



COMPLAINTS AND COMPLIANCE COMMITTEE

**DATE OF HEARING: 15/8/2025 AND
26/3/2026**

CASE NO: 488/2024

IN THE MATTER BETWEEN:

SELLO KHATEANE

COMPLAINANT

V

MOSUPATSELA FM

RESPONDENT

CCC MEMBERS:

Judge Thokozile Masipa – Chairperson
Councillor PN Sithole – Member
Mr Monde Mbanga - Member
Mr Thato Mahapa - Member
Mr Paris Mashile – Member
Ms Ngwako Molewa - Member

FROM THE OFFICE OF THE CCC:

Thamsanqa Mtolo - CCC Assessor
Amukelani Masia – CCC Administrator

LEGAL REPRESENTATION FOR PARTIES

For the Complainant: Ms B Mashigo
Ms Maswanganyi
Ms T Malefane

For the Respondent: Mr. Maema
On the 26/3/2026 Mr Maema was joined by Mr Munyai - Deputy
Secretary of the Mosupatsela FM Board of Directors.

DECISION

Judge Thokozile Masipa

INTRODUCTION

- [1] On 11 November 2024, Sello Khateane, (the Complainant), lodged a complaint with the CCC for investigation in terms of section 17B(a) of the ICASA Act.

THE PARTIES

- [2] The Complainant is Mr. Sello Khateane, resident in the Respondent's coverage area.
- [3] The Respondent is Mosupatsela FM, a community sound broadcasting service licensee. It shall be referred to as "Mosupatsela FM", "the station" or "the Respondent".
- [4] In terms of its Licence Terms and Conditions, the Licensee shall provide service to the following coverage areas namely: — Botshabelo, Morakge, Thaba-Nchu, Klipfontein, Masham, Wolwepoort, and surrounding areas in the Free State Province.

PRELIMINARY ISSUE

- [5] At the outset, the CCC was informed that the Complainant would not be attending the hearing. This was to be expected as, sometime before the proceedings, the Complainant had stopped corresponding with the office of the CCC. The Complainant also failed to file a reply following the Respondent's answer.
- [6] The CCC decided that the hearing would proceed without the Complainant. After all, the papers and the complaint had been properly filed and served. Since the complaint had not been withdrawn, the CCC had a duty to hear it and reach a decision.

THE COMPLAINT

[7] The Complainant alleged that the Respondent contravened the following:

7.1 Section 50(d) of the Electronic Communications Act No 36 of 2005 which states that:

"in considering the grant of community broadcasting service licence, the Authority must, with due regard to the objects and principles enunciated in section 2, among others, take into account whether ... (d) the applicant intends to encourage members of the relevant community or those associated with or promoting the interests of such community to participate in the selection and promotion of programmes to be broadcast in the course of such broadcasting service."

7.2 The Complainant alleged that the Respondent failed to comply with the conditions relating to community participation.

[8] Clause 10A 7(d) of the Regulations on Amended Standard Terms and Conditions for Class Licences of 2016. The Regulation states:

"The Board of Directors/Trustees and the Station Management must not occupy dual roles with regard to being managers/presenters at the station".

8.1 The Complainant alleged that the Respondent's Station Manager and News Editor, occupied dual roles in that they were, in addition to their official duties at the station, also presenters.

[9] Mosupatsela FM Constitution Clause 16.1.1 states:

"Mosupatsela FM stereo shall open a banking account(s) and such account(s) shall jointly be operated by the Chairperson, Secretary and Treasurer of the Board of Directors."

9.1 The Complainant alleged that the Respondent's station manager, Tshokolo Fobane, News Editor, Programming Manager and Marketing Manager,

operated several illegal bank accounts in the name of the radio station.

- [10] The Complainant alleged that the Respondent was operating without a valid licence, as its licence expired on 26 October 2023.

THE RELIEF SOUGHT

- [11] The relief sought was that the CCC should make a finding of noncompliance and recommend an appropriate sanction in terms of the ICASA Act.

