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12th July, 1993.

**TO: TECHNICAL COMMITTEE on  
the INDEPENDENT BROADCASTING AUTHORITY  
011 397 2211**

**ATT: MELODY EMMETT (Cordinator of Technical Committees for  
the Multi-Party Forum)**

Dear Ms. Emmett,

I am writing on behalf of Bush Radio in response to the publication of the Fifth Report of the Technical Committee on the Independent Telecommunications Authority (now, I believe, known as the Independent Broadcasting Authority).

Firstly, it is impossible for us to provide comprehensive comment on this document in the time prescribed, and accordingly request that the Committee enables broader consultation before the bill is finalised. Obviously we endorse the process of public participation in the transformation to democracy, and while we recognise that there are logistical constraints we are concerned that "public comment" and "public hearings" do not become mere tokens. Even acquiring a copy of this draft bill was difficult. As a community organisation we do not have the resources to pay teams of lawyers to analyse its implications and draft counter-proposals. So while public hearings can certainly improve the accountability of public figures, they are not in themselves a sufficient mechanism. Due consideration would have to be given to enabling historically deprived communities to participate in the process.

There are also many sections of the bill which have yet to be made public. In view of the contentious nature of this bill, we would question the wisdom of rushing this through parliament in September (as is generally believed to be the intention). We contend that there should be only limited restructuring in the transitional period, essentially to enable the community broadcasting sector to get off the ground and on the air, thus levelling the playing field in preparation for comprehensive restructuring which we believe should be done after elections. We would question the wisdom of introducing a lot of new

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broadcasters on the eve of the country's first democratic elections. We suggest that provision is made for "test broadcasts". This would enable the public that would listen to a particular radio station to comment on the service it provides. It would also provide an indispensable focus for the training of new broadcasters which is essential to the mission of the community radio sector.

It is encouraging to note that the emerging community broadcasting sector is written into the draft bill. However, the bill does not seem to take account, in its umbrella legislation, of the particular conditions under which community broadcasters would operate. Not surprisingly (since there is not yet a community broadcasting sector), the bill is formulated with greater consideration of public and private sector realities (which do at least exist, despite their limitations). By way of example: the technical standards required of a public service broadcaster cannot be compared to those required of a community broadcaster.

In conclusion (since this cannot be considered to be comprehensive comment from Bush Radio), we welcome the fact that serious work is at last being done on restructuring the broadcasting industry, and that it guarantees a place for community radio. We do not, however, endorse the draft legislation as it stands, and cannot properly engage the process as prescribed. We recommend that more time is given for the public to comment, and that publicity around the drafting of legislation be more open and accessible than it has been to date.

Yours sincerely,



EDRIC GORFINKEL  
for Bush Radio

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