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AIDS HELPLINE 0800-0123-22 Prevention is the cure

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No.****GENERAL NOTICE****Independent Communications Authority of South Africa***General Notice*1498 Independent Broadcasting Authority Act (153/1993): Application for the amendment of licence conditions: Kaya FM
(Pty) Ltd3 26600

GENERAL NOTICE

NOTICE 1498 OF 2004



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

APPLICATION FOR THE AMENDMENT OF LICENCE CONDITIONS: KAYA FM (PTY) LTD

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice, in terms of section 52(2)(a) of the Independent Broadcasting Authority Act, Act No 153 of 1993 ("the Act"), that it has received an application from Kaya FM for the amendment of its broadcasting licence in terms of section 52(1)(c) of the Act as contained in the schedule below.
2. This application is available for inspection by any interested parties during the Authority's normal office hours.
3. Interested persons are hereby invited to make written representations on the proposed amendment to the Authority by **11 August 2004**. Interested persons who make such written representations to the Authority must simultaneously indicate whether they require an opportunity to make oral representations to the Authority on the proposed amendments.
4. Kaya FM shall be entitled to respond in writing to the written representations made by interested persons on the proposed amendments, and any such written response must be submitted to the Authority within sixty (60) days of the date of publication of this notice in the *Government Gazette*. Kaya FM must, at the time of submitting its written response, furnish proof to the Authority's satisfaction that it has delivered a copy of the response by hand, or has sent a copy of the response by registered mail or by facsimile, to the relevant persons having made written representations.
5. All written representations, responses and other correspondence regarding the proposed amendment must be directed to Mr. Thabo Ndhlovu, Manager: Licensing at Block D, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg or Private Bag X10002, Sandton, 2146 or by fax (011) 448 2186.
6. Persons, who lodge representations in terms hereof, shall at the time of lodgement furnish proof to the satisfaction of the Authority that a copy of the representation has been sent by registered post or delivered or faxed to Ms Justine White at Mukwevho Mkhabela Adekeye Inc., First floor, Block 6,

Momentum Office Park, 145 Western Service Road, Woodmead, 2157 or by fax (011) 656 9106.

MANDLA LANGA
CHAIRPERSON
ICASA

SCHEDULE

1. According to the applicant, the proposed amendment will result in a change to clause 1.3 of Schedule C of its shareholding structure, which is currently as follows:

"1.3 New Africa Media Holdings 24.921%"

2. In terms of Kaya FM's current shareholding structure New Africa Media Holdings (Pty) Ltd ("NAMH") holds 24.921% (twenty four point nine two one per cent) of the share capital in Kaya FM.
3. NAMH is a wholly owned subsidiary of New Africa Investments Limited (NAIL), which is in the process of restructuring and has decided to divest itself its broadcasting assets. As part of the restructuring process, NAIL has decided to hold its shares in Kaya FM directly rather than through its wholly owned subsidiary, NAMH.
4. The holding by NAIL of its shares in Kaya FM directly rather than through NAMH will necessitate an amendment to Schedule C to Kaya FM's licence such that paragraph 1.3 of Schedule C to Kaya FM's licence reads as follows:

"1.3 New Africa Investments Limited 24.921%"

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