



Policy and Regulatory Affairs
Radio Park Henley Road Auckland Park 2092.
Private Bag X1 Auckland Park 2006 Johannesburg
Gauteng South Africa.
Tel +27 11 714-3708/3927 Fax +27 11 714 4508
e-mail : Moilwap@sabc.co.za
www.sabc.co.za

15 June 2016

Ms Fikile Hlongwane
Manager:
Monitoring & Compliance ICASA
Block D
164 Katherine Street
Sandton
2146

E-Mail: fhlongwane@icasa.org.za

Dear Ms Hlongwane,

SABC SUBMISSION OF THE COMMISSIONING PROTOCOLS AMENDMENTS 2016

Attached hereto, please find the SABC's Amended Commissioning Protocols 2016 for your approval. This submission is made in line with Regulation 3 (c) of the ICASA Commissioning Regulations, 2009.

We hope that this is in order.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Philly Moolwa', is written over a horizontal line.

PHILLY MOOLWA
GENERAL MANAGER:
POLICY AND REGULATORY AFFAIRS



**SOUTH AFRICAN BROADCASTING CORPORATION (SABC)
COMMISSIONING PROTOCOLS**

Issued by SABC Television

INTRODUCTION

It is the strategy of the SABC, as the national public broadcaster, to procure a wide range of high quality local programmes that reflect the diverse cultures, languages, life experiences, interests and needs of its audiences.

In pursuance of this, the SABC seeks to promote and develop a vibrant local production industry through a fair, transparent and equitable acquisition process. It shall further seek to deliver on the national goals of Broad Based Black Economic Empowerment.

The objectives of the Commissioning Protocols seek to:

- ✓ Provide an effective framework for the Acquisition of local television programmes by the SABC through the application of best practice strategies in order to assist the SABC's business growth and social economic objectives.
- ✓ Clarify roles, responsibilities and accountabilities for staff and various bodies involved in the Acquisition process for local television programmes.
- ✓ Procure the best possible content in an affordable and cost-efficient manner.
- ✓ Ensure systems that guarantee equitability, efficiency, transparency, fairness and accountability.
- ✓ Develop and maintain effective and reliable sources of supply for television programmes that are underpinned by good relations with the local production community.
- ✓ Improve the control and governance of the Acquisition for television content environment.

SABC's Commissioning Protocols adhere to the following Legislation/Regulations:

- The Constitution of the Republic of South Africa 1996
- The Public Finance Management Act, No. 1 of 1999, as amended
- Broad-based Black Economic Empowerment Act No 53 of 2003
- Broadcasting Act No. 4 of 1999
- The National Small Business Act, No. 102 of 1996
- The Employment Equity Act, No. 55 of 1998
- Competition Act, No. 89 of 1998
- Promotion of Access to Information Act, No. 2 of 2000
- ICASA Act No.13 of 2000
- Promotion of Administration Justice Act No. 3 of 2000

BUSINESS GOVERNANCE

- Annually, SABC TV prepares its Network strategy, buying plans and programming budgets. Such is approved by the SABC Board.
- On a project to project basis, SABC Network through various channels, requests approval for expenditure against the approved annual buying plan through a Business Plan process. Such approvals are governed by SABC's internal governance structures.
- The responsibility of seeking programme budget approval lies with the General Manager TV Channels.
- SABC TV Channels request content to meet their scheduling needs from TV Channels.
- The responsibility of acquiring content as determined in the approved business plan shall be the responsibility of the General Manager, TV Content.
- All content/programme selection and management is the responsibility of TV Content through the six different genres: Drama; Entertainment; Factual; Religion; Children; Licensing and Education.
- The TV Content Genres are managed by Heads of Genres. Heads of Genres manage Commissioning Editors and Assistant Commissioning Editors.
- The Industry Development unit is under TV Content and operates the strategic objectives of transformation and development.
- The SABC Commissioning Office, who oversees all commissioning and acquisition on behalf of the channels and in line with the protocols, falls under the TV Content department.
- All administrative functions related to business plans, budget evaluation, contracting and the Central Receiving Area fall under the TV Operations department.
- All governance related to business planning, budget evaluation and contracting is the responsibility of the General Manager, TV Operations.
- All scheduling, technical transmission deliverables, marketing, on-air, public relations and transmission is the responsibility of the General Manager, TV Channels.
- All matters related to Repeat Fees and payments are the responsibility of the General Manager, TV Operations.
- All matters related to the production company vendor registration and updating is the responsibility of SABC Group Procurement.
- All matters related to the Programme sales and exploitation is the responsibility of the SABC TV Business Development department. This shall include trade exchanges and commercial exploitation.