THE RESPONDENT'S RESPONSE

- [12] In an unsigned letter dated 3/26/2025, the Respondent responded to the allegations and sought to place them in perspective.
- [13] According to the Respondent, there was a new Board of Directors in place which was elected in September 2024. At the time the current board took over the reins, there was no proper handover.
- [14] As a result, the current board had very limited information to assist the CCC in the determination of the complaint against the Respondent.
- [15] In addition, the current board stated that it found no records or files, relating to the historical background of the Respondent.
- [16] The little information in possession of the new board, to some extent, corroborated the allegations by the Complainant. No records of community meetings or correspondence to that effect, suggest that the allegation of lack of community involvement is true. Another piece of useful information was that the station manager and the News Editor had been suspended as a result of, *inter alia*, maladministration, corruption and other misconduct.
- [17] Additional information before the CCC concerned audited financial statements of the station. These were reportedly available in 2023 AGM. In 2024, however, the Station Manager had refused to submit any document to the Board in preparation for the AGM.

- [18] According to the Respondent, the above conduct, as well as a number of other charges, levelled against the station manager, ultimately led to his suspension. The matter was reported to ICASA.

THE HISTORICAL BACKGROUND

- [19] The complaint in the present matter was scheduled for hearing on 15 August 2025, before the CCC.
- [20] Shortly after the commencement of the proceedings, the matter was postponed *sine die*.
- [21] The basis of the postponement was that the present board of Mosupatsela FM was unable to provide relevant information pertaining to the history of Mosupatsela FM and circumstances leading up to the lodging of the complaint.
- [22] In addition, it appeared that the current board was distancing itself from and was reluctant to acknowledge the actions of the previous board or take any responsibility and accountability for any decisions or actions taken on behalf of the Respondent.
- [23] It seemed to the CCC that proceeding with the hearing in those circumstances would not be in the public interest. On the contrary, it might have had an adverse impact on the radio station and the community served.
- [24] As a result, it became necessary to afford the Respondent an opportunity to reconsider its position and state how the current board was going to collate the missing information to assist the CCC.

LOCUS STANDI OF THE RESPONDENT

- [25] Following the postponement, the Office of the CCC received correspondence from Mosupatsela FM, setting out steps that were being taken by the new board to assist the CCC in collating the necessary information.
- [26] Meanwhile there had been communication from the Licensing and Compliance

Division ("LCD") regarding Mosupatsela FM, where, in a different matter, the station had appeared before a High Court, as a Respondent. In that communication the LCD stated that the present board of Mosupatsela FM had been duly elected at a properly constituted AGM of September 2024.

[27] It follows, therefore, that the current board has the necessary legal standing to appear on behalf of the Respondent.

[28] It is important to bear in mind that the current board may distance itself from the malpractices and other wrongdoings of the previous board, but it cannot shirk its responsibilities by refusing to answer questions on behalf of the Respondent.

[29] By taking over, the new directors assumed legal stewardship of the station (warts and all). For that reason, they have a duty to act in the best interests of the station and the community. Taking responsibility, by taking remedial action, where action is called for, and presenting clear plans for the future is what is required of the current board.

[30] Once the above was understood by the new board, it reconsidered its position and decided to cooperate and assist the CCC.

[31] It was with this understanding that Mr. Maema, as the Chairperson of the current board, was invited to the next hearing which took place on 26 March 2026. On this occasion, he was accompanied by Mr. Munyai, Deputy Secretary of the Mosupatsela FM Board of Directors.

SUBMISSIONS OF THE RESPONDENT IN RESPECT TO SPECIFIC ALLEGATIONS

I. Lack of Public Participation

[32] The Respondent, through the current Board, acknowledged that public participation was a very crucial part of community radio. In addition, it bemoaned the lack of records showing any structure or programmes of participation which may have been in existence before the current board's office term. It was submitted that, to remedy this flaw, the new board formed subcommittees with each consisting of at least three members of the community.

- [33] According to the Respondent, the intention of the Respondent was to ensure the inclusion of the public and active participation in all the affairs of the Respondent. Representation would cover various areas including programming, Finance, HR, Community building and tradition. According to the Respondent, these teams would be introduced after the induction and strategic sessions scheduled for the 5 and 6 April 2025.
- [34] The above submission tends to confirm the allegation that members of the community were never involved in the affairs of the station. In addition, it indicates a willingness by the current board to remedy this shortcoming.
- [35] Considering the vast coverage area of the station, more details should be provided. However, this lack of detail does not detract from the importance of these initial efforts as a starting point.
- [36] No records or files, relating to the historical background of the Respondent might have meant the end of the road to anyone less determined, but the new board was not to be deterred. These efforts, therefore, demonstrate great courage and determination on the part of the Respondent to right the wrongs of the past and cannot be ignored.
- [37] The initiative taken by the current board must also be seen against the nature of the challenges confronting the board.
- [38] At the time the complaint was lodged against the Respondent, the outgoing board had left, unceremoniously, without transferring critical institutional knowledge, strategic context or operational updates. This meant the incoming board was deprived of the essential tools and insights needed to hit the ground running.
- [39] Despite these shortcomings, the new board appeared capable of creating some semblance of order and stability through the newly proposed structures. This alone certainly qualifies to serve as a mitigating factor. Details of these factors are discussed later in this judgment.

