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GENERAL NOTICE

NOTICE 1216 OF 2002



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

AMENDMENT OF REGULATIONS:

ICASA SOUTH AFRICAN TELEVISION REGULATIONS, 2002 AND ICASA SOUTH AFRICAN MUSIC CONTENT REGULATIONS, 2002.

The Independent Communications Authority of South Africa ("ICASA") hereby, under section 78(1)(d) of the Independent Broadcasting Authority Act ("the IBA Act"), 1993, as amended, amends regulations 3.1, 3.2, and 4.1 of ICASA South African Television Content Regulations, 2002, and regulations 3.1, 3.2, 3.3, and 4.1 of ICASA South African Music Content Regulations, 2002.

GENERAL EXPLANATORY NOTE

Words in bold type in square brackets indicate deletions of existing words.

Underlined words indicate insertions.

ICASA SOUTH AFRICAN TELEVISION REGULATIONS, 2002

3. Public Television Licensees

Regulation 3.1 is hereby amended by the deletion of **[these regulations coming into effect]** by the insertion of the gazetting of these regulations. Regulation 3.1 now reads as follows:

A public television licensee must ensure that after eighteen months of the gazetting of these regulations in the case of an existing licence holder or within eighteen

months of the issue of a licence or such longer period as the Authority may determine, at least 55% of its programming during the South African television performance period and during prime time consists of South African television content.

Regulation 3.2 is hereby amended by the deletion of **[these regulations coming into effect]** by the insertion of the gazetting of these regulations. Regulation 3.2 now reads as follows:

Where a public television licensee provides a broadcasting service which has more than one channel, that licensee must ensure that after eighteen months of the gazetting of these regulations at least 55% of its programming on each channel during the South African television performance period and during prime time consists of South African television content.

4. Public Commercial and Private Commercial Television Licensees

Regulation 4.1 is hereby amended by the deletion of **[these regulations coming into effect]** by the insertion of the gazetting of these regulations. Regulation 4.1 now reads as follows:

A commercial television licensee, including a public commercial television licensee, must ensure that after eighteen months of the gazetting of these regulations or such longer period as the Authority may determine, a weekly average of 35% of its programming in the South African television performance period consists of South African television content.

ICASA SOUTH AFRICAN MUSIC CONTENT REGULATIONS, 2002.

3. Imposition of Sound Broadcasting Licence Conditions Regarding South African Music

3.1 Public Sound Broadcasting Licensee

Regulation 3.1 is hereby amended by the deletion of **[these regulations coming into effect]** by the insertion of the gazetting of these regulations. Regulation 3.1 now reads as follows:

Every holder of a public sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, at least 40% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period.

3.2 Public Commercial and Private Commercial Sound Broadcasting Licensee

Regulation 3.2 is hereby amended by the deletion of **[these regulations coming into effect]** by the insertion of the gazetting of these regulations. Regulation 3.2 now reads as follows:

Every holder of a commercial sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, at least 25% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period.

3.3 Community Sound Broadcasting Licensee

Regulation 3.3 is hereby amended by the deletion of **[these regulations coming into effect]** by the insertion of the gazetting of these regulations. Regulation 3.3 now reads as follows:

Every holder of a community sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, at least 40% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period.

4. Formulas (Format Factor)

4.1 Regulation 4.1 is hereby amended by the deletion of **[and 4(b)]**. Regulation 4.1 now reads as follows:

The Music Points for 4.1(a) are calculated using the following formula: Format Factor (unit) x Duration

(a) for every five minutes of coverage of live music = 2

Regulation 4.1(b) is hereby amended by the deletion of **[1]** and the insertion of 2.

Regulation 4.1(b) now reads as follows:

(b) for an interview with South African musician(s) or composer(s) with a normal minimum of five minutes = 2

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