



LESEDI FM ANNUAL COMPLIANCE REPORT

MARCH 2018

2016/2017 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS LESEDI FM

Licence Period: 18 December 2008 to 18 December 2018

1. PREFACE

The Independent Communications Authority of South Africa (ICASA) has a statutory mandate in terms of the Constitution¹, the ICASA Act², the Electronic Communications Act³ (ECA) and the Broadcasting Act⁴ 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 purposes of the report is to give account of Lesedi FM's compliance with 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, Format, Local Content Obligations, General Programming Obligations, Training and Skills Development Obligations, Finances, Code on People with Disabilities, South African Music Content Regulations, Standard Terms and Conditions Regulations and Universal Service and Access Fund (USAF) Regulations.

2. BACKGROUND

Lesedi 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 following Provinces: Gauteng, Free State, North West, Mpumalanga, Kwa-Zulu Natal and Eastern Cape⁵. According to the Broadcast Research Council of South Africa (BRC), the listenership figures for the last quarter of the period under review was 3 404 000⁶.

3. COMPLIANCE ASSESSMENT

3.1 Ownership and Control

Clause 1.1 of the licence provides as follows:

"Name of the Company/Entity: The South African Broadcasting Corporation".

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

1.2 Shareholders: The State: 100%

¹ The Constitution of the Republic of South Africa no: 108 of 1996

² Act no: 13 of 2000 as amended

³ Act no: 36 of 2005

⁴ Act no: 4 of 1999

⁵ Individual Broadcasting Service Licence

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

Clause 1.3 of the licence states that:

"Ownership held by persons from historically disadvantaged groups: N/A"

The Licensee forms part of the public service of the SABC and is 100% owned by the State.

The Licensee complies with clause 1.2 of its licence.

3.2 Geographic Coverage Area

Clause 2 of the licence stipulates that:

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

Lesedi FM's broadcasting footprint still remains as prescribed in the frequency spectrum licence⁷.

The Licensee complies with clause 2 of its licence. Language(s)

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

"Principal Language: Sesotho"

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

The Licensee complies with clause 3 of its licence.

3.3 Format

Clause 4.1 of schedule to the licence 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 a full-spectrum service".

Lesedi FM's 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.

⁷ Annexure 6.1: Lesedi FM's Frequency Service Licence

The Licensee complies with clauses 4.1 and 4.2 of its licence.

3.4 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 (CPMR).

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.

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

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

Content/Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News (M-F)	60 min (M-F)	425min	708%
News (Sat)	60 min (Sat)	(weekdays)	108%
News (Sun)	60 min (Sun)	65 min (Saturday) 65 min (Sunday)	108%
Current Affairs (M-F)	60 min (M-F) 60 min (Sat)	1070min (weekdays)	1783% 100%
Current Affairs (Sat)	60 min (Sun)	60 min (Saturday)	100%
Current Affairs (Sun)		60 min (Sunday)	

Content/Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
IKB	900 min (weekly)	935 min (weekly)	103%
Education (weekly)	300 min (weekly)	310 min (weekly)	103%
Children (weekly)	60 min (weekly)	100 min (weekly)	166%
Drama (weekly)	150 min (weekly)	195 min (weekly)	130%

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

Content /Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News (M-F)	60 min (M-F)	450 min	750%
News (Sat)	60 min (Sat)	(weekdays)	108%
News (Sun)	60 min (Sun)	65 min (Saturday) 65 min (Sunday)	108%
Current Affairs	60 min (M-F)	1005min	1675%
Current Affairs	60 min (Sat)	(weekdays)	100%
Current Affairs	60 min (Sun)	60 min (Sat) 60 min (Sun)	100%
IKB	180 min (weekly)	915min (weekly)	508%
Educational	300 min (weekly)	305min (weekly)	102%
Children's (weekly)	60 min (weekly)	100 min (weekly)	166%
Drama	150 min (weekly)	240 min (weekly)	160%

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

Content/Genre	ICASA Quota (Minutes Daily/Weekly)	FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
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News daily (M-F)	60 min (daily)	450 min (daily)	750%
News (Sat)	60 min (Sat)	65 min (Sat)	108%
News (Sun)	60 min (Sun)	65 min (Sun)	108%
Content/Genre	ICASA Quota (Minutes Daily/Weekly)	FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
Current Affairs (M-F)	60 min (daily)	975 min (daily)	1625%
Current Affairs (Sat)	60 min (Sat)	60 min (Sat)	100%
Current Affairs (Sun)	60 min (Sun)	60 min (Sun)	100%
IKB (weekly)	180 min (weekly)	840 min (weekly)	466%
Education (weekly)	300 min (weekly)	310 min (weekly)	103%
Children (weekly)	60 min (weekly)	100 min (weekly)	166%
Drama (weekly)	150 min (weekly)	240 min (weekly)	160%

