



**Independent Communications Authority of South Africa**

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Ref No: 17/3/1 – Power FM

**Mr Given Mkhari**

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**CC: Mr James Shikwambana** [James@msg-group.co.za](mailto:James@msg-group.co.za)

Dear Mr. Mkhari

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**LICENSING AND COMPLIANCE DIVISION OF ICASA V POWER FM - CASE  
NUMBER: 479/2024**

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The above matter has reference.

1. On 17 July 2024, the Licensing and Compliance Division of ICASA (LCD) lodged an urgent election complaint with the CCC 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 on the matter on 7 August 2024. Power FM was found to have contravened regulation 6(11) of the 2014 National and Provincial Party Elections Broadcasts and Political Advertisements Regulations (as amended) (Elections Regulations) and was grossly negligent in that on the 23 May 2024 at

15:20:44 and 15:21:20 it flighted a Democratic Alliance Political Advertisement one after the other.

3. As a result, the CCC made a recommendation to Council that Power FM be fined a total amount of fifty thousand rands (R50 000.00) of which twenty thousand rands (R20 000.00) is suspended for four (4) years on condition that there is no non-compliance of Election Regulations during the period of suspension. The remaining amount of thirty thousand rands (R30 000.00) is due and payable within 90 days of publication of this decision. Furthermore, Power FM is directed to desist from any further contraventions in respect of Regulation 6(11) of the Regulations. Power FM must take remedial actions and broadcast a public apology during the first week after this order is issued (as more specifically detailed in the judgment).
4. On 12 December 2024, the Council of ICASA approved all the recommendations of the CCC as indicated in paragraph 3 above, having considered the reasons advanced by CCC in their judgment. The Council of ICASA approved the above recommendations of the CCC subject to the amendment in **paragraph 71.2.3** (Direct the Licensee to deploy a team of five (5) people who would individually check the PAs before they are broadcast.) of the recommended CCC order to be substituted to read as follows: ***"alternative resources of not less than two (2) be appointed"***.
5. For your attention, the judgment of the Authority is attached and marked as Annexure "A".

Yours Sincerely



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**Mothibi G. Ramusi**  
**ICASA Chairperson**  
**Date: 05/02/2025**

<b>CC:</b> Ms. Meera Lalla Acting CCC Coordinator <b>PER EMAIL:</b> <a href="mailto:MLalla@icasa.org.za">MLalla@icasa.org.za</a>
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