Independent Communications Authority of South Africa

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APPLICATION FOR THE AMENDMENT OF AN INDIVIDUAL COMMERCIAL SOUND BROADCASTING SERVICE AND RADIO FREQUENCY SPECTRUM LICENCES BY RADIO iGAGASI 99.5 (PTY) LTD T/A iGAGASI 99.5 IN TERMS OF SECTION 10 OF THE ELECTRONIC COMMUNICATIONS ACT 36 OF 2005

REASONS FOR DECISION

OCTOBER 2026

1. INTRODUCTION

This document sets out the reasons for the decision of the Independent Communications Authority of South Africa ("the Authority") in relation to the application for the amendment of the Individual Commercial Sound Broadcasting Service ("I-CSBS") and the Radio Frequency Spectrum ("RFS") licences by Radio iGagasi 99.5 (Pty) Ltd t/a iGagasi 99.5 ("the Applicant").

2. BACKGROUND

2.1. The Applicant holds both the RFS and I-CSBS licences to provide commercial sound broadcasting services in Durban Metropolitan, Port Shepstone, Ulundi, Glencoe and Greytown in the KwaZulu-Natal province. Both licences are set to expire on 16 December 2028.

2.2. On 20 January 2026, the Authority received the Applicant's complete application for the amendment of its I-CSBS and RFS Licences, respectively. The Applicant submitted its application regarding its RFS licence in accordance with Regulation 9(1) of the Radio Frequency Spectrum Regulations 2015[1] ("RFS Regulations") and submitted its application regarding its I-CSBS licence in accordance with Regulation 9 (Form C) of the Process and Procedures Regulations for Individual Licences, 2010[2], as amended ("the Regulations"). Further applicable regulations and sections of the Electronic Communications Act No. 36 of 2005 ("the ECA") are outlined in section 4 of this document.

2.3. The Applicant attached proof of payment of the application fee totalling an amount of eighty-two thousand one hundred and eleven rands (R82 111.00).

2.4. A resolution of authority authorising Ms Minenhle Dlamini to lodge this application on behalf of the Applicant was duly submitted[3].

[1] Notice No. 279, Government Gazette No. 38641 published on 30 March 2015.
[2] Notice No. 522, *Government Gazette* No. 33293 published on 14 June 2010.
[3] Appendix 5.2.

2.5. The Applicant did not request confidentiality in terms of section 4D of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("the ICASA Act").

2.6. On 17 July 2026, the Authority published a Notice[4] in the *Government Gazette* inviting interested parties to submit written representations and responses in relation to the application within fourteen (14) working days from the date of publication of the notice.

2.7. The closing date for written representations was 06 August 2026.

2.8. No written representations were received by the Authority by the closing date

2.9. The Authority elected not to hold public hearings as it was of the view that the application was clear. Additionally, the Authority did not receive any written representations from the public with respect to this application.

2.10. On 20 October 2026, the Authority resolved to approve the amendment application.

3. PARTICULARS OF THE APPLICANT

3.1. The full name of the Applicant is Radio iGagasi 99.5 (Pty) Ltd trading as iGagasi 99.5. The Applicant's principal place of business is Shop U128, Cornubia Mall, Corner Flanders & Tacoma Drive, Blackburn Estate, 4319.

3.2. The Applicant is a Private Company registered in terms of the Companies Act 2008, (Act No. 71 of 2008) as amended, with the following registration number: 1997/006698/07.

[4] General Notice No. 733, Government Gazette No. 55022 published on 17 July 2026.

4. APPLICABLE LEGISLATIVE FRAMEWORK

4.1. The Authority when analysing the Applicant's amendment application of its I-CSBS and RFS Licences, considered the following legislative and regulatory provisions:

4.2. Section 10 (1) (c) of the EC Act which states that:

"(1) the Authority may amend an individual licence after consultation with the licensee-

(c) to the extent requested by the licensee provided it will not militate against orderly frequency management and will not prejudice the interests of other licensees; and

4.3. Section 10(2) of the EC Act provides that:

"*The provisions of section 9(2) to (6) apply, with the necessary changes, to the amendment of an individual licence."*

4.4. Section 31 (4) (b) and (d) of the EC Act which states that:

"(4) The Authority may amend a radio frequency spectrum licence-

(b) In the interest of orderly radio frequency spectrum management;

(d) If requested by the licensee concerned to the extent that the request is fair and does not prejudice other licensees."

