



E-TV ANNUAL COMPLIANCE REPORT

MARCH 2018

2015/2016 ANNUAL COMPLIANCE REPORT

ETV (PTY) LIMITED BROADCASTING AS E.TV

LICENCE PERIOD: 17 DECEMBER 2008 TO 16 DECEMBER 2023

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution¹, the ICASA Act², the Electronic Communications Act³ (ECA) and the Broadcasting Act 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, the Broadcasting Act and any relevant legislation and regulations.

The purpose of this report is to give account of e.tv's compliance with the terms and conditions as set out in its licence for the 2016/2017 financial year in line with its licence year. Aspects of compliance that are measured comprise of geographic coverage, ownership and control structures, languages, format, local content obligations, general programming obligations, information programming, news and current affairs programming, programming targeted at children, employment equity obligations, skills and development obligations, finances, limitations on advertising and Regulations on South African Television Content, Regulations Regarding Standard Terms and Conditions, Universal Service Access Fund (USAF), General Licence Fees Regulations, Code on People with Disabilities and DTT Regulations.

2. BACKGROUND

In December 2008, a converted licence was issued to e.tv (Pty) Limited in terms of the Licence Conversion process, as enunciated in Chapter 3, read with Chapter 15 of the ECA. According to the converted licence, e.tv's licence is valid for fifteen (15) years and is due to expire in 2023. The holding company is Sabido Investments, a subsidiary of Hosken Consolidated Investments (HCI), a black economic empowerment and duly registered public company⁴.

¹ The Constitution of the Republic of South Africa, No 108 of 1996

² ICASA Act No 13 of 2000, as amended

³ Electronic Communications Act No 36 of 2005

⁴ Appendix A: Broadcasting Service licence

3. COMPLIANCE ASSESSMENT

3.1. Geographic Coverage Area

According to clause 2 of Schedule 1 of the licence, the Licensee is required to broadcast Nationally and the minimum population coverage must be 77%. Over the years, the Licensee has maintained that it covers 80.5% of the country's population through terrestrial means and 100% coverage of the population via satellite. Based on the authority's perusal of e.tv's network coverage issued by Sentech to the Licensee, dated 10 November 2015, the Licensee exceeds the minimum 77% contemplated in clause 2 of its licence.

The Licensee complies with clause 2 of Schedule 1 of its licence.

3.2. Target Audience

Clause 3 of Schedule 1 of the licence provides the target audience of the Licensee is the public. The Licensee provides a service to the public. This is evidenced through its programming profile which caters for a wide spectrum of citizens through provision of news and information programming in line with its licence terms and conditions.

The Licensee complies with clause 3 of Schedule 2 of its licence.

3.3. Format

Clause 4 of Schedule 1 provides as follows:

"The Licensee shall provide a wide variety of programmes"

e.tv provides a variety of programmes as contemplated in clause 4 of its licence. From drama (scandal, Gold-diggers, Ekasi, broken Vows) to Children's programmes.

3.4. Language(s)

Clause 2 (1) of Schedule 2 of the licence provides that:

"Subject to the specific language requirements set out below, the Licensee shall ensure in respect of the licensed service, its programme material is provided primarily in English."

e.tv provides its programme material primarily in English and **therefore is in compliance with clause 2(1) of Schedule 2 above.**

e.tv is further required, in terms of clause 2(2) of Schedule 2 of the licence to ensure that it "broadcasts two (2) hours of news and information programming per week during the performance period in a wide range of official languages other than English and shall make provision for sign language translation on screen during the prime-time news bulletin. In complying with its obligations in respect of the use of official language other than English, the Licensee shall not make excessive use of a single language, other than English, to the exclusion of other official languages".

The Licensee has exceeded the requirement by broadcasting an average of 6.3 hours per week of news and information programming. This is an increase from the 4.2 hours broadcast in the previous financial year. Other languages in its news and information programming, comprise a mixture of isiZulu, isi-Xhosa, Sesotho and Setswana.

