



ICASA

**Public Hearing for Individual
Commercial Broadcast
Services**

22 NOVEMBER 2018

**RESPONSE INFINITY
MEDIA**

QUALITY: Good

Chairperson: Gentlemen- now I would like to invite Mr.Manyi to respond to the 2 representations made, thank you.

Mr. Manyi: Ja, thank-you Chairperson, I am going to start with the Kwese 1.

Chairperson: I beg your pardon, we'll afford you 45 minutes.

Mr. Manyi: 45 excellent, thank you- I am going to start with Kwese1. I think, maybe the issue Chairperson, with respect it could probably be timing or whatever issue, it looks like Kwese is frozen in time, much earlier in the developments of the organisation, and so, so ja, but I am going to just show Kwese what is it that we are dealing with now because some of the people that they are talking to, even left the country, earlier this year back to India, as it were, but Kwese is still having them, in their frame of reference. But, and I'm going to just show you here-oh my goodness-okay, but just, really a, just by way of a shareholding structure, Chairperson sorry I'm going to squeeze your neck again, having to look behind you, just by way of shareholding structure this is more or less what the Group looks like, there is no Mabengela, whatever else you want to call it, these are the people that own the Group, and when we even presented it to Multichoice, this is a structure that we presented, as it were, there's a lot of formal, documentation behind this it's not just, numbers on the screen-and okay, here--, from the shareholding part, obviously I own a part as a percentage, and we've got a 30% women ownership in the group, we've got young people ownership in the group just by way of editorial leadership, when we closed, this is what our picture was looking like as I say, maybe Kwese is frozen in time way back then, but, the Editor I know of Afro Worldview was Mpho Sithole the local, youngest Editor around, as it were, Deputised by Mfundo Mabalane and this is the senior leadership team, that we had at Afro Worldview, these are the only person here that is from outside is this guy here, from the technical side of things, and engineer and all that, but apart from him, all these other people that are here, are really local people, that have been working this channel for many,many,many years, I actually found them there, it's not like I did some re-jigging of staff, these are the people that I found there, that have been working there, and their CVs are there and all that, so I'm sure that Kwese is frozen in time way back I don't know when, but these are the people that where there, maybe they can give me the names and see what they are talking about, but these are the people that, where even when we call a Manco meeting, these are the people that were there, this is a top team, including the other 2. I've just shown, Mpho and Mfundo—Ja, so that's that,that, I wanted to show, just that part, so I might not be answering in sequence as it were but this presentation here is what we did way back then at Multichoice and these are the people that we are showing, to say we are locally run, we are locally managed, we are locally owned as it were, somebody who has got a contract information, I think the burden of proof must be with them. We've got documents to show, what we are saying, so we can't be victims of a newspaper understandings of issues, so then just to go to - okay, just to talk to the Kwese issues. Okay, I've, - they've wanted to know what they are dealing with, and I think it is a very important question as