4.5. Section 30 (3) of the EC Act which states that:

"The Authority must, in performing its functions in terms of subsection (1), ensure that in the use of the radio frequency spectrum harmful interference to authorised or licensed users of the radio frequency spectrum is eliminated or reduced to the extent reasonably possible."

4.6. Regulation 9 (Form C) of the Process and Procedures Regulations for Individual Licences, 2010[5], as amended ("the Regulations") provides that:

"An application to amend a licence must be in the format as set out in Form C and it must be accompanied by the applicable fee."

4.7. Regulation 9 (1) of the RFS Regulations 2015 provides that:

"(1) An application for an amendment to a radio frequency spectrum licence must be in terms of Form A of Annexure A and must include the following:

(a) A copy of the radio frequency spectrum licence and information regarding conditions imposed on the licence;

(b) The proposed dates after which the proposed amendment shall become valid;

(c) Details of all proposed amendments and the reasons for the proposed amendments;

(d) Proof of payment of the prescribed application fee; and

(e) Any other information the Authority may require."

4.8. Schedule 1 Administrative Fees Regulations, as amended, published in the Government Gazette No. 52433 on 1 April 2025 provides that:

"*The applicable fee for the amendment of an individual licence is Eighty-Two Thousand One Hundred and Eleven Rands (R82 111.00)."*

[5] Notice No. 522, *Government Gazette* No. 33293 published on 14 June 2010.

5. ANALYSIS AND DISCUSSION

5.1. THE I-CSBS LICENCE PROPOSED AMENDMENT

Paragraph 3.1 of Form C of the Regulations requires that the Applicant set out the proposed amendment/s.

5.1.1. Clause 3 of the Applicant's I-CSBS Licence currently reads as follows:

> *"**3. Geographic Coverage Area***
> *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe and Greytown as per technical specifications attached to the Licensee's radio frequency spectrum licence."*

5.1.2. The Applicant intends to amend its I-CSBS licence by extending its licemsed service area to Empaneni. Therefore, the Applicant is proposing that Clause 3 of its I-CSBS licence be amended to read as follows:

> *"**3 Geographic Coverage Area***
> *Durban Metropolitan, Port Shepstone, Ulundi, Glencore, Greytown and Empangeni as per technical specifications attached to the Licensee's radio frequency spectrum licence."*

5.2. THE RFS LICENCE PROPOSED AMENDMENT

Form A of the RFS Regulations requires that the Applicant set out the proposed amendment/s.

5.2.1. Clause 3 of the Applicant's RFS Licence currently read as follows:

> *"**3. Geographic coverage area***
> *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe and Greytown in KwaZulu-Natal Province. The licensee must comply with the attached technical specification (Schedule B2)."*

5.2.2. The Applicant intends to amend its RFS licence by extending its licensed coverage area to Empangeni. Therefore, the Applicant proposes that Clause 3 of its RFS Licence be amended to read as follows:

> *"**3. Geographic coverage area***
> *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe, Greytown and Empangeni in KwaZulu-Natal Province. The licensee must comply with the attached technical specification (Schedule B2)."*

5.3. The Applicant intends to introduce a news transmitter at Empangeni on 102.1 MHz with a maximum Effective Radiated Power ("ERP") of 1 kW.

5.4. The preliminary technical analysis indicated that the requested 102.1 MHz frequency at Empangeni would induce and be affected by harmful Radio Frequency Interference ("RFI") from Nkandla FM and Hit FM.

