

SCHEDULE 1**10. Substitution of Form B of the Regulations**

The following Form of Schedule 1 is hereby substituted for Form B of the Regulations:

**“FORM B
REGISTRATION FOR A CLASS LICENCE TO PROVIDE A COMMUNITY
BROADCASTING SERVICE
(Regulation 7 (2))**

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

Note:

- (a) Registrants must refer to the Electronic Communications Act, 2005 (Act No. 36 of 2005) (“the Act”) and any regulations published under that Act with regard to the requirements to be fulfilled by registrants. Registrants are referred, in particular, to the Community Sound Broadcasting Regulations, 2006 (published under GN755 in Government Gazette 28919 of 6 June 2006) and the Community Sound Broadcasting Licence: Criteria to Measure Community Support Regulations, 1997 (published under GN R1388 in Government Gazette 18380 of 17 October 1997).*
- (b) Information required in terms of this Form which does not fit into the space provided may be included in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.*
- (c) Where any information in this Form does not apply to the registrant, the registrant must indicate that the relevant information is not applicable.*

1. PARTICULARS OF REGISTRANT	
1.1 Full name of registrant:	LUKHANJI COMMUNITY RADIO
1.2 Designated contact person:	ANDREW JOE
1.3 Registrant's street address:	SHOP NO.: A08 120 CATHCART ROAD LUKHANJI MALL QUEENSTOWN 5319
1.4 Registrant's principal place of business (if different from street address):	SHOP NO.: A08 120 CATHCART ROAD LUKHANJI MALL QUEENSTOWN 5319
1.5 Registrant's postal address:	SHOP NO.: A08 120 CATHCART ROAD LUKHANJI MALL QUEENSTOWN 5319
1.6 Registrant's telephone number/s:	045 - 838 5093 - LANDLINE 045 - 838 1467 - LANDLINE 045 - 838 2907 - STUDIO LINE
1.7 Registrant's telefax number/s:	0866 045 045
1.8 Registrant's mobile number/s:	082 580 2789 064 656 8457
1.9 E-mail address of designated contact person:	lukhanjifm@gmail.com andrew.joe@lukhanji-fm.co.za

2. LEGAL FORM OF REGISTRANT	
2.1 If the registrant is a juristic person:	SECTION 21 COMPANY
2.1.1 Indicate the legal form of the registrant (e.g. Non Profit entity incorporated in terms of	

the Companies Act, 1973):	
2.1.2 Registration number of the registrant:	2008/011245/08
2.1.3 Attach certified copies of the registrant's certificate of registration and memorandum and articles of association together with constitutive documents of the registrant (e.g. memorandum of incorporation, association agreement, constitution) marked clearly as Appendix 2.1.3 of FORM B , indicating the applicant's compliance with the requirements of section 5(8) (b) of the Act.	
2.2 If the registrant is not a juristic person but intends to operate as one if the licence that is the subject of this registration is granted:	
2.2.1 Provide a written undertaking that the registrant will comply with section 5(8) (b) of the Act marked clearly as Appendix 2.2.1 of FORM B .	
2.2.2 Indicate when and how the registrant will comply with section 5(8) (b) of the Act.	
<p><i>LUKMANZI FM'S COMPLIANCE RECORD SPEAKS VOLUMES. WE HAVE A VERY ACTIVE COMPLIANCE OFFICER, WHO WE WORK WITH EXTREMELY CLOSE. WE UNDERTAKE TO ABIDE TO THE LAW, LEGISLATION, IMMEDIATELY WHEN GRANTED.</i></p> <p><i>NB: A MUCH DETAILED EXPLANATION IS GIVEN IN PAGE 2 OF APPENDIX 2.2.2.</i></p>	
3. NON-PROFIT STATUS OF REGISTRANT	
<p>Provide details of the registrant's non-profit status. The following documents must be submitted with the registration: the certificate of registration accompanied by either an approved memorandum of incorporation, a constitution etc. from the relevant department/s. The founding documents must have provision for the following, 51% quorum for the annual general meeting, provision for membership and an appeals mechanism in case of rejection upon application and clear separation of powers between management and board of directors. Should the registrant fail to submit these documents, the registration will not be considered.</p>	
<p><i>ALL SUPPORTING DOCUMENTS AS PER ICOSA REQUEST ARE ATTACHED AS PER REQUEST. THEY SHOULD BE ABLE TO EXPLAIN IN DETAIL</i></p>	

