



**L E S O T H O
C O M M U N I C A T I O N S
A U T H O R I T Y**

MEDIA STATEMENT

FOR IMMEDIATE RELEASE

In terms of Section 46 of the Communications Act of 2012, Lesotho Communications Authority (LCA), as the regulator of broadcasting services has resolved to suspend Onyx 357 FM's broadcasting services with effect from the 18th November, 2021 to the 10th January, 2022.

This comes after Onyx 357 failed to comply with the directive of the Broadcasting Disputes and Resolution Panel (BDRP) which was delivered on the 21st October, 2021.

CHRONOLOGY OF EVENTS LEADING TO THE SUSPENSION

There was a complaint against Onyx 357 FM (Licensee) lodged by Professor Nqosa Mahao (Complainant) who was aggrieved that he was unfairly attacked on air in a series of programmes, without being afforded an opportunity to reply or defend himself.

On the 9th September, 2021 the BDRP presided over the merits of the matter between the Complainant and Licensee. The Licensee was represented by its Managing Director, Mr Arthur Majara and a ruling was subsequently delivered to both parties on the 21st October, 2021.

The ruling directed the Licensee:

- To make an apology and retraction to the Complainant
- To make the said apology before commencement of Masupa tsela and Theha tsebe programmes for three weeks
- To comply with the directive within 24 hours following the ruling;
- To file a compliance report with the Authority three weeks post-delivery of the ruling. This ought to have happened on the 12th November, 2021.

In its sitting on the 16th November, 2021 the Panel noted with great concern that no apology had been aired by 357 FM and that the Station had also failed to submit a compliance report and thus recommended to the Authority to suspend 357 FM from the airwaves.

On the 17th November, 2021 the Authority wrote to Mr Arthur Majara inviting him to show cause why the Authority could not impose a penalty in terms of Section 47 (1) (e) for contravention of Rules 25 (1) and 25 (2) of the Lesotho Telecommunications Authority (Broadcasting) Rules of 2004.

It should be noted that 357 FM responded on the 18th November, 2021 stating that they aired an apology the very same morning at 0705hrs and that subsequent apologies will follow as per the BDRP ruling.

What remains important to understand here is that the Panel had made it clear in its ruling that its decision should be put in place twenty-four (24) hours after the ruling was made. Therefore 357 FM is in breach of that directive.

It is in light of this breach and also taking into consideration the previous non-compliance history of 357 FM that the Authority resolved to suspend its broadcasting services.

For more information and enquiries, please contact the Public Affairs Manager at Lesotho Communications Authority at m.kotele@lca.org.ls/+266 5222 1301