Fourth Quarter January – March (specifically the week 3 of February 2017)

Content /Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News (M-F)	60 min (M-F)	450 min	750%
News (Sat)	60 min (Sat)	(weekdays)	
News (Sun)	60 min (Sun)	60 min (Saturday)	100%
		60 min (Sunday)	100%
IKB	180 min (weekly)	910min (weekly)	505%
Educational	300 min (weekly)	300min (weekly)	100%
Children's (weekly)	60 min (weekly)	100 min (weekly)	166%
Drama	150 min (weekly)	150 min (weekly)	100%

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

4. General Programming obligations

4.1 General

Clause 6.1.1 stipulates that:

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

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."

During the period under review, the monitoring exercise revealed that "Dikalaneng" a programme broadcast every Monday to Friday between 03h00 and 05h30 and on weekends between 03h00 and 06h00. The programme deals with a variety of social issues including religion. The Christian Religion was identified during the period under review, the teaching was about 'trusting God' and the scriptures that were quoted are Jerimiah 17 verse 7 and Revelations 12 verse 1.

The Licensee has complied with clause 6.1.1 of its 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".

A discussion about culture was observed on the programme called "ReMmoho" which is broadcast Monday to Friday between 21h00 and 00h00. The hours that the Authority monitors is between 05h00 to 23h00. The "ReMmoho" programme includes a variety of other issues of interest concerning culture and tradition.

A discussion about "Ukuthwasa" is an African culture that was identified during the "ReMmoho" programme. An interview was held with spokesperson, Manani Mohau, of the Traditional Healers Organisation, who explained that, "ukuthwasa" is a spiritual calling from the ancestors and participants undergo an initiation process to serve the ancestors.

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 Africa society and shall provide programming on health related issues, gender issues relevant to all age groups".

The monitoring exercise revealed that Lesedi FM broadcasts a variety of programmes that cater for the interests of all sectors of South Africa.

The following programmes were identified as catering for health related issues, gender issues relevant for all age groups:

- "Ha Re Ye" broadcast weekdays between 07h00 to 09h00.
- "Mathemalodi" broadcast weekdays between 09h00 to 12h00.
- "Re a Kubeletsa" broadcast weekdays between 15h00 to 18h00.
- "Ke Moqebelo" broadcast on Saturdays only between 07h00 to 09h00.
- "Kgatholoha" broadcast Sundays between 21h00 to 00h00.

The following are amongst the topics that were discussed:

- *The levels of glucose in the blood causes hypertension which has a negative effect on the driver in long distances.*
- *The importance of nutrition.*
- *Transgender – change of sex amongst the gay people and the societal challenges they encounter in this regard.*

The Licensee has complied with clause 6.1.3 of its licence.

4.2 News and Current Affairs

Clause 6.2.1: "The Licensee shall broadcast at least sixty (60) minutes of news programming each day during the South African performance period".

The monitoring exercise reveals that Lesedi FM broadcasts news bulletin every hour and headlines every half hour, the first bulletin is at 05H00 and the last bulletin is at 22h00.

The monitoring exercise further revealed that Lesedi FM broadcasts seventeen (17) news bulletin each day during the performance period. Each news bulletin lasts for at least five (5)

minutes. In total, an average of ninety (90) minutes of news per day was monitored. The news covered are Local, National and International. The news excerpts were broadcast in SeSotho but were captured in English for reporting purposes.

