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Bophuthatswana Commercial Radio (Pty) Ltd  
(Registered in Bophuthatswana)  
135 Havana Road, Sandown, Sandton 2196  
P.O. Box 5572, Hivona, 2128  
Phone: (011) 864-8400 Telex: 4-86246  
Fax: (011) 803-1982  
Registration Number 79/0019

**FAX TO:** The Technical Committee on the  
Independent Media Commission and  
Independent Telecommunications Authority

WORLD TRADE CENTRE

**FAX #:** 397-2211

**DATE:** 24 August 1993

**FROM:** Mr Stan Katz

**# Pages:** 3

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Herewith additional comment on the Special Report on the Fifth draft of the  
Independent Broadcasting Authority Bill.

# 702

Bepraphuthwani Commercial Radio (Pty) Ltd  
 (Registered in Anphuthatwani)  
 135 Hivoria Road, Sandown, London 2198  
 P.O. Box 6672, Avonia, 2120  
 Phone (011) 884-8400 Telex 4-86246  
 Fax (011) 883-1982  
 Registration Number 79/0019

**ADDITIONAL COMMENT BY RADIO 702  
 ON THE 5TH DRAFT OF THE  
 INDEPENDENT BROADCASTING AUTHORITY BILL**

1. Chapter 1. para 1. Unidirectional telecommunications. What about omnidirectional (i.e. mast on Hillbrow tower?)
2. Definition: "party election broadcast" - defined as direct address broadcast free ... on a broadcasting service. Should this not read public broadcasting service?
3. Chapter 2. para 7. What are "equal opportunity employment practices"? (Does this need defining?)
4. para 9. Surely, in terms of private broadcasting licenses, the market should decide on diversity of control? To allow otherwise will lead to inbuilt economic inefficiency.
5. para 14. How is the concept of 'the broadcasting needs of the public to be defined'? It must be stressed that many innovations, prior to their introduction, would not have been able to demonstrate any need at all. Industry insiders, for example, scoffed at Ted Turner when he launched CNN, saying it would be dead within months.

It is submitted that this same question needs asking of Chapter 7, para. 39.2 (a) and (b), which refer to 'demand' and 'need' as well as Chapter 7, para. 40.1 (a) and (b), which use the same words.

6. Chapter 6, para. 2. How does this deal with broadcasters issued with temporary licences in the run up to the period of the commencement of this Act? Is it intended that such broadcasters fall within its ambit - or not?
7. Schedule 3, para. 2.1. How are these areas to be tested? By the members of the I.B.A.? By 'reasonable bystander'? This is unclear.
8. Schedule 3, para 2. "News shall be presented in the correct text ..."  
What is meant by "correct context"?  
It is submitted that the rest of para. 2 is sufficient for the intent of this clause, and that the above phrase is meaningless.
9. Schedule 3, para 8. "No payment shall be made to persons involved in crime ... unless compelling societal interests indicate to the contrary."  
The final clause invalidates, in practice, all that precedes it.

24 August 1993

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