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Ref No: 17/2/2/1 - 481/2024

Mr. Mothobi Mokhele

3947 Mochumi Street
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Dear Mr. Mokhele

MOTHOBI MOKHELE V AGANANG FM – CASE NUMBER: 481/2024

The above matter has reference.

1. On 12 August 2024, Mothobi Mokhele (Complainant) lodged a complaint with the CCC against Aganang FM for investigation in terms of section 17B (a) of the Independent Communications Authority of South Africa ("ICASA") Act No. 13 of 2000.
2. The CCC adjudicated the matter on 4 June 2025, and made the following findings:
 - (a) Clause 5.1.4 of the Licence terms and conditions (Licence) which states that: *"the Licensee shall provide programming as follows: Language(s) of broadcasting: Setswana – 44%, Afrikaans – 29%, Sesotho – 12%, isiXhosa – 11% and other – 4%"*. There is not enough evidence that the Aganang FM failed to comply with this clause. For that reason, the CCC made no finding in this regard.

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- (b) Clause 5.1.1 of the Licence which states that: *"News and Information: The Licensee shall broadcast thirty-six (36) minutes of local, twelve (12) minutes of provincial, twelve (12) minutes of National and seven (7) minutes of International news per day"*. There is not enough evidence that the Aganang FM failed to comply with this clause. For that reason, the CCC made no finding in this regard.
- (c) Clause 4.3.2, Clause 4.2.3 and Clause 4.2 of the Licence - *All the above refer to the failure by Aganang FM to convene an AGM and/or involve the community in the affairs of Aganang FM*. On the facts, the CCC made a finding of non-compliance with Clause 4.2, Clause 4.2.3 and Clause 4.3.2, in that Aganang FM failed to convene an AGM and to involve members of the community in the affairs of Aganang FM.
3. As a result, CCC made the following recommendations to Council:
- 3.1. Aganang FM must desist from further contraventions of its licence terms and conditions.
- 3.2. Aganang FM to take the following remedial steps:
- 3.2.1. Convene an Annual General Meeting (AGM) within 90 calendar days, from the issue of this judgment, to enable members of the community to elect members of the Board in terms of its Constitution (as more specifically detailed in the judgment).
- 3.2.2. Within six (6) months of the issue of this judgment, submit a report to ICASA confirming its compliance with this judgment and setting out steps taken to avoid future violations of a similar nature.
- 3.3. Furthermore, Aganang FM be fined an amount of R50 000 (Fifty Thousand Rand), wholly suspended for a period of three (3) years on condition that Aganang FM is not found guilty of having failed to comply with the same clauses set out in the charge sheet.
4. On 18 November 2025, the Council of ICASA approved the recommendations of the CCC as indicated in paragraph 3 above, having considered the reasons advanced by CCC in their judgment.

5. For your attention, the judgment of the Authority is attached and marked as Annexure "A".

Yours Sincerely,



Mr. Mothibi G. Ramusi

ICASA Chairperson

Date: 19/ 11 /2025

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