



RADIO SONDER GRENSE ANNUAL COMPLIANCE REPORT

MARCH 2018

2016/2017 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS RADIO SONDER GRENSE

Licence Period: 18 December 2008 to 17 December 2018

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. Among the responsibilities of the Authority is the task to ensure compliance by broadcasting service Licensees with the terms and conditions of their licence and any relevant legislation and/or regulations.

This report is intended to give account of Radio Sonder Grense'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, Community Participation, Programming, Format, News and Information, Local Content Obligations, Language(s), South African Music Regulations and Regulations Regarding Standard Terms and Conditions.

2. BACKGROUND

Radio Sonder Grense (RSG) is an individual public sound broadcasting service Licensee, broadcasting a full spectrum service nationwide. It forms part of the South African Broadcasting Corporation's (SABC) public service

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

mandate. The radio station's mandate is to provide a full-spectrum service to the geographic areas of Gauteng, Free State, Western Cape, Northern Cape, Eastern Cape, North West, Kwa-Zulu Natal, Mpumalanga and Limpopo.

RSG accesses its audience on the frequencies granted to it by the Authority as specified in its Radio Frequency Spectrum Licence. Its signal distribution is provided by Sentech (Pty) Ltd, via the Brixton Tower high site. The radio station broadcasts from its studio's situated at the SABC's premises in Auckland Park, Johannesburg, to the various regions throughout the country.

3. COMPLIANCE ASSESSMENT

3.1 Ownership and Control

Clause 1 of the service licence provides that:

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

1.2 Shareholders: The State 100%

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

Radio Sonder Grense forms part of the public service of the SABC and is 100% owned by the State.

The Licensee was found to be compliant with clause 1 of its licence.

3.2 Geographic Coverage Area

Clause 2 of the service licence provides that:

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

For the year under review, the Authority received no reports or complaints indicating that the radio station has gone beyond its licence area.

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

3.3 Languages

Clause 3 of the service licence provides that:

"Principal Language: Afrikaans"

The monitoring exercise confirms that Afrikaans is the principal language of the broadcast. The Licensee broadcasts in Afrikaans, except for some English in justified circumstances. For example, where interviews are held with international persons of interest who cannot communicate in Afrikaans, as heard on 25 June 2016 around 11h00 where an interview was held at an international monument.

The Licensee was found to be compliant with clause 3 of its licence.

3.4 Format

Clause 4 of the service licence provides that:

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

4.2 The licensed service shall be a full-spectrum service."

The monitoring exercise confirms that Radio Sonder Grense is a public radio station that forms part of the SABC.

The Licensee was found to be compliant with clause 4 of the licence.

3.5 Local Content Obligations

Clause 5 of the service licence provides that:

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

5.1 the different genres; and

5.2 the South African music content, in programming material broadcast on the service during that quarter, in each instance, distinguishing between the genres, providing the relevant details in relation to prime time and the period between 05h00 and 23h00 daily ("the South African broadcast period"), and expressing the relevant details both as an aggregate in minutes and as a percentage of the total of all such programming material."

The SABC submitted its quarterly reports for the period under review. The reports reflect a week's sample for each quarter. The figures below demonstrate a breakdown of Radio Sonder Grense's compliance with the quotas set out by the Authority. The figures were confirmed during the Authority's monitoring exercise from the recordings submitted by the radio station for the period under review.

First Quarter: April – June 2016

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Radio Sonder Grense's Provision in week 18 (Minutes Daily/Weekly)	Radio Sonder Grense's Compliance (%)
News	60min (Daily)	110mins Weekdays 60mins Saturday 65mins Sunday	100%
Current Affairs	60min (Daily)	207min (Week Days) 60min (Saturday) 60min (Sunday)	100%

