



RADIO AL-ANSAAR DURBAN ANNUAL COMPLIANCE REPORT

MARCH 2018

2016/2017 ANNUAL COMPLIANCE REPORT FOR AL ANSAAR MEDIA

NETWORK BROADCASTING AS RADIO AL-ANSAAR - DURBAN

Licence Period: 17 July 2012 to 16 July 2017

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 Act⁴ to regulate broadcasting activities in South Africa in the public interest. One of the main tasks of the Authority, is to monitor compliance by broadcasters with the terms and conditions of their licence, and any relevant legislation and regulations.

The purpose of the report is intended to give a account of Radio Al Ansaar's performance for the 2016/2017 financial year. Aspects of compliance that are measured comprise of the Geographic Coverage, Community, Programming Obligations, Complaints Received, South African Music Content Regulations, Regulations on Code on People with Disabilities and Regulations Regarding Standard Terms and Conditions.

2. BACKGROUND

Radio Al Ansaar holds a Class Sound broadcasting service Licence⁵. The radio station's mandate is to provide a sound broadcasting service to the Muslim community of Durban area in the eThekweni Municipality in the KwaZulu Natal Province as set out in the Licensee's frequency spectrum licence⁶.

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 Appendix A: Radio Al-Ansaar's broadcasting service licence.

⁶ Ibid.

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the schedule to the licence states that:

"The Licence is issued to:

- 1.1 Name of Company/Entity: Al Ansaar Media Network.*
- 1.2 Control of the Licensee: Control shall vest in the Board of Directors of a Section 21 Company known as Al Ansaar Media Network".*

There were no changes reported by the Licensee to its control structure during the period under review. The Licensee is still Al -Ansaar Media Network and the control of the Licensee is in the hands of its Board of Trustees.

The Licensee's Board of Trustees that were elected on 08 April 2015 consists of following members:⁷

Mr MAG Joosab – Chairperson;
Mr Sayed Mohamed Shabir Basha - Secretary;
Mr Irfan Bux - Treasurer;
Ms Bibi Amina Phili – Board Member;
Ms Marineesa Happy Majola – Board Member;
Mr Ebrahim Mohseen – Board Member;
Mr Alim Alkburally - Board Member;
Mr Ebrahim Saeed Ally – Board Member;
Mr Mahomed Khan – Board Member;
Mrs Iran Osman - Board Member;
Ms Toleni Khethiwe Dladla - Board Member;
Ms Riyazunnisa Mia Ahmed Shaik- Board Member;
Mr Abdul Latweef Makweya Mponda - Board Member;

⁷ Appendix D: Radio Al Ansaar's 2016 – 2017 Compliance Report.

The Licensee is still male dominated constituting 62% and females 38% . However there was an improvement in women representation from 31% during the last period to 38% during the year under review.

The Licensee was found to be compliant with clauses 1.1 and 1.2 of the schedule to its licence.

3.2 Geographic Coverage Area

Clause 2 of the schedule to the licence stipulates that the radio station's geographic coverage area is as follows:

"Durban area in eThekweni Metropolitan Municipality in KwaZulu-Natal Province as set out in the Licensee's frequency spectrum licence".

The Licensee confirms that it covers the areas stipulated in its licence. Further, this was confirmed during the monitoring exercise.

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

3.3 Community

Clause 3.1 of the schedule to the licence provides that:

"The Licensee shall provide services to a Muslim community residing within the geographic coverage area specified herein".

Radio Al -Ansaar Durban confirms that it provides sound broadcasting to the Muslim Community of interest in the Durban area.

The Licensee was found to be compliant with clause 3.1 of the schedule to its licence.

Clause 3.2 of the schedule to the licence states that:

"The Licensee shall provide for the participation of community members in the affairs of the station in the following ways:

3.2.1 The Licensee shall hold at least two (2) general meetings annually with its community focusing on programming and programming policies of the station.

3.2.2 The Licensee shall furnish the Authority with proof of such meetings as well as the attendance thereof by members of the community.

3.2.3 The Licensee shall hold Annual General Meetings (AGM) for the following purposes:

3.2.3.1 To provide feedback on the Licensee's compliance with licence conditions,

3.2.3.2 To provide feedback on the Licensee's operational and financial performance, and any Special Annual General Meeting as and when required by the constitution; and

3.2.3.3 To elect members of the controlling structure, e.g. Board of Directors, Trustees etc. subject to the licensee's founding documents".

The Licensee states that, during the year under review, two meetings were held with community focusing on programming and programming policies. The proof of the meetings were duly submitted by the Licensee. The Licensee's meetings with community were held on 16 February 2017 and 08 July 2017. Further, the Licensee held its AGM on 10 April 2017. During the AGM, the community members were provided with feedback on the Licensee's compliance with licence conditions. Further, the community members were provided with feedback on the Licensee's operational and financial performance.⁸ During the AGM, directors of the radio station were elected and considerations were given to women appointments. This resulted in the appointment of the two additional female directors.

