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## **National Communications Authority**

*- Press Release*

### **REPORTS OF IMPENDING CLOSURE OF JOY 99.7FM & ASEMPA 94.7FM FALSE**

**Accra, 9<sup>th</sup> December, 2019:** The National Communications Authority (NCA) entreats the general public to disregard false news reports about plans to shut down Joy 99.7FM and Asempa 94.7 FM. Management of the two stations however have sued the NCA over its reclassification of FM coverage.

#### ***Background***

In 2011 the NCA, after extensive stakeholder consultations, concluded and published a Reclassification Policy Document of FM Coverage in Ghana. The Policy Document directed Commercial FM Operators among others to reduce their frequency coverage radii from 100KM to 45KM. Thus far, the Authority has ensured compliance with this Policy throughout the country and across the board by operators.

However, it is important to state that Joy 99.7FM Asempa and 94.7FM have failed to comply with the said Reclassification of FM Coverage Policy; the two stations consequently filed an action for judicial review against the NCA at the High Court in Accra.

#### ***Court Decisions***

On 13<sup>th</sup> June 2019, the High Court dismissed the said application for judicial review, and thus upheld the Authority's regulatory mandate to limit commercial radio stations' coverage to 45KM. Dissatisfied with the decision of the High Court, Joy 99.7FM and Asempa 94.7FM filed an appeal against the decision of the High Court to the Court of Appeal.

Additionally, Joy 99.7FM and Asempa 94.7 FM filed an Application for Interim Injunction pending appeal in the High Court and at the Court of Appeal. Both Applications for Interim Injunction were struck out as withdrawn by the High Court and the Court of Appeal on 22<sup>nd</sup> July 2019 and 9<sup>th</sup> October 2019 respectively.

To further vindicate their rights, Joy 99.7FM and Asempa 94.7FM have repeated the Injunction Application at the Court of Appeal, and same is pending for hearing. As of now, and owing to this pending matter at the Court of Appeal, Joy 99.7FM and Asempa 94.7FM do not have final valid Authorisations to operate radio stations in Ghana.

#### ***Claims of Shut Down False***

From the above sequel of facts, it is therefore utterly false for Multimedia and its media practitioners to claim that NCA intends to shut down Joy 99.7FM and Asempa 94.7FM.

The Authority only seeks to ensure compliance with the 2011 National Coverage Reclassification Policy, which all other FM stations, except Joy 99.7FM and Asempa 94.7FM, are complying with. Obviously ensuring compliance with the national coverage requirement in line with the law and policy has nothing to do with a shut-down of a station. The NCA therefore entreats the general public to disregard the falsehoods being circulated in the media.

***Issued by the National Communications Authority:***

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**About NCA**

*The National Communications Authority, (NCA), was established by an Act of Parliament, Act 524 in December 1996, which has been repealed and replaced by the National Communications Authority Act, 2008 (Act 769). The Authority is the statutory body mandated to license and to regulate electronic communication activities and services in the country.*