



RADIO LAEVELD ANNUAL COMPLIANCE REPORT

MARCH 2019

2017/2018 ANNUAL COMPLIANCE REPORT

ROCASAT NPC BROADCASTING AS RADIO LAEVELD

Licence Period: 29 October 2018 – 28 October 2023

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 relevant legislation and Regulations.

This report is intended to give account of Rocasat NPC'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 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

On 07 May 2018 a renewed class broadcasting service licence was issued to Rocasat NPC with licence number Class/Re/Com/R56/May/18, broadcasting as Radio Laeveld (Radio Laeveld). As per the licence, Bok Radio provides services to Witrivier, Graskop, Sabie, Nelspruit, Malelane, Kaap Muiden, Barbeton, Hazyview, Kamatipoort and surrounding areas in the Mpumalanga Province as set out in the Licensee's Radio Frequency Spectrum Licence.

3. COMPLIANCE ASSESSMENT

3.1 Licensee

Clause 1 of the licence provides that:

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

² ICASA Act No 13, 2000 as amended.

³ Electronic Communications Act No 36, 2005.

⁴ Act No. 4 of 1999.

"The Licence⁵ is issued to:

1.1. Name of entity: Rocasat NPC

1.2. Name of the Station: Radio Laeveld

1.3. Control of the Licensee: Control shall vest in the Board of Directors of Rocasat NPC."

No changes regarding clause 1 was submitted to the Authority by the Licensee.

The Licensee is compliant with clause 1 of its service licence.

3.2 Licence Period

Clause 2 of the licence provides that:

"2.1 The effective date of the Licence is 29 October 2018.

2.2 The Licence shall expire on 28 October 2023."

The licence is currently up to date. The Licensee shall be reminded of its eligibility to submit a renewal application in accordance with the prescribed regulatory timeframes.

The Licensee is compliant with clause 2 of its service licence.

3.3 Licence Area

Clause 3 of the licence provides that:

"The Licensee shall provide services to Witrivier, Graskop, Sabie, Nelspruit, Malelane, Kaap Muiden, Barbeton, Hazyview, Komatipoort and surrounding areas in the Mpumalanga Province, as set out in the Licensee's radio frequency spectrum licence."

Radio Laeveld's coverage area remains as prescribed in the licence terms and conditions. In the year under review, the Authority did not receive any reports or complaints indicating that the radio station has gone beyond its licensed area.

The Licensee complies with clause 3 of its Licence.

3.4 Community

Clause 4.1 of the licence provides that:

"4.1 The Licensee shall provide services to a Boere-Afrikaner community of interest residing within the geographic coverage area specified herein."

⁵ Annexure A: Radio Laeveld's Broadcasting Service Licence

The Licensee confirms that its services are offered to a Boere-Afrikaner community of interest residing within its coverage area. This was confirmed during the monitoring exercise through the programming content, advertising and music selection as broadcast by the Licensee.

The Licensee complies with clause 4.1 of its Licence.

Clause 4.2 of the licence provides that:

"4.2 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 quarterly meetings 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 the attendance thereof by members of the community.

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,

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 is required to hold quarterly meetings with its community. During the period under review, the Licensee submits that it did not hold quarterly meetings, instead the Licensee opted to conduct an online survey through its website. The survey asked listeners what type of music they would like to hear, what topics they were interested in and suggestions pertaining to how the Licensee could be more involved in the community.

Further, the Licensee conducted another survey in June 2017 at the *Innibos Festival*. Listeners were once again requested to provide feedback regarding what their favourite program was, what they would like to hear more of and what time during the day they listened to the radio station.

The feedback received from the listeners, from the above-mentioned surveys, were sent to the Authority. Although the Licensee does not fully comply with the requirement to hold quarterly meetings with its community, there is an active effort to gauge how the radio station can improve in line with the feedback from the community.