5.	NATURE OF SERVICES TO BE LICENSED
5.1	Provide a description of the service to be provided: Attach as Appendix 5.1
	<i>PLEASE REFER TO APPENDIX CLEARLY MARKED AS 5.1 AS PER REFERENCE</i>
5.2	Indicate the geographic area in which the service is to be provided:
	<i>STATION IS LOCATED IN QUEENSTOWN/KOMANI IN THE INNER PART OF EASTERN CAPE. THE MUNICIPAL REGION IS CALLED CARIS HANI DISTRICT</i>
5.3	Provide details of the languages in which the broadcasting service is to be provided. Where it is proposed that the service will be provided in more than one language, provide a breakdown of the number of hours of programming which will be broadcast in each language.
	<ol style="list-style-type: none"> 1. XHOSA - 60% 2. AFRIKAANS - 30% 3. ENGLISH - 10% <i>APPENDIX 5.3 (NUMBERED GIVES A MORE COMPREHENSIVE LAYOUT)</i>
5.4	Provide the registrant's proposed programming schedule. Further provide the proposed programming format and content to be provided, and also indicate when your peak time will be, the extent to which output would be locally originated and extent to which it will be externally sourced. Further indicate the proposed minutes of news to be broadcast on a daily basis and provide a percentage split in terms of local, national and international news content. Indicate the duration and scheduling of current affairs programme/s and provide the percentage split in terms of local, national and international content and indicate source as well. The Authority's South African music regulations on local content require class community sound broadcast licenses
	<i>APPENDIX 5.4 AS NUMBERED ATTACHED FOR MORE INFORMATION</i>

to broadcast the prescribed percentage of local music. Indicate your proposed percentage of local music to be broadcast. **Attach as Appendix 5.4 of FORM B.**

6. SERVING THE COMMUNITY'S INTERESTS

6.1 Provide proof of how the registrant proposes to serve the community's interests:

MUKHWANI FM HAS A LISTENERS COMMUNITY FORUM THAT WE ESTABLISHED BACK IN 2018. THE FORUM GIVES INPUT ON STATION'S PROGRAMMING, OUR NEWS POLICY. THEY ALSO INVOLVED IN OUR COMMUNITY BASED PROJECTS AS SUBMITTED BY THEM. THEY ARE PART OF THE IMPLEMENTATION OF MANY COMMUNITY BASED PROJECTS. WE HAVE CLEAR PARTNERSHIPS WITH KEY STAKEHOLDERS LIKE COLLEGES AND FINISHING SCHOOLS THAT WE HAND OUT 10 BURSARIES TO OUR COMMUNITY YOUTH FOR FREE.

6.2 Provide proof of how the registrant proposes to encourage members of the community it serves, or persons associated with the promotion of the community's interests, to participate in the selection and production of programming to be provided by the registrant:

AS MENTIONED, WE HAVE A LISTENER FORUM IN OUR COMMUNITY PRIMARILY AIMED AT INCLUSION OF LOCAL CONTENT THAT RESONATE WITH OUR COMMUNITY. IT IS UTTERLY IMPORTANT FOR US TO BE THE VOICE AND EARS OF OUR COMMUNITY.

