



RAINBOW FM ANNUAL COMPLIANCE REPORT

MARCH 2018

2016/2017 ANNUAL COMPLIANCE REPORT

RAINBOW CHRISTIAN COMMUNITY RADIO

Licence Period: 24 October 2013 to 25 October 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. One of the main tasks of the Authority, is to monitor compliance by broadcasters with the terms and conditions of their licence, the three Acts mentioned already and any other relevant legislation and regulations.

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

2. BACKGROUND

Rainbow Christian Community Radio is a Class Sound Broadcasting Service Licensee. The radio station's mandate is to provide a sound broadcasting service to the Christian community of Roodepoort, Randfontein, Krugersdorp, Kagiso and Ennerdale in the Gauteng Province as set out in the Licensee's frequency spectrum licence. According to the Broadcast Research Council of South Africa (BRC), the listenership figures for the last quarter of the period under review was 63 000.⁵

¹The Constitution of the Republic of South Africa, No 108 of 1996.

²Act No. 13 of 2000, as amended.

³Act No. 36 of 2005.

⁴Act No. 4 of 1999.

⁵ <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 schedule to the licence stipulates that:

"The Licence is issued to:

1.1 Name of entity: Rainbow Christian Community Radio.

1.2 Name of the Station: Rainbow Christian Community Radio.

1.3 Control of the Licensee: Control shall vest in the Board of Directors of a Voluntary Association known as Rainbow Christian Community Radio".⁶

The name of the entity is Rainbow Christian Community Radio. The Licensee states that the name of the station remains Rainbow Christian Community Radio. The Licensee did not report any changes to its control structure during the period under review. Rainbow Christian Community Radio is still controlled by the Board of Directors of Rainbow Christian Community Radio.

The Licensee was found to be compliant with clauses 1.1, 1.2 and 1.3 of the schedule to its licence.

Clause 4.1.1 of Constitution of Rainbow Christian Community Radio stipulates that:

"The Board shall consist of a minimum of 7 (seven) members and a maximum of 12 (twelve) members. The board shall be representative of the demographics of the community and shall have a fair representation of females".⁷

Rainbow Christian Community Radio has seven (7) members of its Board of Directors⁸. The Licensee's Board of Directors consists of the following members:

⁶Appendix A: Rainbow Christian Community Radio's broadcasting service.

⁷Appendix B: Rainbow Christian Community Radio's Constitution.

⁸Appendix B: Rainbow Christian Community Radio's Constitution.

1. Advocate Raynold Bracks – Chairperson;
2. Pastor Victor Dube – Deputy Chairperson;
3. Ann Ligman - Secretary;
4. Lerato Kunene - Treasurer;
5. Apostle Samuel Matjeke – Board Member;
6. Pastor Johnson Mncube – Board Member; and
7. Humphrey Birkenstock - CEO.

The Licensee was found to be compliant with clause 4.1.1 of its Constitution.

Clause 2 of the schedule to the licence provides that:

"2.1 The effective date of the Licence is 24 October 2013.

2.2 The Licence shall expire on 25 October 2018".

Rainbow Christian Community Radio's licence was effective from 24 October 2013 and will expire on 25 October 2018. The Licensee will be advise to engage the Licensing Division with regards to the renewal of its service licence.

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

3.2 Geographic Coverage Area

Clause 3 of the schedule to the licence provides for the geographic coverage area as follows:

"Roodepoort, Randfontein, Krugersdorp, Kagiso and Ennerdale in the Gauteng Province as set out in the Licensee's radio frequency spectrum licence".

Rainbow Christian Community Radio covers Roodepoort, Randfontein, Krugersdorp, Kagiso and Ennerdale in the Gauteng Province as set out in its radio frequency spectrum licence.

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

3.3 Community

Clause 4.1 of the schedule to the licence provides that:

"The Licensee shall provide services to a Christian community of interest residing within the geographic coverage area specified herein".⁹

The Licensee confirms that the radio station broadcasts for the Christian community of Roodepoort, Randfontein, Krugersdorp, Kagiso and Ennerdale.

The Licensee was found to be compliant with clause 4.1 of the schedule to its licence.

Clause 4.2 of the schedule to the licence stipulates 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 and listeners' organisations focusing on programming and programming policies and matters of the radio station;

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; and

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

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

⁹Appendix A: Rainbow Christian Community Radio's broadcasting service.