II. Dual Roles

- [40] Regarding alleged dual roles by members of the board, the new board stated that it was made aware of the suspension of two individuals (the Station Manager and the News Editor). The reason for the suspension was that the two board members had occupied dual positions that were clearly prohibited by the Regulations.
- [41] This, yet again, was corroboration that the allegations of the Complainant against the Respondent had merit.

III. Whether Bank Account(s) in the Name of the Respondent Exist and Are illegally used by some individuals in the Board

- [42] While there was an allegation that several bank accounts had been opened in the name of the Respondent, and that the funds were plundered by various members of the Board, no basis was laid for the allegations.
- [43] On the other hand, the Respondent submitted that a bank account in the name of the Respondent was opened. However, the current board could not access the bank account concerned and was "seeking a legal route" to resolve the matter.
- [44] The version of the Respondent regarding the existence of the Respondent's bank account, which had been opened legally, was not contradicted. In addition, it has a ring of truth as the new board could not access the funds and there was a plan to find ways to access the account legally.
- [45] In the absence of any contrary evidence to the version of the Respondent that a bank account for the Respondent was opened as required by law, the allegation that certain individuals had opened a number of bank accounts for the Respondent and that such accounts were being misused, remains unproven.
- [46] According to the Respondent, the current board restored the CIPC Certificate and was now in the process of removing previous members of the board from the Certificate and replacing them with new members. It had so far managed to get four of them but would soon sign them all in the CIPC.

- [47] The current board further submitted that since the commencement of its term of office in 2024, it had shown its willingness to rebuild the station with the help of the community.

THE IDENTITY OF THE RESPONDENT

- [48] For purposes of the judgment in the present matter, it is necessary to set out the proper identity of the Respondent while distinguishing the roles played by the previous Board of Directors and the current one, respectively.
- [49] The previous board, which governed the Respondent pre-September 2024, is the very reason why the Respondent is before the CCC today. This is clear from the letter allegedly written on behalf of the Respondent by the new Board.
- [50] The CCC fully appreciates that the current board may be innocent of the wrongdoings at the station that took place before the current term of office. It has to be clearly understood that while the new board is distinguishable from the previous board, it is necessary to bear in mind that we are still dealing with Mosupatsela FM as the Respondent. This is the licensee that is before the CCC, irrespective of whether the board representing it is the previous board or the current board. It is against this understanding that the facts of this matter should be seen.
- [51] On 26 March 2026, the hearing resumed. On this occasion the Board demonstrated its willingness to accept responsibility for the actions of the Respondent.
- [52] The Board had reconsidered its position and had used the opportunity to collate missing information to assist the CCC.
- [53] Following the postponement, the Office of the CCC received correspondence from Mosupatsela FM, setting out steps that were being taken to assist the CCC in collating the necessary information.
- [54] Meanwhile, there was communication from the LCD stating that the present board of Mosupatsela FM had been duly elected at a properly constituted AGM of Mosupatsela FM. All this served to reassure the CCC that representation by the

current board was proper.

- [55] It was against this background that Mr. Maema, as the Chairperson of the current board of Mosupatsela FM, was invited to attend the hearing so as to answer the allegations against the station. On this occasion he was joined by Mr. Munyai who assisted him.

THE EVIDENCE, DISCUSSION AND ANALYSIS

- [56] I shall proceed to discuss the allegations, the evidence as well as the defence and evidence in support thereof.

SECTION 50(d) OF THE ELECTRONIC COMMUNICATIONS ACT - PARTICIPATION OF MEMBERS OF THE COMMUNITY IN THE SELECTION AND PROMOTION OF PROGRAMMES TO BE BROADCAST

- [57] The Complainant alleged that the Respondent failed to comply with section 50(d) of the Electronic Communications Act in that there was no community participation at all in the affairs of the station.
- [58] Although there was no outright admission or denial of the allegation, the tone of the response was such that it left no doubt that most of the allegations could not be denied.
- [59] While the current board still felt as if it was a victim of circumstances, it now focused on what could be done to resolve the problem and salvage the station from ruin.
- [60] Of note was that the Respondent's submissions during the hearing were to the effect that no AGMs were held "*during the time of COVID 19.*" However, the Respondent was unable to provide the specific period covered by "*the time of COVID 19*". Needless to say this vague statement was unable to assist the CCC in determining or verifying the truth of the assertion.
- [61] Thankfully, that was not end of the story. The missing records of the station, including missing minutes of AGMs and related documentation, provided adequate

credible evidence on this aspect.