TYPES OF ACQUISITION

- **100% Commissioning:** Here the SABC provides 100% financing to produce and idea into a fully completed programme for broadcast through either an BRIEF (Call for proposals), selection of an unsolicited pitch or proposal or a re-commission of an existing programme/series.
- **Co-Production / Joint-Ventures:** Here the SABC enters into a co-financing and/or partnership agreement or a co-production with either a co-investor or a co-producer of a programme, or enters into a pre-sale agreement for a programme that is yet to be produced.
- **Presale:** Here the SABC enters a license agreement with a producer before the programme is completed or on development. The license fee is only paid on delivery and is subject to the producers meeting the editorial, technical and delivery criteria set in the agreement.
- **License:** Here the SABC licenses or acquires rights in a completed programme where the primary acquisition is for broadcast.
- **Rights License:** Here the SABC will from time to time acquire selected pre-existing Intellectual Property rights such as Format rights, Book rights, Trademark rights, Stock footage rights etc. That would form the basis for, or an element of, a production to be produced, co-produced, licensed or commissioning by the SABC.
- **Barter Agreements:** These are agreements between the SABC and a company whereby the company offers the SABC a discount in its product or service in exchange of commercial airtime or the company offers to pay production costs in exchange of commercial airtime.
- **Licensing of pre-existing intellectual properties other than programmes:** The SABC will from time to time acquire pre-existing intellectual properties (e.g. published works, formats, characters and stock footage), that would form the basis for, or an element of, a production to be commissioned, co-financed or licensed by the SABC and which may be owned by a third party.
- **Advertiser Funded Programme (AFPs):** A programme conceptualized, produced and fully funded by a commercial entity who pays a slot cost to have their programme broadcast. The programme should be in line with SABC's editorial policies and meet the Channel's programming strategy. It must be noted that AFPs are governed under the Fully Funded Programme SOP.

OVERALL COST AND CONTENT MANAGEMENT

- On an annual basis, each Channel will draft a three year buying plan and budgets.
- Annually, a pre-determined amount shall be allocated by channels to the empowerment of production companies within the various provinces of South Africa, excluding Gauteng and the metropolitan area of Western Cape.
- Selection of content as detailed in Methods of Contracting, shall be determined by the Channel scheduling needs, Content House editorial, approved annual programming budget and will be subject to transmission date, type of genre and various elements required.
- The Heads of Genre for the Content Houses are responsible to assigning a commissioning editor to a programme/project.
- If the Channel and Content Houses require specific programmes, it shall issue Briefs to the industry on an ad hoc basis. Such briefs shall be requested by the General Managers of TV Content and TV Channels and approved by the Group Executive Television. All Briefs will be drafted by the Content House, verified, signed off and issued to the industry by the Commissioning Office.

COMMISSIONING METHODS

QUARTERLY PITCHING PANELS

- ✚ **The SABC shall respond to producers that have pitched, sixty working days after the day of pitch. If there are extensions to the timelines, the SABC will liaise with producers through email and or SMS.**
- ✚ **Producer can direct all queries regarding quarterly pitching session in writing to nyembet@sabc.co.za / georgele@sabc.co.za / mokonepa@sabc.co.za**
- ✚ **Any complaints can be directed to katiyobt@sabc.co.za**
- The Commissioning Office will host provincial pitching panels every quarter.
- The quarterly dates will be listed on SABC Commissioning's website.
- The commissioning Office will liaise with the Heads of Genres and Channel Bouquet heads to schedule commissioning editors and programmers participation on pitch panels.
- The Commissioning Office will notify interested parties of the pitches via sms, email and website.
- The correspondence will be sent to all individuals on SABC's national producer database.
- It is the producer's responsibility to ensure he supplies the Commissioning Office with his correct email and cellphone details.

