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INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NOTICE 2927 OF 2025

ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

APPLICATION FOR EXEMPTION OF AN INDIVIDUAL COMMERCIAL SOUND BROADCASTING SERVICE LICENSE BY KAGISO MEDIA PTY) LTD IN RELATION TO KAYA FM (PTY) LTD ("KAYA FM")

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received an application from Kagiso Media (Pty) Ltd ("the Applicant"), for an exemption of the provisions of limitations of control on section 65(2) in relation to its shareholding in Kaya FM. The exemption application is lodged in terms of section 65(6) of the Electronic Communications Act, No 36 of 2005 ("EC Act").

2. The exemption application seeks the approval from the Authority to grant the Applicant an exemption under section 65(6) from the operation of section 65(2) of the EC Act to address Kagiso Media's shareholding in the sound broadcasting licensees.

3. The Applicant submitted the following shareholding information in the exemption application:

3.1 Kagiso Media shareholding in Kaya FM is as follows:

Shareholding in Kaya FM	Economic rights	Voting rights
Kagiso Media (Through Shanike Investments)	24.900%	12.201%
KMI (Through Thebe convergent technology holdings)	20.331%	7.530%

3.2 The current shareholding in Kaya FM is as follows:

Shareholders	Total shareholding in Kaya FM
New Africa Investments Limited	29.92%
Thebe convergent technology holdings	24.90%
Kaya Investments (Pty) Ltd	20.28%
Shanike investments	24.90%

3.3 Kagiso Media currently holds shareholding in the following licensees:

LICENSEE	SHAREHOLDING STAKE
Jacaranda FM	100% owned by the Applicant. Jacaranda FM's footprint is in Gauteng, Limpopo, North West, and Mpumalanga provinces. Language provision: 50% Afrikaans and 50% English. Programming Format is adult contemporary/golden oldies with a mix of music and information that is community based.
Heart FM	20.02% owned by the Applicant. Heart FM's footprint is in Cape Town, Cape Town Fringe, Overberg, and West Coast areas. Programming format is a mix of music and information with its principal language being English.
iGagasi 99.5 FM	20.02% owned by the Applicant. iGagasi 99.5 FM's footprint is in the Durban Metro, Port Shepstone, Ulundi, Glencoe, Greytown and surrounding areas in Kwa-Zulu Natal. Programming format is adult contemporary jazz. Language provision: 50% English and 50% isiZulu.
East Coast Radio	100% owned by the Applicant. East Coast Radio's footprint is in KwaZulu-Natal in towns like Newcastle, Vryheid, Empangeni, Amanzimtoti, Port Shepstone, Pinetown, Dundee, Glencoe and surrounding areas. It has an adult contemporary format that is a mix of music and information including community affairs. Principal language of broadcast is English.
OFM	26.23% owned by the Applicant. OFM's footprint is the Free State, Northern Cape and parts of North West province. It has an adult contemporary format with a mix of music and information, including community affairs. Languages provisions: English and Afrikaans.

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4. The exemption application seeks to increase Kagiso Media shareholding in Kaya FM as follows:

6.1. Economic interest in Kaya FM will increase from 46.231% to 47.490%; and

6.2. Voting rights in Kaya FM will increase from 19.731% to 34.791%, held

6.2.1. as to Kagiso Media (through Shanike Investments) with economic rights of 24.900% and Voting rights of 12.201%; and

6.2.2. as to KMI (through TCTH) with economic rights of 22.590% and voting rights of 22.590%.

5. Any representations received pursuant to this notice, will be made available to any interested party on the Authority's website: www.icasa.org.za.

6. Any interested party is invited to lodge written representations in relation to the application within fourteen (14) working days from the date of publication of this notice in the Government Gazette. Persons who lodge representations must also indicate whether they wish to make oral submissions should the Authority decide to hold a public hearing in respect of the application.

7. All written representations, responses, and other correspondence in terms of this notice must be directed to Licensing Department, at Block B, 350 Witch – Hazel Avenue, Eco Point Office Park, Eco Park, Centurion OR Private Bag X10, Highveld Park, 0169 **OR** by e-mail: Broadcastingapplications@icasa.org.za .

8. Any person/s who lodge representations in terms of this notice, must also furnish proof to the Authority's satisfaction that a copy of the representation has been delivered to Mr. Nicholas Grubb at Kagiso Medial Proprietary Limited, Kagiso Tiso House, 14th Road, Jacaranda broadcast centre, Erands gardens, Midrand **OR** sent by email: nickg@kagisomedia.co.za.

9. The Applicant has the right to respond in writing to the written representations made by any interested person/s on the application. The

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written responses must be lodged with the Authority within twenty-eight (28) working days from the date of publication of this notice in the Government Gazette.

10. The Applicant must, at the time of lodging the written response/s, furnish proof to the Authority's satisfaction that it has delivered a copy of such response/s via email **OR** by hand to the relevant person/s having made the written representation.

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MOTHIBI RAMUSI
CHAIRPERSON
Date: ____/____/2024

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