
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA
NOTICE 780 OF 2016****ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)****APPLICATION FOR AMENDMENT OF A COMMERCIAL SOUND BROADCASTING
SERVICE LICENCE BY CAPE TOWN RADIO (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received an application from Cape Town Radio (Pty) Ltd ("Smile 90.4 FM"), for an amendment of its Individual Commercial Sound Broadcasting Service Licence lodged in terms of regulation 9 of the Processes and Procedures Regulations for Individual Licences read with section 10 of the Electronic Communications Act, No 36 of 2005 ("EC Act"), as amended. In terms of section 10(2) read with section 9(2)(a) of the EC Act, the Authority is required to give notice of the application in the *Gazette* and invite interested person to submit written representations in relation to the application.
2. The amendment application seeks approval from the Authority to amend clauses 3 and 4 of Smile 90.4 FM's Individual Commercial Sound Broadcasting Service Licence as follows:

Clause 3 currently reads as follows:

"The Licensee shall broadcast 60% in Afrikaans and 40% in English."

The proposed amendment to Clause 3 will read as follows:

"The Licensee shall broadcast 45% in Afrikaans and 55% in English."

Clause 4 currently reads as follows:

“The Licensee shall have a programming format of 50% music and 50% talk providing entertainment; informative and educational programmes through features on lifestyle issues and talk in the form of phone-ins and other forms of programming. The music to be broadcast includes amongst other genres, South African pop; South African Afrikaans music; international pop and international gold.”

The proposed amendment to Clause 4 will read as follows:

“The Licensee shall have a programming format of 60% music and 40% talk providing entertainment; informative and educational programmes through features on lifestyle issues and talk in the form of phone-ins and other forms of programming. The music to be broadcast includes amongst other genres, South African pop; South African Afrikaans music; international pop and international gold.”

3. The application, relevant schedule and any representations received pursuant thereto will be made available and be open for inspection by interested parties in the Authority’s library during the Authority’s normal office hours.
4. Interested parties are invited to lodge written representations in relation to the application within fourteen (14) working days of the date of publication of this notice in the *Government Gazette*. Persons who lodge representations must also indicate whether they wish to make oral submissions should the Authority decide to hold a public hearing in respect of the application.
5. All written representations, responses and other correspondence in terms hereof must be directed to Mr Thabo Ndhlovu at Broadcasting Services: Licensing Division, at Block A, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg OR Private Bag X10002 Sandton, 2146 OR by fax no. (011) 506 3664 OR by e-mail: TNdhlovu@icasa.org.za
6. Persons who lodge representations in terms hereof shall, at the time of lodgement, furnish proof to the satisfaction to the Authority that a copy of the representation has been delivered by hand to Mr Lois O’ Brien at 3rd Floor, The Media Quarter, 2 De Smit Street, Greenpoint, 2196, Cape Town, OR by

registered post to PO Box 50194, Waterfront, 8002, OR by telefax to (021) 818 8810 OR email: lois@smile904.fm.

7. Smile 90.4 FM shall be entitled to respond in writing to written representations made by interested persons on the amendment application, and such written response must be lodged with the Authority within twenty-one (21) working days of the date of publication of this notice in the *Government Gazette*. Smile 90.4 FM must, at the time of lodging such written response, furnish proof to the Authority's satisfaction that it has delivered a copy of such response by hand, or has sent a copy of such response by registered mail or by facsimile or by email to the relevant person having made such written representations.



RUBBEN MOHLALOGA
ACTING CHAIRPERSON