<i>Informal Knowledge Building</i>	<i>180min (Weekly)</i>	<i>1590min (Weekly)</i>	<i>100%</i>
<i>Education</i>	<i>300min (Weekly)</i>	<i>325min (Weekly)</i>	<i>100%</i>
<i>Children</i>	<i>60 min (Weekly)</i>	<i>90min (Weekly)</i>	<i>100%</i>
<i>Drama</i>	<i>150min (Weekly)</i>	<i>310min (Weekly)</i>	<i>100%</i>

Second Quarter: July – September 2016

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Radio Sonder Grense's Provision in week 32 (Minutes Daily/Weekly)	Radio Sonder Grense Compliance (%)
<i>News</i>	<i>60min (Daily)</i>	<i>80min (Daily)</i>	<i>100%</i>
<i>Current Affairs</i>	<i>60min (Daily)</i>	<i>550min (Week Days) 90min (Saturday) 60min (Sunday)</i>	<i>100%</i>
<i>Informal Knowledge Building</i>	<i>180min (Weekly)</i>	<i>1590min (Weekly)</i>	<i>100%</i>
<i>Education</i>	<i>300min (Weekly)</i>	<i>345min (Weekly)</i>	<i>100%</i>
<i>Children</i>	<i>60 min (Weekly)</i>	<i>85min (Weekly)</i>	<i>100%</i>
<i>Drama</i>	<i>150min (Weekly)</i>	<i>245min (Weekly)</i>	<i>100%</i>

Third Quarter: October – December 2016

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Radio Sonder Grense's Provision in week 45 (Minutes Daily/Weekly)	Radio Sonder Grense's Compliance (%)
News	60min (Daily)	80min (Daily)	100%
Current Affairs	60min (Daily)	1025min (Week Days) 60 min (Saturday) 60 min (Sunday)	100%
Informal Knowledge Building	180min (Weekly)	1640min (Weekly)	100%
Education	300min (Weekly)	330min (Weekly)	100%
Children	60 min (Weekly)	85min (Weekly)	100%
Drama	150min (Weekly)	250min (Weekly)	100%

Fourth Quarter: January – March 2017

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Radio Sonder Grense's Provision in week 5 (Minutes Daily/Weekly)	Radio Sonder Grense's Compliance (%)
News	60min (Daily)	80min (Daily)	100%
Current Affairs	60min (Daily)	730min (Week Days) 60min (Saturday) 60min (Sunday)	100%
Informal Knowledge Building	180min (Weekly)	1055min (Weekly)	100%

<i>Education</i>	<i>300min (Weekly)</i>	<i>335min (Weekly)</i>	<i>100%</i>
<i>Children</i>	<i>60min (Weekly)</i>	<i>420min (Weekly)</i>	<i>100%</i>
<i>Drama</i>	<i>150min (Weekly)</i>	<i>310min (Weekly)</i>	<i>100%</i>

The above information indicates compliance by Radio Sonder Grense with the set quotas during the 2016/17 financial year.

3.6 General Programming Obligations

Clause 6 of the service licence provides that:

"6.1 General

- 6.1.1 The Licensee shall ensure that its programming adequately reflects the diversity of South African religions.*
- 6.1.2 The Licensee shall take reasonable steps to provide programming that reflects the cultural and traditional needs of its audience.*
- 6.1.3 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 confirms that the Licensee broadcasts religious programming targeted at the Christian community such as "*Lewende Woord*" and "*Loof die Here*" on Sundays. During the monitoring it was established that religious content is mainly geared towards the Christian community. There is a lack of diversity in regard to the religious content.

The Licensee takes the necessary steps to provide programming that reflects the cultural and traditional needs of its audience. Programmes such as "*Praat Saam*" allow the community to express their views on various topics. The

Licensee also encourages feedback in regard to the dramas that are broadcasted as to establish the type of dramas that speak to the community. The Licensee provides contact details of the radio station throughout its broadcasts so that members of the community can express their views. "Resepte" is a program that covers different recipes from different cultures.