The following are some of the news excerpts covered:

- *"Investigations are continuing regarding robbery that occurred at the Helen Suzman Foundation in Parktown, Johannesburg. Computers and documents were stolen from the premises on a Sunday afternoon in a well-planned army manner. It is suspected that this came after the Foundation requested that Bening Ntlameza of the Hawks being removed from office. Police spokesperson Kay Makhubela confirmed that the premises were robbed off computers and investigations are underway and nobody has been arrested yet."*
- *The search for a woman who went missing the past week and who is suspected to be swept by the floods at Douglas Dale, Johannesburg after the heavy rains continues. The car of the woman who is estimated to be 55 years old was found at the banks of Jukskei River. The police and the emergency services said that they will continue searching today at the Heron Bridge to see if they cannot find her there. The emergency spokesperson Nana Radebe said that they have informed the family and has promised that they will continue the search. She said that they have also alerted the police in Haartebeespoort Dam to search for the body on their side as well."*
- *"Law enforcement police are keeping a close watch on the N7 road close to Milnerton, Cape Town after the residents have embarked on a service delivery strike. In the past week, one of the 'My City' buses was burnt and the bus terminus was ransacked and cars that were passing by were thrown at with stones by the angry residents. The police came in and dispersed the crowd. The N7 was subsequently opened for motorists to use the road again."*
- *"The chairperson of the ANC in the province of Gauteng, Paul Mashatile, says that the National Executive Committee spent two days discussing a point of order from the government about the Guptas. He says the party has decided to set up a task team, which will deal with the complaints. He asked those who are interested to come forward"*
- *"The South African Football Association (SAFA) signed a 5 year contract with the South African Airways (SAA). The presentation was held at the main offices of SAFA in Johannesburg. For now, SAA will only support 'Bafana Bafana'. Mzwandile Mavhovane*

says that the sponsorship from SAA will help them (SAFA) to save a lot of money that they would use to travel to other countries."

- *"Road Traffic Management Corporation (RTMC) says they increased their traffic officers who will be on the road during the week of Good Friday. RTMC also says that they sent those who will not wear the uniform to work with those who pay bribes or do any act of corruption between the traffic officers and the drivers. The traffic officers will be seen in places that are mostly affected by accidents."*

The Licensee has complied with clause 6.2.1 of its licence.

Clause 6.2.2 stipulates that:

"The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period".

The following are some of the programmes that broadcast current affairs:

- *"Makumane" broadcast Monday to Friday between 05h30 and 07h00.*
- *"Imatlafatse" broadcast Monday to Friday between 12h00 and 13h00.*
- *"Matshohlo" broadcast Monday to Friday between 18h00 and 19h00.*
- *"Mathumisa" broadcast on Saturday only between 06h00 and 07h00.*

A variety of current affairs is broadcast on the above-mentioned programmes and they involve interviews with experts relevant to the issues discussed.

The following are topical issues that were under discussion:

- *"E-toll bills – summons to be issued to all the non-payers, the person interviewed is Chairman of AARTO, Mr Wayne Duvenage."*
- *"ANC Committee discusses the report on state capture by the GUPTA Family after Deputy Minister of Finance Mncebisi Jonas said that the family promised him a Ministerial position. General Secretary of the ANC, Gwede Mantashe said that they are going to meet with NN7 and New Age newspaper as they seem to know about the alleged state capture by the GUPTA family."*
- *"Road Safety during Easter Holidays – RTMC spokesperson, Simon Zwane was interviewed and mentioned that they will be monitoring all the big roads leading to Limpopo, Eastern Cape, Western Cape, KZN and Free State."*

- *"Free our King" – a Campaign that is reported to be started for the release of King Buyelekhaya Dalindyebo of the BaThembu clan in the Eastern Cape. King Buyelekhaya Dalindyebo was convicted for amongst others, abduction and assault. The aBaThembu and some church leaders and his community believe that his arrest was politically motivated, and he was targeted."*
- *"The case of the 35 year old man Reuben Rudzadzi has been postponed at the North Gauteng High Court. The man allegedly told Paralympian Oscar Pretorius that he works for the NPA and he is also in the Gery Nel Team. He told Pretorius that he must give him R250 000 in order to make the case to disappear."*

The monitoring exercise revealed that the Licensee broadcast two hundred and fifty five (255) minutes of current affairs news which exceeds the quota of 60 minutes.

Therefore, the Licensee complies with clause 6.2.2 of its licence.

Clause 6.2.3 of the licence stipulates that:

"The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period".

During the monitoring exercise, no evidence was found of the radio station's non-compliance with the provisions of clause 6.2.3 which is stipulated in the licence conditions as follows:

- (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; and*
- (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 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.

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 forms part of the SABC's Charter and monitoring of Lesedi FM's news and current affairs programming 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 complies with clause 6.2.3 of its licence.