7. SUPPORT

Provide proof of support by members of the registrant's community or of persons associated with the registrant's community or of persons who promote the interests of the registrant's community. Kindly submit letters of support from NGO, business and so forth and signatures of support from members of the community/prospective listeners etc. **Attach as Appendix 7**

DETAILS OF SUPPORT SUBMITTED

8. FINANCES	
8.1	Submit commitment of funding, which includes the amount from financial institutions or any other entity for start-up costs and provide details of the manner in which the proposed service is to be funded (e.g. sponsorship, donations etc.) Attach as Appendix 8.1
	<i>LUKHANJI COMMUNITY RADIO IS BASED ON A MODEL OF BUSINESS THAT THRIVES IN SALES AND MARKETING. WE WORK WITH GOVERNMENT PRIVATE SECTOR AND MARKETING AGENCIES. WE HAVE NO DONATIONS OR SPONSORSHIPS, REVENUE IS CREATED THROUGH VIGOROUS ADVERTISING. ATTACHED ARE FINANCIALS AS WELL. WE ALSO PLAN TO APPROACH MISSY ABIBIN.</i>
8.2	Provide details of the registrant's anticipated: <ul style="list-style-type: none"> i. capital expenditure necessary for the commencement of the provision of services; and ii. operating expenditure during the registrant's first year of operation. Attach as Appendix 8.2
	<i>PLEASE SEE FINANCIAL STATEMENTS ATTACHED FOR REFERENCE.</i>
8.3	Provide details of the registrant's business plan: Attach as Appendix 8.3
	<i>LUKHANJI COMMUNITY RADIO BUSINESS PLAN IS ATTACHED AS APPENDIX 8.3.</i>

<p>9. CONTROL AND MANAGEMENT</p>
<p>9.1 Provide details (including name, nationality, identification or passport number, position and address) of each member of the registrant's. Confirm if the individuals below reside within the proposed coverage area Attach as Appendix 9.1</p> <ul style="list-style-type: none"> i. board of directors or similar body ii. senior management iii. Attach the proposed organogram <p style="text-align: right;"><i>SEE ATTACHED DOCUMENTS.</i></p>
<p>9.2 Provide details of all ownership interests in the registrant: Attach as Appendix 9.2</p> <p>9.2.1 Provide details of any persons in a position of control of the registrant who is a foreign citizen or an entity registered or incorporated in any country other than South Africa:</p>
<p><i>WE HAVE NO FOREIGN CITIZENS IN OUR BOARD OF DIRECTORS CIPC COMPANY DOCUMENTS SHOULD CORROBORATE SUCH.</i></p>
<p>9.3 Indicate whether there is anyone in the position of control of the registrant who is in the position of control in another licensee issued in terms of the Act.</p>
<p><i>NO, THERE IS NO ONE. WE ARE ALL COMMITTED TO THIS RADIO.</i></p>
<p>9.4 Provide details of how the registrant complies with the 30% requirement of ownership interest held by historically disadvantaged persons or groups. Attach as Appendix 9.4</p>
<p><i>PLEASE REFER TO COMPANY REGISTRATION DOCUMENTS. WE HAVE 3 WHITES, 2 BLACKS. WE HAD 1 COLOURED LADY RESIGNED ^{WE} SHE WERE DUE TO HAVE AN ELECTIVE DATE THIS YEAR 2020 AS PER COMPLIANCE OFFICER'S INSTRUCTION.</i></p>

10. RADIO FREQUENCY SPECTRUM	
10.1	Indicate if the registrant has submitted or intends to submit an application for a radio frequency spectrum licence for the provision of the services to which this registration relates. The registrant must indicate, from the frequencies provided by the Authority, which frequency band it seeks to utilise to provide the service
<i>WE HAVE A SPECTRUM LICENCE FOR FREQUENCIES.</i>	
<i>WE WILL MUST PROBABLY HAVE TO RESUBMIT AFTER CLOSURE.</i>	

