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DEPARTMENT OF COMMUNICATIONS

No. R. 1405

30 October 1998

THE SOUTH AFRICAN BROADCASTING CORPORATION

THE MINISTER FOR POSTS, TELECOMMUNICATIONS AND BROADCASTING

AMENDMENTS AND CONSOLIDATION OF THE REGULATIONS IN TERMS OF THE BROADCASTING ACT, ACT No. 73 OF 1976, AS AMENDED

Under the powers vested in him by section 23 (4) of the Broadcasting Act, 1976 (Act No. 73 of 1976), as amended, the Minister for Posts, Telecommunications and Broadcasting has approved the repeat of the Annexure to the Regulations contained in the Government Notice No. 1408 of 10 August of 1994 as well as the substitution thereof by Annexure A contained in the Schedule hereto, as promulgated hereunder by virtue of section 23 (1) (a), (b), and 23(2) of the said Act.

SCHEDULE

REGULATIONS GOVERNING TELEVISION LICENCES

ANNEXURE A

1. TELEVISION LICENCES FOR BUSINESSES:

Television licences issued in terms of section 17 (2) of the Act.

Licence fees in terms of Section 23 (1) (a) of the Act:

- (1) (a) (i) R221,05 per full licence year plus V.A.T. in respect of monthly cash payments at the SABC or its agent or agents including the Post Office by means of cheque or postal order in respect of the following undermentioned institutions: [See (aa), (bb) and (cc) hereunder]. As prescribed in Regulation 4.
- (1) (a) (ii) R182,46 per full licence year plus V.A.T. in respect of a single payment at the SABC or its agent or agents including the Post Office in respect of the undermentioned institutions: [See (aa), (bb) and (cc) hereunder]
- (1) (b) (i) R221,05 per full licence year plus V.A.T. in respect of a monthly or quarterly electronic debit order payment directly to the SABC in respect of the undermentioned institutions: [See (aa), (bb) and (cc) hereunder]
- (1) (b) (ii) R182,46 per full licence year plus V.A.T. in respect of a single annual electronic debit order payment directly to the SABC in respect of the undermentioned institutions: [See (aa), (bb) and (cc) hereunder]
 - (aa) an educational institution that is maintained or subsidised by the State (inclusive of provincial administrations), and which uses a television set or television sets solely for educational purposes, but excluding hostels associated with the institution;
 - (bb) a hospital, clinic, nursing home or health institution maintained by the State (inclusive of provincial administrations), but excluding hostels associated therewith;
 - (cc) an institution for the housing of infirm, feeble or elderly persons, the majority of the inmates of which are recipients of a social pension, grant or allowance paid by a Government department of the Republic, and which has installed television sets for use of the inmates in a public room or rooms on the same site as the institution, as well as institutions which are registered as welfare organisations with the Department of Welfare to accommodate destitute, disabled or neglected children who are in need of care; irrespective of the number of television sets used by the institution concerned or made available for use by the employees, patients or inmates of such institution.

- (2) (a) (i) R221,05 per full licence year plus V.A.T. in respect of monthly cash payments at the SABC or its agent or agents including the Post Office by means of cash, a cheque or postal order in respect of every television set used by a business or institution other than an institution referred to in item (1) of this subparagraph, or made available for use by the employees, customers, inmates, guests or patients of such business or other institution.
- (2) (a) (ii) R182,46 per full licence year plus V.A.T. in respect of a single payment at the SABC or its agent or agents including the Post Office as mentioned in paragraph 1 (2) (a) (i).
- (2) (b) (i) R221,05 per full licence year plus V.A.T. in respect of a monthly or quarterly electronic debit order payment directly to the SABC as mentioned in paragraph 1 (2) (a) (i).
- (2) (b) (ii) R182,46 per full licence year plus V.A.T. in respect of a single annual electronic debit order payment directly to the SABC as mentioned in paragraph 1 (2) (a) (i).
- (3) Should the obligation arise during the course of any licence year in respect of paragraph 1 (1) (a) (i) and 1 (2) (a) (i) to pay a licence fee in respect of an additional television set, a number of television sets or as the case may be, to obtain a licence for the first time on purchase or transfer of a television set, the following licence fees shall be payable:
- (a) In the first month of the licence year: R221,05 plus V.A.T.
 - (b) In the second month of the licence year: R202,63 plus V.A.T.
 - (c) In the third month of the licence year: R184,21 plus V.A.T.
 - (d) In the fourth month of the licence year: R165,79 plus V.A.T.
 - (e) In the fifth month of the licence year: R147,37 plus V.A.T.
 - (f) In the sixth month of the licence year: R128,95 plus V.A.T.
 - (g) In the seventh month of the licence year: R110,53 plus V.A.T.
 - (h) In the eighth month of the licence year: R92,11 plus V.A.T.
 - (i) In the ninth month of the licence year: R73,68 plus V.A.T.
 - (j) In the tenth month of the licence year: R55,26 plus V.A.T.
 - (k) In the eleventh month of the licence year: R36,84 plus V.A.T.
 - (l) In the twelfth month of the licence year: R18,42 plus V.A.T.
- (4) Should the obligation arise during the course of any licence year in respect of paragraph 1 (1) (a) (ii) and 1 (2) (a) (ii) to pay a licence fee in respect of an additional television set or a number of television sets, or as the case may be, to obtain a licence for the first time on purchase or a transfer of a television set the following licence fees shall be payable:
- (a) In the first month of the licence year: R182,46 plus V.A.T.
 - (b) In the second month of the licence year: R167,26 plus V.A.T.
 - (c) In the third month of the licence year: R152,05 plus V.A.T.
 - (d) In the fourth month of the licence year: R136,85 plus V.A.T.
 - (e) In the fifth month of the licence year: R121,64 plus V.A.T.
 - (f) In the sixth month of the licence year: R106,44 plus V.A.T.

