devotes 15% or more of its broadcasting time during the performance period to the broadcasting of music and shall be incorporated in the licence:

- 2.1 In the case of a licensee holding a valid licence at the date of commencement of these regulations.
- 2.2 In the case of a licence issued on or after the date of commencement of these regulations, from the date of commencement of broadcasting.

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

3.1 Public Sound Broadcasting Licensees

Every holder of a public sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 40% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period.

3.2 Commercial Sound Broadcasting Licensees

Every holder of a commercial sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 25% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period.

3.3 Community Sound Broadcasting Licensees

Every holder of a community sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 40% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period.

3.4 Subscription Sound Broadcasting Licensees

Every holder of a subscription sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 10% of their bouquets consist of channels made up of South African music content.

3.5 Public Broadcasting Commercial Services

The commercial services provided by the holder of a public sound broadcasting licence shall be subject to the same regulatory requirements as in these regulations for commercial sound broadcasting services and subscription sound broadcasting services.

3.6 Exemption

The Authority may, upon written application and good cause shown by the holder of a sound broadcasting licence, vary any condition imposed by 3.1, 3.2, 3.3, 3.4, and 3.5, 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.

4. Formulas (Format Factors)

4.1 The Music Points for 4.1 (a) are calculated using the following formula: Format Factor (unit) x Duration.

- (a) for every five minutes of coverage of live music = 2
- (b) for an interview with South African musician(s) or composer(s) with a normal minimum of five minutes = 2

Ten points are worth 1% towards the South African music content quota on a weekly basis.

4.2 The Music Points for 4.2(a) are calculated using the following formula): $\text{Format Factor (unit) x number of tracks:}$

(a) for promoting new musicians whose debut albums have been on the market for six months or less = 1

Ten points are worth 1% towards the South African music content quota on a weekly basis.

5. Records

5.1 The holder of a sound broadcasting licence shall keep and maintain logs, statistical forms and programme records to the satisfaction of the Authority containing:

- a) particulars of –
 - (i) the percentages of South African music broadcast in the performance period;
 - (ii) the time and duration of every such broadcast;
- b) such other particulars as may be required by the Authority.

5.2 The logs, statistical forms and records contemplated in sub-regulation (1) shall be preserved in original for a period of not less than 12 months after the date of last entry.

6. Review of Regulations

6.1 The Authority may, three years after these regulations have come into effect, hold an inquiry to review these regulations.

6.2 In reviewing the regulations the Authority shall determine the procedure to be followed during the inquiry.

6.3 The Authority shall consider submissions made by the licensee and any interested person on its capacity to fulfill the South African content quotas and may make such determination as it considers equitable in the circumstances.

7. Effective Date

These Regulations replace the ICASA South African Music Content Regulations of 2002 which came into effect on 22 August 2003. The effective date of these amended Regulations shall, therefore, be the date of publication in the Gazette.

8. Short Title

These regulations will be called the ICASA South African Music Content Regulations.

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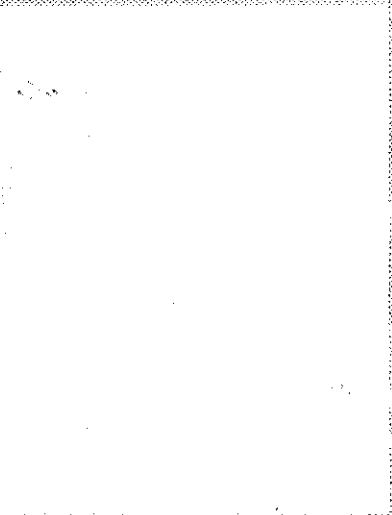
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Appendix F



Government Gazette


Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette No. 9309 Regulasiekoerant

Vol. 540 Pretoria, 14 June 2010 No. 33294

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Independent Communications Authority of South Africa