11. GENERAL		
11.1	Indicate whether the registrant is a member of the Advertising Standards Authority or intends to become a member:	<i>NOT YET A MEMBER OUR RATES ARE GUIDED BY THE RADIO FORUM</i>
11.2	Indicate whether the registrant is a member of a body contemplated in section 54(3) of the Act or intends to become a member:	<i>EASTERN CAPE COMMUNITY RADIO FORUM. NATIONAL COMMUNITY RADIO FORUM</i>
11.3	Where the registrant proposes to provide a subscription community broadcasting service, indicate the percentage of its annual revenue which is proposed to be drawn from:	
11.3.1	Advertising	<i>100%</i>
11.3.2	Sponsorships	<i>0</i>
11.3.3	Subscriptions	<i>0</i>
11.3.4	Donations	<i>0</i>
11.3.5	Grants	<i>0</i>
11.3.6	membership fees	<i>0</i>
11.4	Indicate whether the registrant is a party, movement, organisation, body or alliance which is of a party-political	<i>ORGANIZATION</i>

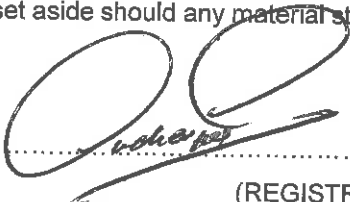
nature.	
11.5 Indicate whether the registrant has ever been convicted of an offence in terms of the Act or the related legislation, as defined in the Act. If so, provide details of such conviction.	NEVER.
11.6 Provide details of other matters or undertakings which, in the registrant's view, the Authority should be consider:	
<p><i>LUKHANJI COMMUNITY RADIO IS A RADIO THAT SEELS TO ADMITIS UPHOLD THE LAW WE MADE A MISTAKE IN THIS CASE DUE TO PEOPLE BEING BUSY AS BOARD MEMBERS. WE ARE VERY NEEDED IN THE DISTRICT. WE ARE THE ONLY RADIO SITUATED IN QUEENSTOWN AND IN ABOUT 100 KMS RADIUS WE HAVE TRAINED YOUTH THAT WORK FOR US. THE STATION IS SELF-RELIANT AND CREATES ITS OWN OPPORTUNITIES. WE ARE NEEDED TO EDUCATE AND INFORM.</i></p>	
11.7 Attach a resolution authorising the person (s) not more than two signing this registration and liaising with the Authority during the registration process. The resolution must be marked clearly as Appendix 11.9 of FORM B.	

RESOLUTION OF LUKHANJI FM ATTACHED

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The person signing the registration on behalf of the registrant must acknowledge as follows:

I acknowledge that the Authority reserves the right to have any licence issued pursuant to this registration set aside should any material statement made herein, at any time, be found to be false.

Signed 
(REGISTRANT)

I certify that this declaration was signed and sworn to before me at QUEENSTOWN
on the 30 day of APRIL 2020, by the deponent who acknowledged that he/she:

- 1. knows and understands the contents hereof;
- 2. has no objection to taking the prescribed oath or affirmation; and
- 3. considers this oath or affirmation to be truthful and binding on his/her conscience.

Lukhanji Community Radio
REG NO. 2008/011245/08

2020 -04- 2 0

Lukhanji Mall, Queenstown
045 838 5093

Signature: 

COMMISSIONER OF OATHS

Name:

Address:

(...end of substitution)"

7.1	Provide details of any matter which, in the applicant's view, the Authority should consider:
7.2	Attach a resolution authorising the person signing this application to sign this application, marked clearly as Annexure A of FORM B 2 .

The person signing the registration on behalf of the applicant must acknowledge as follows:

I acknowledge that the Authority reserves the right to have any Licence amended pursuant to this application set aside, should any material statement made herein, at any time, be found to be false.

Signed

(APPLICANT)

I certify that this declaration was signed and sworn to before me at QUEENSTOWN on the 20th day of April 2020, by the deponent who acknowledged that he/she:

1. knows and understands the contents hereof;
2. has no objection to taking the prescribed oath or affirmation; and
3. considers this oath or affirmation to be truthful and binding on his/her conscience.

[Handwritten Signature]

COMMISSIONER OF OATHS

SUID-AFRIKAANS
CUSTOMS
2020 -04- 20
KOMANI
SOUTH AFRICAN POLICE SERVICE

Name: PENELOPE ZINGANTU
 Address: 03 BOWER STREET
 Capacity: LEGAL ADMIN OFFICE