



# **RADIO 2000 ANNUAL COMPLIANCE REPORT**

**MARCH 2019**

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

### **SOUTH AFRICAN BROADCASTING CORPORATION BROADCASTING AS RADIO 2000**

**LICENCE PERIOD : 18 DECEMBER 2008 - 17 DECEMBER 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>, 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 purpose of this report is to give an account of Radio 2000's compliance 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 Format, Local Content Obligations, General Programming Obligations, Training and Skills Development, Finances, Complaints, South African Music Content Regulations, Regulations Regarding Standard Terms and Conditions, Universal Service and Access Fund (USAF) Regulations, Code on People with Disabilities and General Licence Fees Regulations.

#### **2. BACKGROUND**

Radio 2000 is an Individual Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full radio spectrum service in South Africa. In other words, the radio station provides a

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<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

balanced range of broadcast content such as educational programming, drama programming, news and current affairs programming, sports and content of national interest. According to the Broadcast Research Council of South Africa (BRC), the listenership figures for the last quarter of the period under review stood at 442 000<sup>5</sup>, a 19% increase from the previous reporting period.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Ownership and Control**

Clause 1 of the licence stipulates that:

- 1.1 *"Name of company/entity: The South African Broadcasting Corporation*
- 1.2 *Shareholders: The State shall hold one hundred (100%) percent of the shares of the Corporation*
- 1.3 *Ownership by persons from historically disadvantaged groups: N/A"*

There were no changes on the name and shareholding of the Licensee. Radio 2000 forms part of the public service division of the SABC and is 100% owned by the State.

**The Licensee complied with clauses 1.1, 1.2 and 1.3 of the licence.**

#### **3.2 Geographic Coverage Area**

Clause 2 of the schedule to the licence states that:

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

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<sup>5</sup> <https://brcsa.org.za/brc-rfm-radio-listening-oct17-mar18-jan18-jun18/>

According to its frequency spectrum licence, Radio 2000 has a national footprint. For the period under review, there were no complaints lodged against the Licensee regarding its coverage area. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

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

### **3.3 Language(s)**

Clause 3 of the licence states that the language of broadcast is as follows:

*"The principal language is a balanced range of official languages".*

The Authority's monitoring exercise found that Radio 2000's main language of broadcast is English with some references to other official languages during various programmes. Upon further inspection, whereas clause 3 of its licence states that as a principal language, the Licensee will make use of *"a balanced range of official languages"*, this was not the findings of the monitoring exercise. The balance is skewed towards English as its main language of broadcast, and although there are some references of other languages during different shows such as *The Drive Time Experience*, there is no balance amongst any other official languages as English is the only dominant language of broadcast.

**The Licensee did not comply with clause 3 above.**

### **3.4 Format**

Clause 4.1 of the licence states that:

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

Radio 2000 forms part of the public service stations of the SABC and offers a full-spectrum service to its audience as outlined in the licence. This was confirmed during the Authority's monitoring exercise which found that the station broadcasts different

topical issues of national interest. The program line-up ranges from shows such as *Tribe*, which is a weekend breakfast show that focuses on music and listener interaction; *Lunch on 2000* which is a weekly lifestyle show that also shares music and information as well as sports updates.

Clause 4.2 of the licence states that:

*"The licensed service shall be a facility service in a balanced range of genres (including education, sports, religious programming and music) broadcast in a balanced range of official languages".*

The Licensee's programming line-up reflects a balanced range of genres that appeals to various audiences. The following shows are examples of Radio 2000's diverse programme content:

*Lunch on 2000* – A lifestyle show on weekdays between 12:00 – 15:00 that deals with light topics and interviews with personalities from different walks of life. During the monitoring exercise, the show was celebrating Africa Week, playing classics coming out of the African continent as well as taking calls from listeners to share their memories of the old African classics such as Leta Mbuli and Youssou N'Dour.

*Game on* – A show that airs every week between 18:00 – 19:00 that provides a daily round-up of all things sport.

