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Bophuthatswana Commercial Radio (Pty) Ltd
 (Registered in Bophuthatswana)
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 Registration Number 70/0019

FAX TO: The Technical Committee
on the Independent Media Commission and
Independent Broadcasting Authority 1993

FAX #: 397-2211

DATE: 27 August 1993

FROM: Mr Stan Katz
 Managing Director
 Radio 702

Pages: 4 (incl. this one)

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SUBMISSION BY:

BOPHUTHATSWANA COMMERCIAL RADIO (PTY) LIMITED
T/A RADIO 702

Re: Proposed Amendment to Section 46(2) of
Draft Independent Broadcasting Authority Bill

This section should now read as follows:-

"Notwithstanding the provisions of this Act, any person (which for the purposes of this Act shall be deemed to include Bophuthatswana Commercial Radio (Proprietary) Limited), who immediately prior to the date of commencement thereof provides a private broadcasting service under a valid licence in terms of the provisions of any law in force at the time, shall be deemed to be the holder of a licence contemplated in Section 40(a)(ii) or (b)(ii), as the case may be, issued on such date of commencement in terms of this Act and for the period referred to in Section 54(a) or (b), as the case may be: Provided that the conditions of such a licence as they existed immediately prior to the commencement of this Act shall be deemed to be in accordance with the primary objects set out in Section 2 of this Act."

Factors in support ..2/

Factors in support of Bophuthatswana Commercial Radio (Pty) Limited t/a Radio 702 ("Radio 702") being subject to grandparenting provisions of Section 46(2) of the Independent Broadcasting Authority Bill

1. Radio 702 was established in 1980 on the then following basis:-
 - 1.1 the radio signal 702 kHz was allocated by the **South African** Post Office to the Bophuthatswana Post Office for the exclusive use of Radio 702. The broadcast signal originates in South Africa and is conveyed under licence from the South African Postal Authorities (the South African Postmaster General);
 - 1.2 the radio transmitter, antennae design and studios were established in Bophuthatswana with the sole objective of broadcasting into the **PWV** area.

2. With the passing of time and the substantial development of the station, the following is the current factual position:-
 - 2.1 all the on air studios are now situate within the **PWV** area;
 - 2.2 all revenue is earned in South Africa;
 - 2.3 all staff are employed in South Africa;
 - 2.4 tax is paid in South Africa by Radio 702 and its staff;

2.5 all Radio 702 clients are situate in South Africa.

3. Since its establishment, Radio 702 has been directly responsible for and/or continues to undertake the following community services in the **PWW/Johannesburg** area:-

3.1 Radio 702 as the first South African talk radio station was directly responsible for the creation of a forum for the debate on change in South Africa and can justifiably state that from a media point of view, it was one of the prime movers in the democratic process;

3.2 Radio 702 was, together with the **National Peace Committee**, co-founder of the **PEACE LINE**;

3.3 Radio 702 in 1992 was the joint recipient of the **Indicator Human Rights Award** for services rendered to the South African community;

3.4 it operates the well known **Radio 702 Crisis Centre** which provides a free service to thousands of disadvantaged South Africans of every colour and creed, per annum;

3.5 it operates the **Radio 702 Help Line** which provides free and confidential counselling services to thousands of South Africans per annum;

Page 3

- 3.6 It has been directly responsible for raising millions of rand on behalf of Operation Hunger as well as for *ad hoc* disaster relief;
- 3.7 its traffic helicopter service is used, *inter alia*, for para-medical purposes and has been directly responsible for saving many lives.