⁸ Appendix D: Radio Al Ansaar's 2016 – 2017 Compliance Report.

The Licensee was found to be compliant with clause 3.2 and its sub-clauses of the schedule to the licence.

3.4 Programming

Clause 4.1.1 of the schedule to the licence states that the Licensee shall provide format as follows:

"80% talk and 20% music".

The Licensee has confirmed that it broadcasts in the prescribed format.

The monitoring exercise revealed that Al-Ansaar Durban broadcasts 20% music and 80% talk. This in line with clause 4.1.1 of the schedule to its licence conditions.

The Licensee was found to be compliant with clause 4.1.1 of the schedule to its licence.

Clause 4.1.2.1 of the schedule to the licence states that:

"The Licensee shall broadcast a total of 100 minutes of news per day, of which 60% shall be local news generated from the community, 20% shall be national and 15% international news. News shall be broadcast in English".

The Licensee submits that it broadcasts fifteen (15) news bulletins per day on weekdays. Al Ansaar Radio states that its news bulletin's duration is seven (7) minutes.⁹ The monitoring exercise confirmed that Al-Ansaar Durban Radio broadcasts fifteen (15) news bulletins per day. The news bulletins are seven (7) minutes in duration. In total, the Licensee broadcasts one hundred and five (105) minutes of news per day.

Among the news stories covered for the period under review were excerpts from certain broadcasts, as follows:

⁹Appendix D: Radio Al Ansaar's 2016 – 2017 Compliance Report.

- *"Local media reports say police and security personnel have been called to Netcare in Umhlanga hospital after patient threatened those inside the facility";*
- *"An emotional Gorge Bizos also shared some personal memories of a friend and fellow veterel, Ahmed Cathrada";*
- *"Local media reports say the former Eskom CEO will be appointed finance minister";*
- *"KZN police are appealing for information that will lead to the arrest of the four (4) suspects who robbed a clothing store at Masgrave Shopping Centre earlier today"; and*
- *"Pravin Gordon says he is still finance Minister, while speculation that President Zuma's reshuffle is in the process".*

The Licensee was found to be compliant with clause 4.1.2.1 of the schedule to the licence.

Clause 4.1.2.2 of the schedule to the licence provides that:

"Current affairs shall be broadcast from Monday to Friday for (30) minutes. On Wednesday it will be broadcast in the evening for one hour thirty minutes (1hour 30 minutes) and on Saturday it will be broadcast for one hour fifteen minutes (1hour 15 minutes)".

The Licensee states that current affairs programmes are broadcast from Mondays to Fridays. Al Ansaar Durban states that the duration for current affairs programmes is thirty (30) minutes. The currents affairs programme called **"Bottomline"** is broadcast on Wednesday for a duration of 90 minutes (1 hour 30 minutes). Further, Radio Al Ansaar Durban broadcasts a current affairs programme on Saturdays called "The Big Picture" from 11h30 – 13h00 . The monitoring confirmed that the Licensee broadcasts current affairs programmes on weekdays and Saturdays.

The Licensee was found to be compliant with clause 4.1.2.2 of the schedule to its licence.

Clause 4.1.3.1 of the schedule to the licence stipulates that:

"The Licensee shall broadcast a minimum Of 45% South African music".

The Licensee confirms that it broadcasts local music daily. The South African music broadcast by the radio station includes naaths, nazams and nasheed.

The radio station broadcasts local music as required by clause 4.1.3.1 of the schedule to its licence. The music played by the radio station include *Farhan Sayed, Muzammil Sayed, Naseeruddeen Khan, Hafiz Idris, Muhammed Shaikh Hyder, Azhar Sattar, Uzair Ismail, Afzal Khan, Waseem Sheik, Moin Cassim, Ahmed Feroz Osman, Hassan Raj Mahommed, Nawaaz Adam and Moulana Saleh Joosab Arbee*. At least 45% South African music was monitored.

The Licensee was found to be compliant with clause 4.1.3.1 of the schedule to its licence.

Clause 4.1.3.2 of the schedule to the licence stipulates that:

"The Licensee shall broadcast programmes that show case local Muslim artists and perfomers, reciters (naath, nazms, anasheed and that of the Qurra (professional reciters of the Holy Quran) and broadcast upcoming bands and performers or those not recorded or distributed by major record companies".

Radio Al Ansaar states that "The Weekend Vibe"; "Sana E'Muhammad"; "Nitelite"; "The Breakfast Rush"; "Tazkiyyah"; Bazme Adab; and "Urban Woman" are shows that focus on interviewing and showcasing Muslim artists from the local music scene. During the shows, the music of upcoming bands and performers, and those not recorded or distributed by major record companies is broadcast.