4.3 Programming targeted at Children

Clause 6.3.1 of Lesedi FM's service licence stipulates 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 following are some of the children's programmes identified:

- *"Mathemalodi"* broadcast weekdays between 09h00 and 12h00 (Children's programme runs between 15 minutes and 10 minutes during the show).
- *"Ke Moqebelo"* broadcast on Saturday between 07h00 and 09h00 (SABC Educational Programme for children runs for 15 minutes).
- *"Kgothala"* broadcast on Sunday between 07h00 and 09h00 (Children's programme is broadcast for 30 minutes from 7h00 to 7h30).

'Nal' ibali and 'Takalane Sesame' shows were identified on the 'Mathemalodi' programme and are dedicated to children.

On 'Nal' ibali' children were taught on how to be clean and how to look after themselves. The show is broadcast on Mondays, Tuesday and Thursday for a duration of ten (10) minutes. 'Takalane Sesame' which is sponsored by Sanlam, runs for fifteen (15) minutes on Wednesday and Friday. The Authority's monitoring exercise observed that the show visited Masale Primary School in Ficksburg in the Free State Province.

In the programme the learners were taught how to create and tell a story through pictures and/or drawings. Lesedi FM also has 'Ke Moqibelo' and 'Kgothala' which are also programmes dedicated to children, both shows runs for thirty (30) minutes each.

During the period under review, Lesedi FM broadcast one hundred and twenty (120) minutes of children's programming, which equates to two (2) hours, which exceed the stipulated quota above.

All the programmes were broadcast at a time where most children are in a position to listen. The programmes were found to be informative, educational and creative from the point of view of a child. The Authority has observed that the children that were participating were between the ages of three (3) years to twelve (12) years.

The Licensee complies with clause 6.3.1 of its licence.

4.4 Educational Programming

Clause 6.4 of the licence provides 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 following programmes were monitored during the period under review:

- "Ha re ye" broadcast Monday to Friday between 07h00 and 09h00.
- "Mathemalodi" broadcast on Monday to Friday between 09h00 and 12h00.
- "Jwale ke Nako" broadcast Monday to Friday between 13h00 and 15h00.
- "Re a kubuletsa" broadcast Monday to Friday between 15h00 and 18h00.
- "ReMmoho" broadcast Monday to Friday between 21h00 to 00h00.

The following topics were discussed:

- *Be financially smart*: the listeners were given financial advices on how to apply for loans and what they should consider when accepting the loans.
- *"Second chance Matric programme"*, a programme introduced by the Department of Education to assist the matriculates that did not pass to rewrite the subjects failed.
- *The benefits of eating fresh fruits and vegetables for children*: the listeners were informed that it gives kids energy and concentration.

The monitoring exercise revealed that Lesedi FM broadcast hours twelve (12) hours of educational programming per week. Some of the programmes monitored tend to overlap with Informal Knowledge Building Programming.

The Licensee has complied with clause 6.4 of its licence.

4.5 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 are the programmes that the Authority detected as Drama during the monitoring exercise.

- *"Jwale ke Nako"* broadcast Monday to Friday between 13h00 and 15h00.
- *"Mphahlole"* broadcast Monday to Friday between 19h00 and 21h00

Lesedi FM broadcasts fifteen (15) minutes drama programming namely *"Mahe a Dinatsho"* broadcast between 01h45 to 14h00 during the *"Jwale ke Nako"* show and *"Monyaka"* broadcast at 20h00 to 20h15 during the *"Mphahlole show"*. Both dramas are broadcast Monday to Friday.

The total hours of drama programming monitored is two (2) hours thirty (30) minutes. Both drama programmes were about family, relationships, social issues and businesses.

The Licensee complies with clause 6.5 of its licence.

4.6 Informal Knowledge Building (IKB)

Clause 6.6 stipulates that:

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

The following informal knowledge building programmes were monitored during the period under review:

- *"Ha re ye"* broadcast Monday to Friday between 07h00 and 09h00.
- *"Mathemalodi"* broadcast Monday to Friday between 09h00 and 12h00.
- *"Rea Kubeletsa"* broadcast Monday to Friday between 15h00 and 18h00.
- *"Re Mmoho"* broadcast Monday to Friday between 21h00 and 00h00.