- The pitching panels will consist of a Commissioning Editor from each Content House, a representative from Channel Programming and a Commissioning Compliance Officer.
- Only producers that have RSVP their participation will be allowed to pitch.
- Each producer will receive 15 minutes for their verbal pitch.
- The Commissioning Compliance officer shall record all pitches electronically and consolidate the final pitches for discussion.
- Each pitch panel member shall complete a pitch evaluation form. The Commissioning Office shall provide the consolidated pitch minutes.
- Producers' who receive a total average score of above 50% on the total average score of the pitch panel, shall be requested in writing to provide a copy of their proposals to the Commissioning Office. The average score can be amended to meet business needs. Such amendments shall be found on SABC's commissioning website.
- The written submission evaluation will be based on a Channel's slot and scheduling requirements which will be provided to the General Manager TV Content by the General Manager Channels.
- Written submissions that receive an overall percentage of more than 85% will be considered for a possible commission subject to slot and budget availability and approval processes as required by SABC's various governance processes. The SABC will from time to time amend scoring in line with its strategic objectives, this amendment will be found on its commissioning website.
- For successful pitches where there is no budget or slot available in the fiscal due to commitments, such projects can be put into development. The General Manager TV Content shall be responsible for ensuring that the projects allocated to the development fund does not exceed an annual limit.

UNSOLICITED PROPOSAL SUBMISSIONS

- ✚ **The SABC shall respond to producers that have officially submitted their proposals through the Commissioning Office, 90 working days after the Commissioning Office records the receipt. If there are extensions to the timelines, the SABC will liaise with producers through email and or SMS.**
- ✚ **Producer can direct all queries regarding unsolicited proposal submissions in writing to nyembet@sabc.co.za / georgele@sabc.co.za / mokonepa@sabc.co.za**
- ✚ **Any complaints can be directed to katiyobt@sabc.co.za**
- The SABC will receive hand delivered proposals at its JHB Auckland Park offices.
- Provincial producers will be allowed to submit their proposals electronically. The email address for electronic submissions will be found on the SABC Commissioning website.
- All unsolicited proposals received from the industry shall only be received, recorded and processed if submitted officially to the Commissioning Office. The SABC will not evaluate any proposals that have not been submitted and recorded by the Commissioning Office.
- The Commissioning Office shall convene Proposal Evaluation Panels monthly. Such dates shall be decided upon monthly by the General Manager TV Content.

- All proposals submitted by producers shall only be accepted if the producer has completed the proposal submission forms which can be found on the SABC commissioning website.
- Producers do not need to submit detailed SABC budget packs for 100% commissioning proposals. For proposals requiring partnership and co-funding, the SABC requires finance plans to be submitted.
- All Advertiser Funded Proposals (AFP) require an official signed letter from an intended funder/sponsor/advertiser. AFP proposals submitted without this letter will be rejected.
- The SABC shall destroy all rejected proposals. All successful proposal submissions shall be archived for a period of seven years by the SABC.
- The General Manager TV Content shall, in consultation with the Heads of Genre, decide on the proposal evaluation panel, which shall consist of no less than three commissioning editors or assigned readers from TV Content. The commissioning editors or assigned readers shall be selected in terms of SABC Genre expertise.
- Genre specific evaluation forms will be used during the evaluations. Such forms can be found on SABC's commissioning website.
- The Proposal Evaluation Team will convene pitch sessions with proposals that receive a total average score of 70%. The scoring is not the determining factor and the Head of Genre can seek approval in writing from the General Manager TV Content.
- All pitches shall have a representative from the allocated Channel Programming Unit, a Production Controller from the Production Management unit and any other party as determined by the unsolicited proposal submissions.
- For 100% commissioned properties, Producers **do not** need to provide detailed budgets.
- For Pre-Sale and Co-productions, producers need to provide financial plans with their proposals.
- Once all evaluations are done, producers will receive either a letter of intent or a letter of interest or a letter of rejection. The letters shall fall within the ninety days.
- Producers can request reasons for rejections through the Commissioning Office.
- The final step in the commissioning process is governed by the SABC's governance policies and shall determine the approval of programme cost through a business plan.