- [62] In passing, reference was also made to the existence of “*fraudulent financials*” which were allegedly submitted to ICASA by the previous board in an attempt to renew the station’s licence.
- [63] In response to a question by the CCC whether the Respondent reported the incident to the community, the answer was no, the incident was not reported to the community but was reported to the police.
- [64] It is so that the incident was not part of the charge sheet before the CCC. However, it became relevant to show that the allegation, that Mosupatsela FM failed to involve the community in its affairs, has merit.
- [65] On its own version, therefore, the Respondent corroborated the allegations, by the Complainant, that the Respondent failed to encourage community involvement in the affairs of the station.
- [66] According to the Respondent, the alleged fraud was a serious matter which warranted the involvement of the police. It was, therefore, serious enough to need the attention or engagement of the community as the owner of the station. That the community was not informed of a crime committed against the station confirms that community involvement in the affairs of the station is nonexistent.
- [67] As stated earlier, ownership of the station vests in the community, while the Board is merely the steward and the custodian of the licence. A serious matter such as “*fraudulent financials*” should have been reported to the community first, even before the police became involved.
- [68] The fact that the community was not aware of this incident serves to illustrate that the involvement of the community in the affairs of the station was not taken seriously by the Respondent.

DUAL ROLES BY BOARD MEMBERS AT THE STATION

- [69] It was alleged that the station manager played a dual role at the station as he also

hosted shows as a presenter. If proven, this would be noncompliance with clause 10A 7(d) of the Regulations.

- [70] The Complainant provided no concrete proof to support his allegations. However, it was once more the version of the Respondent that provided the necessary corroboration.
- [71] According to the Respondent, the station manager was one of the people who was suspended because, *inter alia*, of the dual roles he occupied. The suspension was still in place and the process was incomplete as the station manager could not be traced. The version of the Respondent demonstrates that the Respondent knew of the allegations and accepted that they could not be denied.
- [72] Regulations specifically prohibit station managers from taking the role of presenter. This is done to prevent potential conflict of interest and ensures a clear separation of management and on-air duties.
- [73] To be effective in management, it is important for the station manager to have an arms-length relationship with the station's employees. This cannot be achieved if the station manager becomes involved in duties such as hosting shows at the station.

ALLEGED MISUSE OF THE STATION'S BANK ACCOUNTS

- [74] The allegations that the station manager, the programming manager and the marketing manager were operating personal bank accounts using the name of the station are serious allegations. The Respondent denied the allegations or any knowledge of the existence of the bank accounts referred to.
- [75] As serious as this allegation is, the Complainant failed to produce any evidence in support of the alleged misuse of the station's money. There was not even an allegation that funds that belonged to the Respondent went missing or were unaccounted for. Without such evidence, the CCC could not verify the truthfulness of the allegations. It follows, therefore, that this charge has not been proven, and should be dismissed.

THE ALLEGATION THAT THE RESPONDENT OPERATES WITHOUT A VALID LICENCE

[76] It is so, that the Respondent's Licence expired in 2023. However, there are indications that Mosupatsela FM submitted a renewal application to the Authority which application is still under consideration. Meanwhile, the Respondent is allowed to operate until the Authority has concluded the application. The CCC has been informed that the Licensing Department is awaiting the decision of the CCC before finalizing the renewal application. The Licensing Department confirmed that the Respondent was still a licensee. In view of the above, this allegation has no merit and the charge should be dismissed.

AGGRAVATING FACTORS AND MITIGATING FACTORS TAKEN INTO CONSIDERATION

[77] Before the CCC could recommend any sanction against the Respondent or suggest any solution as a way forward, it took a number of factors into consideration, namely: —the nature and seriousness of the complaint, the circumstances under which the noncompliance took place, the consequences of the noncompliance, steps taken by the Respondent to remedy the noncompliance, and steps taken by the Respondent to ensure that similar noncompliance did not re occur in the future.

Nature and Gravity of Noncompliance.

[78] Although the Respondent is facing several charges, such as dual roles by the station manager, operating without a valid licence and lack of community involvement in the affairs of the station, lack of community participation seems to be the central issue.