5.5. The Authority engaged the Applicant regarding the potential harmful RFI and advised that it conduct a technical feasibility study on different frequencies, including 89.6 MHz, with the same technical specifications as recorded on its initial application. The Applicant was given the option to amend its application following the feasibility study.

5.6. The Applicant subsequently, on 20 January 202, submitted an updated application, accompanied by a revised technical feasibility report.

5.7. In its updated application, the Applicant changed its initially applied frequency from 102.1 Mhz to 89.6 MHz to improve iGagasi 99.5's coverage area within the boundaries of KwaZulu-Natal Province.

5.8. The Authority conducted a coverage and RFI analysis for the Applicant, and the results were as follows:

5.8.1. The results showed that the Applicant's current coverage area has significant coverage gaps in the Ngwelezana Township, Dumsani Makhanye village, Nqutshini village, Matshana village, and Grantham Park in Empangeni. The Applicant intends to address these gaps by deploying a new transmitter at Empangeni.

5.8.2. The coverage analysis indicated that the proposed new Empangeni transmitter will cover the above-mentioned areas.

5.8.3. Further, the RFI analysis results indicated that the Applicant will not induce or be affected by harmful RFI from existing Licensees and spare coordinated frequencies.

6. REASONS FOR THE PROPOSED AMENDMENT TO THE I-CSBS LICENCE

Paragraph 3.2 of Form C requires the Applicant to set out the reasons for the proposed amendment/s to the Licence.

6.1. The Applicant's states that the reason to amend its I-CSBS Licence relates to the Applicant applying for an additional frequency, through the RFS amendment application, that will require a corresponding amendment to the I-CSBS licence due to the fact that if the Authority approves the spectrum amendment, the I-CSBS would need to be updated to reflect the inclusion of the new frequency to ensure that there is alignment and compliance between the two licences in terms of Section 31 (2) of the ECA.

7. REASONS FOR THE PROPOSED AMENDMENT TO THE RFS LICENCE

Form A of the RFS Regulations requires that the Applicant set out the reasons for the proposed amendment/s to the Licence

7.1. The Applicant states that the field strength and listener feedback reveal that there is a persistent reception void of approximately seventy (70) kilometres on the N2 between Mtunzini and the southern suburbs of Richards Bay[6].

7.2. The Applicant explained that the Durban transmitter's coverage on 99.5 MHz, decays below the required field strength (60 dBµV/m) near Mtunzini, while the Ulundi transmitter's coverage on 94.7 MHz, does not deliver a reliable signal until vehicles approach Richards Bay proper.

[6] Page 8 of the application.

7.3. Commuters travelling between Durban and Richards Bay therefore experience audio dropouts and loss of RDS functionality through Empangeni, Esikhawini and the adjacent industrial zone.

7.4. The Applicant is of the view that by introducing a 1 kW directional transmitter at Empangeni, will lift the protected 60 dBµV/m contour over the entire corridor, eliminate service interruptions and meet repeated audience requests for improved continuity.

7.5. The Applicant states that propagation studies confirm that the installation remains spectrum-efficient and keeps interfering field strengths to below -66 dBµV/m at all co-channel and adjacent-channel service.

7.6. The Applicant further states that there are audio dropouts and loss through Empangeni, Esikhawini and the industrial zone area in Esikhawini. The Applicant is therefore proposing to add another transmitter in Empangeni to eliminate service interruptions and meet audience requests for improved service continuity and clear transmission to communities residing in Empangeni who are struggling to receive uninterrupted broadcasting services.

7.7. It should be noted the Applicant is not currently licenced to cover the Empangeni area, therefore it brought this amendment application to cover the areas located around Empangeni.

7.8. The Authority considered the reasons provided by the Applicant to extend its coverage and was of the view that the reasons provided by the Applicant are reasonable, compelling and relevant to the proposed amendments.