CALL FOR IDEAS

- ✚ **When required, the SABC shall issue specific briefs detailing their programming requirements.**
 - ✚ **Such briefs shall be issued on SABC's commissioning website with notices sent on SABC's producer database through sms and email notification.**
 - ✚ **Each specific brief shall have their own closing dates and process timelines.**
 - ✚ **Producers can direct all queries regarding unsolicited proposal submissions in writing to nyembet@sabc.co.za / georgele@sabc.co.za / mokonepa@sabc.co.za**
 - ✚ **Any complaints can be directed to katiyobt@sabc.co.za**
- Receipt, logging, distribution, evaluation and pitching of solicited ideas shall follow the same steps as unsolicited proposals
 - Producers shall complete the required submission forms

- Evaluation forms for reading and pitching shall be designed specifically for the brief. Such evaluation and pitching forms shall be made available on SABC's commissioning website when the brief is issued.

EDITORIAL CONTROL AND CONTRACTUAL RIGHTS

100% Commissioning

- The SABC will retain full editorial control of all commissioned programmes and will ensure that the programme/s delivered meet the technical quality and editorial standards and requirements of the SABC and its mandates and content regulations.
- The SABC will manage the editorial process through the approval of key creative aspects of the production, inter alia, key creative personnel and cast, set and other elements where appropriate. Editorial content will be managed through the approval of, inter alia, series outlines, treatments, scripts, off-line and on-line versions of the programmes.
- The assigned commissioning editor is responsible for ensuring through the above process that producers adhere to the contractual deliverables. Any deviation in the delivery/process must be escalated by the commissioning editor the relevant SABC parties as per the Delegation of Authority Framework for approval.
- Selected indicators of programme performance will be shared with the producer where such feedback is expected to improve the performance of the programme against its business plan and/or align the producer to the SABC's business objectives.
- All Intellectual Property rights in and associated with the production as a whole shall vest exclusively in the SABC, including, inter alia, the copyright in elements such as trademarks, characters and formats.
- All the rights to commercially exploit the production, including, inter alia, exploitation of broadcast rights, theatrical rights, prequel or sequel rights, character rights, multimedia variations and merchandising howsoever related to the production, shall vest in the SABC. Producers who want to exploit such rights, shall seek approval in writing from the SABC. The terms of the exploitation shall be detailed in a separate exploitation agreement.
- Producers are obliged to obtain full clearance of all rights pertaining to contributors and all elements of the production and must provide verification of these, as specified in the Terms and Conditions in the Standard Production Agreement.
- The Producer shall not be entitled to produce a film or production, which is similar to, or based on the concept, story and/or characters of the commissioned production without the prior consent of the SABC, neither may the producer co-operate with third parties to do so. Any such copyright infringements must immediately be referred to SABC Litigation by any SABC employee.
- All stock/archive footage used in a commissioned programme, must be cleared world-wide in perpetuity and across all media. Where full clearance is not possible, the onus is on the producer to inform the SABC and obtain prior written approval from the SABC of the degree and nature of the rights to be obtained.

- The SABC is responsible for the payment of repeat fees to performers and writers in accordance with the terms of the SABC's Prescribed Writers and Freelance Artist contracts as well as the Standard Production Agreement.
- All deliverables and any specifications related to the commission shall be clearly specified in the Standard Production Agreement. The General Manager TV Channels is responsible for ensuring the Standard Production Agreement is reviewed every three years or as required due to regulatory and environment changes.
- It shall be within the sole discretion of the SABC to renew a commissioned production.

