

The following Form of Schedule 1 is hereby substituted for Form C of the Regulations:

"FORM C

**APPLICATION TO AMEND AN INDIVIDUAL LICENCE
(Regulation 9)**

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

Note:

- (a) *Applicants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act") and any regulations published under that Act with regard to the requirements to be fulfilled by applicants.*
- (b) *Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.*
- (c) *Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information is not applicable.*

1. PARTICULARS OF LICENCE	
1.1 Licence number:	005/RE/COMMERCIAL/R/MAR/22
1.2 Nature of services authorised to be provided in terms of the Licence: Check the Reasons Document. Confirm the service to be	A commercial radio broadcasting service

	provided.	
1.3	Attach a copy of the Licence that is the subject of this application. The copy of the Licence must be marked clearly as Appendix 1.3 of FORM C .	
2. PARTICULARS OF APPLICANT (LICENSEE)		
2.1	Full name of applicant:	Radio Heart 104.9(Pty) Ltd
2.2	Designated Contact persons (Maximum of two):	Renee Redelinghuys
2.3	Applicant's principal place of business	2 nd Floor, Media Quarter Building 2 De Smit Street, Greenpoint, Cape Town Western Cape
2.4	Applicant's postal address:	2 nd Floor, Media Quarter Building 2 De Smit Street, Greenpoint, Cape Town Western Cape
2.5	Applicant's Telephone number/s:	(021) 406-8900
2.6	Applicant's mobile number/s	083 651 5388
2.7	Applicant's Telefax number/s:	n/a
2.8	E-mail address of designated contact persons (maximum of two):	renee@heartfm.co.za brendan@heartfm.co.za

3. PROPOSED AMENDMENT TO THE LICENCE	
3.1	Set out the proposed amendment/s (with reference to existing clauses in the licence) to the licence which is/are the subject of this application:
a)	<p>Proposed Amendment – Broadcast news</p> <p>In terms of clause 6.1 of the Schedule to the licensee’s license states: “The Licensee shall broadcast news on a regular basis for a minimum of thirty (30) minutes each day between 05h00 and 23h00.”</p> <p>The proposed amendment is as follows: “The Licensee shall broadcast news on a regular basis for a minimum of thirty (30) minutes on weekdays, between 05h00 and 23h00.” – reference change being from “each day” to “weekdays”.</p> <p>In terms of clause 6.3 of the license agreement, to request reference to “The Licensee shall broadcast news for an average of six (6) minutes every hour between 06h00 and 09h00 on all weekday mornings” removed, and be read in conjunction with the proposed amended clause 6.1 “The Licensee shall broadcast news on a regular basis for a minimum of thirty (30) minutes on weekdays, between 05h00 and 23h00” instead.</p>
b)	<p>Proposed Amendment – Station name</p> <p>The licensee has been granted to trade under the name “Heart 104.9 FM”, however it is deemed necessary to seek amendment hereof, and to replace with its trading name of “Heart FM” – the registered name remains unchanged.</p>
c)	Proposed amendment – Clause 5 Music format to Adult Contemporary (remove jazz)
d)	<p>Proposed amendment – Clause 7 Training</p> <ul style="list-style-type: none"> - Removal of clause 7.2 and reference to training cost value of R1,116,000 - Removal of clause 7.3 and actively pursuing more women on-air presenters
3.2	Set out the reasons for the proposed amendment/s to the Licence. If the amendment is regarding programming, please attach research undertaken supporting the proposed amendment. Please attach research report as Annexure 3.2. The report must indicate what necessitates the proposed amendment/s.
a)	<p>Reasons for Proposed Amendment – Broadcast news</p> <p>This request is driven by the operational intrusiveness of inserting news bulletins into our music-driven weekend schedule, which prioritises audience experience through speciality and entertainment-focused programming. The inclusion of mandatory news potentially disrupts programming flow, and offers limited audience value, while placing a disproportionate strain on our already stretched news resource. Sustaining weekend news output requires additional staffing and extended working hours, that challenge our ability to responsibly manage best labour practice and work-life balance, while maintaining a</p>

sustainable operational environment within the coming week, following the weekend broadcast.

Given this constraint, and the lower weekend demand for structured news content, we submit that removing the weekend news requirement shall not compromise our commitment to continued high-quality news coverage. It will allow station to consider opportunities but not be restrict operations in this regard.