The Licensee makes provision for sign language during its daily prime time (18h30) news bulletin. In addition, during the period under review, the Licensee made use of sign language during the broadcast of the "Opening of Parliament", the "Budget Speech" and the "State of the Nation address".

The above confirms that the Licensee has, to date (in the 7th year of its licence since the conversion process), consistently complied with clause 2(2) of Schedule 2 of its licence.

In terms of clause 2(3) of Schedule 2 the licence, e.tv is required to "broadcast four (4) hours of programming other than news and information per week in official languages other than English. Compliance with this sub-clause shall be measured accordingly over the licence year. In complying with the above obligations, the Licensee shall not make excessive use of a single language, other than English, to the exclusion of other languages".

The Licensee has during the period under review exceeded the requirement by broadcasting 6.5 hours of programming other than news and information per week in official languages other than English, which is a slight increase from the 5.4 hours output for the 2015/16 financial year.

The Licensee complies with clause 2 (3) of Schedule 2 of its licence.

Clause 2(4)(a) of Schedule 2 of the licence provides that:

"At least 10% of the aggregate broadcasting time of its South African drama productions transmitted by the Licensee in a wide range of official languages other than English".

e.tv has, during the period under review, broadcast 53.5% of its South African drama productions transmitted, in official languages other than English. In complying with the above, e.tv provided drama programming in isiZulu, Setswana, Sesotho, isiXhosa as well as Afrikaans. Below is a summary of drama programmes broadcast in this regard:

- "Rhythm City", broadcast primarily in isiZulu, Sesotho and SeTswana;
- "Scandal", broadcast in isiZulu, SeTswana and Ssotho and Afrikaans;
- "Z'bondiwe", broadcast in isiZulu, SeTswana and isiXhosa;
- "Gold Diggers", broadcast primarily in isiZulu, Sesotho and isiXhosa;
- "eKasi" broadcast in isiXhosa, isiZulu, Sesotho and Tshivenda;
- "Broken Vows" broadcast in isiXhosa, isiZulu, Sesotho, Setswana, and Sepedi;
- "Ashes to Ashes", broadcast in isiXhosa, isiZulu, Sesotho, Setswana; and
- "Harvest Drama", broadcast in isiZulu, isiXhosa and Sepedi.

The Licensee complies with clause 2(4)(a) of Schedule 2 of its licence.

Clause 2(4)(b) read with 2(4)(b)(ii) of Schedule 2 of the licence provides that:

"At least 20% of the aggregate broadcasting time of South African children's programming transmitted by the Licensee is in a wide range of official languages other than English".

During the period under review, e.tv broadcasted at 12.1% of children's programming in a range of official languages. Programming was provided in isiXhosa, isiZulu, SePedi, SeTswana and SeSotho.

The Licensee is non-compliant with clause 2(4)(b) of Schedule 2 above.

Clause 2.5 of Schedule 2 of the licence enjoins e.tv to *"endeavor to dub some of the children's programming acquired from abroad and broadcast by the Licensee into official language other than English"*.

The Licensee does not dub programmes acquired from abroad into official languages. However, the children's programmes broadcast by e.tv such as Cool Catz are locally produced and therefore in official languages, other than English.

On this basis, the Licensee complies with clause 2.5 of Schedule 2 of the licence.

3.5. Employment Equity Obligations.

Clause 6.1 of Schedule 1 of the licence provides that:

"At least forty percent (40%) of the Licensee's employees (being staff and management) are African, that is, Black people excluding Coloureds and Indians.