The Licensee held its Annual General Meeting on the 27th of March 2018. The meeting was held at the Protea Hotel in Nelspruit. The agenda, minutes and attendance register thereof were submitted to the Authority. As per the minutes of the AGM, feedback was provided regarding the operations of the Licensee, its finances as well as the election of a new board member.

The Licensee partially complies with clause 4.2 of its licence.

3.5 Programming

Clause 5.1.1 of the licence provides that:

"News and Information: The Licensee shall broadcast a total of 120 minutes of news per day which shall include community announcements."

The monitoring exercise found that the Licensee broadcast news between the 07h00 and 18h00, twelve (12) news bulletins were found per day. The Licensee also has a segment where it reads the frontpage stories of several newspapers across the country. The total news as broadcast per day by the Licensee averages under fifty (50) minutes.

Further the Licensee broadcast community announcements that include traffic and weather updates on a regular basis. As well as the program *"Laeveld Dagboek"* that updates the listenership of its events and activities that are happening in and around the licence area. The Licensee also broadcasts announcement of birthdays and anniversaries of its listeners. *"Vlooi Mark"* is a daily program that allows members of the community to make announcements the purpose of which is to sell or swop their products as well as advertising their skills and qualifications in pursuit of finding a job. This is facilitated through the Licensee's WhatsApp where members of the community can send in their messages.

Some of the news that was broadcast include:

- *"Die gekorsde finansiële hoof bestuurder van Eskom, Anoj Singh, het onmiddellik bedank. Singh is in September verlede jaar deur kragvoorsiener Eskom na bewerings gekors dat hy betrokke was by onreelmatige toekening van kontrakte aan besighede met Gupta-bande en ook geskenke en gratis reise van die omstrede familie ontvang het."*

- *"Die Minister van Kuns en Kultuur, Nathi Mthethwa, was een van die eerstes om hulde te bring aan Hugh Masekela. Hugh het sy stryd teen prostaatkanker op 78 verloor. Mthethwa sê 'n kremetart boom het geval toe die volk 'n musikant wat eenig in sy soort was, verloor het. Hy sê Masekela was een van die groot argitekte van afro-jazz en hy het hom geprys vir die opheffing van die siel van die nasie deur sy tydlose musiek."*
- *"Die Raad van Transnet en sy uitvoerende bestuurders verksyn vandag voor in die parlement om vrae te beantwoord oor afwykings en uitbreidings van kontrakte ter waarde van miljoene rande. Verlede jaar het die uitvoerende hoof beampte van Transnet, Siyabonga Gama, vir die kommittee gesê dat die maatskappy 'n interne ondersoek van stapel gestuur het na ten minste ses kontrakte waarby maatskappye met Gupta-bande betrokke is."*
- *"Die beslagleggingseenheid het 'n ultimatum uitgereik aan die SA Federasie van vakbonde om die regsproses oor staatskapping te bespoedig of om hulself aan regsgeding bloot te stel."*

The Licensee is compliant with clause 5.1.1 of its licence.

Clause 5.1.2 of the licence provides that:

"The Licensee shall broadcast South African music content 40%."

The Licensee monthly logs indicate that it broadcasts a minimum of sixty-five (65%) percent South African music tracks on average. The Licensee further conducts interviews with artists and promotes new releases. These format factors take the Licensee's average South African Music content to over the requirement.

The following is some of the South African music content found during the period under review:

Carlke Keuzenkamp "Dit Reën In Tsitsikamma"; Alwyn Oberholster "Soen My, Druk My"; Mwah "Magneties"; Elizma Theron "Hoekom Kom Jy Terug Vir Meer"; Nadine "Stuur My Jou Kombers"; Jennifer Zamudio "Wys My Jou Hart"; Marie Bosman "Mure Val"; Riana Nel "The Story"; Kurt Darren "'n Man Het Mos Ook 'n Hart"; Alanda "Skielik"; Lianie May "Jy Soen My Nie Meer Nie"; Steve Hofmeyr "Breek Jou Lofte".

The Licensee is compliant with clause 5.1.2 of its licence.