Co-Productions/Joint Ventures

- Under the Public Finance Management Act of 1999 (PFMA), the SABC defined as a National Public Entity under schedule 3 of the Act, has a duty to regulate its financial management under the PFMA thus ensuring that all revenue, expenditure, assets and liabilities are managed efficiently and effectively.
- Annually, the SABC Group Finance, under the instruction from the Chief Financial Officer, shall request permission to engage in co-productions on a project to project basis.
- A co-production/co-financing/joint venture agreement is one in which the SABC will jointly contribute with other parties towards the financing of a programme which is not yet completed. Such other parties may either be investors who merely make a financial contribution and who are not directly involved in the production as such, or they may be an investor who is directly involved in the production.
- All parties in the co-production/co-financing must be involved in sharing of risk.
- The parties' respective rights and obligations, with regards to editorial control, financial investment, equity, revenue sharing and intellectual property will be agreed on a project by project basis and shall be subject to the adherence of the SABC's Intellectual Property Policy.
- The SABC reserves the right to decide its level of participation and contribution based on an assessment of the business case and of the risks involved.
- For co-production/joint venture evaluations, the SABC has the right to communicate with the producer and request further information in writing. Such communication shall happen through the Commissioning Office.
- Approval of co-production/co-financing agreements will be on a project- by-project basis.
- Recognizing SABC's governance processes, the SABC TV, through the office of the General Manager TV Content and the Business Acquisition Deal Manager, may issue prospective producers with Letters of interest for a co-production partnership to assist the producer with triggering outside funding and/or confidence in the project. The letter of interest shall be a drafted by SABC Legal. The letter of interest to participate shall not contractually commit the SABC until all the required investment is secured and the business plan is signed off by the relevant internal parties.

- The co-production parties, with SABC being represented by the Commissioning Editor and TV Finance shall negotiate each model, including rights/benefit sharing and recoupment of investment, on a project by project basis.

Pre-Sale Agreements

- The SABC will, from time to time, commit to acquiring rights in a programme (e.g. the right to broadcast it in specific territories) before a programme is completed and or production has commenced, or at any time before it is completed.
- Editorial and financial risk to the SABC will be managed by withholding payment up until delivery has taken place as per the prescribed deliverables in the pre-sale agreement.
- Approval of pre-sale agreements will be on a project-by-project basis.
- The SABC, through the General Manager TV Content and the General Manager TV Channels can issue a letter of interest, once evaluation of the proposal is complete, to assist the producer with securing further funding.
- Such letter of support shall be drafted by the Deal Manager and issued by the Commissioning Office.
- The complexities of each proposal shall determine the timelines for such execution.

Licensing of Completed Television Programmes (local)

- The SABC may license existing, completed Television programmes from local and international producers, broadcasters and/or distributors or their sales agents.
- The Commissioning Office shall receive pilots, trailers, promos and viewing copies with completed submission forms except when the submissions are done by Foreign entities.
- The Commissioning Office shall convene regular viewing sessions through the Commissioning Editor/Buyer as determined by the programme genre submitted. The Commissioning Office shall ensure that all licenses are viewed and viewing reports are issued by the Channel and Commissioning Editor/Buyer no less than thirty days after submission.
- The Channel and the Commissioning Editor/Buyer shall decide on the acquisition of a licensed programme and will draft an offer to the producer. Such offer shall be subject channel approving budget and slot availability.
- After receipt of the offer, the SABC shall draft a business plan to request expenditure.
- The SABC shall either draft a license agreement as determined by its Legal Services or shall request its Legal Services vet a license agreement from the licensor.
- The TV Channels, through the Bouquet Heads, can request the Commissioning Office to issue specific calls for license submissions as required by the schedule and programme budget. Such evaluations shall follow the same procedure as detailed in Unsolicited Proposal submissions.

Format Rights

- As a general rule, Television shall proactively seek format acquisitions as determined by Channels Needs requests.

- The Head of Genre for each Content House shall assign Commissioning Editors to approach format originator and rights holder to secure format and local production rights.
- As a general rule in defining the price for a rights and local production acquisition, the SABC shall have South African market-related price ranges for each genre, which shall be applied to determine the licensing fee of each such deal. These ranges will be revised annually by SABC TV Content.
- Business Plans for Format rights must be inclusive of the rights fee and the estimated total cost of production.