- (g) In the seventh month of the licence year: R91,23 plus V.A.T.
- (h) In the eighth month of the licence year: R76,03 plus V.A.T.
- (i) In the ninth month of the licence year: R60,82 plus V.A.T.
- (j) In the tenth month of the licence year: R45,62 plus V.A.T.
- (k) In the eleventh month of the licence year: R30,41 plus V.A.T.
- (l) In the twelfth month of the licence year: R15,21 plus V.A.T.

- (5) Should the obligation arise during the course of any licence year in respect of paragraph 1 (2) (b) (i) to pay a licence fee in respect of an additional television set or a number of television sets, or as the case may be, to obtain a licence for the first time on purchase or transfer of a television set, the following licence fees shall be payable:

- (a) In the first month of the licence year: R221,05 plus V.A.T.
- (b) In the second month of the licence year: R202,63 plus V.A.T.
- (c) In the third month of the licence year: R184,21 plus V.A.T.
- (d) In the fourth month of the licence year: R165,79 plus V.A.T.
- (e) In the fifth month of the licence year: R147,37 plus V.A.T.
- (f) In the sixth month of the licence year: R128,95 plus V.A.T.
- (g) In the seventh month of the licence year: R110,53 plus V.A.T.
- (h) In the eighth month of the licence year: R92,11 plus V.A.T.
- (i) In the ninth month of the licence year: R73,68 plus V.A.T.
- (j) In the tenth month of the licence year: R55,26 plus V.A.T.
- (k) In the eleventh month of the licence year: R36,84 plus V.A.T.
- (l) In the twelfth month of the licence year: R18,42 plus V.A.T.

2. **TELEVISION LICENCES FOR PRIVATE USAGE:**

Television licences issued in terms of Section 17 (3) (a) of the Act:

Licence fees in terms of Section 23 (1) (a) of the Act:

- (1) (a) (i) R221,05 per full licence year plus V.A.T. in respect of monthly cash payments at the SABC or its agent or agents including the Post Office by means of cash, a cheque or postal order; subject to sub-paragraph (1) (b) (i) and (ii). As prescribed in Regulation 3 (1).
- (1) (a) (ii) R182,46 per full licence year plus V.A.T. in respect of a single payment at the SABC or its agent or agents including the Post Office; subject to sub-paragraph (1) (b) (i) and (ii).
- (1) (b) (i) R221,05 per full licence year plus V.A.T. in respect of a monthly or quarterly electronic debit order payment direct to the SABC. As prescribed in Regulation 2 (4).
- (1) (b) (ii) R182,46 per full licence year plus V.A.T. in the case of a single annual electronic debit order payment direct to the SABC. As prescribed in Regulation 2 (4).

- (2) The fees in paragraph 2 (1) (a) (i) and (ii) and 2 (1) (b) (i) and (ii) above are payable irrespective of the number of television sets used where the licensee is the head of the household and uses the television set or sets in his private capacity or allows other members of his household who resides with him to use that television set or sets.
- (3) Where during the course of any licence year, the obligation arises to take out a licence on purchase or transfer of a television set, in respect of paragraph 2 (1) (a) (i), 2 (1) (a) (ii) and 2 (1) (b) (i) the applicable licence fees prescribed in paragraph 1 (3), 1 (4) and 1 (5) of this Annexure shall be payable.