[79] Failure to comply with community participation requirements is considered a serious violation that goes to the very core of a community radio station's legal mandate. This is why it can lead to heavy sanctions, including a revocation of a licence where there have been repeated violations.

[80] Thankfully, in the present case, there is no evidence that such harsh measures are warranted.

[81] In any event a sanction which is likely to cause harm to the community served by the station, is always avoided where possible. In the present case, it seems to me that education and guidance by ICASA is more likely to achieve positive results and benefit the communities served by the station than harsh punishment.

Circumstances Under Which Noncompliance Occurred

[82] The Respondent is alleged to have failed to comply with regulations, licence terms and conditions as well as its Constitutional obligations. The noncompliance occurred at a time when there was no community involvement in the affairs of the station. It seems to me, therefore, that once remedial steps are taken to ensure that ownership of the station is given back to the community, the community is likely to keep the station on track.

Consequences of the Noncompliance

Lack of Community Participation

[83] Failure by the Respondent to comply with the requirements of community participation has serious implications.

[84] First, failure to encourage community participation in the affairs of the community radio station is a breach of the station's licence terms and conditions and underlying statutes.

[85] Second, it means local voices have been deprived of their right to be heard. In addition, members of the community have been deprived of an opportunity to shape their own destinies by being involved in the affairs that affect their lives.

[86] In the present case, the communities served by Mosupatsela FM include those in Botshabelo, Morakge, Thaba-Nchu, Klipfontein, Masham, Wolwepoort, and surrounding areas in the Free State Province.

[87] These are communities which are most likely to be ignored by the mainstream media. Mainstream media primarily cater for the general public, but their coverage is often heavily shaped to satisfy, among others, the financial interests of corporate

advertisers.

- [88] In contrast, community radio stations were primarily established to democratise the airwaves and give a voice to marginalised, rural and disenfranchised communities such as the communities in the present case. Not involving them in the affairs of Mosupatsela FM meant that members of these communities were deprived of opportunities that only a community radio station could offer.

Prohibited Dual Roles

- [89] There is a good reason for the requirement that station managers should avoid presenting radio shows. The dual roles create an inherent conflict of interest.
- [90] Managing a station is no small task. It means focusing on the bigger picture such as strategy and finances. More importantly, it means spending time empowering the workforce, such as we find in team development.
- [91] Wearing both hats, simultaneously, can easily lead to compromised decision making, staff resentment and neglect of managerial duties and responsibilities.
- [92] It is the manager's responsibility to objectively evaluate shows, distribute resources and schedule staff. A manager who is also hosting his own show is unlikely to act objectively when it comes to evaluating shows or allocating resources for the shows concerned. He/she may easily disproportionately allocate promotional budgets, prime airtime, or resources to his/her own show instead of shows by other presenters.
- [93] The list of ramifications is not exhaustive. There may be other consequences that the CCC might not be aware of for the same reasons that have been mentioned above under lack of community participation.

Steps taken by the Respondent to Remedy the Noncompliance

- [94] The Respondent, through the current Board, made an undertaking to, as soon as possible, remedy the noncompliance.

- [95] Among other things, the new board would establish subcommittees with each consisting of at least three members of the community.
- [96] The purpose thereof would be to include the public in all the affairs of the Respondent.
- [97] As commendable as the above initiative is, it may still fall short of a real solution in respect of community involvement in the affairs of the station.
- [98] Mosupatsela FM has a vast coverage area, including Botshabelo, Morakge, Thaba-Nchu, Klipfontein, Masham, Wolwepoort, and surrounding areas in the Free State Province.
- [99] It is difficult to imagine a harder task than that of ensuring that these communities consisting of people with varied needs, interests and aspirations are catered for equitably. The task of establishing meaningful community participation, therefore, is no small feat and warrants regular intervention and guidance from the Authority.

Steps Taken by the Respondent to Ensure that Similar Noncompliance Did Not Occur in the Future

- [100] During the course of the hearing the Respondent re-iterated that it was at a disadvantage because it found no records or files relating to the historical background of the Respondent. As a result, there was no firm foundation not only to build on, but also to plan for the future.
- [101] Nevertheless the Respondent's efforts stated under remedial action above, seem sufficient for now to ensure that similar noncompliance did not occur in the future.
- [102] There is of course plenty of room for the Respondent to improve. That is why the intervention of the monitoring division of ICASA is necessary. Such intervention will guide the Respondent in its efforts not only to be compliant but also to prevent future similar non-compliant conduct.