- 4.2.3.2 *To provide feedback on the Licensee's operational and financial performance, and*
- 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".¹⁰*

The Licensee states that it has a community forum which meets every month. Rainbow Christian Community Radio's community forum is made up of volunteer members from different areas within its coverage area. According to the Licensee, the forum is responsible for highlighting various programming needs from the community that may be addressed either on air or with a community event/workshop.

Further, the Licensee provides for the participation of community members in the affairs of the radio station through phone-ins and during Annual General Meetings. During the AGM, the directors report on the operational and financial performance of the radio station. The minutes of the meetings and Annual General Meetings were submitted to the Authority.

The Licensee was found to be compliant with clauses 4.2.1, 4.2.2, 4.2.3 and its sub-clauses.

3.4 Programming

Clause 5.1.1 of the schedule to the licence provides that:

"The Licensee shall broadcast a total of hundred and two (102) minutes of news per day of which sixty (60) minutes shall be local news, thirty (30) minutes shall be national and twelve (12) minutes shall be international news. This shall include news from the community produced by the radio station on issues affecting the identified community".

¹⁰Appendix A: Rainbow Christian Community Radio's broadcasting service.

The Licensee states that the radio station meets the news and information allocation, with a current affairs programme that includes news from the community.

The monitoring exercise revealed that the Licensee broadcasts eleven (11) news bulletins on weekdays and six (6) news bulletins on weekends. The duration of news bulletins is three (3) to four (4) minutes. The total of forty-four (44) minutes of news was monitored per day on weekdays and a total of twenty-four (24) minutes of news was monitored per day on weekends. Further, the monitoring exercise revealed that news is only read in English and Afrikaans.

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

- *"Johannesburg Water announced yesterday that Johannesburg is under level 2 water restrictions";*
- *"Learner performance in the West Rand region has been impressive across the board even in the lower grades";*
- *"The South African Social Security Agency says it plans to approach the Constitutional court next week to extend the existing contract of its service provider to continue with payment of social grants for at least another year"; and*
- *"The world of work is changing and women should be empowered to enter into a high tech or green jobs in the future, the Deputy Executive Director of the United Nations Women has said".*

The above news items confirm that the radio station broadcast local, national and international news.

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

Clause 5.1.2 of the schedule to the licence requires the Licensee to broadcast 40% of South African Music Content

The Licensee states that Rainbow Christian Community Radio has adhered to the 40% South African music content quotas which includes regular South African music interviews.

The monitoring exercise revealed that the radio station broadcast the following programmes:

Reflections broadcast between 5h00 and 6h00 daily is a worship programme with South African gospel music.

Club Joy broadcast between 6h00 and 9h00 on weekdays and Saturday is a breakfast show. This is an informative show. The show includes general news, interviews with pastors from different congregations. Further, gospel music is played during the show.

Hour of Power broadcast between 9h00 and 10h00 from Monday to Saturday is a prayer programme. This is a prayer show whereby pastors from different congregations are invited as studio guests to pray for listeners with different problems. Listeners are encouraged to send messages to the studio and make phone calls during the show in order to receive prayer.

Cornerstone broadcast between 10h00 and 11h00 on weekdays is an informative show with community announcements. The programme monitored also focused on educating listeners about finances. Gospel music is played during the show.

NIV broadcast between 11h00 and 13h00. The show includes interviews with community leaders or politicians. For example, during the programme monitored, the community leader who is a politician was interviewed about the election of ward councillors that was going to take place. Gospel music is played during the show.

The Praise Hour broadcast between 13h00 and 14h00 focuses on sermons and prayer.

No Limits broadcast between 14h00 and 16h00 focuses on gospel music. There are also sermons during the show.

Rhythm of Life broadcast between 18h00 and 19h00 from Monday to Friday. This programme is a talk show. The monitoring exercise identified a studio guest from the Department of Trade and Industry educating listeners about procurement or supply chain rules and the procedures followed when awarding/bidding for tenders. Listeners were given an opportunity to call and ask questions.

Glory to Glory broadcast between 19h00 to 20h30 from Monday to Thursday is an informative show with sermons and gospel music. Both English and SeSotho prayers were identified during the show.

The Watchman broadcast between 20h30 and 00h00 from Monday to Thursday is broadcast in Sesotho. This is a worship programme with motivational talk and gospel music.

Asimdumise broadcast between 21h00 to 00h00 on Friday is broadcast in all languages of broadcast. However, the programme that was monitored was broadcast mainly in English. This is a worship programme with interviews and worship songs. South African gospel music is played during the show.

