



# **IKWEKWEZI FM ANNUAL COMPLIANCE REPORT**

**MARCH 2018**

## **2016/2017 ANNUAL COMPLIANCE REPORT**

### **SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS IKWEKWEZI FM**

**Licence Period: 18 December 2008 – 18 December 2018**

#### **1. PREFACE**

The Independent Communications Authority of South Africa (ICASA) has a statutory mandate in terms of the Constitution<sup>1</sup>, the ICASA Act<sup>2</sup>, the Electronic Communications Act<sup>3</sup> ("ECA") and the Broadcasting Act<sup>4</sup> 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 and any relevant legislation and regulations.

The purpose of the report is to give an account of Ikwekwezi FM'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, Language, Format, Local content obligations, General Programming Obligations, Training and Skills development obligations, Finances, South African music content Regulations, Code For Person With Disabilities and Standard Terms and Conditions Regulations.

#### **2. BACKGROUND**

Ikwekwezi FM is an Individual Public Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full spectrum service to the Mpumalanga Province<sup>5</sup>. According to the Broadcast Research Council of South Africa, the listenership figures for the last quarter of the period under review was 1 371 000.<sup>6</sup>

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<sup>1</sup> The Constitution of the Republic no: 108, 1996

<sup>2</sup> Act no: 13 of 2000 as amended

<sup>3</sup> Act no: 36 of 2005

<sup>4</sup> Act no: 4 of 1999

<sup>5</sup> Individual Broadcasting Service Licence

<sup>6</sup> <http://www.brcsa.org.za/brc-ram-radio-listening-jul-16-dec-16-oct-16-mar-17/>

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Ownership and Control**

Clause 1 of the Licence provides as follows:

*"Name of the Company/Entity: The South African Broadcasting Corporation"*<sup>7</sup>.

*Clause 1.2 of the licence states that the shareholders are as follows:*

*"Shareholders: The State – 100%"*

Clause 1.3 of the licence states that:

*"Ownership held by persons from historically disadvantage groups: NA"*

Ikwewezi FM forms part of the public services of the SABC and is 100% owned by the State.

**The Licensee has complied with clause 1.2 of its licence.**

#### **3.2 Geographic Coverage Area**

Clause 2 of the schedule to the licence stipulates that:

*"The coverage area is as defined in the map attached to the radio frequency spectrum licence".*

According to the frequency spectrum licence, the radio station's coverage area is Davel, Dullstroom, Johannesburg, Kwaggafontein, KwaMhlanga, Middelburg, Nylstroom, Potgietersurs and Pretoria. The Licensee confirms that its coverage area is as defined in its licence.

**The Licensee has complied with clause 2 of its licence.**

#### **3.3 Language (s)**

Clause 3 of the schedule to the licence stipulates that Ikwewezi FM's language of broadcast is as follows:

*"Principal Language: IsiNdebele."*

The monitoring exercise confirmed that Ikwewezi FM uses IsiNdebele as its language of broadcast, no other languages were detected.

**The Licensee has complied with clause 3 of its licence.**

#### **3.4 Format**

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<sup>7</sup> Annexure 6.1: SA FM's broadcasting service Licence

Clause 4.1 of the licence conditions stipulates that:

*"The service authorised by this licence forms part of the public service division of the Licensee".*

Clause 4.2 stipulates that:

*"The licensed service shall be full-spectrum service".*

Ikwewezi FM is categorised as a public radio station of the SABC and offers a full spectrum service to its audience as outlined in the licence. This was confirmed during the Authority's monitoring exercise.