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STAATSKOERANT, 14 JUNE 2010

NO. 33294 3

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

No. R. 523

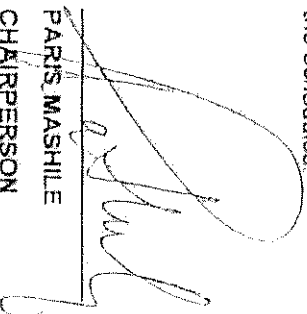
14 June 2010



Pinnell Farm, 161 Katherine Street, Sandton
Post Office Bag X1000, Sandton, 2046

ELECTRONIC COMMUNICATIONS ACT, 2005 (NO. 36 OF 2005): REGULATIONS
REGULATIONS REGARDING STANDARD TERMS AND CONDITIONS FOR
INDIVIDUAL LICENCES UNDER CHAPTER 3 OF THE ELECTRONIC
COMMUNICATIONS ACT, 2005 (NO. 36 OF 2005)

The Independent Communications Authority of South Africa, in terms of section 8 read with section 4 of the Electronic communications Act, 2005 (No. 36 of 2005) and 17E(2)(b) of the ICASA Act, 2000 (NO. 13 of 2000), hereby prescribes regulations in the schedules


PARIS MASHILE
CHAIRPERSON

ICASA

P Mashile (Chairperson), NA Bafy, TLV Makhethe, R Nkomo, BE Ntombela, FK Sibanda, Dr MM Sockwa,
WF Stucke, Prof JCM van Rooyen SC (Councillors), BK Motlana (CEO)

SCHEDULE 1

INDIVIDUAL BROADCASTING SERVICES LICENCES

1. Definitions

In these regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has the meaning so assigned:

"Act" means the Electronic Communications act, 2005 (No. 36 of 2005) as amended;

"BS" means a broadcasting service as defined in the Electronic Communications Act 2005 (Act No. 36 of 2005)

"Effective date" means the date on which the licence is issued;

"Licence" means the Individual Broadcasting Service Licence issued to the licensee in the form contained in Annexure A of these regulations;

"Licensee" means a person named in the licence and issued with a licence to provide services in terms of Chapter 3 of the Act;

"Public Service Announcement" means an announcement broadcast by a broadcasting service licensee aimed at imparting knowledge or information concerning a disaster or immediate grave danger to the public or in the interests of public welfare; and

"Schedule" means the schedule to the licence containing the specific terms and conditions which the Authority has imposed upon the licensee in terms of section 9(7) of the Act and the related legislation.

2. NOTIFICATION OF LICENSEE DETAILS AND INFORMATION

(1) A licensee must submit written notice to the Authority within seven (7) days of the occurrence of the following changes in its licensee:-

- (a) the name of the licensee;
- (b) contact details;
- (c) shareholding; and
- (d) notices and addresses.

(2) Any transfer of shares undertaken in terms of 2(1)(c) above must comply with all licence terms and conditions and the Act.

3. LICENCE AREA

The licence area is as specified in the Schedule.

4. DURATION OF THE LICENCE

The following licences are valid for the following periods from the effective date:

- (a) Public or commercial free to air television BS: fifteen (15) years;
- (b) Subscription BS: fifteen (15) years; and
- (c) Public or commercial free to air sound BS: ten (10) years.

5. COMMENCEMENT OF OPERATIONS

A licensee must commence operation of the BS specified in the licence within the following periods, unless the Authority grants, on good cause shown, an extended commencement period on written application, prior to the expiry of the period referred in sub-clause (a) and (b) and (c) below:

- (a) six (6) months from the effective date in respect of free to air sound BS;
- (b) twelve (12) months from the effective date in respect of free to air television BS; or
- (c) twelve (12) months from the effective date in respect of subscription BS.

6. HOURS OF OPERATIONS

- (1) A licensee must provide broadcast services for twenty four (24) hours per day unless the Authority has approved a shorter schedule of daily broadcast operations as specified in the Schedule.
- (2) Where a licensee cannot provide the licensed service due to circumstance beyond its control, for a continuous period of twelve (12) hours or longer, a licensee must notify the Authority in writing of such circumstances within twenty four (24) hours of the occurrence thereof.

7. SERVICES TO BE PROVIDED BY THE LICENSEE

A licensee must in terms of these regulations provide one of the following BS:

- (a) Public free to air television BS;
- (b) Commercial free to television BS;
- (c) Public free to air sound BS;
- (d) Commercial free to air sound BS; or
- (e) Subscription (sound and/or television) BS.

