



# **NEW PAN HELLENIC VOICE ANNUAL COMPLIANCE REPORT**

**MARCH 2019**

## **2017/2018 ANNUAL COMPLIANCE REPORT**

### **NEW PAN HELLENIC VOICE**

**LICENCE PERIOD : 02 JULY 2018 – 01 JULY 2023**

#### **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>, the Electronic Communications Act<sup>3</sup> (ECA) and the Broadcasting Act<sup>4</sup> 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.

The following report is intended to give an account of New Pan Hellenic Voice's compliance performance with the terms and conditions as set out in its licence for the 2017/2018 financial year. Aspects of compliance that are measured comprise of the Licence Area, Community, Programming, South African Music Content Regulations, Regulations regarding Standard Terms and Conditions for Class Licences and Regulations on the Code on People with Disabilities.

#### **2. BACKGROUND**

New Pan Hellenic Voice is a class broadcasting, community of interest Licensee serving the Greek community residing in Johannesburg and surrounding areas in the Johannesburg Metropolitan Municipality, Gauteng Province. During the period under review, there was no audience measurement available due to the small sample size and insufficient data.

#### **3. COMPLIANCE ASSESSMENT**

##### **3.1 Licensee Details**

Clause 1 of the schedule to the licence stipulates that:

---

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

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

<sup>3</sup> Act No. 36 of 2005.

<sup>4</sup> Act No. 4 of 1999.

**1.1 Name of Company/Entity:** *New Pan Hellenic Voice, registration number 1996/004191/08*

**1.2 Control of Licensee:** *Control shall vest in the Board of Directors of a section 21 company (non-profit company) known as Hellenic Radio*

There were no changes reported by the Licensee regarding the name of the radio station and the controlling structure of the entity. Furthermore, the radio station identifies itself at regular intervals, with frequency number and areas of coverage.

**The Licensee complied with clause 1 of the licence.**

### **3.2 Licence Period**

Clause 2 of the schedule to the licence stipulates that:

*"This licence is valid for a period of five (5) years from the signature date"*

New Pan Hellenic Voice submitted its application for renewal and the licence was renewed on 31 May 2018. The licence is valid from 24 October 2018 – 23 October 2023.

**The Licensee complied with clause 2 of the licence.**

### **3.3 Licence Area**

Clause 3 of the schedule to the licence provides that the Licensee's coverage area is as outlined below:

*"The Licensee shall provide services to Johannesburg and surrounding areas in the City of Johannesburg Metropolitan Municipality in Gauteng Province as set out in the Licensee's radio frequency spectrum licence."*

The Licensee confirms that it broadcasts in the geographic area as set out in its frequency spectrum licence.

**The Licensee complies with clause 3 of the licence.**

### **3.4 Community**

Clause 4.1 of the schedule to the licence stipulates that:

*"The Licensee shall provide services to Greek community of interest residing within the geographic coverage area as specified herein."*

The Licensee provides broadcasting services to areas in Johannesburg and surrounding areas. These areas include Kempton Park; Benoni; Boksburg; Germiston; Alberton; Sandton; Randburg; Halfway House and surrounding areas. The station has not indicated any difficulties in reaching all their licenced areas. Furthermore, the Authority has not received any complaints from members of the public residing in the coverage area on issues related to poor coverage or interference.

**The Licensee complies with clause 4.1 of the licence.**

Clause 4.2 of the schedule to the licence provides as follows:

*"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 2 (two) meetings annually with its community focusing on programming and programming policies of the 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".*

The Licensee held its meeting on 28 March 2017, where various issues were discussed, and a new board of directors was elected. The Licensee reports that this was its first meeting in three years of being unable to hold an AGM due to logistical problems. However, reports of the previous financial years were presented and the community members we kept up to speed on the status of the radio station thus far. New Pan Hellenic Voice is one of the oldest community radio stations in South Africa, having been on air for 21 years. It also has an international following from across the world through its online streaming ability. The Licensee is able to inform; educate and entertain its relatively small audience with limited resources. It is therefore important for the Licensee to continue its close ties with its community members. The Licensee submitted proof of its meetings as well as the attendance register of the members.

**The Licensee complies with clause 4.2.1 and 4.2.2 of the licence.**

*Clause 4.2.3 The Licensee shall to hold Annual General Meetings (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, 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".*

The Licensee held an AGM on 28 March 2017, the purpose of the AGM was to provide feedback on the station's overall performance on operations, governance and programming, appointment of auditors and election of new directors. Reports were presented and adopted at the meeting, with minutes and attendance register submitted to the Authority.