**The Licensee has complied with clauses 4.1 and 4.2 of its licence.**

### **3.5 Local Content Obligations**

Clause 5 of schedule to the licence stipulates that:

*"In each licence year, the Licensee shall within thirty (30) days of end of the quarter submit to the Authority written records indicating the extent of:*

*Clause 5.1 the different genres and*

*Clause 5.2 South African Music Content in programme material broadcast in the licensed service during that quarter, in each instance, distinguishing between genres, providing the relevant details in relation to prime time and the period between 5h00 and 23h00 daily ("the South African broadcast period"), and expressing relevant details both as an aggregate in minutes and as a percentage of the total of all such programming material.*

For the period under review, the Licensee submitted its quarterly reports as required by clause 5.2 read with the Compliance Procedure Manual Regulations. The reports reflect a week's sample for each quarter. The SABC is of the view that it is unlikely that programming would change in a week. These submissions record the extent to which Ikwewezi FM has complied with licence terms and conditions.

The figures below shows a breakdown of Ikwewezi FM's compliance with the quotas set out by the Authority as submitted by the Licensee.

**First Quarter April – June 2016** (specifically week 3 of April 2016)

<b>Content/Genre</b>	<b>ICASA Quota (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Provision (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Compliance (%)</b>
News (daily)	60min (daily)	[670]min(week Days) [70]min (Saturdays) [70] min (Sundays)	1116% 116% 116%
Current Affairs (daily)	60 min (Daily)	675min(weekdays) 60min (Sat) 60min (Sun)	1125% 100% 100%
IKB (weekly)	180min (weekly)	1440min(weekly)	800%
Educational (weekly)	240min (weekly)	360min (weekly)	150%
Children's (Weekly)	60min (weekly)	130min (weekly)	216%
Drama (weekly)	150min (weekly)	270min (weekly)	180%

**Second Quarter July – September 2016** (specifically week 3 of July 2016)

<b>Content/Genre</b>	<b>ICASA Quota (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Provision (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Compliance (%)</b>
News daily	60min (daily)	[675]min(week days) [70] min (Saturdays) [70] min (Sundays)	1125% 116% 116%
Current Affairs (daily)	60min (daily)	675min (daily) 60min (Sat) 60min (Sun)	1125% 100% 100%
IKB (weekly)	180min (weekly)	1400min (weekly)	777%

<b>Content/Genre</b>	<b>ICASA Quota (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Provision (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Compliance (%)</b>
Education (weekly)	240min (weekly)	360min (weekly)	150%
Children (weekly)	60min (weekly)	130min (weekly)	216%
Drama (weekly)	150min (weekly)	270min (weekly)	180%

**Third Quarter October – December 2016** (*specifically week 3 of October 2016*)

<b>Content/Genre</b>	<b>ICASA Quota (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Provision (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Compliance (%)</b>
News daily	60min (daily)	[675]min(Week Days) [70] min (Saturdays) [70] min (Sundays)	1125% 116% 116%
Current Affairs (daily)	60min (daily)	670min (daily) 60min (Sat) 60min (Sun)	1116% 100% 100%
IKB (weekly)	180min (weekly)	1300min (weekly)	722%
Education (weekly)	240min (weekly)	310min (weekly)	129%
Children (weekly)	60min (weekly)	130min (weekly)	216%
Drama (weekly)	150min (weekly)	255min (weekly)	170%

**Fourth Quarter January – March 2016 (specifically week 3 January 2017)**

<b>Content/Genre</b>	<b>ICASA Quota (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM'S Provision (Minutes Daily/Weekly)</b>	<b>IKWEKWEZI FM's Compliance (%)</b>
News (daily)	60min (daily)	675 min(Week Days) 70 min (Saturdays) 70 min (Sundays)	1125% 116% 116%
Current Affairs (daily)	60 min (daily)	675 min (daily) 60 min (Sat) 60 min (Sun)	175% 150% 120%
IKB (weekly)	180min (Weekly)	1415min(Weekly)	719%
Educational (weekly)	240min (Weekly)	360min (Weekly)	150%
Children's (Weekly)	60min (Weekly)	130min (Weekly)	216%
Drama (weekly)	150 min (Weekly)	270min (Weekly)	180%

The above quarterly information indicates compliance by Ikwekwezi FM with the set quotas during the 2016/2017 financial year. The Authority's findings are outlined in the relevant sections below.