Further, clause 6.2 read with clause 6.3 of Schedule 1 of the licence provides as follows:

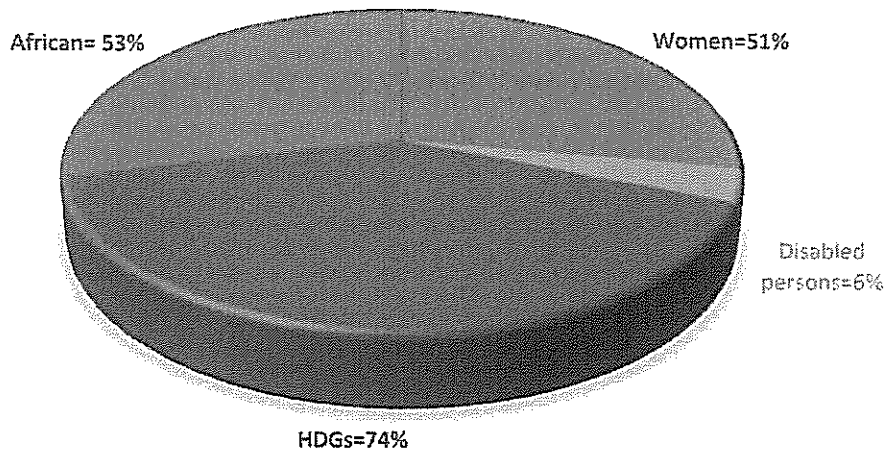
"At least thirty five percent (35%) of the Licensee's employees (being staff and management) shall be women; and At least five percent (5%) of the employees shall be disabled people".

Furthermore, clause 6.4 of Schedule 1 of the licence provides that:

"The Licensee's management shall consist predominantly of South Africans from historically disadvantaged groups (i.e. black (African, Coloured and Indian) South Africans, women and disabled people".

For the year in review, the Licensee had a total staff compliment 53% comprised of black employees excluding Coloureds and Indians. The Licensee employed 26 persons with disabilities constituting 6%. Further, e.tv management consisted predominantly of people from historically disadvantaged groups at 74%. Percentage breakdown of the foregoing is represented in Graph 1 below.

EMPLOYMENT EQUITY



The Licensee complies with clause 6 of Schedule 1 of its licence and its sub-clauses.

3.6. Skills and Development Obligations

Clause 7.1 of Schedule 1 of the licence provides that:

"The Licensee shall adhere to the following human resource training, skills and development practices:

- (a) an efficient human resources function supported by a competent human resource development function;*
- (b) consultation between management and employees in decision-making processes; (c) fair labour practices;*
- (c) a safe, healthy and accommodating working environment; and*
- (d) a well-resourced training arm with responsibility for the development of the Licensee's core staff and major independent contractors".*

In response to clause 7.1(a) and (b) above, the Licensee maintains that the Licensee has a functional human resource function headed by a Group Head. Regarding consultations between management and employees in decision-making, the Licensee maintains that there is constant communication between management and employees on key and strategic decisions taken or to be taken.

Further and in demonstrating compliance with 7.1(c), (d) and (e), the Licensee submitted that for the year under review it developed and implemented policies and procedures to ensure fair labour practices in line with the Labour Relations Act No. 66 of 1995 as amended (available on request). Lastly, the Licensee appointed Health and Safety Officer on full time basis to ensure a healthy and safe work environment by implementing systems to ensure legal compliance. Employees are trained on Health and Safety management as part of its commitment to the e.tv Health and Safety policy and procedures.

Based on the above, the Licensee complies with clause 7.1 of Schedule 1 of its licence.

Clause 7.2 of Schedule 1 of the licence provides that:

"The Licensee must ensure to participate in the development of the broadcasting industry by, amongst other things:

- (a) supporting independent contractors from historically disadvantaged groups;*
- (b) supporting industry development; and*
- (c) promoting the development of independent producers".*

The Licensee submits that all local programming other than news and current affairs is commissioned out to the independent production sector. All production agreements entered into between e.tv and independent production companies include a provision which requires the production company to provide for training for historically disadvantaged persons.

Accordingly, e.tv has during the period in review, complied with clause 7.2 of Schedule 1 of its licence.

Clause 7.2 of Schedule 2 of the licence provides that

The Licensee shall broadcast one (1) hour and thirty (30) minutes of South African youth drama during prime time. This is to be included in children's programming quota in sub-clause (a) and shall be measured as a weekly average over a period of a licence year.