**The Licensee complies with clause 4.2.3 of the licence.**

### **3.5 Programming**

Clause 5.1.1 of the schedule to the licence provides that:

*"The Licensee shall broadcast a total of eighty-five (85) minutes of 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 broadcasts news between 09h00 to 16h00. The Authority's monitoring exercise found that New Pan Hellenic Voice broadcasts news content in Greek. Furthermore, the Licensee broadcasts a series of community announcements with varying levels of importance from fundraising projects for the disabled and the elderly; to bursaries for the youth. These announcements are specifically targeted for the community of interest in the coverage area. An example of news items from New Pan Hellenic Voice is as follows (Note: The following news items were referenced with the assistance of Google Translate.)

- *"Οι υπουργοί Οικονομικών της Ευρωζώνης κατέληξαν σε μια "πολιτική συμφωνία" να χορηγήσουν στην Ελλάδα € 6,7 δισ. Σε χρήματα διάσωσης. Οι υπουργοί εξέφρασαν την ικανοποίησή τους για την πρόοδο που σημείωσε η Ελλάδα, θέτοντας την σε καλό δρόμο για να αφήσει το πρόγραμμα διάσωσης φέτος. Το οκταετές πρόγραμμα διάσωσης της Ελλάδας ξεκίνησε τη Δευτέρα με τους υπουργούς Οικονομικών της ευρωζώνης να εγκρίνουν νέα εισφορά μετρητών για τη χώρα. Το*

νέο σχέδιο διάσωσης των 6,7 δισ. Ευρώ (8,22 δισ. Δολάρια) είναι το τελευταίο από το τρίτο πακέτο χρηματοοικονομικής διάσωσης της Ελλάδας από χώρες της ευρωζώνης και το Διεθνές Νομισματικό Ταμείο από το 2010. «Έχουμε καλά νέα», δήλωσε ο Πορτογάλος υπουργός Οικονομικών Mario Centeno, επικεφαλής της Ευρωομάδας, ανακοινώνοντας τη συμφωνία στις Βρυξέλλες. Πρόσθεσε ότι η συμφωνία "αντικατοπτρίζει την τεράστια προσπάθεια και την εξαιρετική συνεργασία μεταξύ της ελληνικής κυβέρνησης και των θεσμικών οργάνων". Η απόφαση της Δευτέρας θέτει επίσης την Ελλάδα σε καλό δρόμο για να βγει από το τρέχον πρόγραμμα διάσωσης όταν λήξει τον Αύγουστο του τρέχοντος έτους. Στη συνέχεια, η χώρα αναμένεται να χρηματοδοτηθεί με απευθείας δανεισμό από τους επενδυτές.

- Η Τουρκία αντέδρασε με θυμό, αφού ένα ελληνικό δικαστήριο αποφάσισε να μην εκδώσει οκτώ Τούρκους στρατιώτες που κατηγορήθηκαν ότι συμμετείχαν σε απόπειρα πραξικοπήματος. Η Τουρκία κατηγορήσε την Ελλάδα για την αποτυχία της στην «καταπολέμηση της τρομοκρατίας» και δήλωσε ότι η απόφαση ήταν «πολιτικά παρακινήμενη». Οι οκτώ άνδρες έφυγαν σε ελικόπτερο στην Ελλάδα μετά από απόπειρα πραξικοπήματος τον περασμένο Ιούλιο, αλλά δήλωσαν ότι δεν εμπλέκονται. Ο προεδρεύων δικαστής Γιώργος Σακκάς δήλωσε ότι οι άνδρες ήταν απίθανο να λάβουν δίκαιη δίκη στην Τουρκία. Η Τουρκία απαίτησε να επιστρέψουν οι τρεις μεγαλύτερες εταιρείες, τρεις καπετάνιοι και δύο σερβιτόρ. Οι στρατιώτες υποστήριξαν ότι η ζωή τους θα κινδύνευε. Κατηγορούνται ότι παίζουν σημαντικό ρόλο στην απόπειρα πραξικοπήματος στις 15 Ιουλίου 2016 και ότι έχουν συνδέσμους με μια ομάδα που δήθεν προσπάθησε να δολοφονήσει τον Πρόεδρο Ρετζέπ Ταγίπ Ερντογάν τη νύχτα του απόπειρα πραξικοπήματος. "Διαμαρτύρονται για αυτή την απόφαση που εμποδίζει αυτά τα άτομα που έχουν απειλήσει τη ζωή του προέδρου μας και ανέλαβαν ενεργό ρόλο σε μια απόπειρα πραξικοπήματος που σκότωσε 248 από τους πολίτες μας ... από την εμφάνισή τους ενώπιον της τουρκικής δικαστικής εξουσίας" δήλωση. Σε αντίθεση με την απόφαση του Ανωτάτου Δικαστηρίου, ένα δικαστήριο της Κωνσταντινούπολης ενέκρινε αίτημα των εισαγγελέων για ένταλμα σύλληψης για τους οκτώ στρατιώτες.
- Περίπου 1.500 άτομα έχουν εκκενωθεί από ένα ξενοδοχείο και ένα νυχτερινό κέντρο διασκέδασης στο West End μετά από μια διαρροή αερίου που ανακαλύφθηκε τη νύχτα. Οι ξενώνες στο παγκοσμίως διάσημο νυχτερινό κέντρο Heaven περιέγραψαν το "χάος" καθώς αναγκάστηκαν να εγκαταλείψουν τον τόπο και να εκκενώσουν την περιοχή κοντά στο Strand λίγο μετά τις 2πμ. Οι αστυνομικοί και η Πυροσβεστική Υπηρεσία του Λονδίνου εργάζονταν στη σκηνή του Westminster στις πρώτες πρωινές