### **3.6 General Programming obligations**

#### **3.6.1 General**

Clause 6.1.1 stipulates that:

*"The Licensee shall ensure that its programming adequately reflects diversity of South Africa's Religions".*

The SABC's editorial policy stipulates that:

*"Religious programmes should take account of regional factors, target audiences, language and cultural preferences, and the devotional needs of specific groups"<sup>6</sup>.*

<sup>6</sup> Annexure 6.2: An extract on SABC's editorial policy

During the period under review, the monitoring exercise identified the Christian Religion on the "Sizigedlile" programme broadcast between 22h15 and 24h00. A discussion about the difference between Culture and Religion, the question was posed as to which one is superior to the other. Other topics were about reviving respect and morals which was presented by residential Bishop Kubheka and about why do Christians celebrate Passover during the Easter holidays. The topic was shared by Pastor Maria Jacobs and Pastor Ntuli, Matthew 12 verse 40; Mark 15 verse 42; Hebrews 9 verse 11; Romans 14 verse 5 are some of the scriptures from the bible that were shared in relation to the topic.

**The Licensee has complied with clause 6.1.1 of the licence.**

Clause 6.1.2 of the licence stipulates that:

*"The Licensee shall take responsible steps to provide programming that reflects the cultural and traditional needs of its audience".*

"Sizigedlile" broadcast Monday to Friday between 22h15 and 24h00 caters for all age groups and various topical issues, such as moral degeneration and interfaith, were amongst some of the discussions identified. The show serves as a talk show, youth motivation and knowledge building. A topic about the negative effects of having sexual intercourse with different partners and the consequences was discussed.

**The Licensee has complied with clause 6.1.2 of its licence.**

Clause 6.1.3 further provides as follows:

*"The Licensee shall during the South African performance period, provide programme material that caters and has due regard for the interests of all sectors of South African society and shall provide programming on health related issues, gender issues relevant to all age groups".*

The monitoring exercise revealed that the Licensee has a variety of programmes that speak to clause 6.1.3 mentioned above.

The following programmes were monitored:

- "Ngimi Nawe" broadcast Monday to Friday between 09h05 to 12h00. The programme has a variety of topical issues that caters for women, moral values, health and socio economic issues. For example, on health: The listeners were informed about the dangers



of direct sunlight and how to protect themselves from the sun. The advice was presented by Lebogang Dlamini, a Beauty Therapist.

- On gender: a topic on how young girls are exploited by being forced to get married to older men was identified. A topic on why is it difficult for men to forgive women who have cheated on them was also discussed. Listeners were given an opportunity to share their views. The programme is interactive and discusses social issues that affect society and there is also a lot of interviews from various experts.
- "Sidityhile" broadcast Monday to Friday between 14h05 and 14h30 caters mostly for youth and development.
- "Fulelwa Wanethwa" broadcast weekdays between 17h05 and 18h00 and on weekends between 15h05 and 18h00, caters for Sports fans.

**The Licensee has complied with clause 6.1.3 of its licence.**

### **3.6.2 News and Current Affairs**

Clause 6.2.1 of the schedule to the licence stipulates that:

*"The Licensee shall broadcast at least 60 minutes of news programming each day during the South African performance period".*

The monitoring exercise revealed that Ikwekwezi FM broadcasts twelve (12) full news bulletins weekdays. The first news bulletin commences at 06h00 and the last bulletin is at 21h00. Each news bulletin last for five (5) minutes, the total news observed is sixty (60) minutes of news per day. The Licensee also broadcast news on weekends, five (5) news bulletin on Saturday and eight (8) news bulletins on a Sunday. Each of those news last for five (5) minutes as well. The news were broadcast in IsiNdebele but were captured in English for reporting purposes.