For clause 6.3, we submit that the current six (6) minute per hour news requirement during the 06h00 to 09h00 breakfast show time channel is overly prescriptive and constrains our ability to manage content flow effectively during an already content-intensive time channel. The rigid allocation of news minutes limits our flexibility to balance music, features, and live content, which is critical to maintaining audience engagement and the overall show quality. We propose a more flexible approach that still maintains a robust news coverage, while allowing the station to optimise content scheduling during peak morning hours.

b) Reasons for Proposed Amendment – Station name

The primary motivation for amending the licence name from Heart 104.9 FM to Heart FM is to ensure alignment with the station's established trading name, which is used consistently in all daily communication and brand representation. This change will also more accurately reflect the station's broader broadcast footprint across multiple frequencies beyond 104.9 FM, including Drakenstein (102.7 FM), West Coast/Swartland (106.3 FM), Overberg (88.1 FM) and Overstrand (88.8 FM). Removing the specific reference to 104.9 FM allows the station to present a unified brand identity, and more holistically represent its full audience reach across the Western Cape.

c) Proposed amendment – Clause 5 Music format

It is proposed that the reference to a 'jazz format' in our broadcasting licence be removed, thereby aligning the licence with Heart FM's established adult contemporary music format. The current wording reflects legacy provisions dating back to the P4 Radio era, which no longer corresponds with the station's programming strategy or audience preference. Given the evolution of the station and the demonstrated listener demand for a broader adult contemporary offering, the existing reference has become outdated.

d) Proposed amendment – Clause 7 Training

- Per clause 7.2 the specified training cost requirement reflects a historical context in which significant industry upskilling was necessary. Heart FM has, over time, integrated continuous training and skills development into its core business strategy to ensure long-term sustainability and employee growth. Over the past decade, we have invested an average of approximately R500k per annum on various training and conference elements, and as training is now an ongoing operational commitment, rather than a once-off intervention, assigning a fixed monetary value is no longer relevant or reflective of current practice.

Our station remains committed to ongoing staff development, but believes the clause should be updated to reflect a more flexible, needs-based approach, by removing reference to any prescribed value, for example.

- Per Clause 7.3, Heart FM has successfully achieved the objective of increasing female representation on air. In 2015, the ratio of Male to Female On-Air

Personalities was 71% Male and 29% Female; presently, this has shifted to 45% Male and 55% Female. Retaining this clause may impose unnecessary constraints on the station's ability to adapt its talent strategy in response to a dynamic and evolving audience landscape. Ensuring programming relevance and overall growth requires flexibility in presenter selection based on audience preferences, market conditions, and strategic fit, rather than a fixed quota. Heart FM remains committed to promoting gender equity and empowerment, and we have internal monitoring mechanisms in place to ensure that the station maintains balanced representation on air. Given this continued commitment, the removal of Clause 7.3 is not expected to compromise gender representation or empowerment objectives.

3.3 Explain the implications (if any) of the proposed amendment/s, with specific reference *inter alia* to the provisions of section 10(1) (a), (b), (c), (d) and (f) of the Act:

n/a

4. RADIO FREQUENCY SPECTRUM

4.1 Indicate whether the applicant holds a radio frequency spectrum Licence. If so, provide details thereof and attach a copy of the radio frequency spectrum Licence marked clearly as **Appendix 4.1** of **FORM C**:

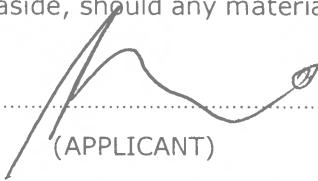
Yes, refer attached

4.2 If an amendment to the applicant's radio frequency spectrum Licence is necessary, a separate application to amend the applicant's radio frequency spectrum Licence must be submitted to the Authority in this regard at the same time as this application.

5. UNDERTAKINGS
5.1 Provide details of undertakings (if any) and other matters which, in the applicant’s view, the Authority may need to take into consideration:
Heart FM remains committed to adherence with the requirements set out by the Authority, irrespective of the outcomes hereof.
5.2. Attach a resolution signed by the majority of the members of the board of directors authorising the person signing and submitting this application marked clearly as Appendix 5.2 of FORM C.

The person signing the application on behalf of the applicant must acknowledge as follows:

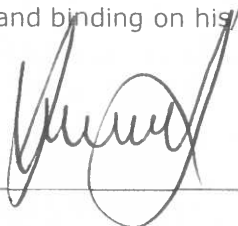
I acknowledge that the Authority reserves the right to have any Licence amended pursuant to this application set aside, should any material statement made herein, at any time, be found to be false.

Signed

 (APPLICANT)

I certify that this declaration was signed and sworn to before me at Cape Town on the 4th day of March, 2022, by the deponent who acknowledged that he/she:

1. knows and understands the contents hereof;
2. has no objection to taking the prescribed oath or affirmation; and
3. considers this oath or affirmation to be truthful and binding on his/her conscience.

KAYLA KANNEMEYER
 Commissioner of Oaths, Ex Officio
 Practising Attorney, R.S.A
 1st Floor, 123 Hope Street
 Gardens, Cape Town
 Tel: 021 204 0591



COMMISSIONER OF OATHS

Name:
 Address:
 Capacity:
 (...end of substitution)“