



567 CAPE TALK ANNUAL COMPLIANCE REPORT

MARCH 2018

2016/17 ANNUAL COMPLIANCE REPORT

PRIMEDIA (Pty) Ltd BROADCASTING AS 567 CAPE TALK

LICENCE PERIOD: 17 December 2008 – 16 December 2018

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution, the ICASA Act and the Electronic Communications Act of 2005 (ECA) to regulate broadcasting activities in South Africa in the public interest. One of the main tasks of the Authority is to ensure compliance by broadcasters with the terms and conditions of their licence, the ECA, the ICASA Act and any relevant legislation and regulations.

The following report is intended to give account of 567 Cape Talk's compliance with the terms and conditions as set out in its licence for the 2016/2017 financial year. Aspects of compliance that are measured comprise of Geographic Coverage, Broadcasting Languages, Format, General Programming Obligations, Training and Skills Development, Community-Related Obligations, South African Music Regulations, Regulations Regarding Standard Terms and Conditions, Universal Service and Access Fund (USAF) Regulations and General Licence Fee Regulations.

2. BACKGROUND

In December 2008, the Authority issued Primedia (the Licensee) with an Individual Commercial Sound Broadcasting Service licence¹ and a Radio Frequency Spectrum licence² in terms of the ECA.

The Licensee broadcasts as 567 Cape Talk and provides a service in Cape Town and surrounding areas. The radio station is broadcasting from the studios situated in Cape Town and have a central business office at 5 Gwen Lane, Sandown, Sandton. The signal distribution service is conducted by Sentech (Pty) Ltd.

¹ 567 Cape Talk Broadcasting Service Licence

² 567 Cape Talk Frequency Spectrum Licence

The Licensee was found to be in compliance with clause 1 of the schedule to its licence.

3.3 Geographic Coverage Area

Clause 2 of the schedule to 567 Cape Talk's licence provides that the coverage area is as follows:

"Cape Town, as defined in the coverage map attached to the Licensee's radio frequency spectrum licence".

The Authority did not receive reports suggesting the Licensee broadcasts outside the defined coverage area.

The Licensee was found to be in compliance with clause 2 of the schedule to its licence.

3.4 Broadcast Language (s)

Clause 3 of the schedule to 567 Cape Talk's licence provides that the language of broadcast shall be:

"Principal Language: English".

567 Cape Talk broadcast its programmes in English as its primary language.

The Licensee was found to be in compliance with clause 3 of the schedule to its licence.

3.5 Format

Clause 4 of the schedule to 567 Cape Talk's licence provides that the Licensee is:

"A talk-based service with a maximum of fifteen percent (15%) music programming".

The Licensee was found to be in compliance with clause 5.1 of the schedule to its licence.

Clause 5.2 of the schedule to 567 Cape Talk's licence provides that:

"Local News shall constitute at least fifty percent (50%) of its news component".

The monitoring exercise revealed that 567 Cape Talk's local news constitute more than fifty percent of its overall news component. Most of the stories broadcast were from the Western Cape Province.

The Licensee was found to be in compliance with clause 5.2 of the schedule to its licence.

Clause 5.3 of the schedule to 567 Cape Talk's licence provides that:

"Should the Licensee source news material from a source other than itself, the source(s) thereof shall be disclosed during the news broadcast".

The monitoring exercise revealed that most of 567 Cape Talk news are sourced from Eyewitness News, a subsidiary of Primedia (Pty) Ltd. It was confirmed that the Licensee discloses sources of news whenever it reports news obtained from other sources other than itself. News sources identified include among others, Reuters, Cable News Network (CNN) and British Broadcasting Corporation (BBC).

The Licensee was found to be in compliance with clause 5.3 of the schedule to its licence.

3.7 Training and Skills Development Obligations

Clause 6.1 of the schedule to 567 Cape Talk's licence provides that:

"The Licensee shall inform the Authority of any changes effected to its Human Resources Policies and Procedures Manual".

3.8 Community - related Obligations

Clause 7.1 of the schedule to 567 Cape Talk's licence provides that:

"The Licensee shall make a significant contribution to the community in its coverage area through supporting community projects such as those benefiting: women's organisations, childcare organizations, development sport, mental health, animal welfare and organisations caring for the terminally ill.

The Licensee reported that it is part of its strategy to do random acts of kindness as well as broadcast Public Service Announcements in the communities within its coverage area. For the period under review, the Licensee submitted a list⁴ of contributions and beneficiaries of cash raised, goods contributed, interviews and airtime allocated for Public Service Announcements. The beneficiaries included women and children organizations, development sport, mental health, animal welfare and organizations caring for the terminally ill. The Licensee provided a list of all organizations that were beneficiaries, in its report.

The Licensee was found to be in compliance with clause 7.1 of the schedule to its licence.