3. CONCESSIONARY TELEVISION LICENCES:

Television licences issued in terms of section 17 (3) (a) of the Act, to a person falling under the following categories of persons: A recipient of an old age pension, war veteran's pension, disability pension, excluding a recipient of a military pension (except a recipient of a military pension to whom a concessionary television licence was issued before 30 September 1987), maintenance grant (except where he receives it as the fosterparent or guardian of a child or children in respect of whom it is paid), or family allowance which is paid by a Government department of the Republic; a settler in a State settlement who is a recipient of a settler's allowance paid subject to the same means test as that which applies to social pensioners; an inmate of a State or State-supported home for the aged, and handicapped persons or a commercial home for the aged and handicapped persons which is run on behalf of the State, provided that at the time of his admission to such State or State-supported home or commercial home such inmate has been in receipt of a pension or allowance referred to in this paragraph or, but for his admission to the home concerned, could have been in receipt of such pension or allowance; a blind person whose application is supported by a recommendation from a registered society for the care of the blind, and an inmate in a Central Government hospital for patients suffering from infectious diseases, mental patients or feeble-minded persons who are maintained at State expense; a person, 70 years of age or older, provided that such person does not share a dwelling or resides with a person, other than his spouse, who is under 70 years of age and who is not his dependent; provided that such person is 70 years old on or before 30 September of the relative year; a *bona fide* farm labourer who, employed full-time as such by a person who is the owner or lessee of a farm, is permanently resident on such farm.

Licence fees in terms of Section 23 (1) (a) of the Act:

- (1) (a) (i) R94,74 per full licence year plus V.A.T. in respect of monthly cash payments at the SABC or its agent or agents including the Post Office: by means of cash, a cheque or postal order; subject to subparagraph (1) (b) (i) and (ii).
- (1) (a) (ii) R51,75 per full licence year plus V.A.T. in respect of a single payment at the SABC or its agent or agents including the Post Office; subject to subparagraph (1) (b) (i) and (ii).

Any application for a television licence in terms of this paragraph by a *bona fide* farm labourer shall be accompanied by a written declaration by his employer that the applicant is employed full-time by him as farm labourer and that the application is permanently resident on a farm of which the declarer is the owner or lessee.

- (1) (b) (i) R94,74 per full licence year plus V.A.T. in respect of a monthly or quarterly electronic debit order payment to the SABC. As prescribed in Regulation 2 (4).
- (1) (b) (ii) R51,75 per full licence year plus V.A.T. in respect of a single annual electronic debit order payment direct to the SABC. As prescribed in Regulation 2 (4).
- (2) The fees in 3 (1) (a) (i) and (ii) and 3 (1) (b) (i) and (ii) above are payable irrespective of the number of television sets used where the licensee uses the television sets in his private capacity or allows other members of his household, who reside with him and who are dependent on him to use that television set, or sets.
- (3) Where during the course of any licence year the obligation arises to take out a licence for the first time on purchase or transfer of a television set/s in respect of paragraph 3 (1) (a) (i) the following licence fees are payable:
- (a) In the first month of the licence year: R94,74 plus V.A.T.
 - (b) In the second month of the licence year: R86,85 plus V.A.T.
 - (c) In the third month of the licence year: R78,95 plus V.A.T.
 - (d) In the fourth month of the licence year: R71,06 plus V.A.T.
 - (e) In the fifth month of the licence year: R63,16 plus V.A.T.
 - (f) In the sixth month of the licence year: R55,27 plus V.A.T.
 - (g) In the seventh month of the licence year: R47,37 plus V.A.T.
 - (h) In the eighth month of the licence year: R39,48 plus V.A.T.
 - (i) In the ninth month of the licence year: R31,58 plus V.A.T.
 - (j) In the tenth month of the licence year: R23,69 plus V.A.T.
 - (k) In the eleventh month of the licence year: R15,79 plus V.A.T.
 - (l) In the twelfth month of the licence year: R7,90 plus V.A.T.
- (4) Where during the course of any licence year the obligation arises to take out a licence for the first time on purchase or transfer of a television set in respect of paragraph 3 (1) (a) (ii) the following licence fees are payable:
- (a) In the first month of the licence year: R51,75 plus V.A.T.
 - (b) In the second month of the licence year: R47,44 plus V.A.T.
 - (c) In the third month of the licence year: R43,13 plus V.A.T.
 - (d) In the fourth month of the licence year: R38,81 plus V.A.T.
 - (e) In the fifth month of the licence year: R34,50 plus V.A.T.
 - (f) In the sixth month of the licence year: R30,19 plus V.A.T.
 - (g) In the seventh month of the licence year: R25,88 plus V.A.T.
 - (h) In the eighth month of the licence year: R21,56 plus V.A.T.
 - (i) In the ninth month of the licence year: R17,25 plus V.A.T.
 - (j) In the tenth month of the licence year: R12,94 plus V.A.T.
 - (k) In the eleventh month of the licence year: R8,63 plus V.A.T.
 - (l) In the twelfth month of the licence year: R4,31 plus V.A.T.