to who's the legal persona they are talking to, who's the Applicant, and I've just explained in the earlier thing, to say we are Afrotone Media Holdings, this is the people that they are talking to. Which at the same time Chairperson, is a, a response to the Section 52 that gets mentioned as to who's the applicant, and the issues that are around being political and what have you, I think people must understand must separate issues, although I'd talk to the SOS issues but, it's important for them that, they must not translate their hate of a person and a, what I consider racist overtones, to overshadow their, perception of issues, the applicant is the company, and is a company political animal. No, the company is not a political animal, then that is the applicant, and I think that Section 52 talk to the applicant, so the applicant has got no political anything, but individuals that are within companies are free to build any political party, there is no statute does not prescript in this country that says, if you have to run a company you can't belong to any political party, there is no such a thing. And the important thing is that even at a personal level, I'm not an office bearer of any political party but that I belong to another, a party, political - make zero apologise for that, I will continue to do so, It's my right we fought very hard, in this country for those kinds of things, so Chairperson, the shareholding is as I have explained earlier, that there is no, what, the applicant is Afrotone Media Holdings, and, there is no longer Mabengela and stuff here, so we'll say that here, there's no shares that I have been allocated, I mean even this notion that there is foreign ownership it's, I don't know where it comes from, we've been the Historical stages, but as we speak there is no such thing, you know, . So the Afrotone Media Holdings is the company that is the applicant and we are indeed BEE Level 1 rating, and we've submitted those documents and we've got those documents if needed, and they have been done some time ago, so we've got that Level 1 rating as it were, this other question about circulation figures of the new age et cetera, were explained in the submission that the circulation of the Newspaper and it readership is miniscule in respect to the area of coverage for the broadcasting license and hence not applicable, with respect to that section, the newspaper does not did not subscribe to the audit bury of circulation, and a, we can explain why, but we didn't even subscribe to that thing, but that is irrelevant as we speak now because that Newspaper has been closed ,. Funding, will, what's happening with the Oakbay issues affect the funding, no, because we've longcut ties with those people, and all that, but media, I mean Chairperson, only yesterday, just to show, the Stratcom tendencies that I think that SOS is also suffering from yesterday, we had a publication in the Star and they put, the headline is, 'The Gupta companies', and yet, we've got paperwork to show that Gupta's have not been part of this for a long time, but because there is an agenda in this country, to maintain a particular narrative, so anything else that is different must be stigmatized, must be rubbished, a by the media of this country, supported by these people, the people that we mainstream media must continue the one narrative must continue, to push a particular agenda just to say black people are incompetent they are corrupt, and all that, and so on so on, that kind of very tired narrative we are quite used to in this country, so it does not deter us, in fact it makes us to be even more resolute ,Chairperson. So, so but obviously the new shareholders are not as moneyed as the other people so we'd rely on our, business plan and everything to raise funding. Then there was a question about-applicant has admitted, letter one, letter of

intent and so on, so our response there is that the applicant is in contact with various content suppliers, the formal signed agreement will be completed on receipt of the license, so this is what it is, you can't, Chairperson, you can't, before you have everything you just load yourself with all types of costs because content is also expensive, so but everything is in the wings so subject to us getting the license after that we'll be up and about. Insufficient detail regarding the channels on offer casting doubt on rationale for each one, we are saying there is sufficient description in each channel in the submission, document, it's almost like, I don't know how the process works, chair, whether, it's like when you go to court you must share documents with the opposing parties and so on, I don't know how the system works but it is our view that in our submission we've submitted about 3 volumes, very, very detailed and all the information is there, whether the competition is supposed to have access to it or not, I don't know how the process works, but the fact that they don't have it when we've submitted it, can't be held against us. Lack of critical broadcasting—experience, with ranks of senior management, as I have shown you that area earlier slide chairperson, the people there, have been around so I actually don't know, this is quite unfounded as to where did they get this thing, this a, this question I don't know where it comes from, what gives them such an incorrect impression, people that where there, very experienced people, in fact I think from a media point of view, I am probably the least experienced but I'm not a media person I'm a business person, so but the media people that where there, are real people that have been around and so on 10 years, 7 years, all kinds of experience, so, so, that question is really totally, totally, totally misguided. Applicant intends to rely on resources and experience of [unclear] News channel et cetera, why not, because we they were part of the Group so why is that a problem for anyone that we are going to be tapping on the people that are already there, of course we going to do that, nothing precludes us from doing this, this is our own people so why is that a problem? so we, we but obviously we are going to add more, but I just find it quite funny that people have a problem that we going to use other people, but this is people in the same company, so why, why is that an issue, you know so, it's a very, very desperate question to be honest Chairperson this one. News channel is different in general to entertainment channel, that's obvious, but our channel already, has got a mix of all of these things, not only do we have News channel slots when we had them, but we also had Sports shows, quite rigid shows, we had Motoring, we had Lifestyle and Health we had Current Affairs, we had entertainment, all of these things, so we've got these things, it's not like we are just, news, news, news, news we've got other aspects as well, so I gained that question that perhaps it means that Kwese was not watching the channel, if they watch a channel they would of seen the diversity that was already embedded in that programming that we had, you know and those shows most of them we actually did them using our own resources, there is one or two that we would get content elsewhere but largely because we are creative people we generate our own different programming. Technical, applicant has failed to state 11 proposed channels will be on standard definition, all channels without definition has depleted in the submission, really! I really think that question was very desperate here, you know coming here I thought I was going to see what they were offering, but they are desperate to remove us for no real reason, the applicant does not