Clause 7.2 of the schedule to 567 Cape Talk's licence provides that the Licensee shall:

7.2.1 raise at least R250 000.00 (two hundred and fifty thousand Rand) in cash and goods annually".

The Licensee reported to have raised cash and/or contributed goods totalling three hundred and forty six thousand rand (R346 000), for the period under review. The cash raised and goods contributed went into supporting organisations such as those benefitting women, children, the homeless and the terminally ill. The Licensee provided a list of donors and beneficiaries⁵, in its report.

⁴ List of beneficiaries of cash, goods raised and allocated airtime

⁵ List of Beneficiaries of cash and goods

567 Cape Talk reported to have, together with KFM, conducted a training session for 15 (fifteen) UCT Radio presenters. The session included topics covering programming news gathering and production; and were aimed at sharing the licensee's experience in these fields. The two Licensees also partnered in hosting journalism students from City Varsity, providing the students with experience on the day to day running of a radio station. The session included talks covering programming and news. The Licensee submitted an attendance register⁷ as proof.

The Licensee was found to be in compliance with clause 7.3 of the schedule to its licence.

Clause 7.4 of the schedule to 567 Cape Talk's licence provides that:

"The Licensee shall undertake "voice search competitions" to unearth and develop new talent.

The Licensee reported to have identified thirteen (13) individuals who have been placed on various training and development programmes, for the period under review. They all have been placed under different departments, namely four (4) of whom are placed on a producer development programme, three (3) are on a controller development programme, five (5) have been placed on a programme to develop their presenting skills and one (1) is the new financial contributor on the PM Drive Show.

567 Cape Talk reported not to have conducted a "voice search competition" in the true sense. What it has done was to identify individuals who have potential to take up roles in commercial radio. These individuals are identified either from community broadcasters, journalism schools or as recommended by people in the industry. The individuals are then put onto a training program in various fields within radio production, hosting, controllers and contributors. Those who are on the hosting program are given an opportunity to present overnight shows to gain confidence.

The Licensee was found not to be in compliance with clause 7.4 of the schedule to its licence.

⁷ Attendance register for training sessions

The Authority may, upon good cause shown by the holder of a sound broadcasting licence, vary any condition imposed by 3.1, 3.2, 3.3, 3.4 and 3.5 if it is satisfied that the variation is consistent with the objects of the Act”.

The monitoring exercise revealed that 567 Cape Talk plays approximately fifteen percent (15%) of South African Music spread reasonably evenly throughout the Performance Period, as per the exemption granted by the Authority. The South African artists featured included among others, Ndizakulibala by Thandiswa Mazwai, Diamonds on the sole of her shoes by Paul Simon featuring Ladysmith Black Mambazo, Emlanjeni by Mafikizolo and it wasn't roaring it was weeping by Vusi Mahlasela, etc.

The Licensee was found to be in compliance with the music regulation.

4.3 Standard Terms and Conditions

During the year under review, the Authority did not identify instances of non-compliance by the Licensee with the Regulations regarding Standard Terms and Conditions for Individual Licences⁹.

The Licensee was found to be in compliance with the above regulations.

4.4 Regulations in respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund

Regulation 3 (1) of the Regulations in respect of Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund (USAF)¹⁰, as published in the Government Gazette, No. 31499 of April 2009, stipulates that:

“Every holder of a Licence granted in terms of Chapter 3, 4 and/or 9 or converted in terms of chapter 15 of the Act, must pay an annual contribution of 0.2% of the annual turnover, derived from the licensee's licence activity, to the Fund (the Fund)”.

⁹ Regulations Regarding Standard Terms and Conditions for Individual Licences

¹⁰ USAF Regulations

567 Cape Talk's financial year ends on 30 June and they paid their licence fees on 28 September 2017 and submitted proof of payment¹³ thereof, as required by the regulations.

The Licensee was found to be in compliance with the above regulations.

5. CONCLUSION

The Licensee has sufficiently complied with relevant regulations and its licence terms and conditions, except for clause 6.2 and 7.4 of its licence and submission of the complaints report in terms of the Compliance Procedure Manual Regulations.

6. TERMS OF REFERENCE

Appendix A: 567 Cape Talk's broadcasting service licence

Appendix B: 567 Cape Talk's frequency spectrum licence

Appendix C: List of staff training

Appendix D: List of beneficiaries for cash, good and airtime

Appendix E: List of organisations allocated airtime

Appendix F: Attendance register for community radio training

Appendix G: SA Music Content Regulations

Appendix H: Regulations Regarding Standard Terms and Conditions for Individual
Licences

Appendix I: Universal Service and Access Fund Regulations

Appendix J: Proof of USAF Contribution

Appendix K: General Licence Fees Regulations

Appendix L: Proof of Licence Fees Payment

¹³ Proof Licence Fees Payment