The monitoring exercise revealed that the radio station broadcast about 50% of South African music.

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

Clause 5.1.3 of the schedule to the licence provides for format as follows:

"40% Talk and 60% Music".

The Licensee states that Rainbow Christian Community Radio's broadcast format is divided as stipulated in clause 5.1.3 above.

The monitoring exercise revealed that although "**Club Joy**", "**Hour of Power**", "**Cornerstone**", "**NIV**", "**The Praise Hour**", "**No Limits**", "**Glory to Glory**", "**The Watchman**" and "**Asimdumise**" have sermons, music dominates the programmes. The monitoring exercise confirmed that Rainbow Christian Community Radio broadcast about 60% music.

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

Clause 5.1.4 of the schedule to the licence lists the Language(s) of broadcast as follows:

- "5.1.4.1 *English – 54%;*
- 5.1.4.2 *isiZulu – 15%;*
- 5.1.4.3 *Setswana – 15%;*
- 5.1.4.4 *Afrikaans – 15%;*
- 5.1.4.5 *Sesotho – 5%; and*
- 5.1.4.6 *Tshivenda – 5%."*¹¹

The Licensee states that the radio station's languages of broadcast are spread as per clause 5.1.4 above with English being the primary language. The Licensee states that Rainbow Christian Community Radio's languages of broadcast are applied during various interviews and on air radio station promos.

The monitoring exercise revealed that although the Licensee broadcasts its programmes in all languages of broadcast, news is only broadcast in English and Afrikaans.

The Licensee was found to be non-compliant with clause 5.1.4 of the schedule to its licence.

¹¹Appendix A: Rainbow Christian Community Radio's broadcasting service.

Clause 5.2 of the schedule to the licence states that:

"The Licensee shall keep a log of programmes broadcast which must be submitted on a monthly basis to the Authority. A pro-forma of the log to be kept will be supplied by the Authority".

The Licensee submits its pro-forma logs of programmes to the Authority monthly.

The Licensee was found to be compliant with clause 5.2 of the schedule to the licence.

Clause 8.1 of the schedule to the licence provides that:

"The Licensee shall provide in-house training for its staff and members of the historically disadvantaged community in basic broadcasting and production programmes".

The Licensee states that Rainbow Christian Community Radio regularly provides in-house training for staff and volunteers. The radio station accepts interns from local educational institutes for two weeks at a time. According to the Licensee, the two-week internship comprises of various department job shadowing and practical training.

The Licensee was found to be compliant with clause 8.1 of the schedule to the licence.

Clause 8.2 of the schedule to the licence provides that:

"The Licensee shall provide members of different denominations in its coverage area the opportunity to preach sermons and devotions on air on a rotating basis. This shall not exceed fifteen (15) minutes for devotions and thirty (30) minutes for sermons".

The Licensee states that Rainbow Christian Community Radio still provides on air opportunities to different denominations in its coverage area. The Licensee states

that the radio station's prayer programmes are hosted by various ministers coming from Randfontein, Kagiso, Ennerdale, Roodepoort and surrounding areas. Further, the Licensee states that its sermons and devotions also include airtime sold to diverse ministries and denominations.

The Licensee was found to be compliant with clause 8.2 of the schedule to the licence.

Clause 8.3 of the schedule to the licence provides that:

"The Licensee shall establish and maintain programming committees to promote community participation in its coverage area to cater for the programming needs of members of areas such as Randfontein, Kagiso, Ennedale, Roodepoort and surrounding areas".

The Licensee states that it has a community forum that represents the communities in its broadcast areas. According to the Licensee, the forum is responsible for highlighting various programming needs from the community that may be addressed either on air or with a community event/workshop.

The Licensee was found to be compliant with clause 8.3 of the schedule to the licence.

Clause 8.4 of the schedule to the licence states that:

"60% of the Licensee's talk programmes shall be aimed at education, culture, literacy, health and information. This shall include informal education such as skills development".

The Licensee states that Rainbow Christian Community Radio's programming is educational and informative. The radio station supplements the programmes with local experts and specialists in different fields such as medicine/health, labour law, socio-economic issues, etc.

The Licensee was found to be compliant with clause 8.4 of the schedule to the licence.

Clause 8.5 of the schedule to the licence states that:

"The Licensee shall broadcast programmes that relate to children, adults, youth, women and the elderly".