*ώρες της Τρίτης. Έχει ειπωθεί ότι τα μέλη του κοινού πρέπει να κρατηθούν μακριά, ενώ ο σταθμός Charing Cross και ορισμένοι δρόμοι έκλεισαν."*

**The Licensee complies with its news and information obligations.**

Clause 5.1.2 Local Content:

*"The Licensee shall broadcast a South African music content of 70%."*

The monitoring exercise found that the Licensee broadcasts an average of 90% of foreign music content, mainly Greek music content. This is in contradiction to clause 5.1.2 of its licence.

**The Licensee did not comply with the South African music content.**

Clause 5.1.3 of the schedule to the licence provides for the radio station's format as follows:

*"40% Talk and Music 60%"*

A radio station with a format of 60% Music and 40% Talk will have to broadcast 432 minutes of Talk and 648 minutes of Music as per the standard definition of the performance period. During the period under review, the monitoring exercise found that the radio station complies with its prescribed format.

This was evident on shows such as *The Religious Light*, which is a talk dominated religious program aired on Mondays between 19h00 and 20:00. Topics discussed during this show are light in substance and mainly targeted at a youthful audience.

**The Licensee complies with clause 5.1.1 of its licence.**

**3.6 Language(s) of broadcast**

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

*5.1.4.1 Greek – 65%;*

*5.1.4.2 English – 35%*

The monitoring exercise found that the principal language of broadcast is Greek along with some English content on certain programs.

**The Licensee complies with clause 5.1.4 of its licence.**

### **3.7 Notices and Addresses**

Clause 7 of the schedule to the licence stipulates that:

*"The Licensee chooses the following as its principal addresses"*

7.1 Postal Address: P O Box 4077 Edenvale 1610

7.2 Physical Address: Greek Sporting Club 7 Civin Drive Senderwood 2007

The Licensee confirms that its offices are situated at the above-stated address and that there haven't been any changes in that regard.

**The Licensee complies with clause 7 of its licence.**

## **4. REGULATIONS**

### **4.1 South African Music Content**

Regulation 3 (3) of the Regulations on South African Music Content as published on 23 March 2016 stipulates that:

*"A holder of a community sound broadcasting licence must ensure that after eighteen (18) months of the gazetting of these regulations, a minimum of 60%, increasing by 10% annually to reach 80% 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".*

For the period under review, the obligation in accordance with the SA Music regulations above was that at least 60% of the musical works broadcast in the performance period, consist of South African music.

The Authority's monitoring exercise found that the radio station broadcasts at least 90% of Greek music content. Some of the artists featured on New Pan Hellenic Voice's playlists are: Tolis Voskopoulos, Giannis Pouloupoulos, Giorgos Zampetas



Filippos Nikolaou, Elefetheria Arvanitaki, Lalo Mora, Violeta Ikari, Zoi Papadopoulou, Petros Iakovidis, Giorgos Sabanis, Giorgos Tsalikis and many other Greek artists. The monitoring exercise did not find any South African music content on the Licensee's playlist.

**The Licensee does not comply with the South African Music Content Regulations.**

#### **4.2 Regulations regarding Standard Terms and Conditions for Class Licences**

For the period under review, the Authority did not find any area of non-compliance with the standard terms and conditions for class licences.

**The Licensee complies with the regulations on Standard Terms and Conditions for Class Licences.**

#### **4.3 Regulations on the Code on People with Disabilities**

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

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

In its broadcasting content, the Licensee endeavours to include topics that talk to various disabilities, especially in older generations. These topics include information on where people can get assistance with regards to certain disabilities and how communities can donate to organizations that help persons with disabilities.

**The Licensee complies with the regulations on the Code on People with Disabilities.**

### **5. CONCLUSION**

The Licensee generally complied with its licence condition with exception to the South Africa music content obligations. The Authority will take this up with the Licensee for corrective measures to be taken. Furthermore, the Licensee, being a community of interest station serves as a classic example of community engagement and community support. The Licensee's service to the Greek community in Johannesburg is applauded.

## **6. TERMS OF REFERENCE**

- 6.1 Annexure A: New Pan Hellenic Voice Class broadcasting service and spectrum licence;
- 6.2 Annexure B: Regulations on South African Music Content;
- 6.3 Annexure C: Regulations on Standard Terms and Conditions for Class Licences; and
- 6.4 Annexure D: Regulations on the Code for People with Disabilities