The Licensee broadcast 2 hours 30 minutes of youth drama thus is in compliance with clause 7.2 of Schedule 2 of its licence.

Clause 7.3 of the Schedule 1 of the licence provides that:

"The Licensee must recruit, train and develop individuals from historically disadvantaged groups and equip such people with appropriate managerial and technical skills relevant to the management and operation of a television station".

Further, clause 10 of Schedule 2 of the Skills and Development obligation provides that:

"The Licensee must invest 5.5% of its total annual salary costs, escalating annually at the rate of inflation, in staff training".

For the year in review, the Licensee recruited and trained individuals from HDG's in various skills relevant to television such as film and television production operation certificate, film and production, computer skills, camera operations and video editing. The Licensee spent 6.42% of its total salary costs on training.

The Licensee complies with clause 7.3 of Schedule 1 and clause 10 of Schedule 2 of its licence.

3.7. Provision of Audited Financial Statements to the Authority.

Clause 8 of Schedule 2 of the licence provides that:

"The Licensee shall provide the Authority with Annual audited financial statements within three (3) months of the end of its financial year".

e.tv submitted its Audited Financial Statements (AFS) to the Authority within the stipulated time frame. The Authority is unable to analyse the financial statements in detail as the Licensee applied for confidentiality in this regard. The Authority can confirm that the AFS reflect a healthy financial status.

The Licensee complies with clause 8 of Schedule 2 of the licence.

3.8. Local Content Obligations

Clause 3(1) of Schedule 2 of the licence requires the Licensee to ensure that in procuring programming produced in South Africa, it commissions programming from the different provinces and to ensure that such programming is reflective of provincial diversity, cultures and characters.

The Licensee procures programming content from different production companies which represent a variety of cultures and characters around the country. During the period under review, the Licensee commissioned programming from more than 20 companies. Below are some of the production companies commissioned:

- Rapid Blue,
- Ochre Media;
- Clive Morris;
- Red Pepper;
- Quizzical;
- Thapelo Media;
- Story Sound;
- Julie Laurenz;
- Urban Cows; and
- Badda Pictures.

According to the Licensee, whereas programming has, during the period under review reflected provincial diversity and that e.tv has succeeded in commissioning production companies based in other regions, the majority of its producers are still based in Gauteng and the Western Cape. One major production has been commissioned in KZN. The Licensee attributes this to the fact that there is still minimal fully-fledged production capacity in other Provinces. Notwithstanding this however, the Licensee states that it will continue with its endeavors to identify and support production capacity in areas outside of the Gauteng and Western Cape provinces.

The Licensee complies with clause 3(1) of Schedule 2 above.

Clause 3(2) of Schedule 2 of the licence provides that:

"The Licensee must ensure that forty-five percent (45%) of broadcast time consists of local television content" and further that "a maximum of fifteen percent (15%) of which shall be re-broadcast, measured over a year".

During the period in review, the Licensee broadcast at least 54.7% local content programming during the period under review. At least fifteen percent (15%) comprised re-broadcasts.

e.tv complies with clause 3(2) of Schedule 2 above.

Clause 3(3) of Schedule 2 of the licence provides that:

"The Licensee shall broadcast animations which reflect African and South African culture and lifestyles".

The Craz-e series is the animation broadcast by e.tv reflective of the South African culture and lifestyles.

The Licensee complies with clause 3(3) of Schedule 2 of its licence.

Clause 3 (4) of Schedule 2 of the licence provides that:

"The Licensee must provide programming which develops and promotes South African culture and talent, especially in the area of music, through locally produced programmes which may be broadcast during the time that falls outside the South African television performance period".

In terms of the current South African Television Content Regulations, published in *Government Gazette* number 28454 of 2006 (the Regulations), the measurement of compliance is done during the performance period from 05h00 to 23h00. The new local content Regulations will be effective from March 2018.

