



# **RADIO TYGERBURG ANNUAL COMPLIANCE REPORT**

**MARCH 2018**

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

### **CHRISTELIKE RADIO DIENSTE BROADCASTING AS RADIO TYGERBERG**

**LICENCE PERIOD: 24 October 2013 to 23 October 2018**

#### **1. PREFACE**

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution<sup>1</sup>, the ICASA Act<sup>2</sup> and the Electronic Communications Act<sup>3</sup> (ECA) to regulate broadcasting activities in South Africa in the public interest. The Authority is tasked with ensuring compliance by broadcasters with the terms and conditions of their licence, the ECA, the ICASA Act and any other relevant legislation and regulations.

The purpose of the report is to give an account of Radio Tygerberg's compliance with the terms and conditions as set out in its licence for the 2016/17 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 Content Regulations, Regulations Regarding Standard Terms and Conditions and the Code on People with Disabilities.

#### **2. BACKGROUND**

Radio Tygerberg is a class broadcasting Licensee providing service to the Christian community residing in the Greater Cape metropolis of the Western Cape Province, as specified in and required by its radio frequency spectrum licence. The radio station's mandate is to provide a service to the Christian community of interest in its broadcasting area<sup>4</sup>. According to the Broadcast Research Council of South Africa, the listenership figures for the last quarter of the period under review was 221 000.<sup>5</sup>

---

<sup>1</sup> The Constitution of the Republic of South Africa, No 108 of 1996

<sup>2</sup> ICASA Act No 13 of 2000, as amended

<sup>3</sup> Electronic Communications Act No 36 of 2005

<sup>4</sup> Appendix A: Service and spectrum licence

<sup>5</sup> <http://www.brcsa.org.za/brc-ram-radio-listening-jul-16-dec-16-oct-16-mar-17/>

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Control Structure**

Clause 1 of the licence provides that:

*"The Licence is issued to:*

*1.1 Name of Company/Entity: Christelike Radio Dienste.*

*1.2 Control of the Licensee: Control shall vest in the Board of Directors of a Section 21 Company known as Christelike Radio Dienste".*

There were no changes reported by the Licensee to its company name and control structure during the period under review.

**The Licensee was found to be in compliance with clauses 1.1 and 1.2 of its licence.**

Clause 1.3 of the licence provides as follows:

*"Name of the radio station: Radio Tygerberg".*

The radio station's name is Radio Tygerberg as provided for in the licence.

**The Licensee was found to be in compliance with clause 1.3 of its licence.**

#### **3.2 Licence Area**

Clause 3 of the licence provides that Radio Tygerberg's coverage area is as follows:

*"Greater Cape Metropolis in the Western Cape Province as set out in the Licensee's radio frequency licence".*

The Licensee confirms that it provides a service to the Greater Cape Metropolis in the Western Cape Province as set out in the Licensee's radio frequency licence.

**The Licensee was found to be in compliance with the clause 3 of its licence.**

#### **3.3 Community**

Clause 4.1 of the licence provides that:

*"The Licensee should provide services to a Christian community of interest residing within the geographic coverage area specified herein".*

Radio Tygerberg provides a sound broadcasting service from Bellville and provides its services to the Christian community residing within its coverage area.

**The Licensee was found to be in compliance with clause 4.1 of its licence.**

Clause 4.2 of the licence provides that:

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

*4.2.1 The Licensee shall hold at least two (2) meetings annually with its community on programming and programme related matters for the selection and provision of programmes.*

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

The Licensee held two (2) meetings with its community on programming and programme related matters for the selection and provision of programmes as required by the licence. The first meeting was held on 28 January 2016 and the other on 03 November 2016. The Licensee submitted proof of the meeting as well as the attendance registers<sup>6</sup>.

Further, clause 4.2.3 provides that:

*"The Licensee shall hold an Annual General Meeting (AGM) for the following purposes:*

*4.2.3.1 To provide feedback on the Licensee's compliance with licence conditions.*

*4.2.3.2 To provide feedback on the Licensee's operational and financial performance.*

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

Radio Tygerberg held its Annual General Meeting on 24 January 2017<sup>7</sup>. The purpose of the AGM was to provide feedback on the Licensee's compliance with licence conditions, operational and financial performance and to elect a new Board of Directors. The reports presented by the Chairperson of the Board included the Audited Financial Report and were duly adopted by the members present at the AGM.