demonstrate at any equity shareholding by women, youth and people disability, well here, it could be that at the, at the, time by cut-off, I can concede this point that by cut-off when I was 90% and so on this point I can concede, but, I think the important thing Chairperson is that if you say, we must get the license, are we giving it to people that don't have women ownership that's how it would be, that would not be correct, cause as we sit now for 30% as it were and I don't think that a, a, a we can be penalised for not having improved fast enough, we should be penalized if we are not even anywhere near correcting whatever I was not there, so it's a factor that is noted but it's a factor that is since been corrected, so if ICASA gives us a license ICASA would sleep well at night knowing, they've given to people that have got what is needed as we speak, Chairperson, I think the element of dynamism must be brought into bear but obviously the presenter here was a very legal person that will say at the time you didn't have this. Ja noted, but we had all other things as well, at that time, just this one component which we have since corrected, I think that it would be very punitive if it were to be held against us. In general the promise of [unclear] are not tangible not measurable, we are saying the promise of performance has been categorised with timelines and exact deliverables, wish the authority can hold Infinity Media to account, we've got again in the submission notes, so really, I really just think this Chairperson that a, Kwese was just very desperate here, but their, their, their issues were really not -- quite substantive ja, they to be noted but we can move on Chairperson because they are largely based on lack of information so they are genuine in that part, but I think with information that has been given, they should be fine. Now, when it comes to, SOS, Chairperson I must say sitting here I felt like apartheid is back again, I must say that, I really felt that we are back in apartheid now, the, the racist undertones that I was listening hear, really took me back that in this day in age do we still have people, that when they see an African trying to make strides, that they get so offended that they bring up everything they can, personal stuff, and the reason we responded to them the way we did, is not because, it's because we haven't got time for fluff, they bring a lot of fluff here, these people, we decided that maybe they don't know this, when you responded to them, we showed them that these are the things that are required, so if you want to talk to us at least try do what Kwese has done, Kwese has tried to look into what is the criteria and try to query us based on the criteria, not- with- standing that they didn't have information, so but at least Kwese's ones were all questions based on some kind of genuine frame work but these ones they were just fluff, so we decided to re-educate them and show them that this is what was required, so we just showed them that these are the things that we need to response to and not this fluff that you are bringing here and so on, so they don't have a lot of respect Chairperson for that kind of input by these people, they, they, they just grasping on straws, and so on, we are saying that we meet the requirements as outlined and we think their approach is really inappropriate is personal and so on, and I want to go through some of the things quickly here, that they raise, I just want to check here what else did you talk to here- okay ja, let me go through some of the specific things that they speak to hear Chairperson, they talk about foreign funding, there is no such thing as foreign funding as we speak there, so we and the thing is we are an organization that is wholly owned, black owned is unencumbered, nothing, don't owe anybody anything, no shares are pledged,