**The Licensee complied with clause 4.1 and 4.2 of the licence.**

### **3.5 General programming obligations**

#### **3.5.1 General**

Clause 6.1 of the licence states that:

*"The licensee shall ensure that its programming adequately reflects the diversity of South Africa's Religions".*

The SABC's editorial policy<sup>6</sup> stipulates that:

*"Religious programmes should take account of regional factors, target audiences, language and cultural preferences, and the devotional needs of specific groups".*

On *Tribe*, a music and lifestyle show on weekend mornings between 06:00 – 09:00 has a segment with Pastor VTJ from the Calvary Christian Church, where the pastor shares a brief sermon for the day and a short prayer to end off.

**The Licensee complied with clause 6.1 above.**

Clause 6.1.2 of the licence stipulates that:

*"The Licensee should take reasonable steps to provide programming that reflects the cultural and tradition needs of the audience".*

The monitoring exercise found that one of the highlights of its program offering is its sports content. Radio 2000 offers a distinct package of live sports for different audiences. These include soccer; cricket; rugby and some boxing. In its own unique way and consistent with its identity, it is safe to say sports is embedded within the Licensee's tradition and culture. The audience interaction and interest in various sports programs confirm this position.

**The Licensee complied with clause 6.1.2 above.**

Clause 6.1.3 of the licence stipulates that:

*"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*

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<sup>6</sup> An extract from the Licensee's Editorial Policy

*society and shall provide programming on health-related issues, gender issues relevant to all age groups”.*

The monitoring exercise found shows dealing with health topics and empowerment programs for women. On *Emlangeni*, a guest was interviewed on an upcoming summit called African Odyssey – an African women empowerment summit that will be focusing on women in fashion and the opportunities available in that particular industry. On another program called *Lunch on 2000*, there is a feature on Mondays where health issues are discussed from hypertension to flu shots in winter. These wide-ranging topics appeal to audiences from different backgrounds and age groups.

**The Licensee complied with clause 6.1.3 above.**

### **3.6 Programming for People Living with Disabilities**

Clause 7 of the licence stipulates that:

*“The Licensee shall in the provision of the licensed service, ensure that people with disabilities regularly feature and participate in its programme material in accordance with the Integrated Disability Strategy”.*

The SABC conducted different campaigns to encourage disability declarations for the reasonable accommodation of employees with disabilities. Further, accessibility audits were conducted and the SABC has started to implement the audit findings to ensure that the physical workplace is accessible for persons with disabilities.

The Licensee hosted National Disability Rights Awareness Month from 3 November until 3 December. During this period the SABC created internal disability awareness.

The following were some of the disability awareness campaigns hosted by the Licensee:

- National Blind Buddy Day;
- Albinism Awareness;

- Deaf Awareness; and
- Casual day.

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

### **3.6 Training and Skills Developments Obligations**

Clause 7 of the licence states the following:

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

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 87% of its employees are from designated groups.



The SABC states that its Learning and Development delivery during the period under review was slow due to financial constraints and that the delivery was on urgent and critical needs of the organisation. The SABC submits that under the period of review, it delivered 701 training interventions to 515 employees. Of the 515 employees that were trained, 379 were trained in accordance with the SABC's Work Skills Plan and 136 were trained based on operational requirements.

Further, the majority of these employees were from designated groups which 87% were black, 49,5% were female and 1,75% were persons with disabilities.

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 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.

7.4 The Licensee must, within thirty (30) days of the end of each financial year, provide the Authority the written information regarding its compliance with the above requirements."

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

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

### **3.7 Provision of Audited Financial statements to the Authority**

Clause 8 of the licence stipulates that:

*"The 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 extension".*

The Licensee submitted its Audited Financial Statements for the 2017/2018 financial year within the stipulated timeframe.

**The Licensee complied with clause 8 of its licence.**

## **4. REGULATIONS**

### **4.1. ICASA South African Music Content Regulations**

Regulation 3 (2) of the South African Music Content<sup>7</sup> as published on 23 March 2016 stipulates that:

*"A holder of a public sound broadcasting service licence must ensure that after eighteen (18) months from the date of gazetting of these Regulations, a minimum of 60% increasing to 70% in the following year, of the musical works broadcast in the performance period, consist of South African music and that South African music is spread evenly throughout the performance period."*

Radio 2000's music content constituted 68% of South African Music. Radio 2000 predominantly plays adult contemporary music with emphasis on old school pop, African pop, Reggae, soulful music, and world music. Artists featured on the station's playlist are *Lucky Dube; Thandiswa; Mariam Makeba; Gloria Bosman; Tutu Puoane; Zonke* and many others.

