

## 18. Substitution of Form B of the Regulations

18.1. The following Form of Schedule 1 is hereby substituted for Form B of the Regulations:

### **"FORM B**

REGISTRATION OF A LICENCE TO PROVIDE A COMMUNITY BROADCASTING SERVICE / SPECIAL EVENT COMMUNITY SOUND BROADCASTING SERVICE / TEMPORARY COMMUNITY TELEVISION BROADCASTING SERVICE / LOW POWER COMMUNITY SOUND BROADCASTING SERVICE

### **INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**

*Note:*

*(a) Registrants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("the Act") and any regulations published under the Act with regard to the requirements to be fulfilled by registrants. Registrants are referred, in particular, to the Community Sound Broadcasting Regulations, 2019 (published under GN439 in Government Gazette 42323 of 22 March 2019) and the Community Sound Broadcasting Licence: Criteria to Measure Community Support Regulations, 1997 (published under GN R1388 in Government Gazette 18380 of 17 October 1997).*

*(b) Information required in terms of this Form which does not fit into the space provided must be included in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.*

*(c) Where any information in this Form does not apply to the registrant, the registrant must indicate that the relevant information is not applicable.*

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| <b>1. PARTICULARS OF THE REGISTRANT</b> |  |
| 1.1. Full name of registrant:           |  |

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| 1.2. Designated contact persons (maximum of two):                  |  |
| 1.3. Registrant's principal place of business:                     |  |
| 1.4. Registrant's postal address:                                  |  |
| 1.5. Registrant's telephone number/s (including mobile numbers):   |  |
| 1.6. Registrant's telefax number/s:                                |  |
| 1.7. E-mail address of designated contact person (maximum of two): |  |

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| <b>2. LEGAL FORM OF REGISTRANT</b>  |  |
| 2.1. Indicate the legal form of the registrant (e.g. Non-Profit entity incorporated in terms of the Companies Act, 2008 ):  |  |
| 2.2. Registration number of the registrant:   |  |
| 2.3 The following documents must be submitted with the registration: the certificate of registration accompanied by either an approved memorandum of incorporation, a constitution which has been signed by the founding members/Board. The founding documents must have provision for the following: minimum of 51% quorum for the annual general meeting, |  |

provision for membership and an appeals mechanism in case of rejection upon application and clear separation of powers between management and board of directors. Should the registrant fail to submit these documents, the registration will not be considered. Attach as **Appendix 2.3.1 of Form B**.

### 3. NON-PROFIT STATUS OF REGISTRANT

Provide details of the registrant's non-profit status. Please provide a certified certificate of registration as a Non-Profit Entity or provide a deed of trust and Letter of Authority from the Master's Office in respect of a Community Trust.

### 4. COMMUNITY

4.1 Indicate whether the community to be served by the proposed broadcasting service is:

4.1.1 geographically founded community; *or*

4.1.2 group of persons or sector of the public with a specific, ascertainable common interest.

4.2 Where the community to be served by the registrant is a geographically founded community, provide details of the community to be served, including:

(i) whether the community is urban, peri-urban or rural

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|     | (ii) the number of people in the community<br>(iii) gender, language, income and demographic statistics in relation to the community. <b>(Attach as Appendix 4.2 of Form B)</b>  |
| 4.3 | Where the community to be served by the registrant is a community of common interest, provide details of the community to be served, including:<br>(i) the nature of the common interest;<br>(ii) the size of the community in the geographic area in which the service is proposed to be provided; and<br>(iii) gender, language, income and demographic statistics in relation to the community. <b>(Attach as Appendix 4.3 of Form B)</b> |

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| <b>5. NATURE OF SERVICES TO BE LICENSED</b> |  |
| 5.1   | Provide a description of the service to be provided: <b>Attach as Appendix 5.1 of Form B.</b>  |
| 5.2   | Nature of Events (Only for special event and community tv):  |
| 5.2.1                                       | What is the event which will be covered by the station if a licence is granted?<br>Please provide details including the dates of events, the nature of the event and a motivation for how a broadcasting licence will contribute towards in the event. |
| 5.3   | What dates is the licence required for? If these dates differ from those of the event, please motivate why:  |

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| 5.4 Indicate the geographic area in which the service is to be provided:   |
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| 5.5 Provide details of the languages in which the broadcasting service is to be provided. Where it is proposed that the service will be provided in more than one language, provide a breakdown of the number of hours of programming which will be broadcast in each language.  |
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| 5.6 Provide the registrant's proposed programming schedule. Further provide the proposed programming format and content to be provided, and indicate when your peak time will be, the extent to which output would be locally originated and extent to which it will be externally sourced. Further indicate the proposed minutes of news to be broadcast on a daily basis and provide a percentage split in terms of local, national and international news content. Indicate the duration and scheduling of current affairs programme/s and provide the percentage split in terms of local, national and international content and indicate source as well. The ICASA South African Music Content Regulations, 2016 require class community sound broadcast licences to broadcast the prescribed percentage of local music. Indicate your proposed |

percentage of local music to be broadcast.