8. SAFETY MEASURES

A licensee must, in respect of all apparatus, equipment and installations that it owns, leases or uses, take such safety measures as may be prescribed and in any event such reasonable and necessary safety measures to safeguard life or property, and to limit exposure to electromagnetic emission, radiation and related risks.

9. PROVISION OF INFORMATION

- (1) The Authority may, in the course of carrying out its obligations under the Act, require a licensee to provide information, so as to enable it to:
 - (a) monitor and enforce consumer protection, quality of service, competition, compliance with licence conditions and other requirements of the Act and related legislation;
 - (b) allow for the assessment and allocation of applicable fees and related requirements;
 - (c) facilitate the efficient use of scarce resources; and
 - (d) collect and compile information to be used for purposes of sectoral analysis, planning, reporting and conducting inquiries.

(2) In respect of each information request referred to in sub-clause (1), except where otherwise addressed in applicable regulations, the Authority will provide, among other things, detailed specifications of its information request, applicable response times and a contact person to whom queries will be addressed.

(3) The licensee must provide the information in accordance with such format as may be prescribed by the Authority.

10. PUBLIC SERVICE ANNOUNCEMENTS

(1) The licensee must broadcast public service announcements in the public interest as may be requested by the Authority in writing.

(2) The licensee may broadcast public service announcements in the public interest as may be requested by a Public Service Institution in writing.

11. GENERAL OBLIGATIONS OF LICENSEES

(1) A licensee shall inform the Authority in writing, within fourteen (14) days of:

(a) any judgement or judgements given in a court of law against it; and

(b) any conviction in respect of an offence involving dishonesty of any of its directors or senior managers.

(2) A licensee shall keep the following records, in accordance with the template determined by the Authority and provided to a licensee, relating to its broadcasting activities and provide same to the Authority on a quarterly basis:

(a) a log of all advertisements broadcast;

(b) a log of the percentage of air-time per hour allocated to advertisements;

(c) a log of all sponsorships received for programmes, news, game shows, welfare activities or similar programming together with details of payment, financial or otherwise, received for such sponsorship; and

(d) a log of programmes broadcast.

(3) A station must clearly identify itself at intervals of not more than thirty (30) minutes.

12. SPECIFIC TERMS AND CONDITIONS

The Authority may impose additional specific terms and conditions upon a licensee in terms of section 9(7) of the Act, and the related legislation. These specific terms and conditions will be contained in the Schedule and may include but are not limited to:

- (a) geographic coverage area of the licensed BS setting out the scope of coverage (regional or national) and universal service and access targets, if any;
- (b) technology platform to be used in providing the licensed BS (e.g. terrestrial analogue, terrestrial digital, cable, satellite etc);
- (c) language (s) of the licensed BS;
- (d) format of the licensed BS, including but not limited to the content and presentation type of the sound and/or television BS e.g. full service, adult contemporary, talk radio etc;
- (e) local content obligations of the licensed BS in addition to those prescribed by the Authority;
- (f) other general programming obligations of the licensed BS, including without limitation, obligations in respect of news, actuality programming, political issues of public interest, educational programming and programming to meet the needs of children, the youth, women and disabled persons etc;
- (g) ownership and control structure of the licensee;
- (h) obligations in respect of ownership and control by persons from historically disadvantaged groups in respect of the licensee, in addition to those prescribed by the Authority;
- (i) human resources training and skills development undertaken by the licensee;
- (j) community-related obligations of the licensed BS;
- (k) broadcast hours of the licensed BS if fewer than twenty four (24) hours per day and
- (l) in relation to the South African Broadcasting Corporation:
 - (i) its obligations in respect of publicising the Television Licence fee;
 - (ii) cross-subsidisation issues as between its public commercial and public services; and
 - (iii) the provision of audited financial statements to the Authority

13. OBLIGATIONS THAT APPLY IN RESPECT OF SUBSCRIPTION BROADCASTING SERVICES ONLY

- (1) A subscription BS licensee may not provide a subscription service, unless the price (s) for the service and other terms and conditions of the provision of such service have been made known to the public by:
 - (a) making such prices and terms and conditions available for inspection at its offices during business hours;
 - (b) providing such details to anyone who requests same at no charge; and
 - (c) providing such details on its website, if any
- (2) A subscription BS licensee must submit to the Authority:

- (a) details of the price(s) for its service and other terms and conditions of the provision of such service within 30 days of commencing such service; and
- (b) on bi-annual basis, a record of the actual services provided and the actual tariffs charged therefore during the previous six months.
- (3) Billing Obligations of Subscriptions BS licensees:
 - (a) The licensee must at no charge provide an accurate invoice with a detailed statement of services rendered to any subscriber.
 - (b) Such invoice must include, among other things, the following information for the entire period covered by such invoice or statement:
 - (i) detail of all services rendered to the customer or subscriber;
 - (ii) the breakdown of the different charges associated with such services; and
 - (iii) the applicable service pricing for the period of use covered by such invoice or statement

14. CONTRAVENTION AND FINES

- (1) Upon a determination of non-compliance by the Complaints and Compliance Committee in terms of the ICASA Act, the Authority may impose a fine not exceeding:
 - (a) One Million Rand (R1 000 000) for contravention of regulations 3, 4, 5(a-c), 7, 9, 10(1-2), and 12
 - (b) One Hundred Thousand Rands (R100 000) for contravention of all the regulations not specified in the regulation 14(1)(a); and
 - (c) Additional One Hundred Thousand Rands (R100 000) for repeated contravention of the regulations

15. NOTICES AND ADDRESSES

- (1) Any notice or certification given by the Authority or the licensee shall be in writing and:
 - (a) if delivered by hand to the recipient's address, it shall be deemed, until the contrary is proven, that it has been received at the time of delivery;
 - (b) if posted by pre-paid registered post from an address within the Republic of South Africa, it shall be deemed, until the contrary is proven, to have been received on the 14th day after the date of posting; or
 - (c) if sent by facsimile transmission during normal business hours, proof of successful transmission shall be deemed to be proof of receipt, unless the contrary is proven.

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(2) A Licensee shall provide the Authority with an address where it will accept formal service of letters, documents and legal process in this regard as well as a fax and telephone number on which it can be contacted as set out in the Licence.

16. SHORT TITLE AND COMMENCEMENT

These regulations are called the Standard Terms and Conditions for Individual Broadcasting Services, 2010 and will come into operation by notice in the gazette.

17. REPEAL OF REGULATIONS

These regulations repeal Government Gazette No. 30530 containing the Standard Terms and Conditions for Individual licences published 30 November 2007, in its entirety.

In its submission made to the Authority, the radio station has indicated that while 94.7 Highveld Stereo did not hold any community radio workshops for the period under review, the licensee (Primedia) has, however, complied with clause 8.2 of the schedule to the licence through the actions of the Station Manager and the Programmes Manager of Talk Radio 702 as follows:

In July 2009 the station manager held a training session for students at ALJ on how to programme for a talk radio station.

In October 2009, the programmes manager participated in training for community radio stations run by the Voice of Wits and the Wits radio department. The training was about how to programme for a radio station.

4. REGULATIONS

4.1 Local Content Music

The Regulations on South African Music Content as published on 31 January 2006. *copy of page*
stipulate that: "All commercial sound licensees must play a minimum 25% South African music"

Highveld Stereo plays approximately 27% South African music including interviews with local musicians and is in compliance with the regulations above.

4.2 Standard Terms and Conditions

During the year under review, the Authority did not any non compliance by Highveld Stereo with the standard terms and conditions.

Within most submissions of published financial statements?

5. CONCLUSION

During the period under review 94.7 Highveld Stereo adequately complied with its licence terms and conditions and applicable regulations. Notwithstanding the fact that the radio station has indicated that it proved difficult to obtain recording rights from the record companies, there is still room for improvement in terms of clause 5 of the licence.

6. APPENDICES:

Appendix A: Licence Conditions

Appendix B: Shareholding (as extrapolated from the Licensee's submission).

Appendix C: Information on airtime provided to support community organisations

Appendix D: Regulations on South African Music

Appendix E: Standard Terms and Conditions