The following is a list of the Board of Directors of Radio Tygerberg<sup>8</sup>:

1. Mr Gerhardus Zevenster;

---

<sup>6</sup> Appendix B: Minutes of Community Meetings and Attendance Registers

<sup>7</sup> Appendix C: AGM Minutes

<sup>8</sup> Appendix D: Board of Directors

2. Ms Esther Kruger;
3. Pastor Dawn Stephany Petersen;
4. Mr Daniel Jacobus Francis;
5. Ms Busisiwe Rosebud Tsobane;
6. Mr Henry Albert Botman;
7. Ms Wilhemina Elizabeth Wildschut; and
8. Dr Johannes Emmanuel Zevenster.

The Licensee holds regular board meetings to discuss the Licensee's compliance with licence conditions, operational and financial performance as well as programming and programme related matters.

**The Licensee was found to be in compliance with clause 4.2 of its licence.**

### **3.4 Programming<sup>9</sup>**

Clause 5.1 of the licence provides that:

*"The Licensee shall provide programming as follows:*

*5.1.1 Format:*

*56% talk and 44% music".*

Radio Tygerberg submits that it broadcasts 56% talk and 44% music daily as required by its licence.

The monitoring exercise confirmed that the Licensee's format is 56% talk and 44% music.

**The Licensee was found to be in compliance with clause 5.1.1 of its licence.**

Clause 5.1.2 of the licence provides that:

*5.1.2.1 "The Licensee shall broadcast 60% local, 30% national and 10% international news per day. This shall include news from the community produced by the station on issues affecting the identified community".*

**The Licensee submits that it complies with the above clause.**

The monitoring exercise conducted for the period under review indicated that Radio Tygerberg broadcasts news bulletins every hour on the hour and news headlines at the

---

<sup>9</sup> Appendix E: Programme Schedule and Logsheets

bottom of the hour. Approximately 65% of the news is local, 25% national and 10% is international.

Among the news stories covered were excerpts from certain broadcasts, as follows:

1. *"Wetstoepassing is ontplooi na die N2-hoofweg naby die lughawe in Kaapstad om die protes te hanteer wat vroeër vanaand opgevlam het. Daar word verstaan dat die pad in albei rigtings met bande en rommel versper is. Daar is ook berigte dat op 'n bus gevuur is";*
2. *'n Oos-Kaapse polisiekonstabel is in 'n gewapende rooftog in Cala naby Queenstown doodgeskiet. Een van die verdagtes is Vrydag omstreeks 18:30 in die voorval vermoor. Sibongile Soci, polisiewoordvoerder, het gesê ses mans het na bewering 'n kruidenierswinkel binnegekom en geld geëis terwyl hulle skote geskiet";*
3. *"Vier mense is dood in 'n botsing tussen 'n vragmotor en nog 'n voertuig op die N61 by Port St. Johns in die Oos Kaap, nog drie mense is ernstig beseer";*
4. *"Tien verhoor afwagende gevangenes het ontsnap uit die Mogwase-korrektiewe sentrum in Rustenburg. Die mans word aangekla op aanklagtes soos moord, gewapende roof en ander ernstige misdade. Korrektiewe dienste het gesê vier van die ontsnaptes is voormalige Zimbabwiese soldate"; and*
5. *"Die 52-jarige Thomas Muir, wat beskuldig word van moord en drie ander oortredings, verskyn by die Westminster-landdroshof. Hy is aangekla van moord in verband met die skietery van Arbeiders-LP, 41 - jarige Jo Cox."*

**The Licensee was found to be in compliance with clause 5.1.2 of its licence.**

5.1.2.2. *"The Licensee's proportion of local news output shall be equal to or greater than its international news".*

The Licensee submits that a larger proportion of its news is made up of local news and only 10% is international.

The monitoring exercise confirmed that Radio Tygerberg's local news makes a larger proportion of its daily news broadcast.

**The Licensee was found to be in compliance with clause 5.1.2.2 of its licence.**

Clause 5.1.3.1 of the licence provides that:

*"The Licensee shall broadcast South African music content of 60%".*

The Licensee submits that it broadcasts a minimum of 65% of South African music.