The following topics were identified on the above-mentioned programmes as Informal Knowledge Building:

- *How to be safe during heavy rains:* parents were requested to watch their kids not to allow them to play near rivers and bridges as the water may sweep them away. Motorist were also advice not to drive in areas that have stagnant water during heavy rains.
- *The dangers of drinking and driving.*
- *Warning the listeners not to pay for a house or a car without seeing the proper documents*
- *The dangers of illegal electricity connections*
- *E-school assisting learners to do their homework online*

The monitor exercise revealed that Lesedi FM broadcast ten (10) hours of IKB programming per week.

The Licensee complies with clause 6.6 of its licence.

5. Training and Skills development Obligations

Clause 7 of the licence conditions is stipulated 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:*

- *Its management and control structures.*
- *Skills development.*
- *Enterprise development and.*
- *Procurement.*

7.4 *The Licensee must, within thirty (30) days of the end of each financial year provide the Authority with 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 the SABC's trained personnel were people from previously disadvantaged backgrounds.

The Licensee complies with clause 7 of its licence.

5.1 Audited Financial Statements

Clause 8 of the licence stipulates that:

"The licensee shall provide the Authority with the audited annual financial statements of the licensed service within four (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.

6. REGULATIONS

6.1 Code for Persons with Disabilities

Clause 3.1 (a) of the Code for People with Disability of 2007 provides as follows:

"Broadcasting service Licensees must ensure that their services are made available and accessible to people with disability."

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 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 female.

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

The Licensee complies with the Code of People with Disabilities

6.2 South African Music Content

Regulation 3.1 of the South African Music Content Regulations as published on 31 January 2006 stipulates that:

"Every holder of a public sound broadcasting licence to which these regulations apply must ensure that after eighteen months of gazetting of these regulations, a minimum of 40% of the musical works broadcast in the performance period consist of South African music and that such South African music is spread reasonably evenly throughout the said period" (See appendix D)⁸.

The Licensee broadcasts genres such as Hip-Hop, Kwaito, Gospel, Jazz, House, Afro-pop, R&B and others.

The following are some of the local artists that were identified:

Emtee; Gape by Molemi; Malume by Cassper Nyovest; Paid by Da L.E.S; Doc Shebeleza by Cassper Nyovest; Ofana Nawe by DJ Bongz; Zahara – 'Uyazenzela'; Burnout by Sipho 'Hotstix' Mabuse; Something Inside So Strong by Lira; Simphiwe Dana – 'Let's go dancing; etc.

During the period under review, Lesedi FM's music content constituted at least 80% of South African Music on a weekly basis.

The Licensee complies with the regulations of the South African Music Content Regulations.

⁸ South African Music spread

6.3 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Licensees

Regulation 11 (3) of the standard terms and conditions⁹ stipulates that:

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

The Licensee's jingles/announcements were identified frequently during the period under review and these broadcasts were at intervals of not more than ten (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.

The Licensee complies with clause 11 (3) of the standard terms and conditions for individual licensees.

The Authority is satisfied that the Licensee did not contravene the Standard Terms and Conditions for Individual Licences during the period under review.

6.4 Universal Service and Access Fund Regulations

Clause 3 of the USAF Regulations stipulates 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 the form of a Section 18A certificate from the MDDA. The Licensee submitted proof of payment¹⁰ to the Authority within the timeframes as prescribed by the Regulation regarding the Universal Service and Access Fund. The payment was in accordance with 0.2% of the Licensee's annual turnover.

The Licensee complies with clause 3 of the USAF Regulations.

⁹ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

¹⁰ Proof of SABCO's contribution to the USAF

6.5 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 in the course of each financial year. The SABC has submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

The Licensee did submit its complaints report as stipulated above, however during the period under review, Lesedi FM did not receive any complaints. The complaints process announcement is aired on each programme.

The Licensee has complied with the Compliance Procedure Manual Regulations.

6.6 General Licence Fees

Regulation 4(b) of General Licence Fees Regulations provides for the exemption of Individual Licences for Public Broadcasting Services.

The SABC is exempted from paying licence fees.

7. CONCLUSION

During the period under review, Lesedi FM has sufficiently complied with all the clauses of the licence terms and conditions including the relevant Regulations and Legislation.

8. ANNEXURES

Attachment 1: SABC Licence Documents;

Attachment 2: Extract SABC Editorial Policy on Religious Content;

Attachment 3: Training and Skills Development Report;

Attachment 4: South African Music Content Regulations;

Attachment 5: Standard Terms and Conditions for Individual Licensees; and

Attachment 6: Regulations regarding the Standard Terms and Conditions for Individual Licensees.

¹¹ SABC Form 12A