During the period under review, e.tv programmes were broadcast and recorded from 05h00-23h00 in line with the South African performance period. "Club 808" is locally produced and developed and promotes South African culture and talent in the area of music.

The Licensee complies with clause 3(4) of Schedule 2 above.

Clause 3(5) of Schedule 2 of the licence requires e.tv to submit, on a quarterly basis, a log of local television content broadcast by the Licensee during the preceding quarter.

The Licensee made its submissions to the Authority as contemplated in its licence and as such was **is compliant with clause 3(5) of Schedule 2 of the licence.**

3.9. General Programming Obligations

Clause 4.1 of Schedule 2 of the licence provides that:

"The Licensee must broadcast two (2) hours thirty (30) minutes of South African drama per week of which at least two (2) hours twenty (20) minutes must be broadcast during prime time".

Further, clause 4.2 of Schedule 2 of the licence provides that:

"The Licensee shall ensure that no more than fifty percent (50%) of the South African drama referred to in sub -clause (2) above consists of re-broadcasts"

During the period under review, the Licensee broadcast 8.4 hours of South African drama per week during prime time of which two (2) hours thirty (30) minutes was allocated to youth drama, as is evidenced by the broadcast of drama programmes such as "Scandal", "Gold Diggers", "Our Stories" "Ashes to Ashes", "eKasie"- Our Stories" and "Rhythm City". In addition, to comply with clause 4.2 of its licence, the Licensee ensured that re-broadcast of its drama programming was less than 50%. 15.7 % of the Licensee's drama consisted of re broadcasts.

The Licensee complies with clause 4.1 and 4.2 of Schedule 2 of its licence.

Clause 4.3 of Schedule 2 of the licence provides that:

"The Licensee must ensure that at least ten percent (10%) of South African drama productions broadcast by it comprise a broad range of official languages other than English. In meeting this requirement, the Licensee shall not make excessive use of a single official language other than English, to the exclusion of other official languages".

During the current period 40% of e.tv's South African drama programming consisted of official languages other than English.

The Licensee complies with clause 4.3 of Schedule 2 of its licence.

3.10. Information Programming

Clause 5 of Schedule 2 the licence provides that:

"The Licensee shall broadcast at least nineteen (19) hours of information programming per week, at least two (2) hours of which shall be broadcast during prime time".

e.tv met the minimum requirement by broadcasting 19.9 hours of Information Programming weekly. Further, the Licensee broadcast 2.9 (translating to 3 hours) hours of Information Programming during prime time.

Against this backdrop, the Licensee complies with clause 5 of Schedule 2 of its licence.

3.11. News and Current Affairs

Clauses 6.1 read with clause 6.2 of Schedule 2 of the licence provide that:

'The Licensee must ensure that it broadcasts news and current affairs programming that reflect local, regional and provincial events and developments'. Further, that e.tv "broadcast at least two (2) hours of news during the performance period, of which at least thirty (30) minutes, packaged as a single programme, shall be broadcast during prime time".

e.tv's programming profile confirmed that the Licensee broadcasts news bulletins on weekdays between 05h30 and 19h00 including but not limited to : Morning Edition, Sunrise, Newsday and Prime Time and weekends between 18h00- 19h30 as follows- early Edition and Prime time.

During the period under review, the Licensee broadcasted 3 hours of news per day during prime-time. Of the news programmes at least 30 minutes was packaged as a single programme.

The Licensee's news and current affairs offering is reflective of local, regional and provincial events and developments.

The Licensee complies with clause 6.1 read with clause 6.2 of Schedule 2 of its licence.

Clause 6.3 of the licence provides that:

"The Licensee shall exercise full editorial control in respect of the content of its news programming".

During the period under review, there was no evidence that suggested that the Licensee is not exercising full editorial control in respect of the content of its news programming.

In the Authority's assessment, the Licensee complied with clause 6.3 of Schedule 2 of its licence.