RSG has programme content that caters to the interest of all South Africans. Sport lovers are catered to by "Sport Nuus". "Sake Nuus" caters to those business-minded members of the community. The Licensee's music content speaks to all ages by broadcasting music from different genres such as pop, country and classical. Legal matters are discussed in programming such as "Regsake", health matters in programming such as "Gesondheid".

The Licensee is found to be partially compliant with clause 6.1 of its licence.

"6.2 News and Current Affairs

- 6.2.1 *The Licensee shall broadcast at least sixty (60) minutes of news programming each day during the South African performance period.*
- 6.2.2 *The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period.*
- 6.2.3 *The Licensee shall in the production of its news and current affairs programming:*
 - (i) exercise full editorial control in respect of its 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."

News

During the period under review, the monitoring exercise confirmed that the news as broadcasted by the Licensee on weekdays average eighty (80) minutes per day.

The monitoring exercise confirmed that the Licensee broadcasts an average of news for about 60 minutes on Saturdays. The news is interrupted on rare occasions for live sports broadcasts, as on the 25th of June 2016 where a live rugby match between South Africa and Ireland was broadcasted from 17h00 until 18h46. News was then broadcasted at 19h00, 21h00 and 23h00, with a total broadcast of 45 minutes. This is due to the live broadcast of the rugby match. Normally the news is broadcasted for over sixty (60) minutes on Saturdays.

During the Authority's monitoring exercise, it was established that the Licensee meets the 60 minutes of news per day requirement on Sundays. The average news broadcast on Sundays are 60 minutes. The news broadcast starts from 06h00 until 21h00 on Sundays, broadcasting on the hour with a two-hour news break during 08h00 – 10h00, 13h00 – 15h00 and 19h00 – 21h00.

Some of the news that was covered during the monitoring period include:

"Regsverteenwoordigers vir AfriForum en Solidariteit het aan 'n volbank regters in die Vrystaat se hooggeregshof gesê dat die afskaffing van Afrikaans as onderrigtaal by die Universiteit van die Vrystaat die grondwelike regte van Afrikaanse studente sal skend."

"Die PAC dreig om die Verkiesings Kommissie (VK) na die Konstitusionele Hof te neem indien die VK nie al hul kandidate vir die plaaslike regerings verkiesing registreer nie. Die VK het tot aan die einde van vandag om te reageer op hul versoek op 'n vergadering om die dooiepunt op te los."

"Die familie van 'n 19 jarige man, Thabiso Daniel, wat Dinsdag aand in Mamelodi dood geskiet is, het in tussen die skuld vir die geweld voor die deur van die regering neergelê en sê dat indien die regte prosedure gevolg was met die aankondiging van die burgermeester kandidaat, sou die geweld nie plaasgevind het nie. Niemand is nog in verband met die skietery in hegtenis geneem nie."

"Die voor-vonnis verrigtinge in die Hooggeregshof in Pretoria word binnekort hervat, nadat die hof vir middagete verdaag het. Die staatsaanklaer, Gerrie Nel, sal voortgaan met sy slot betoog. Die advokaat vir die verdediging, Barry Roux, het sy slot betoë kort voor middagete afgesluit. Hy het gevra dat die hof afwyk van die voorgeskrewe minimum vonnis."

The Licensee is compliant with its news obligations.

Current Affairs

Week days the Licensee broadcasts the following current affairs programming: "Monitor", which is broadcasted from 06h00 to 08h00 for an average duration of eighty (80) minutes and "Spektrum" from 13h00 to 1400 for an average duration of forty-five (45) minutes.

The Authority's monitoring exercise confirms that on Saturdays the Licensee broadcasts a current affairs programme. "Naweek aktueel" is a current affairs programme that is broadcasted between 12h00 and 13h00, with a total broadcast time of 44 minutes and 42 seconds.

During the Authority's monitoring exercise in regard to Current Affairs programming, it was established that the Licensee broadcasts "Kommentaar" on Sundays at 20h00 for thirty-nine (39) minutes.

The total duration of current affairs programming per week as broadcasted by the Licensee is 208 minutes.