The following are some of the news excerpts covered:

- *"Zweli Mkhize of the ANC NEC said that Deputy Minister of Finance, Mncebisi Jonas should have first raised the matter of the GUPTAS with the Committee before taking the matter to the media. Mkhize says that the influence of the GUPTAS has become a problem and has caused division in the movement. The GUPTAS are alleged to be lobbying members of the ANC promising them higher positions in the Cabinet in order*

to secure their businesses in the government. The NEC was meeting at Irene, Centurion to discuss this matter of the GUPTA involvement in the NEC."

- *"The police are on the watch for the service delivery protest that is taking place in Zandspruit, Johannesburg. The service protest is about Eskom switching off lights without notification. Eskom is reported to say they switched off the power in order to deal with the illegal connection. Police spokesperson, Kay Makhubela says that they have already arrested 12 people who were perpetrating violence and looting since some of the local Spaza shops were looted due to the switch off by Eskom."*
- *"Shadrack Sibiya of the Hawks in Gauteng is set to appear in the Pretoria Court. This is followed by him returning 5 Zimbabweans who were suspects in 2010. These suspects were involved in serious crimes and they were mysteriously send back to Zimbabwe."*
- *"Commuters were left stranded at Inanda, Durban after the drivers blocked all major roads as they continue fighting for routes between taxi associations. Both associations are fighting for a route to ferry passengers from the North Coast to Inanda. Durban Police spokesperson Sibonelo Mbatha said that the police has removed all those taxis that has blocked the major roads because the incident occurred during the peak hour and it was causing delays of traffic inconveniencing the public."*
- *"EU Leaders has met up in Brussels to discuss the issues of Togo in order to resolve them. The spokesperson said that it is time that the EU take steps to resolve the Togo issue."*
- *"2 people were discovered to have Ebola in Guinea, it was reported that this is a new eruption of the virus in Guinea. The virus was reported to be rife in Sierra Leone said the Department of Health in Guinea. Tulip Masda of the BBC said that the 2 patients were treated at the Treatment Centre of Guinea before they died. Masda said that the Ebola outbreak was identified 2 years ago in the area. She says that the outbreak has been worst in the South West of the area where 3 families died after catching the virus. The government has reported the said village as lockdown and treatment of vaccine has been sent to the area to try and protect those that are at risk. The World Health Organisation (WHO) has warned that sporadic cases of Ebola are likely to emerge as the virus can linger on the body fluids of survivors."*

**The Licensee has complied with clause 6.2.1 of its licence.**

### 3.6.3 Current Affairs

Clause 6.2.2 of the licence states that:

*"The Licensee shall broadcast at least 60 minutes of current affairs programming each day during the South African Performance Period".*

The monitoring exercise revealed that the Licensee has a vast number of current affairs programmes between Monday to Friday and two of them are broadcast on weekends. Most of the programmes run for 55 minutes each, both on weekdays and weekends which exceeds the quota of 60 minutes stipulated in the licence. The programmes that were identified to broadcast Current Affairs are:

1. *"Ngezibhulumbethe"* broadcast Monday to Friday between 06:05 and 07:00
2. *"Sidemba Zemini"* broadcast Monday to Friday between 13:05 and 13:30
3. *"Zibuya Nabazumi"* broadcast Monday to Friday between 18:05 and 19:00
4. *"Ngezeveke le"* broadcast on weekends between 06:00 and 07:00

The following is an extract that was discussed on the *"Ngezibhulumbethe"* programme:

- *"The Mines and Banks has raised a concern about the alleged state capture of the ANC led government by the GUPTAS. Deputy Minister of Finance Mncebisi Jonas was reported saying that he was promised a Ministerial job by the GUPTA family. The report came with Rhulani Baloyi, she says that the Chamber of Mines spokesperson Charmaine Russels said that allegations were made that mineral resource Minister Msebenzi Zwane has links to the GUPTA family and their companies.*
- *"The Banks has in the meantime warned government not to allow outsiders to interfere with National Treasury. Head of the Banking Association says government should get its house in order in this regard. ANC stalwart Dennis Goldberg said that as a long time ANC member, he thinks that the ANC is in trouble and it has come a long way to be where it is today. Goldberg says that the ANC needs new beginnings with new Leadership. He said that if Zuma cannot stop corruption then he must let others do it. He must also stop the corruption so that the ANC can be rebuild."*
- *"Moyego Matebo of the ANC Youth League says that the GUPTA saga should be the organizational process and not be left to the media. NEC member Zweli Mkhize says whilst Depunity Minister of Finance Mncebisi Jonas cannot be blamed for going to the media about his alleged offer by the GUPTA family for a Cabinet position. It could have*

*been proper for him to have raised the matter with the ANC first. It is reported that the GUPTA issue is set to dominate the NEC meeting starting tomorrow at Irene outside Pretoria. Bishop of the Anglican church, Thabo Makgoba of Cape Town said that the ANC Leadership must be brave to tell the truth."*

- "The GUPTA family saga has now split the ANC. It is alleged that the GUPTA family has captured the state as they are influencing the government and also appointing Cabinet Ministers. The National Executive Committee (NEC) is reported to be having a meeting in Irene, Pretoria to discuss the matter. The ANC Youth League President, Ronald Lamola said that members of the ANC need to stand up and put pressure on the NEC to remove President Zuma from office because he is the one who gives the key to the GUPTA family to run amok. He further said that if members of the ANC keep quiet then Zuma and the NEC will continue to hide behind the members. The members must stand together and isolate an individual and tell him that this cannot continue under the ANC name."*

The total number of current affairs monitored weekly is two hundred and twenty (220) minutes.

**The Licensee has complied with clause 6.2.2 of its licence.**

Clause 6.2.3 of schedule to the licence stipulates that:

*"The Licensee shall in the production of its news and current affairs programming:*

- (i) Exercise full editorial control in respect of the contents of such programming.*
- (ii) Include matters of international, national, regional and where appropriate, local significance.*
- (iii) Meet the highest standards of journalistic professionalism.*
- (iv) Provide fair, unbiased, impartial and balanced coverage independent from governmental, commercial or other interference.*
- (v) Provide a reasonable opportunity for the public to receive a variety of points of view on matters of public concern.*

The SABC's editorial policy provides that the Licensee must exercise full editorial control in respect of contents of its programming. The editorial policy further indicates that the Licensee endeavours to meet the highest standards of journalistic professionalism. Further, the policy provides for fair, unbiased and impartial coverage independent from government, commercial or other interference. Furthermore, in its news and programming content it includes matters of international, national, regional and local significance.

During the period under review, the monitoring exercise revealed that the Licensee broadcasts matters of international national, regional and local significance. In its current affairs broadcast, the radio station provides an opportunity for the public to receive a variety of points of view on matters of public concern. The SABC's Editorial Policies form part of the SABC's Charter and monitoring of Ikwewezi FM's news and current affairs programmes during the year under review not only demonstrated compliance with clause 6.2.3 of its licence but the Charter as contained in the Broadcasting Act of 1999.

**The Licensee has complied with clause 6.2.3 of its licence.**

#### **3.6.4 Programming targeted at Children**

Clause 6.3.1 of Ikwewezi FM's service licence provides that:

*"The Licensee shall in the provision of the licensed service, broadcast at least one (1) hour of programming targeted at children (as contemplated in section 10 (1) (g) of the Broadcasting Act) per week during the South African performance period".*

Further, clause 6.3.2 stipulates that:

*"In the production and presentation of its children's programming, the Licensee shall ensure that such children's programming is:*

- (i) broadcast at times of the day when children are available to listen;*
- (ii) targeted at and appropriate for children between the ages of nought (0) to six (6) years and seven (7) to twelve (12) years respectively; and*
- (iii) educational and is made from children's point of view"*

The Authority's monitoring exercise identified the following children programmes:

- "Ngimi Nawe" which is broadcast during weekdays between 09h05 and 12h00, in that programme there is a 10 minutes programme called "Vukani Godu" , an education programme for children brought by the SABC Education division.
- "Vumelani Abentwana beze kimi" – broadcasts on Sundays only between 07h05 and 07h30. It is a religious programme, teaching children about reading the bible and praying, the programme runs for 25 minutes. The programme also involves storytelling and the participation of children by calling in to share their views and understanding of

what is discussed. The children are also allowed to sing their favourite Christian songs. The programme is broadcast at the times when children are at home.