UTILIZATION OF SABC FACILITIES

- While the SABC has internal production facilities, and a business imperative to optimize their utilization, the SABC is committed to a fair and competitive process in determining the facilities to be used for a 100% commissioned production.
- Where the SABC's facilities are to be used for a commissioned production, producers will be expected to manage their relationship with SABC facilities, in line with the Service Level Agreement between Television and Henley and Television and Outside Broadcast Facilities. Producers utilizing the internal facilities shall be directly accountable for all aspects of the production.
- SABC TV's Production Management unit will on a regular basis liaise with Henley and Outside Broadcast Facilities to ensure Television and its independent producers are treated fairly, competitively and all contractual requirements can be delivered by internal suppliers.
- SABC Insurance is available to all producers with 100% commissioned work. SABC automatically insures its productions. All claims through SABC Insurance must be done through the SABC Insurance department. The Production Controller should ensure that the producer is covered, in the event that the producer takes his own cover, the Production Controller must receive the Insurance Certificate which shall be submitted to SABC Insurance. SABC Insurance shall verify that the insurance is adequate. If the insurance is done independently by the producer, the cost of that insurance shall not exceed the SABC's insurance quote.
- On 100% commissioned productions, the SABC will provide production companies with tape stock which includes: source, masters and safety copies. All stock expectations must be detailed in the Delivery schedule to be agreed upon between the producer and the SABC.
- In the course of producing a 100% commissioned production for the SABC, producers purchase items which include:
 - Décor sets
 - Wardrobe
 - Props

- Set Dressing
- SFX
- Makeup & Hairdressing
- In its recoupment of Production assets, the SABC through Production Management’s evaluation criteria will determine which assets should be disposed of and which must be returned to the SABC.
- The following will be used to determine which assets will be evaluated

Asset Purchase Price	Process
<R10,000	To be disposed of by Production Company.
>R10,000	Subject to Evaluation by the SABC

BBBE-E AND VENDOR REGISTRATION

- The SABC’s four priorities with respect to the development and transformation of the local production industry are:
 - Broad based black economic empowerment (BBBEE);
 - Skills Development within the independent production industry; and
 - The Promotion of enterprise development and regional representation in the local production industry;
 - Promotion of diverse socio economic development in women, youth and people with disabilities.
- The SABC will set specific, measurable targets in each of the areas above. Such targets, as well as the tools to measure and monitor them, will be issued by SABC board on a 2-year cycle. Business will monitor and report against these set targets annually.
- Such targets will be contained in production agreements as transformation plans and shall be agreed upon between the SABC and the Producer.
- All companies providing content production services to the Television Division have to submit their BBBEE certificates as part of their submissions.
- It shall be the responsibility and accountability of the Group Procurement Services to ensure all vendors contracted by the TV Division as Content Providers and suppliers are registered as required in terms of legislation.
- It shall be the responsibility of the Producer and or Content Provider to ensure that they are a registered vendor with the SABC and compliant to all governance regulations in this regard.
- SABC TV Operations shall assist Producers and or Content Providers with their registrations.
- No contract will be issued to any Producer and or Content Provider who is not an approved registered vendor.

INDUSTRY DEVELOPMENT

- The SABC shall use commissioning contracts to promote training through mentorship and internship on SABC productions. All production contracts entered into will align to Development criteria as agreed upon between the producer and the SABC and set out the in production agreement.
- SABC shall provide direct support for industry-based skills development initiatives that match the SABC's corporate business and mandate objectives as set out by the Board on a 2-year cycle.
- The SABC shall partner with industry stakeholders to identify specific set of skills requiring development to draft the annual objectives, which will inform the support of industry initiatives.
- The SABC shall annually set pre-determined content budgets for the commissioning of new content from regional companies and/or filmmakers (this will exclude metropolitans Western Cape and Gauteng)
- The SABC shall ensure that the successful incumbents receive the administrative, financial and creative support to deliver the content.
- The Commissioning Editor together with SABC TV Industry Development shall determine the level of assistance and intervention required and put measures in place to be documented in the contracts
- Where appropriate, the SABC shall partner with national and provincial film commissions and industry bodies to support development.

