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GENERAL NOTICE

NOTICE 2066 OF 2003

MEDIA DEVELOPMENT AND DIVERSITY AGENCY ACT, 2002 (ACT NO. 14 OF 2002)

PROPOSED REGULATIONS

The Minister responsible for Government Communication and Information System intends to make the regulations in the Schedule in terms of section 22 of the Media Development and Diversity Agency Act, 2002 (Act No. 14 of 2002).

The Board of the Media Development and Diversity Agency hereby invites interested persons to furnish the Board with their comments or representations on the proposed regulations, within 30 days of the date of publication of this notice at any of the following addresses:

For attention:

The Chairperson of the Board of Media Development and Diversity Agency (MDDA)

Ms Khanyi Mkonza

C/O Ms Thembi Khuzwayo

Private Bag 9

Parkview

2122;

or

deliver/courier to:

KPMG Offices

85 Empire Road

Johannesburg

or

by fax at the following fax number: (011) 484-0501

or

by e-mail at the following e-mail address: info@mdda.org.za

Proposed MDDA Regulations

For public comments**Proposed Regulations in terms of section 22 of the Media Development and Diversity Agency Act (Act 14 of 2002)**

The Minister responsible for the Government Communication and Information System, in consultation with the Board of the Media Development and Diversity Agency and in terms of section 22 of the Media Development Diversity Agency Act (Act 14 of 2002) makes the regulations in the Schedule.

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Proposed MDDA Regulations**Definitions**

For public comments**1 Definitions**

In these regulations, unless the context indicates otherwise-

any word or expression to which a meaning has been assigned in the Media Development and Diversity Agency Act (Act 14 of 2002) has such a meaning;

'the Act' means the Media Development and Diversity Agency Act (Act 14 of 2002); and

'project' includes a community media project, a small commercial media project and a research project.

2 General criteria for selecting projects

The Board must when deciding on whether or not to provide or facilitate support to a project as contemplated in section 17 of the Act, take into account the following criteria-

- (a) the extent to which the project promotes media development and diversity;
- (b) the likely impact of the project on historically disadvantaged communities and persons that are not adequately served by the media;
- (c) the likely impact of the project on historically diminished indigenous language and cultural groups;
- (d) the extent to which the project encourages ownership, control, participation and access to media by historically disadvantaged communities and persons that are not adequately served by the media;
- (e) the extent to which the project encourages ownership, control and participation and access to media by historically diminished indigenous language and cultural groups;
- (f) the extent to which the project develops human resources, training and capacity building within the media industry, especially amongst historically disadvantaged groups;

Proposed MDDA Regulations**Specific criteria for community media projects**

For public comments

- (g) the quality and innovation of the project;
- (h) whether the project is likely to promote literacy and a culture of reading;
- (i) compliance with media laws;
- (j) the good governance practices of the project, including-
 - (i) sound financial and narrative reporting;
 - (ii) accountability to stakeholders;
 - (iii) adherence to the law, in particular tax and employment equity laws;
 - (iv) sound project management systems;
 - (v) effective use and management of resources;
- (k) the project must be independent from any media entity which enters into an agreement with the Board as contemplated in section 21 of the Act; and
- (l) subject to regulation 3(2), the financial sustainability of the project.

3 Specific criteria for community media projects

- (1) In addition to the general criteria contemplated in regulation 2, the Board must, when deciding whether or not to provide or facilitate support to a community media project, take into account the following criteria-
 - (a) whether the community is a historically disadvantaged community;
 - (b) whether the project is likely to build capacity in the community;
 - (c) the extent of the involvement and participation of the community in the decision-making processes of the project; and
 - (d) whether any financial surplus generated by the project will be reinvested in the media project.