Both the above-mentioned programmes cater for children as stipulated in the licence. Children between the ages of 3 years and 12 years were identified.

The topics that were discussed on "*Vukani Godu*" through storytelling, were about respecting our elders. An example of the story of Adam and Eve on how they sinned by disregarding God's order not to eat from the forbidden tree. The snake led Eva to sin who also led Adam to sin. That demonstrated disrespect to the elders and it is important that children respect what their parents teach them. The story goes on to say that this is the reason why a snake walks on its belly, it was the punishment from God. The children were also informed that the week starts on a Sunday and not Monday as it is commonly known. They were told that Jesus Christ died on a Friday and rose on a Sunday hence the week starts on Sunday.

The total number of minutes monitored on both programmes is seventy five (75) minutes which exceed the quota stipulated on the licence.

**The Licensee has complied with clause 6.3.2 of its licence.**

### **3.6.5 Educational Programming**

Clause 6.4 of the licence stipulates that:

*"The Licensee shall broadcast at least five (5) hours of educational programming (as contemplated in section 10 (1) (e) of the Broadcasting Act) per week within the South African performance period".*

The monitoring exercise revealed that the Licensee broadcast at least 31 hours and 15 minutes of educational programming per week.

The following programmes were identified to be educational:

- "*Ngimi Nawe*" broadcast Monday to Friday between 09h05 and 12h00.
- "*Amathunzi Anabile*" broadcast Monday to Friday between 15h05 and 17h00.
- "*Umthombo Welwazi*" broadcast Monday to Friday between 21h05 and 22h30.

The above-mentioned programmes has various topics that are considered educational. On the "Umthombo Welwazi", the listeners were educated about a variety of subjects. For example: The North West University educated the listeners about a subject called "Ethomathematics", a relationship between mathematics and culture. Others were about "Science and Technology", how to start a business, the challenges and gains, the principles of business and how to deal with bankruptcy in a business.

**The Licensee has complied with clause 6.4 of its licence.**

### **3.6.6 Drama**

Clause 6.5 of the licence stipulates that:

*"The licensee shall broadcast at least two and a half (2 ½) hours of drama per week within the South African Performance period".*

The following Drama series were identified during the period under review:

- "Limphosa emnyango" broadcast weekdays, twice a day for 15 minutes, the repeat is in the evening. Times of broadcast are 11h30-11h45 and 20h30-20h45. The Drama is about challenges of families regarding businesses, love, demands of marriage life, friendship, criminals, revenge, betrayal and conspiracy.
- "Ebusweni Bombulali" broadcast Monday to Friday for 15 minutes between 14h30 and 14h45. The same Drama programme was again found for another 15 minutes between 22h00 and 22h15. The Drama is about personal relationships, cheating, betrayal and bad influence of friends, plotting murder, scheming, rape, business and family battles.

The total minutes of Drama monitored is five (5) hours which exceeds the time stipulated on the licence.

**The Licensee has complied with clause 6.5 of its licence.**

### **3.6.7 Informal Knowledge Building**

Clause 6.6 stipulates that:

*"The licensee shall broadcast at least three hours (3) of informal knowledge building programming per week within the South African performance period".*

The monitoring exercise identified 2000 minutes of IKB programming per week. This translates to 33 hours and 20 minutes of IKB programming per week which exceeds the quota.