The monitoring exercise confirmed that the Licensee broadcast approximately 65% local content music, excluding interviews with local musicians and music by new local musicians.

**The Licensee was found to be in compliance with clause 5.1.3.1 of its licence.**

Clause 5.1.3.2 of the licence provides that:

*"The majority of the Licensee's programming shall be locally produced"*

The Licensee submits that all its programmes are produced in South Africa, and this was confirmed during the Authority's monitoring exercise.

**The Licensee was found to be in compliance with clause 5.1.3.2 of its licence.**

Clause 5.1.3.3 of the licence provides that:

*"30% of the Licensee's programming shall be provided in isiXhosa, measured weekly".*

**The Licensee submits that it complies with the above requirement.**

The monitoring exercise revealed that Radio Tygerberg broadcasts isiXhosa programmes on a daily basis. It was confirmed that the Licensee broadcast 30% of isiXhosa programming on a weekly basis.

**The Licensee was found to be in compliance with clause 5.1.3.3 of its licence.**

Clause 5.1.4 of the licence provides that the languages of broadcast are as follows:

- a) *English;*
- b) *Afrikaans;* and
- c) *isiXhosa.*

**The Licensee submits that it complies with the above requirement.**

The monitoring exercise confirmed that programmes are broadcast in English, Afrikaans and isiXhosa as outlined in the licence.

**The Licensee was found to be in compliance with clause 5.1.4 of its licence.**

Clause 5.1.5 of the licence provides that:

*"The Licensee shall broadcast for 24 hours a day"*

The Licensee submits that it broadcasts for 24 hours a day.

The monitoring exercise confirmed that the Licensee broadcasts its programmes for 24 hours a day.

**The Licensee was found to be in compliance with clause 5.1.5 of its licence.**

## **4. REGULATIONS**

### **4.1 Complaints**

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

The Licensee is a member of the National Association of Broadcasters (NAB) and complaints relating to Code of Conduct are directed and adjudicated by the Broadcasting Complaints Commission of South Africa. However, the Licensee reported to have not received complaints for the period under review.

**The Licensee was found to be in compliance with the Compliance Procedure Manual Regulations.**

### **4.2 South African Music Content Regulations<sup>10</sup>**

---

<sup>10</sup> Appendix F: SA Music Content Regulations



The Regulations on South African Music Content as published on 31 January 2006 provide 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".*

Radio Tygerberg broadcasts a significant amount of South African music. The radio station broadcasts a variety of gospel music. The local music played by the radio station includes among others, the following South African artists: Rene Swarts, The Plain Truth, Lionel Petersen, Loyiso Bala, Retief Burger, Elvis Blue, Joe Niemand, etc.

The monitoring exercise confirmed that the Licensee plays an average of 65% local music.

**The Licensee was found to be in compliance with the South African Music Content Regulations.**

#### **4.3 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences<sup>11</sup>**

During the year under review, the Authority did not find any instance of non-compliance by the Licensee with the standard terms and conditions for class licensees.

#### **4.4 Code for Persons with Disabilities**

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

*"Broadcasting service Licensee s must ensure that their services are made available and are accessible to people with disabilities".<sup>12</sup>*

During the radio station visit, it was confirmed that the Licensee's studios are easily accessible to the community and community persons with disabilities.

---

<sup>11</sup> Appendix G: Regulation regarding Standard Terms and Conditions for Class Broadcasting Licences

<sup>12</sup> Appendix H: Code of People with Disabilities

**The Licensee complied with the Code for People with Disabilities.**

## **5. CONCLUSION**

Radio Tygerberg was found to be in full compliance with its licence Terms and Conditions and Regulations.

## **6. TERMS OF REFERENCE**

Appendix A: Radio Tygerberg's broadcasting service licence and frequency spectrum licence;

Appendix B: Minutes and Attendance Registers of Community Meetings;

Appendix C: AGM minutes and Attendance Register;

Appendix D: List of Board of Directors;

Appendix E: Programme Schedule and Logsheets;

Appendix F: SA Music Content Regulations;

Appendix G: Standard Terms and Conditions Regulations; and

Appendix H: Code for People with Disabilities.