



**APPENDIX 3.3 OF**

**FORM C**



## PROPOSED AMENDMENTS

### 3.3 Implications of the proposed amendments in relation to section 10.

The proposed amendments do not undermine the basic terms and conditions outlined in section 10 (1) of the Electronic Communication Act no 36 of 2005.

#### A.

The proposed amendments are in line and consistent with terms and conditions generally imposed in respect of individual license. Furthermore, the proposed amendment is driven by the ever-evolving targeted listeners of the North West province.

The proposed amendments take into account the public interest in facilitating the dissemination and development of a diverse range of sound in the North West Province – With these amendments You FM will provide entertainment, education and news in a language understood by most people.

In addition, the proposed amendments are in no-form providing You FM with an unduly or unfair competitive advantage; instead, allow You FM to be correctly positioned and service the intended target audience.

#### B.

The proposed amendments promote fair competition, opportunity for other licensee to grow and most importantly the proposed amendments promote social cohesion. Setswana is a dominant language in the province and that cannot be ignored – it is important preserve and promote the language within North West province. The public broadcaster (The SABC) and community stations as per their mandate cover the preservation and promotion of Setswana extensively through Radio.

Motsweding FM is the biggest promoter of Setswana and the most preferred radio station in the North West province. The approval of proposed amendments will allow Motsweding FM and community radio stations to continue being the custodians of preserving and promoting Setswana within the province of North West. With the approval, You FM can claim a new identity and be able to provide regional relevant content in languages most understood by its upwardly mobile target audience in the province, while also assisting in promoting and preserving Setswana (though to a lesser extent compared to now) with the newly proposed language format.

#### C

The proposed amendments do not undermine or militate against other licensed radio stations. English broadcasting stations licensed to broadcast into the North West province will also not be negatively affected as they will continue to broadcast and fulfill their mandate. Metro FM is licensed for Gauteng, Free State, Western Cape, Northern Cape, Kwa-Zulu Natal, Eastern Cape and North West. English as primary broadcast language. Metro FM's content is of national interest and does not fully or exclusively focus in North West province.

Therefore, the amendments will not negatively impact Metro FM nor give You FM any form of unfair advantage over Metro FM. On the other hand, OFM is licensed to reach Free State, Northern Cape and parts of North West province. The station is licensed to broadcast in English and Afrikaans.



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You FM targets mainly black urban listeners – diverse in language and culture, which again means OFM will not be negatively affected by this approval and OFM can continue to grow listenership in the North West province, especially within Afrikaans speaking communities.

Radio 2000 is also a national radio station like Metro FM – which is licensed or expected to balance all official languages. The proposed amendments again not negatively impact Radio 2000 as they do not exclusively focus on North West province.

The proposed amendments promote fair competition amongst licensed stations and ensure that all provincial residents receive information and communication in a language most understood i.e. English

Radio Station	Coverage Area	Language Format
Metro FM	National	English
Radio 2000	National	Balance of All Official Languages
OFM	Free State, Northern Cape and Parts of North West	English and Afrikaans
Jacaranda FM	Gauteng, Limpopo, Mpumalanga, North West	Afrikaans and English
Motsweding FM	North West	Setswana
Mafikeng FM	Mafikeng	75% Setswana, 20% English, 5% Afrikaans
Radio Mafisa	Rustenburg	English, Setswana, Sesotho and Afrikaans
Vaaltar Community Radio	Taung	English, Setswana, Sesotho
Letlhabile Community Radio	Brits	English, Setswana, Afrikaans, Sesotho, Xitsonga, Isizulu
PUK FM	Potchefstroom	50% English, 40% Afrikaans, 10% Setswana
You FM	North West	80% Setswana, 20% Other



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North West FM (pty) ltd trading as You FM, is the only commercial radio station licensed for the North West province. The proposed amendments are informed by the demographic change of the province. Therefore, the proposed amendments will in No-Form affect or disrupt any frequency spectrum, furthermore, the proposed amendments are fair and does not prejudice against other licensees for the North West province

### **F**

The proposed amendments are necessary and are in-line with the objectives of the Electronic Communication Act. The proposed amendments are mainly driven by the ever-evolving landscape of the provincial demographics and psychographics. North West FM (pty) ltd trading as You FM is a commercial radio station with the interest of the public at heart – You FM caters to the needs of the public and most importantly to the needs of the upwardly mobile targeted audience. The proposed amendments are consistent with the objectives of the Electronic Communications act No 36 of 2005 and in line with the promotion of diverse sound on a provincial level. Approval will bring diversity as opposed to similar current offerings. Secondly the approval will ensure that entertainment is diverse, information and news are broadcasted in a language most understood. The approval of proposed amendments will only bring positivity for all competitors within the province and most importantly allow You FM to compete fairly for the advertising revenue, while providing relevant regional content to its listeners. You FM will continue to provide employment to the people of the province. The current format, if enforced strictly and left unchanged, You FM will not be able to grow listenership, and as a result lose revenue opportunities and be forced to close doors.