- 5.7 In the case of a special event community sound broadcasting licence, 60% of broadcast content must be related to the special event.

**Attach as Appendix 5.7 of FORM B.**

## **6. SERVING THE COMMUNITY'S INTERESTS**

- 6.1 Provide proof of how the registrant proposes to serve the community's interests:

- 6.2 Provide proof of how the registrant proposes to encourage members of the community it serves, or persons associated with the promotion of the community's interests, to participate in the selection and production of programming to be provided by the registrant:

## **7. SUPPORT**

Provide proof of support by members of the registrant's community or of persons associated with the registrant's community or of persons who promote the interests of the registrant's community. Kindly submit letters of support from

NGOs, business and so forth and signatures of support from members of the community/prospective listeners etc. **Attach as Appendix 7 of Form B**

## **8. FINANCES**

8.1 Submit commitment of funding, which includes the amount from financial institutions or any other entity for start-up costs and provide details of the way the proposed service is to be funded (e.g. sponsorship, donations etc.)

**Attach as Appendix 8.1 of Form B**

8.2 Provide details of the registrant's anticipated:

- i. capital expenditure necessary for the commencement of the provision of services; and
- ii. operating expenditure during the registrant's first year of operation.

**Attach as Appendix 8.2 of Form B**

8.3 Provide details of the registrant's business plan: **Attach as Appendix 8.3 of Form B**

## **9. CONTROL AND MANAGEMENT**

9.1 Provide details (including name, nationality, identification or passport number, position and address) of each member of the registrant. Confirm if the individuals below reside within the proposed coverage area **Attach as Appendix 9.1 of Form B**

- i. board of directors or similar body
- ii. senior management

9.2 **Attach the proposed organogram as Appendix 9.2 of Form B:**

9.3 Provide details of all ownership interests in the registrant: **Attach as Appendix 9.3. of Form B.**

9.3.1 Provide details of any persons in a position of control of the registrant who is a foreign citizen, or an entity registered or incorporated in any country other than South Africa: Indicate whether any member of the Board of the

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| <p>registrant is a foreign citizen or an entity registered or incorporated in any country other than South Africa. Please provide details below.</p>  |
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| <p>9.4 Indicate whether any member of the Board of the registrant is also a member of the Board of another licensee issued in terms of the Act. Please provide details below.</p>   |
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| <p><b>10. RADIO FREQUENCY SPECTRUM</b></p>  |
| <p>10.1 Indicate if the registrant has submitted or intends to apply for a radio frequency spectrum licence for the provision of the services to which this registration relates. The registrant must complete form P contained in these regulations.</p> |
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**11. GENERAL**



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| 11.1 Indicate whether the registrant is a member of an entity recognised in terms of section 54 and 55 of the Act.  |  |
| 11.2 Indicate whether the registrant is a party, movement, organisation, body or alliance which is of a party-political nature.   |  |
| 11.3 Indicate whether the registrant has ever been convicted of an offence in terms of the Act or related legislation, as defined in the Act. If so, provide details of such conviction.  |  |
| 11.4 Provide details of other matters or undertakings which, in the registrant's view, the Authority should consider:   |  |
|   |  |
| 11.5 Attach a resolution authorising the person (s) not more than two signing this registration and liaising with the Authority during the registration process. The resolution must be marked clearly as <b>Appendix 11.5 of FORM B.</b> |  |

The person signing the registration on behalf of the registrant must acknowledge as follows:

I acknowledge that the Authority reserves the right to have any licence issued pursuant to this registration set aside should any material statement made herein, at any time, be found to be false.

Signed .....

(REGISTRANT)

I certify that this declaration was signed and sworn to before me at ..... on the ..... day of ..... 20..., by the deponent who acknowledged that he/she:

1. knows and understands the contents hereof;
2. has no objection to taking the prescribed oath or affirmation; and
3. considers this oath or affirmation to be truthful and binding on his/her conscience.

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**COMMISSIONER OF OATHS**

Name:

Address:

..." end of substitution