Rainbow Christian Community Radio's programmes cater for various ages and facets of the community. The monitoring exercise confirms that the radio station broadcasts a programme called "**Kids' Corner**" on Sundays, to educate children about Bible stories. "**Top Tunes Reloaded**" broadcasts on Saturdays and targets the youth. One of the programmes monitored was about music as a career. The studio guests interviewed were young people that are new in music. "**Cornerstone**", "**NIV**", "**Rhythm of Life**" and other programmes accommodate adults, youth, women and the elderly.

The Licensee was found to be compliant with clause 8.5 of the schedule to the licence.

Clause 8.6 of the schedule to the licence states that:

"The Licensee shall employ three to four full time staff members in order to collect and disseminate news".

The Licensee states that Rainbow Christian Community Radio's newsroom has nine (9) full time staff members who collect and disseminate news.

The Licensee was found to be compliant with clause 8.6 of the schedule to the licence.

4. REGULATIONS

4.1 Complaints Received

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A¹² which reports on all complaints received during the financial year under review. The Licensee submitted its complaints 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). Any complaint related to code of conduct is dealt with by the Broadcasting Complaints Commission of South Africa (BCCSA). According to the Licensee, Rainbow Christian Community Radio did not receive complaints during the period under review.

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

4.2 South African Music Content Regulations

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".¹³

Rainbow Christian Community Radio is required by its licence to broadcast 40% of South African music. The monitoring exercise revealed that the radio station broadcast about 50% of South African music.

Artists such as *Dr Tumi, Lebo Segobela, Rebecca Malope, Thobekile, Lundi, Sechaba, Ntokozo Mbambo, Khaya Mthethwa, Nduduzo Matse, Friends and Praise* were identified.

¹² OFM Form 12A.

¹³ Appendix D: South African Music Content Regulations.

The Licensee was found to be compliant with Regulation 3.3 of the Regulations on South African Music Content.

4.3 Regulations on a Code on People with Disabilities

Regulation 3.1(a) of the 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 Rainbow Christian Community Radio's premises are accessible to people with disabilities. The Licensee states that the ramp at the premises entrance makes it easy for those with wheelchairs to access the offices and studio. Further, the Licensee states that in recent years, the radio station has made efforts to bring its services closer to those who are vulnerable, which includes people with disabilities, older persons and those in frail care.

The Licensee states that on 2 November 2017, Rainbow Christian Community Radio visited Andries Meyer Old Age Home, where it did an outside broadcast and hosted residents, some of whom were wheelchair users. Further, the radio station's programming caters for people with disabilities. One of the programmes called "**Dr GP**" whereby an invited medical doctor attends to the medical questions and inquiries raised by people with disabilities.

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

Regulation 3.1(c) of the Code on People with Disabilities states that:

"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 states that the radio station invites NGOs, government departments, and community workers involved in improving the lives of those

living with disabilities in order to engage them about disability projects and new developments.

The Licensee was found to be compliant with regulation 3.1(c) of the Code on People with Disabilities.

4.4 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences

Regulation 9(1)(a) of the Standard Terms and Conditions for Class Licences stipulates as follows:

"The Authority may, in the course of carrying out its obligations under the Act, require a Licensee to provide information, so as to enable it to:

Monitor and enforce compliance with licence conditions and other requirements of the Act and related legislation".¹⁴

During the year under review, the Authority did not identify non-compliance with regulation 9(1)(a) of the Standard Terms and Conditions for Class Licences.

The Licensee was found to be compliant with regulation 9(1)(a) of the Standard Terms and Conditions for Class Licences.

5 CONCLUSION

The Licensee has complied with most provisions of its licence conditions and applicable regulations, except for non-compliance with clauses 5.1.1 in relation to minutes of news broadcasts and 5.1.4 in relation to languages of broadcast.

6 APPENDICES

Appendix A: Rainbow Christian Community Radio's broadcasting service

¹⁴Appendix C: Regulations Regarding Standard Terms and Conditions for Class Licensees.

Appendix B: Rainbow Christian Community Radio's Constitution

Appendix C: Regulations Regarding Standard Terms and Conditions for Class Licensees

Appendix D: South African Music Content Regulations

Appendix E: Rainbow Christian Community Radio's Minutes of the Annual General Meeting; Minutes of General Meetings; and Minutes of the Board of Trustees.

Appendix F: Compliance Status of Rainbow Christian Community Radio's with Licence Terms and Conditions.