- (5) Where during the course of any licence year the obligation arises to take out a licence for the first time on purchase or transfer of a television set in respect of paragraph 3 (1) (b) (i) the following licence fees are payable:

- (a) In the first month of the licence year: R94,74 plus V.A.T.
- (b) In the second month of the licence year: R86,85 plus V.A.T.
- (c) In the third month of the licence year: R78,95 plus V.A.T.
- (d) In the fourth month of the licence year: R71,06 plus V.A.T.
- (e) In the fifth month of the licence year: R63,16 plus V.A.T.
- (f) In the sixth month of the licence year: R55,27 plus V.A.T.
- (g) In the seventh month of the licence year: R47,37 plus V.A.T.
- (h) In the eighth month of the licence year: R39,48 plus V.A.T.
- (i) In the ninth month of the licence year: R31,58 plus V.A.T.
- (j) In the tenth month of the licence year: R23,69 plus V.A.T.
- (k) In the eleventh month of the licence year: R15,79 plus V.A.T.
- (l) In the twelfth month of the licence year: R7,90 plus V.A.T.

4. **TELEVISION LICENCES FOR THE HIRING OUT OF TELEVISION SETS:**

Television licences issued, in terms of section 17 (3) (b) of the Act, to a radio dealer in respect of television sets used by such radio dealer for the purpose of letting.

Licence fees in terms of Section 23 (1) (a) of the Act:

In respect of each television set thus let, the amount prescribed for a television licence in paragraph 1 (2) (i) (a) and (ii) and 1 (2) (b) (i) and (ii) of this Annexure subject, however to the provisions of paragraph 1 (3), 1 (4) and 1 (5) of this Annexure. As prescribed in Regulation 4 (4).

5. **TELEVISION LICENCES FOR DEMONSTRATION PURPOSES:**

Television licences issued, in terms of section 17 (3) (c) of the Act, to a radio dealer who has a television set in his possession in respect of his business as a radio dealer.

Licence fees in terms of Section 23 (1) (a) of the Act:

The amount prescribed for a television licence in paragraph 1 (2) (a) (i) and (ii) and 1 (2) (b) (i) and (ii) of this Annexure irrespective of the number of television sets the relevant radio dealer has in his possession, subject, however to the provisions of paragraph 1 (3), 1 (4) and 1 (5) of this Annexure. As prescribed in Regulation 4 (5).

6. **TELEVISION LICENCES ISSUED TO OWNERS OR LESSEES OF FARMS FOR MAKING TELEVISION SETS AVAILABLE TO FARM LABOURERS:**

Television licences issued in terms of section 17 (3) (a) of the Act to the owner or lessee of a farm who makes a television set or sets available for the use by *bona fide* farm labourers in his employ and resident on such farm.

Licence fees in terms of Section 23 (1) (a) of the Act:

- (1) (a) (i) R94,74 per full licence year plus V.A.T. in respect of monthly cash payments at the SABC or its agent or agents including the Post Office by means of cash, a cheque or postal order in respect of every television set so made available.
- (1) (a) (ii) R51,75 per full licence year plus V.A.T. in respect of a single payment at the SABC or its agent or agents including the Post Office.
- (1) (b) (i) R94,74 per full licence year plus V.A.T. in respect of a monthly or quarterly electronic debit order payment direct to the SABC.
- (1) (b) (ii) R51,75 per full licence year plus V.A.T. in respect of a single annual electronic debit order payment direct to the SABC.

Any application of a television licence in terms of this paragraph shall be accompanied by a written declaration by the applicant to the effect that the television set in respect of which such application is made, is or shall be made available by the applicant for the exclusive use by *bona fide* farm labourers in his employ and resident on a farm of which the applicant is the owner or lessee.

- (2) Where during the course of any licence year the obligation arises to take out a licence for the first time in respect of paragraph 6 (1) (a) (i) and (ii) and 6 (1) (b) (i) the applicable licence fees prescribed in paragraph 3 (3), 3 (4) and 3 (5) of this Annexure shall be payable in respect of each television set.

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