CONCLUSION

[103] In summary the Respondent had to answer to the following charges:

- Failure to involve the community in its affairs
- Station Manager and others had dual roles at the station
- Bank accounts were opened on behalf of the Respondent and misused by several individuals at the station.
- The Respondent operated without a licence since 2023.

[104] On the totality of the facts, the CCC makes the finding that

104.1 The Respondent failed to comply with section 50(d) of the Electronic Communications Act No 36 of 2005 which states:

"in considering the grant of community broadcasting service licence, the Authority must, with due regard to the objects and principles enunciated in section 2, among others, take into account whether ...the applicant intends to encourage members of the relevant community or those associated with or promoting the interests of such community to participate in the selection and promotion of programmes to be broadcast in the course of such broadcasting service."

in that the Respondent failed to encourage and ensure community participation in the affairs of the station.

104.2 The Respondent failed to comply with Clause 10A 7(d) of the Regulations on Amended Standard Terms and Conditions for Class Licences of 2016, which states:

"The Board of Directors/Trustees and the Station Management must not occupy dual roles with regard to being managers/presenters at the station".

in that the Respondent's station manager, while being an *ex officio* member of the Board, carried out duties as a presenter in the radio station.

104.3 the Respondent was alleged to have failed to comply with clause 16.1.1 of its Constitution which states:

"Mosupatsela FM stereo shall open a banking account(s) and such account(s) shall jointly be operated by the Chairperson, Secretary and Treasurer of the Board of Directors."

[105] **There was no evidence to support the allegation that the Respondent failed to comply with its Constitutional obligations in this regard.** Instead there was indication that, in compliance with the above clause, a banking account was indeed opened in the name of the Respondent.

[106] On the version of the Respondent, the said bank account is the one that the new board could not access. From the information before the CCC, it is not clear who operated the account and how. **For that reason, the related allegation, that there was misuse of funds by certain individuals remains unproven.** For that reason, this charge is dismissed.

[107] **The last allegation is that the Respondent has been operating without a licence since 2023, when its licence expired.** Filed with the papers is a licence that the Authority granted and issued to the Respondent which shows the expiration date as 2023.

[108] From the information provided to the CCC, the Respondent submitted an application to renew its licence and this application is still pending.

[109] For that reason it has not been proven that the Respondent operated without a valid licence. Accordingly, this charge is dismissed.

FINDING

[110] Having regard to the totality of the evidence in this matter, the CCC makes the following finding:

110.1 The Respondent failed to comply with section 50(d) of the Electronic Communications Act No 36 of 2005 in that it failed to encourage and ensure

community participation in the affairs of the station, in particular programming.

110.2 The Respondent failed to comply with Clause 10A 7(d) of the Regulations on Amended Standard Terms and Conditions for Class Licences of 2016, in that the Respondent's station manager, while being an ***ex officio*** member of the Board, carried out duties as a presenter in the radio station.

110.3 The Complainant failed to prove that the Respondent failed comply with clause 16.1.1 of its Constitution in that there was no evidence to support the allegation. Accordingly, this charge is dismissed.

110.4 Considering that the Respondent's renewal application for a licence is still pending, the CCC cannot make a finding that the Respondent has been operating without a licence since 2023. The allegation, therefore, has not been proven. Accordingly, this charge is dismissed.

RECOMMENDATIONS IN TERMS OF SECTION 17E(2) OF THE ICASA ACT

[111] In terms of section 17E(2) of the ICASA Act, the CCC recommends to the Authority an order to be issued that

111.1 the Respondent desists from any further contravention of the charges on the charge sheet.

111.2 the Respondent takes the following remedial steps:

111.2.1 Convene an AGM within 90 calendar days from the issue of this order, for the purpose of ensuring community participation in programming and related matters;

111.2.2 the Respondent (through the new board) requests the assistance of its Compliance Officer with regard to various matters that the Respondent may require assistance in. [Working closely with the Compliance Officer of ICASA is important considering the sheer volume of the work that needs to be done and that the Respondent

has such a vast coverage area].

[112] The Respondent shall pay a fine of R50 000 (fifty thousand rand) for the contraventions. The fine is wholly suspended for a period of three (3) years, on condition that, during the suspension period, the Respondent is not found to have contravened the same regulations.

TMMasipa

Judge Thokozile Masipa
Chairperson of the CCC

17/7/2026

Date