The following are the informal knowledge building programmes that were monitored:

- "Ngimi Nawe" broadcast Monday to Friday between 9h05 and 12h00.
- "Siditjhile" broadcast Monday to Friday between 14h05 and 14h30
- "Amathunzi Anabile" broadcast Monday to Friday between 15h05 and 17h00.
- "Umthombo Welwazi" broadcast Monday to Friday between 21h05 and 22h30.

The Authority observed that the Licensee broadcasts a variety of issues that are of interest to the listeners as well as how the issues affect them. The following are the topics that were identified as information knowledge based on the above-mentioned programmes:

- *Filming, what it takes to produce a movie.*
- *Piracy and the negative impact on artist.*
- *Safety on roads and the consequences of not obeying the law.*
- *World Water Day-water saving tips and how water can create jobs.*
- *Student loans – how to apply for it and how to pay it back.*

**The Licensee has complied with clause 6.4 of its licence.**

### **Training and Skills developments Obligations**

Clause 7 of the schedule attached to the licence provides as follows:

*"7.1 The licensee must adopt and implement equal opportunity employment practices;*

*7.2 The Licensee must ensure that its management and staff are representative of South African society and that its human resource policies take into account the development of managerial, production, technical and other skills and expertise, particularly with regard to the historically disadvantaged persons.*

*7.3 The Licensee shall endeavour to achieve fair and reasonable participation by historically disadvantaged persons with respect to:*

- (a) its management and control structures;*
- (b) skills development;*
- (c) enterprise development; and*
- (d) procurement*



*7.4 The Licensee must, within thirty (30) days of the end of each financial year, provide the Authority the written information regarding its compliance with the above requirements."*

The Licensee's employment equity statistics are showing an incline compared to the previous year's reporting. At least one more percent was added to the Licensee's employment of Black people and females respectively. The SABC employed at least 86% black people – compared to last year's 85% - in its staff complement in the year that is currently being reviewed while 49% (48% past financial year) in that number were female employees.

Black people dominate the Licensee's employment statistics in the management echelon at 78%, while females at management level are at 45%. The Licensee's report is proving to be a step in the right direction in terms of improving their employment of Black people and females. The SABC has set targets – for itself – to employ more Black people and women and every year strives to reach them.

In addition, 2% of the overall staff complement within the Licensee are people with disabilities and a bulk of that percentage is stationed at the licensee's headquarters. The SABC intends growing the number of disabled people in its overall staff complement to 4% by the year ending 2019.

In terms of training; the Licensee reports of having trained at least 1785 employees in the year that ended 2017. The statistical breakdown of these training interventions show that at least 88% of SABC's trained personnel were people from previously disadvantaged backgrounds.

### **3.7 Audited Financial Statements**

Clause 8 of the licence provides that:

*"The licensee shall provide the Authority with the audited annual financial statements of the licensed service within 4 months of the end of the licensee's financial year, provided that the licensee may on good ground shown apply to the Authority for extension".*

The SABC submitted its Audited Financial Statements for the 2016/17 financial year within the stipulated timeframe.

**The Licensee has complied with clause 8 of its licence.**

## 4. REGULATIONS

### 4.1 Code For Persons With Disabilities

Clause 3.1 (a) of the 5. 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".<sup>[3]</sup>*

Clause 3.1 (c) states that:

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

During the period under review, the Licensee conducted the SABC National Disability Committee quarterly meetings to monitor and evaluate progress against its Disability mainstreaming objectives. The Licensee also commemorated and hosted the International Disability Day in the form of a Leadership awareness breakfast session to challenge leadership to understand and create disability awareness.

The following were some of the disability awareness campaigns hosted by the Licensee:

- *National Bind Buddy Day;*
- *Albinism Awareness;*
- *Deaf Awareness; and*
- *Casual day.*

The Licensee further conducted verifications of all declared disabilities and identification of reasonable accommodation needs, as well as participation in career exposure initiatives for scholars with disabilities.