The Licensee is compliant with its programming obligations with regards to current affairs programming.

"6.3 Programming targeted at Children

6.3.1 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.

	FY 06/07	FY 07/08	FY 08/09	FY 09/10
Hours of children's programming per week	1 hour	4 hours	5 hours	7 hours

6.3.2 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 the children's point of view."

The monitoring exercise confirms that the licensee broadcasts a children's program "*Nal'ibali*" weekdays from 19h00 with a total broadcast of ten (10) minutes. This programme is target at children between the ages of seven (7) to twelve (12) years old.

Sundays, the Licensee has a Bible story segment aimed at children for a total broadcast of ten (10) minutes.

Further, during the Authority's monitoring exercise, it was established that the Licensee has two programmes targeted at kids that are broadcasted on Sundays. The first "*Avonture van Manie Mier*" and the second "*Arnie Avontuur*". The duration of both programmes average about a combined total of twenty (20) minutes. These programmes are targeted towards children between the ages of nought (0) to six (6) years.

The total broadcast for children's programming per week is eighty (80) minutes.

The Licensee is compliant with clause 6.3 of its licence.

"6.4 Educational Programming

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."

During the monitoring exercise, the following educational programming was identified: "*Feitedagboek*" weekdays from 14h30 for a total broadcast time of fifteen (15) minutes, "*Bevonk*" that is broadcasted on Tuesdays, Wednesday, Thursdays and Fridays at 19h30 for a total broadcast of thirty (30) minutes.

Sundays "*Die tale wat ons praat*" at 11h00 for a total twenty-two minutes (22), "*Hoe verklaar jy dit?*" at 11h30 for a total

broadcast time of thirty (30) minutes, *"Ons en die onderwys"* at 16h30 for a total broadcast of twenty-six (26) minutes

"6.5 Drama

The Licensee shall broadcast at least two and a half (2½) hours of drama per week within the South African performance period."

The Authority's monitoring exercise confirms that the Licensee broadcasts the drama *"Hartebreker"* written and produced by Leon van Nierop, during weekday mornings. The average broadcast is ten (10) minutes.

Further, *"Roosvallei"* written by Karien Polly is broadcasted weekdays from 14h45 for an average of fifteen (15) minutes.

"Ratels" a drama aimed at teenagers written by Leon van Nierop is broadcasted on Wednesdays from 19h30 until 20h00 with an average broadcast of twenty (20) minutes.

"Die groot vyf" a teen drama written by Carina Diedericks-Hugo is broadcasted on Wednesday at 20h00 for a total broadcast time of five (5) minutes.

The monitoring exercise confirms that the Licensee has weekday readings of various books for fifteen (15) minutes per broadcast.

The total minutes of drama programming, per week is 195 minutes.

The Licensee is compliant with clause 6.5 of its licence.

"6.6 Informal Knowledge-Building Programmes

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

The Authority's monitoring exercise confirms that the Licensee has various Informal Knowledge-Building programming such as weekdays from 11h30 for a broadcast time of thirty (30) minutes. These programs are: "Regsake" on Mondays, "Finansies" on Tuesdays, "Gesondheid" on Wednesdays, "Groeipyne" on Thursdays and "Wie is ek?" on Fridays.

On Sundays, "Fiks vir die Lewe" at 07h00 for a total of twenty-five (25) minutes, "Rand en Sent" at 17h00 for a total broadcast time of twenty-four minutes (24) "Finansiële Fokus" is broadcasted at 20h40 for eighteen (18) minutes.

The total amount of Informal Knowledge-Building Programmes is 217 minutes per week.

The Licensee is compliant with clause 6.6 of its licence.

3.7 Training and Skills Development Obligations

Clause 7 of the service licence provides that:

- "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 structure;*
 - (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 with written information regarding its compliance with the above requirements."*

The SABC submits that it is in the process of vetting information which relates to its implementation of equal opportunity employment practices. This information will detail the SABC's management and control structures and procurement allocations.

