

# Dispute over Icasa's closure of Zibonele FM

The reasons for the closure of Zibonele Community Radio (Zibonele FM) in the Western Cape this Wednesday are being disputed between the Independent Communications Authority of South Africa (Icasa) and the station.



Source: © Elisha News [Elisha News](#) Zibonele FM, the Khayelitsha-based community station is due to be closed this Wednesday by Icasa

Icasa says it is because the station has been operating without a licence. However, the station says they did everything by the book and Icasa's objections to their application are frivolous.

## No licence since 2018

The station has been operating without a licence since 2018.

"Unfortunately, Zibonele FM failed to submit the required renewal application for its licence in accordance with section 19(2) of the Electronic Communications Act of 2005," says the Authority in a statement sent to the media.

"Moreover, Zibonele FM failed to provide proof that its renewal application was submitted to the Authority before the expiry date of the licence. The ECA offers the Authority no scope to accept late applications in cases such as this.

"Page 2 of 2 In terms of section 7 of the ECA states that no person can provide (or operate) a broadcasting service without a licence. As a result, Zibonele FM is currently broadcasting unauthorised, and ICASA is duly obligated to enforce the law,"

says the statement.

## Closure greeted with outrage

According to [IOL](#) the 28-year-old Khayelitsha-based community station closure has been “greeted with outrage”. It quotes the station management as saying that the closure is because the two parties disagreed about administrative issues.

At a press conference station manager Mawande Jara states, “When our licence was due to expire, an application was made, six months before, and this is contained in the court papers submitted.”

“When we didn’t get a response from them or even an acknowledgement of receipt, we continued [broadcasting] and they never contacted us even 16 days after the expiry date of our licence,” Jara adds.

Jara says they suspect that their frequency has been promised or given to someone else. “In 2019, we were shocked when we saw our 98.2 frequency had been gazetted and was open for application, which we had applied for but were rejected,” says Jara in the *IOL* article.

Following the closure announcement community engagements were held and an online petition was started. A community prayer was held on Sunday.

“The station has been a source of information and contributes to fighting crime,” says community activist, Zizipho Sasa from Site C in [Elitsha News](#). She adds that the closure of the station would also negatively affect the workers and their families.

The station closure leaves 64 employees unemployed. It also currently has 25 learnerships that will be affected by Icasa’s suspension.

*IOL* says that Jara has stated that the station management would engage with the Minister of Communications and Digital Technologies, Khumbudzo Ntshavheni and political parties for intervention.

## Pretoria High Court application

The station also lodged an urgent application to the Pretoria High Court against the Authority on the same matter. The Urgent Application was subsequently struck off the roll with a legal cost order in favour of the Authority.

## A supporter of community broadcasting

The Icasa statement says that it views the allegations that Icasa is responsible for the imminent closure in a serious light and condemns any threat of violence or illegal action that may be taken against any official of ICASA because of the misinformation or misrepresentation.

“The Authority would like to emphatically put it on record that we have no intention whatsoever to shut down any community broadcasting service licensee operating validly and in accordance with its licence terms and conditions.

“Further, the Authority has always been a staunch supporter of the community broadcasting sector, whose licensees provide a crucial voice with limited resources, and which offers important support to the communities it serves,” says the statement.

Acting chairperson, Charley Lewis, emphasises that “While ICASA is fully committed to promoting the growth of the community radio sector, which plays a critical role in empowering and giving a voice to our communities, we cannot encourage or permit broadcasting without a licence or illegal use of the radio frequency spectrum.”

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