3.12. Programming Targeted at Children

Clause 7.1 read with clause 7.3 of Schedule 2 of the licence provides that:

"The Licensee must broadcast sixteen (16) hours of children's programming per week, of which at least 20% shall comply with the local content requirements as set out in the applicable Regulations"; and

"The Licensee shall broadcast one (1) hour thirty (30) minutes of South Africa youth drama during prime time. This is to be included in the children's programming quota referred to in sub-clause (a) and shall be measured as a weekly average over the period of a licence year."

During the year in review, the Licensee broadcast an average of 17 hours per week of children's programming including a weekly average of 2.5 hours of youth drama per week. In terms of the 20% local content requirement, e.tv exceeded the requirement by broadcasting 39.7% (translating to 40%) South African children's programming.

The Licensee complies with clauses 7.1 and 7.3 of Schedule 2 of its licence.

3.13. Limitations on Advertising and Provision of advertising-related information

Clause 8.1 and 8.2 of Schedule 2 of the licence provides that:

"The Licensee may not broadcast more than an average of ten (10) minutes of advertisements per hour on the licensed service during any licence year; and advertisements in excess of twelve (12) minutes in any one hour".

The Licensee did not exceed the maximum requirement of twelve (12) minutes advertising in any hour. **Consequently, the Licensee complies with clause 8.1 and 8.2 of Schedule 2 of its licence.**

3.14. Events of National interest

Clause 9.1, of Schedule 2 of the licence provides that:

"The Authority may, on written application by the Licensee, grant the Licensee exemption in writing, on such terms and conditions as the Authority deems necessary in the circumstances,

from compliance with some or all of the on air programming obligations set out in this licence, for a specified period, in the event that the Licensee satisfies the Authority that it is unable to comply with such obligations as a result of the broadcast of any event of national interest”.

During the period under review, the Authority did not receive any application for exemption to broadcast events of national interest from the Licensee.

4. REGULATIONS

4.1. South African Television Content Regulation

Regulation 4.1 of the 2006 ICASA South African Television Content Regulation provides that: “A commercial television Licensee must ensure that at the commencement of its broadcasting service a minimum weekly average of 35% of its programming, measured over a period of a year, during the South African television performance period consists of South African television content”⁵.

In complying with the above; a Commercial television broadcasting Licensee must ensure that a minimum of:

- i. 20% of its drama programming consists of South African drama;*
- ii. 50% of its current affairs programming consists of South African current affairs;*
- iii. 30% of its documentary programming consists of South African documentary programming; and*
- iv. 30% of its informal knowledge building programming consists of South African informal knowledge building;*
- v. 25% of its children’s programming consists of South African children’s programming”.*

For period under review, the Licensee complied with its obligations as follows:

- i. 53.5% of its drama programming consists of South African drama;*
- ii. 100% of its current affairs programming consisted of South African current affairs;*
- iii. 64.8% of its documentary programming consisted of South African documentary programming;*

⁵ Appendix B: South African Television Content Regulation

- iv. 100% of its informal knowledge building programming consisted of South African informal knowledge building; and
- v. 40% of its children's programming consisted of South African children's programming.

The Licensee complies with the South African Television Content Regulations.

4.2. Standard Terms and Conditions for Individual Broadcasting Licensees

During the year under review, the Authority did not identify any non-compliance by e.tv with the Standard Terms and Conditions.⁶

4.3. 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) as published in the Government Gazette, no 31499 of April 2009 provides that:

"Every holder of a licence granted in terms of Chapters 3, 4 and/or 9 or converted in terms of Chapter 15 of the Act, must pay an annual contribution of 0.2% of its Annual Turnover to the Fund".⁷

Further, Regulation 3(3) provides that:

"A broadcasting service Licensee who has paid an annual contribution to the Media Development and Diversity Agency (MDDA) must set off that contribution against its prescribed annual contribution to the Fund."

The Licensee paid its annual contribution fee to the fund of R 2 736 573.10 to the MDDA which is an equivalent of 0.2% of the Licensee's annual turnover and submitted proof to the Authority on 12 December 2017.

