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## GENERAL NOTICE

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### NOTICE 2162 OF 2003



### INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

### AMENDMENT OF REGULATIONS

### ICASA SOUTH AFRICAN TELEVISION CONTENT, 2002

The Independent Communications Authority of South Africa ("ICASA") hereby gives notice of its intention to amend regulations 2.30, 3.1, 4.1, 4.2 and 8.6 of ICASA South African Television Content Regulations, 2002.

These Regulations are due to come into effect on 22 August 2003. In preparing for the monitoring of the aforesaid regulations, the Authority identified certain discrepancies between the Position Paper and the Regulations as gazetted. Amendments to the Regulations have therefore been introduced in order to deal with the discrepancies.

We hereby invite interested parties to comment on the proposed amendments by 16h00 on 15 August 2003. Representations should be confined to the proposed amendments.

Representations should be sent to:

**Pfanani Lishivha: Projects Manager, Policy Development and Research Department, ICASA.**

**e-mail: [plishivha@icasa.org.za](mailto:plishivha@icasa.org.za)**

**fax: (011) 448 - 2414**

## GENERAL EXPLANATORY NOTE

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

\_\_\_\_\_ Underlined words indicate insertions.

### 2. Definitions

It is proposed that Regulation 2.30 be amended by the deletion of the word **[not]** and the insertion of the words or television programming that. Regulation 2.30 should read as follows:

**“Repeat”** means television programming that is not a first broadcast by a South African television licensee or television programming that has been broadcast by another South African television licensee.

### 3. Public Television Licensees

It is proposed that Regulation 3.1 be amended by the deletion of the words **[at least]** and the insertion of the words an annual average of. Regulation 3.1 should read 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, an annual average of 55% of its programming during the South African television performance period and during prime time consists of South African television content.

### 4.2 Public Commercial and Private Commercial Television Licensees

It is proposed that Regulations 4.1 and 4.2 be amended by the deletion of the words **[a weekly]** and the insertion of the words an annual. Regulations 4.1 should read 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, an annual average of 35% of its programming in the South African television performance period consists of South African television content.

Regulation 4.2 should read as follows:

A commercial television licensee must ensure that at the commencement of its broadcasting service it achieves an annual average of 35% of South African television content during the South African television performance period.

## 8.6 Repeats

It is proposed that Regulation 8.6(a) be amended by the deletion of **[0.5]** and the insertion of 50%.

Regulation 8.6(a) should read as follows:

- (a) for first repeat of a South African programme targeted at different audiences = 50%

It is proposed that Regulation 8.6(b) be amended by the insertion of South African television, and the deletion of **[0.5]** and the insertion of 50%.

Regulation 8.6(b) should read as follows:

- (b) for a South African programme originally screened on another South African television channel = 50%

It is proposed that Regulation 8.6(c) be amended by the deletion of **[0.5]** by the insertion of 50%.

Regulation 8.6(c) should read as follows:

- (c) for a rebroadcast of the week's episodes = 50%

It is proposed that Regulation 8.6 be amended by the insertion of 8.6(d) which reads as follows:

- (d) any further repeats of the programme shall not count towards compliance with the South African content quota.

It is proposed that the statement **[Ten points are worth 1% towards the South African content quota on a weekly basis]** under 8.6 be deleted in its entirety. ICASA would also like to state that Regulation 8.6 is not a Format Factor.

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