The Licensee will submit the above information as soon as the process is complete.

The SABC submitted a training and skills development report indicating that its management and staff is representative of South African society. Further, for the period under review there was reasonable participation by historically disadvantaged people with respect to its management and skills development.

The SABC ensured that the learning and development needs are strategically aligned to business needs so as to bring about positive business impact and increases in the productivity level at large.

According to the Licensee's report on its Annual Employment Equity and Skills Development plan, the Licensee strives for the creation of an "equitable working environment, in which the dignity of all individuals is respected and the diversity of all employees are valued." In this report, the SABC further advances that at least 86% of their overall staff complement are Black people; while 78% of its management are people from historically disadvantaged backgrounds.

The Licensee submits that it has exceeded most of the quotas prescribed by licence conditions. However, the Licensee submits that it is unable to reach their 50% target of females in the organisation. The Licensee fell short by less than 1% from reaching this target as it is currently sitting on 49.14%. Although 78% of females in management are black.

The Licensee further submits that it intends to adhere to its BBBEE obligations and remains committed to contributing to the growth of the South African Economy through the empowerment of previously disadvantaged individuals.

The Licensee submitted its Training and Skills Development Plan to the Authority for the period under review.

The Licensee has complied with its training and skills developments obligations.

3.8. Provision of audited financial statements to the Authority:

Clause 8 of the service licence provides that:

"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 cause apply to the Authority for an extension."

The Licensee submitted its Audited Financial Statements for the 2016/2017 financial year within the stipulated timeframe.

The Licensee has complied with clause 8 of the schedule to its licence.

4. REGULATIONS

4.1 South African Music Content Regulations

Regulation 3.3 of the Regulations on South African Music Content as published on 31 January 2006 provides 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"⁵.

The Authority's findings showed Radio Sonder Grense complies and exceeds the obligation to play 40% South African music. The average percentage of local music ranges from 70% and more on a weekly basis.

Some of the local artist that were featured include:

Andre Swiegers "Ghost Train", Chris Els "Gebreekte Glas", Pieter Koen "Die een ding wat ek doen", Douvoordag "Uitsig", Richard Van Der Westhuizen met N Man Soos Jan "Die apples in jou nek", Jan Rhaap "Kom saam met my", Ray Dylan "In lewende lywe" and Jakkie Louw "Maandag in September".

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

4.2 Compliance Procedure Manual – Form 12A

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A⁶ which reports on all complaints received during each financial year. In April 2017, the SABC submitted its complaints

⁵ Appendix D: Regulations on South African Music Content

⁶ Appendix E: SABC Form 12A

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).

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

4.3 Code on People with Disabilities

Clause 3.1 (a) of the Code on People with Disability of 2007 stipulates that:

"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.

SABC also reported that Employees with disabilities represent 2.13% of the entire workforce as some employees left the organisation and thus the

organisation 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 organisations for people with disabilities to use for content when the need arises.

The Licensee complies with the Code on People with Disabilities.

4.4 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Licensees

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

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 Broadcasting Service 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 subsequent to negotiations with the MDDA to pay the USAF in two instalments and duly submitted proof to the Authority. The Licensee received confirmation of payment in the form of a Section 18A certificate from the MDDA. The SABC's financial year end is March.

5. CONCLUSION

Radio Sonder Grense is compliant with the majority of its obligations, often exceeding the minimum requirements as set out in its licence and applicable regulations. However, the partial compliance in regard to diversity of religious content will be addressed with the Licensee. The Authority will continue to monitor the compliance of Radio Sonder Grense in the next financial year.

6. TERMS OF REFERENCE

Appendix A:	Service and Frequency spectrum licence
Appendix B:	Editorial policies
Appendix C:	Skills and Training Development Report 2016/2017
Appendix D:	South African Music Content Regulations of 2006
Appendix E:	Regulations Regarding Standard Terms and Conditions
Appendix F:	Code on People with Disabilities
Appendix G:	Universal Service Obligation Fund Regulations