The Licensee complies with the regulation in respect of Universal Service and Access Fund.

⁶ Appendix C: Regulations Regarding Standard Terms and Conditions for Individual licences

⁷ Appendix D: Universal Service and Access Fund

4.4. General Licence Fees Regulations

The General Licence Fees Regulations as published in the Government Gazette, no 32084, 01 April 2009, provides that:

"Individual Commercial Broadcasting Service Licensee's must pay annually to the Authority a licence fee of 1.5% of its gross profit".⁸

Schedule 3(4)(b) of the General Licence Fees Regulations provides that:

"Annual payments are due and payable within 6 months from the end of the licensee's financial year".

The Licensee paid its annual licence fee of R 4 789 002.00 to the Authority on 26 July 2017.

The Licensee complies with the General Licence Fees Regulations.

4.5. Digital Migration Regulations 2012 (DTT Regulations)

Regulation 9(3)(c) of the Digital Migration Regulations as published in Government Gazette No. 36000 on 14 December 2012⁹, requires e.tv to submit a commercial agreement with an electronic communications network service Licensee to provide a signal distribution services for digital broadcasting within three (3) months of the Minister's publication of the date for commencement of dual illumination together with the tariff structure for the signal distribution services.

The Minister published the date for commencement of dual illumination on 1 February 2016. During the period in review, e.tv failed to submit the foregoing advancing an argument that it was yet to finalise and sign the Multichannel Tariff Agreement (MTA). As at the time of writing this report, compliance in this regard had still not been achieved.

Based on the above, the Authority concludes that e.tv has, during the period in review, failed to comply with Regulation 9(3)(c) above.

4.6. Code for Persons With Disabilities

⁸ Appendix E: General Licence Fees Regulations

⁹ Appendix F: Digital Migration Regulations 2012

Clause 3.1(a) of the Code for Persons With Disabilities as published in the Government Gazette, no 30441, 7 November 2007, states that:

"Broadcasting service licensees must ensure that their services are made available and are accessible to people with disabilities".¹⁰

The Licensee confirms that its offices have been adapted to the needs of people with disabilities.

Clause 3.1 (c) states that:

"Broadcasting service licensees must monitor the effectiveness of their service through surveys as well as contact with organisations of and for people with disability and stakeholders".

The Licensee reports that it sponsors charitable associations and foundations on areas of disability. The Licensee assisted the following organisations associated with persons with disabilities.

- Retinal Foundations; and
- Talk Sign;

Where possible the Licensee uses the means available to allow hearing impaired people better access to its services in the news and entertainment fields.

The Licensee complies with the Code for Persons With Disabilities.

4.7. Compliance Procedure Manual – Form 12A

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A¹¹ which reports on all complaints received during each financial year. In April 2017,

the SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

The Licensee is a member of the National Association of Broadcasters (NAB) and complaints in relation to the Code of Conduct by Broadcasters are administered by the Broadcasting Complaints Commission of South Africa (BCCSA).

¹⁰ Appendix G: Code of People with Disabilities

¹¹ Appendix H: Compliance Procedure Manual – Form 12A

5. CONCLUSION

For the period under review e.tv has complied with most of its licence terms and conditions save for Clause 2(4)(b) of the licence terms and conditions whereby the Licensee broadcast 12% instead of the required minimum of at least 20% of South African children's programming consisting of official languages other than English. The Licensee also failed to comply with Regulation 9(3)(c) of the DTT regulations.

6. TERMS OF REFERENCE

Appendix A: Broadcasting Service Licence;

Appendix B: South African Television Content Regulations;

Appendix C: Regulations Regarding Standard terms and Conditions;

Appendix D: Universal Service and Access Fund;

Appendix E: General Licence Fees Regulations;

Appendix F: Digital Migration Regulations 2012, Correspondence to e.tv regarding DTT Regulations dated 23 August 2017; Response from e.tv dated 30 October 2017.

Appendix G: Code for Persons With Disabilities; and

Appendix H: Compliance Procedure Manual Regulation