Annexure A: Proposal Submission Forms

<i>BRIEF NO.:</i>		<i>Genre:</i>		<i>Channel:</i>	
<i>Working Title:</i>					
<i>Company Name:</i>					
<i>Contact Name:</i>		<i>Positio</i>			
<i>Telephone :</i>		<i>Cell:</i>			
<i>e-mail:</i>		<i>Fax:</i>			
<i>Postal Address:</i>					
<i>Street Address:</i>					
PROPOSAL SYNOPSIS:					
<i>No. of Episodes:</i>		<i>Minutes per Episode:</i>		<i>Total Minutes:</i>	
<i>Cost per Episode:</i>			<i>Total Budget:</i>		
<i>Cost per Minute:</i>					
SYNOPSIS OF COMPANY PROFILE:					
(A) Number of Permanent Employees					
(B) Number of Permanent Black (African, Indian, Coloured) Male Employees					
(C) Number of Permanent Black (African, Indian, Coloured) Female Employees					
(D) % of Shareholders Equity owned by Black Males (African, Indian, Coloured)					
(E) % of Shareholders Equity owned by Black Females (African, Indian, Coloured)					
(F) % of Shareholders Equity owned by White Male					
(G) % of Shareholders Equity owned by White Female					
(H) Number of Black Creatives (African, Indian, Coloured)					
(I) Number of disabled employees					
<i>Company Registration Number:</i>					
<i>VAT Registration Number:</i>					
<i>Name:</i>			<i>Date:</i>		
<i>Signature:</i>			<i>Receipt Number:</i>		

PROPOSAL SUBMISSION AGREEMENT

1. OWNER OF NEW IDEA

SABC will receive only submitted material that is embodied in written form in hard copy. Couriered, mailed, facsimiles and e-mail submissions will not be considered. SABC will consider your submission only at your request and only with your assurance that to the best of your knowledge you are the sole originator of the idea and that you have the legal right to submit it to SABC for evaluation.

2. CONCEPTION BY SABC

SABC and its employees have many ideas of their own for the development of programs, some of which may be similar to yours. An idea that is new to you may be old to SABC, or similar, or identical ideas may be conceived independently. Accordingly, you hereby waive any claim that SABC misappropriated any ideas or portions of your submission in any activities in which SABC may engage in the future.

3. DISCLOSURE NOT CONFIDENTIAL

You acknowledge that SABC may disclose the idea to its employees, including freelance readers, to determine the value of the idea to the channel. It is understood that no confidential relationship is entered into by any reason of the consideration of your submission to SABC or by reason of any oral discussions between the SABC and yourself. The SABC however undertakes not to share your proposals with other independent producers.

4. MODIFICATION

The foregoing conditions may not be modified or waived except in writing signed by an officer of SABC.

5. LITIGATION

The SABC will not consider proposals from companies or individuals who are litigants against the corporation until those matters are finalized. It will still remain the SABC's right to determine whether or not to do business with such entities in future.

6. TERM

This release shall be valid for a period of five (5) years from the date of signature and shall apply to any further ideas submitted by you to SABC during such Term.

I HAVE READ THE SUBMISSION AGREEMENT, AND I AGREE TO THE CONDITIONS CONTAINED THEREIN:

Print Name

Signature

Date:

IDENTIFICATION LABEL

(TO BE STUCK ON OUTSIDE OF ENVELOPE)

<i>BRIEF NO.:</i>		<i>Genre:</i>		<i>Channel:</i>	
<i>Receipt no:</i>					
<i>Working title:</i>					
<i>Company name:</i>					
<i>Co-production company</i>					
<i>Contact name:</i>			<i>Position:</i>		
<i>Telephone:</i>			<i>Cell:</i>		
<i>e-mail:</i>			<i>Fax:</i>		
<i>Postal address:</i>					