8. RESEARCH UNDERTAKEN SUPPORTING THE PROPOSED AMENDMENTS

8.1. The Applicant's proposed amendment is not for programming but to extend its coverage to other areas within KwaZulu-Natal, in that regard the Applicant would be providing its programming in these new proposed areas. Further, these areas do are not listed in the Applicant's current I-CSBS licence. To determine whether there is a need, demand and support for the Applicant's services in the proposed areas, the Authority requested the Applicant to conduct a research/survey with its potential listeners.

8.2. The Applicant's research was conducted by Khumbula Consulting called North Coast Transmission Survey.[7] This survey report was conducted with 205 listeners residing in Empangeni and it indicates that most listeners who travel between eThekwini and Richards Bay and those who live in the King Cetshwayo District Municipality switch and listen to other radio stations because of the poor signal in these areas and on the in route between eThekwini and Richards Bay.

8.3. The survey further revealed that 96.10% of the participants indicated that a stronger signal on the route between eThekwini and Richards Bay will improve their listening experience.

8.4. Amongst the reasons the listeners switch from their favourite radio station to another mentioned by the participants is the poor signal.

8.5. The Applicant again attached the Broadcasting Research Council of South Africa Radio Audience Measurement System ("BRC RAMS")[8] diary with 43 592 people which reveals that one of the reasons listeners stopped listening to iGagasi 99.5 is because there is poor reception in areas around Empangeni.

8.6. The Applicant further requested its listeners to indicate areas where they reside and whether the signal is clear in those areas. The response from listeners indicates that people staying around the North Coast of KwaZulu-Natal like Engwelezane, Manguzi and Mtubatuba receive poor signal from the Applicant.

8.7. In that regard, the Applicant is of the view that it is losing potential listeners because of the poor signal.

8.8. The Authority was satisfied with the research conducted by the Applicant in support of its amendment application of its licences, it is relevant to the proposed amendments by the Applicant.

8.9. The Applicant has further demonstrated through its surveys conducted with the affected communities that there is an overwhelming interest to receive the Applicant's broadcasting service.

[7] Page 14 – 18 of the application.
[8] Page 19 of the application.

8.10. In that regard, the Authority was satisfied that the Applicant has been able to show that that there is a clear need, demand and support for the Applicant's proposed amendment through the feedback the Applicant got rom the people living in areas around the North Coast in KwaZulu-Natal.

9. IMPLICATIONS OF THE PROPOSED AMENDMENTS

Paragraph 3.3 of Form C requires the Applicant to 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.

9.1. The Applicant explained the implications of the proposed amendment/s application, with specific reference inter alia to the provisions of section 10(1) (a), (b), (c), (d) and (f) of the Act, as required by section 3.3 of Form C as follows:

9.1.1. **Section 10(1)(a):**

9.1.1.1. The Applicant is of the view that the proposed amendments will not negatively affect the economic viability of the licensee. On the contrary, the addition of the frequency strengthens sustainability by ensuring better coverage and more reliable access for advertisers and audiences within the licensed area.

9.1.2. **Section 10(1)(b):**

9.1.2.1. The Applicant states that the amendment promotes public interest by extending reliable access to the Applicant's services to the communities that previously experienced weak reception will now benefit from consistent service, which enhances diversity and universality of broadcasting.

9.1.3. **Section 10(1)(c):**

9.1.3.1. The Applicant further states that it has the necessary infrastructure, expertise, and systems in place to operate on the additional frequency and its technical team can manage integration seamlessly, without disruption or degradation of broadcast quality.

9.1.4. **Section 10(1)(d):**

9.1.4.1. The Applicant believes the proposed amendment is beneficial to consumers, as it improves signal strength, reduces service gaps, and enhances overall reception quality. This directly supports listener satisfaction and protects consumer interests.

9.1.5. **Section 10(1)(f):**

9.1.5.1. The amendment ensures compliance with ICASA's policy and regulatory framework. Aligning the service licence with the amended spectrum licence guarantees consistency, regulatory certainty, and proper enforcement of the licensing conditions.

9.2. The Authority is of the view, having considered the information submitted by the Applicant, that the information does not raise any implications relevant to the determination of the present application and therefore does not require further consideration for purposes of deciding the proposed amendments.