nothing, these shares are wholly owned, as we speak, details of the Vendor financing Gupta funded me and so on, this is, just shows complete ignorance in terms of reading their questions, if they understood what Vendor financing is all about they would know that the issue of saying a person has been funded when we're talking about Vendor financing, it shows a complete ignorance, the model just for their education, how it works is that you buy a business, you get into a business transaction with the understanding that whatever will make, you will pay for obviously operations and everything, and you'll make enough to be able to pay back, to be able to pay back the, the creditor if we could call it that, so it's not like Manyi was given 450 000 000 million or was borrowed, there was no money borrowed, no cash changed hands, so this nonsensical thing about being funded, must really be dismissed with contempt it deserves, no such thing, Chairperson. So, so, so that, that question is empty it's just full of hatred, there is no such a thing, the top positions, I have reflected the top positions what they look like, so I don't know what they are talking about here to say, there is all foreigners, and what have you, no such thing. There are issues about party political, in this country we have a right to belong to any political party, and as I said the applicant here is the juristic person that's the applicant, so is the applicant, in terms of section 52, this is the person that you should look at, and stop being personal, looking at me, I mean also in the issue of interim order, and so on that was given about defaming, it was not for defaming, this interim order, the interim order they've got it even that they've got wrong, it was not for interim order for defaming, no, it's because there is a case of that I am dealing with of another one of their that think that because they've got money they can do as they please in the country, so I am dealing with those people like that, that don't want to except transformation so we go to court and the court said once we are dealing with this thing remove the various postings and so on and so I removed the postings, there was no order against defaming, no such thing, so just see that these people are just hell bent to distort things and that's why they don't want us on the space, its cause this is their modus operandi, Stratcom classic to create a particular narrative to drive the particular message, and then you put all the wheels and bells, I mean, they say, I dominated the State Capture Commission, how do you, I only appeared once, in that place, I only appeared once, there are people that been there for days, but they don't see these people that they have been there for days, they just see Manyi who went there once and by the way even my performance there was quite sterling even if I've got to say so myself, I'm the one person that when they introduced evidence, instead of gossip and gossip that others are doing there, produced evidence for everything I've said, I produced evidence, so they can't take an African that knows his story, this is their problem, so I don't think we should be entertaining such a racist undertones Chairperson, then they say Bell Pottinger, what Bell Pottinger, so now what's that got to do with me, as to what Bell Pottinger did, if there is white monopoly in this country, there is white monopoly in this country it's not a Bell Pottinger term, so this whole notion of when people are arguing things that are different and then you come and stigmatise, it's the same thing Chairperson, that they are here for, they are here to make sure that, the conditioning of the people of this country must continue under the yolk of a,a,a, the kind of narrative that they are pushing that if we are doing anything different therefore you are wrong, so I will not change who I am, Chairperson,

I am going to do even more, actually in terms of challenging the status quo, in terms of being true to being myself in terms of challenging any racist tendency that raises its ugly head, so that's not going to change me, and even the issue that they say I was investigated for hate speech, then they must say what was the outcome, there was no such a,a,they put it as if it was a hate speech and which in fact they even misunderstood, what I was saying about that issue, that issue Chairperson, I know I have got a bit of time very briefly, was an issue relating to the coloureds in the Western Cape, and it was a factual matter I was a [ditchy] of labour at the time, I was just simply saying because we have to represent, we have to have equitable representation , coloureds in the country are about 10%,in the Western Cape they are about 55% in order for the country to be equitably represented I said to coloureds that they must understand that they owned the rest of the continent, I mean the rest of the country they must be represented equitably everywhere what is racist about that ? Chairperson you know, I mean, I've been a Geologist for best part of my time and I've moved around the country and I've worked and I lived in Welkom, I've lived in all kinds of places chasing the economy, so I was talking from my own experience that you go to where you are required, people in Johannesburg, in the Gauteng, coloureds in Gauteng are about 5% ,companies in Gauteng are struggling to comply with the law in terms of equitable representation, so this was actually a call to say you will be much more, you will be first in line everywhere else but that didn't mean that they needed to be uprooted and so on, because this was all about, people at a professional level management are is mobile commodity it's not like Blue collar and when you talk employment equity where the shortage is at management level, so I was dealing with that matter there was nothing racist about that, nothing hate speech about that, so again because they own the means of communication and so on they continue to pedal their hobbles type of propaganda and, then, then, then it becomes reality for a lot of people, I think Chairperson if anything, this is a clearest evidence to say we need a different voice, we need people to deal with these Stratcom kind of tendencies, that one chair and then...what else did I not deal with there, ja, and then the rest we did give them the written submission to respond to their things, so Chairperson I think those are my answers ,I really don't think there is anything that has been said here, that should persuade ICASA not to give us a license I think if anything, it just shows that there are people out there that are afraid of competition, there are people out there that are afraid of a different voice, in this country, we have regulatory bodies, if there's anything that anybody is doing wrong we've got BCCSA that will deal with those things, there is all kinds, this country has got Chapter 9 institutions so this country is well secured in terms of people that are there to protect the freedom that we fought so hard for, it cannot be, that we can have this mushrooming of NGO's who's whole, approach in life is to frustrate Africans in this country, this cannot be allowed Chairperson, to do that.

Thank-you.