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<sup>7</sup> South African Music Content Regulations

**The Licensee complies with regulation 3.2 of the South African Music Content Regulations.**

#### **4.2 Regulations Regarding Standard Terms and Conditions for Individual Licences**

Regulation 11 (3) of the Standard Terms and Conditions<sup>8</sup> stipulates that:

*"A station must clearly identify itself at intervals of not more than thirty (30) minutes."*

Radio 2000's promos were identified during the period under review and these were broadcast at regular intervals. The promos carried the name of the station and frequency details. There was no incident of non-compliance with the Standard Terms and Conditions for Individual Licences found.

**The Licensee complied with the Standard Terms and Conditions for Individual Licences.**

#### **4.3 Universal Service and Access Fund Regulations**

Regulation 3 of the USAF Regulations<sup>9</sup> stipulates 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 BS 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".*

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<sup>8</sup> Regulations regarding the Standard Terms and Conditions for Individual Licensee's

<sup>9</sup> Universal Service and Access Fund Regulations

The Authority received confirmation of payment in a form of a Section 18A certificate from the MDDA and the Licensee submitted proof of payment to the Authority.

**The Licensee complied with the regulations in respect of Universal Service and Access Fund.**

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

Clause 3.1 (a) of the Code on People with Disabilities 2007, states that:

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

The SABC conducted different campaigns to encourage disability declarations for the reasonable accommodation of employees with disabilities. Further, accessibility audits were conducted and the SABC has started to implement the audit findings to ensure that the physical workplace is accessible for persons with disabilities.

Clause 3.1 (c) 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".*

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 hosted National Disability Rights Awareness Month from 3 November until 3 December. During this period the SABC created internal 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 through It's Take A Girl To Work initiative that focused on scholars with disabilities.

The SABC also reported that employees with disabilities represent 2.34%, an increase from the previous reporting period. Employees with disabilities are employed on different occupational levels with majority representation on the Skilled, Technical and academically qualified levels.

Further, Producers are encouraged to establish relationships with organisations for people with disabilities to use for content when the need arises.

To improve the representation of employees with disabilities, the SABC's recruitment efforts will remain targeted. The SABC also intend to accelerate disability declaration campaigns that will aid in the improvement of employees with disability representation as well as providing reasonable accommodation.

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

#### **4.5 COMPLAINTS**

Form 12A: Complaints Report of the Compliance Procedure Manual Regulations read with the Code of Conduct for Broadcasters requires that broadcasters complete the form bi-annually in accordance with the Licensees' Financial Year.

The Licensee received one (1) complaint during the period under review. The nature of the complaint was described as hate speech. The Licensee responded to the complainant within the regulated timeframes.

**In terms of the requirements prescribed by Form 12A of the Compliance Procedure Manual Regulations; the Licensee complied with the obligation.**

## **5. CONCLUSION**

During the period under review, the Licensee has complied with its licence terms and conditions and related regulations that govern public broadcasters, with exception to the non-compliance on languages. The Licensee must consider amending the clause on languages so that it states clearly which principal language the Licensee uses, this is to avoid any expectation that may arise as a result of the interpretation of the words "*a balanced range of official languages*". The Authority will take this matter up with the Licensee.

## **4. TERMS OF REFERENCE**

Annexure A	: Radio 2000's Broadcasting Service Licence
Annexure B	: Radio 2000's Frequency Spectrum Licence
Annexure C	: Extract from the Licensee's Editorial Policy
Annexure D	: Training & Skills Development Report
Annexure E	: Regulations regarding the standard terms and condition
Annexure F	: Universal Service and Access Fund Regulations
Annexure G	: Regulations on the code for people with disabilities
Annexure H	: Proof of SABC's Contribution to USAF