The monitoring exercise confirmed that the radio station broadcasts the above mentioned programmes.

The Licensee was found to be compliant with clause 4.1.3.2 of the schedule to the licence.

Clause 4.1.4 of the schedule to the licence stipulates that Language(s) of broadcast are as follows:

- "(a) 80% English;*
- (b) 10% isiZulu;*
- (c) 5% Arabic; and*
- (d) 5% Urdu".*

The Licensee states that 80% of the broadcast is in English; 10% in isiZulu; 5% in Urdu and 5% in Arabic. This was confirmed during the monitoring exercise that the radio station complies with the language requirement.

The Licensee was found to be compliant with clause 4.1.4 of the schedule to its licence conditions.

Clause 5.1.1 of the schedule to the licence stipulates that:

"The Licensee shall teach, train, and assist interested members of the community how to produce programmes and provide facilities to learn and practice the technical and aesthetic aspects of radio".

The Licensee states that workshops and training on broadcasting relating to how to produce programmes were provided to the community members and local tertiary educational institutions. Further, Radio Al Ansaar-Durban submitted proof of the aforesaid training, to the Authority.

The Licensee was found to be compliant with clause 5.1.1 of the schedule to its licence.

Clause 5.1.2 of the schedule to the licence states that:

"The Licensee shall set up a listener's forum comprising of a variety of suburbs or zones in the broadcast area".

The Licensee states that a listener's forum comprising a variety of suburbs or zones was setup to encourage listeners to provide feedback on programming. The Licensee submitted proof of the meetings.

The Licensee was found to be compliant with clause 5.1.2 of the schedule to its licence.

Clause 5.1.3 of the schedule to the licence stipulates that:

"The Licensee shall ensure that other ways of feedback from the community shall be considered as well, such as various means of the social media, faxes, telephone and letters".

The Licensee states that the community is aware of many channels to contact the radio station. Further, states that the radio station broadcasts adverts at various times which mentions the various ways to contact the radio station. These ways include contact via telephone, email, mail, social media, whatsapp and via website.

The Licensee was found to be compliant with clause 5.1.3 of the schedule to its licence.

4. REGULATIONS

4.1 Complaints Received

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A¹⁰ which reports on all complaints received during the financial year under review.

For the year under review, the Licensee reported that it did not receive complaints from its listeners or any member of the public.

The Licensee was found to be compliant with the Compliance Procedure Manual Regulations

¹⁰ Appendix D: Radio Al Ansaar's 2016 – 2017 Compliance Report.

4.2 South African Music Content Regulations¹¹

Regulation 3.3 of the Regulations on South African Music Content as published on 31 January 2006 stipulates that:

"Every holder of a community 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 such South African music is spread reasonably evenly throughout the said period".

The monitoring confirmed that Al Ansaar Radio broadcasts above 45% of local music per day. This music is sourced from South Africa in various languages, which include English, Arabic, Zulu, Xhosa and Urdu.

The Licensee was found to be compliant with the Regulations on South African Music Content.

4.3 Regulations on a Code on People With Disabilities

Clause 3.1(a) of Regulations on a Code on People With Disabilities states that:

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

The Licensee states that the radio station is involved in networking with various organisations associated with people with disabilities. Further, the Licensee's services are accessible to people with disabilities. Further, its premises and studio are accessible to people with disabilities.

The Licensee was found to be compliant with clause 3.1(a) of Regulations on a Code on People with Disabilities.

Clause 3.1(c) of Regulations on a Code on People with Disabilities states that:

¹¹ Appendix B: South African Music Content Regulations.

"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 provided proof indicating that surveys were conducted.

The Licensee was found to be compliant with clause 3.1(c) of Regulations on a Code on People with Disabilities.

4.4 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences¹²

During the year under review, the Authority did not identify instances of non-compliance by the Licensee with the standard terms and conditions for class licences.

The Licensee was found to be compliant with the Standard Terms and Conditions for Class Broadcasting Licences.

5. CONCLUSION

The Licensee was found to be compliant with all provisions of its licence terms and conditions and applicable regulations. The compliance by Radio Al Ansaar-Durban is a good example on how to comply with licence terms and conditions and other relevant regulations.

6. TERMS OF REFERENCE

Appendix A: Radio Al-Ansaar Durban's broadcasting service licence;

Appendix B: South African Music Content Regulations;

Appendix C: Regulations regarding Standard Terms and Conditions for Class licences; and

¹² Appendix C: Regulations regarding Standard Terms and Conditions for Class licences.

Appendix D: Radio Al Ansaar's 2016 – 2017 Compliance Report.