The SABC also reported that Employees with disabilities represent 2.13% of the entire workforce as some employees left the organization and thus the organization met its target of 2%. It further reported that 77% of all employees with disabilities are white and 60% are

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<sup>[3]</sup> Appendix F: Code on People with Disabilities

female. Producers are encouraged to establish relationships with organizations for persons with disabilities to use for content when the need arises.

### **The Licensee has complied with the Code For Persons With Disabilities**

#### **4.2 Compliance Procedure Manual – Form 12A**

Ikwewezi FM is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A<sup>9</sup> which reports on all complaints received in the course of each financial year. In April 2016, the SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

During the period under review, Ikwewezi FM did not receive any complaints. The complaints process announcement is aired on each programme.

### **The Licensee has complied with the Compliance Procedure Manual.**

#### **4.3 South African Music Content Regulations**

Regulation 3.1 of South African Music Content<sup>10</sup> as published on 31 January 2006 stipulate that:

*"Every holder of a public sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 40% of the musical works broadcast in the performance period consist of South African music and that South African music is spread reasonably evenly throughout the said period".*

During the period under review, the Authority's monitoring exercise revealed that Ikwewezi FM broadcast at least 55% South African music.

The following are some of the local Artists that were identified on the various programmes: Tshepo Tshola – 'Golokile'; Nathi – 'Nomvula'; Zahara – 'Ubomi bami'; Siphokazi – 'Ngiyohlala ngikuthanda'; Hazel T – 'Life'; Jonathan Butler – 'A new day'; Zonke – 'Reach it'; Lungiswa – 'Khawundiyeye'; Jaziel Brothers – 'Ngeke ngiphinde'; amongst others.

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<sup>9</sup> SABC Form 12A

<sup>10</sup> South African Music Content

**The Licensee has complied with the regulations on South African Music Content Regulations.**

#### **4.4 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Licensees**

Regulation 11 (3) of the standard terms and conditions<sup>11</sup> stipulates that:

*"A station must clearly identify itself at intervals of not more than thirty (30) minutes."*

The Licensee's jingles/announcements were broadcast frequently during the period under review and these broadcasts were at intervals of not more than 10 minutes apart. The jingles/announcements always carried the name and frequency location of the Licensee. Furthermore, no non-compliance was detected by the Authority with the Standard Terms and Conditions for Individual Licences Regulations.

**The Licensee has complied with the Regulations on Standard Terms and Conditions for Individual Licensees during the period under review.**

#### **4.5 Universal Service and Access Fund Regulations**

Regulation 3 of the USAF Regulations provides that:

- 1) *"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".*
- 2) *"A BS licensee who has paid an annual contribution to the MDDA must set off that contribution against its USAF Contribution, provided that the MDDA contribution and the USAF contribution against which it is set off are for the same financial year".*

The Licensee paid its annual contribution to the USAF and received confirmation of payment in a form of a Section 18A certificate from the MDDA. The Licensee submitted proof of payment<sup>12</sup> to the Authority within the timeframes as prescribed by the Regulation regarding the Universal

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<sup>11</sup> Regulations regarding the Standard Terms and Conditions for Individual Licensee's

<sup>12</sup> Proof of SABC's contribution to the USAF

Service and Access Fund of 2016. The payment was in accordance with 0.2% of the Licensee's annual turnover.

**The Licensee has complied with the regulations in respect of Universal Service and Access Fund.**

## **5. CONCLUSION**

The Licensee has sufficiently complied with its licence terms and conditions as well as the Regulations and relevant legislation.

## **6. ANNEXURES**

- 6.1** SABC Licence Documents;
- 6.2** Extract SABC Editorial Policy on Religious Content;
- 6.3** An extract from the SABC annual report on Training and Skills Development;
- 6.4** South African Music Content Regulations;
- 6.5** Standard Terms and Conditions for Individual Licensees;
- 6.6** Regulations regarding Standard Terms and Conditions for Individual Licensees; and
- 6.7** Proof of SABC's contribution to the USAF.