10. WRITTEN REPRESENTATIONS AND RESPONSES

10.1. No written representations were received by the Applicant and the Authority with regards to this amendment application by the closing date.

11. PUBLIC HEARINGS

11.1. In terms of section 9 (2)(e) of the EC Act, the Authority has the discretion to conduct a public hearing in relation to an amendment application of the I-CSBS licence.

11.2. The Authority is of the view that a public hearing was not necessary in this regard as the Applicant's application is clear and there were no written submissions received opposing the application.

12. PRECEDENT OF GRANTING ON AMENDMENTS

12.1. On 20 February 2014, the Applicant's I-CSBS and RFS licences were amended to include the following areas of Glencoe and Greytown in the KwaZulu-Natal province as part of the geographic coverage area.

13. CONCLUSION

13.1. The Authority is of the view that the Applicant's proposed licence amendment is warranted on the following grounds:

13.1.1. the Applicant's limited signal to cover the area of interest;

13.1.2. the Applicant wanting to utilise the allocated spectrum efficiently; and

13.1.3. the need, demand and support for the Applicant's service from the community as substantiated through the research conducted by the Applicant.

13.2. The Authority was satisfied that the Applicant's proposed licence amendment complies with the requirements of section 10 (1)(c) of the ECA insofar as the requested amendment by the Licensee will not militate against orderly frequency management and further will not prejudice the interest of other licensees.

13.3. The Authority is satisfied that the request to amend the RFS licence complies with section 31 (4) (b) and (d) of the EC Act insofar as the request for amendment is in the interest of orderly radio frequency spectrum management, is fair and does not prejudice other licensees.

13.4. The Applicant's proposed licence amendment further complies with the requirements of Regulation 9(1) of the RFS Regulations 2015 insofar as the Applicant followed the prescribed procedure for amendment as outlined in the RFS Regulations 2015.

13.5. The Applicant's proposed licence amendment further complies with Regulation 9 (Form C) of the Process and Procedures Regulations for Individual Licences, 2010[9], as amended.

[9] Notice No. 522, Government Gazette No. 33293 published on 14 June 2010.

14. THE AUTHORITY'S DECISION REGARDING THE I-CSBS AND THE RFS LICENCES

14.1. The Authority decided to approve the proposed amendments by the Applicant as follows:

Existing clause 3 of the I-CSBS Licence	**Approved amendment to clause 3 of the I-CSBS Licence**
" *Geographic Coverage Area* *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe and Greytown as per technical specifications attached to the Licensee's radio frequency spectrum licence."*	***"Geographic Coverage Area*** *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe, Greytown and Empangeni as per technical specifications attached to the Licensee's radio frequency spectrum licence."*
Existing clause 3 of the RFS Licence	**Approved amendment to clause 3 of the RFS Licence**
"Geographic Coverage Area *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe and Greytown in Kwa-Zulu Natal Province. The licensee must comply with the attached technical specification (Schedule B2)."*	***"Geographic Coverage Area*** *Durban Metropolitan, Port Shepstone, Ulundi, Glencoe, Greytown and Empangeni in Kwa-Zulu Natal Province. The licensee must comply with the attached technical specification (Schedule B2)."*
Existing Technical Specifications	**Approved Technical Specifications**
Durban (99.5 MHz), Durban North (100.1 MHz), Greytown (88.6 MHz), Mooi River (89.1 MHz), Pietermaritzburg (98.5 MHz), Port Shepstone (103.5 MHz), Ulundi (94.7 MHz), and Glencoe (107.9 MHz)	Durban (99.5 MHz), Durban North (100.1 MHz), Greytown (88.6 MHz), Mooi River (89.1 MHz), Pietermaritzburg (98.5 MHz), Port Shepstone (103.5 MHz), Ulundi (94.7 MHz), Glencoe (107.9 MHz) and Empangeni (89.6 MHz)



MOTHIBI G. RAMUSI
CHAIRPERSON

DATE: 03 / 11 /2026