Clause 5.1.3 of the licence states that:

"Talk vs Music: 60% talk vs 40% music"

The monitoring exercise found that the Licensee broadcasts more music than it does talk content. This is confirmed by the logs as submitted by the Licensee, indicating that music on average makes up fifty-five (55) percent of its programming.

The Licensee is non-compliant with clause 5.1.3 of its Licence.

Clause 5.1.4 of the licence states that:

"Language(s) of broadcast:

5.1.4.1 Afrikaans – 90%; and

5.1.4.2 English – 10%".

The monitoring exercise found that Afrikaans was the principal language of broadcast of the Licensee, with English being sporadically used during programming.

The Licensee complies with clause 5.1.4 of its Licence.

3.6 Promise of performance

Clause 8.1 of the licence states that:

"The Licensee shall broadcast 100% local programming."

The Licensee confirms that 100% of its programming is sourced locally. This was evident during the monitoring exercise as the programming of the Licensee had a distinctive South African character.

The Licensee complies with clause 8.1 of its Licence.

Clause 8.2 of the licence prescribes as follows:

"60% of the Licensee's talk programming content shall be aimed at the promotion of literacy, education, community upliftment and informational programming. This will include informal education such as skills development and health issues."

The Licensee broadcasts programmes such as:

- ***"Afrikaans Aktueel"*** which focuses on the Afrikaans language as well as other topics such as how to prepare a child for school, the program also explores the bond between sisters amongst other topics.
- ***"Wiele, twee wiele"*** is a program that provides information to motor enthusiasts.

- "Landbou Radio" is broadcast daily and focuses on all aspects of agriculture that are of relevance of the Boere-Afrikaner community of interest that the Licensee serves.
- "Frans Kook" is a segment where recipes and their origins are shared with the audience. The Licensee encourages participation of its audience through its social media and SMS line. Further, the listeners are uplifted through the various pastors who bring inspirational and motivational messages.
- "So Leef Ons" is a health-related program.

The Licensee also broadcast book readings. One of the books that was read during the period under review is "Ek Was Daar" by Philip Venter.

The Licensee complies with clause 8.2 of its licence.

Clause 8.3 of the licence provides that:

"The Licensee shall broadcast programmes related to children, scholars, students, adults, the aged and youth."

The programmes identified under clause 8.2 above are of relevance to difference age groups of the Boere-Afrikaans community. The Licensee's programming is well balanced and caters to all age groups.

The Licensee is compliant with clause 8.3 of its Licence.

4. REGULATIONS

4.1 South African Music Content Regulations

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

*"A holder of a community sound broadcasting service licence must ensure that after eighteen 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 evenly throughout the performance period"*⁶.

⁶ Appendix B: South African Music Content Regulations.

The information as submitted by the Licensee indicates that the Licensee plays a minimum of 70% of South African music content. The monitoring exercise confirms that the Licensee plays a substantial amount of South African music throughout the performance period. Further, the Licensee promotes new release of South African artists as well as interviews with such artists during its segment "*Show Time*". These format factors, as per the Regulations, contribute to the total South African music content of the Licensee.

The Licensee complies 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 12A which reports on all complaints received during each financial year. In the year under review, the Licensee submitted the required Form 12A.

The Licensee is compliant with the Compliance Procedure Manual as stated above.

4.3 Regulations regarding Standard Terms and Conditions for Class 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 Class Licences⁷.

The Licensee complies with the Standard Terms and Conditions for Class Broadcasting Service Licensees.

4.5 Code on People with Disabilities

The Code for People with Disabilities require that broadcasting service Licensees ensure that their services are made available and accessible to people with disabilities⁸.

The Licensee is inclusive towards people living with disabilities. It regularly supports organisations for people with disabilities through sponsorships and/or exposure on air. These organisations include amongst others the Dasha Foundation for the Disabled and the Mpumalanga Association of persons with Disabilities. The Licensee further provided a

⁷ Appendix C: Regulations regarding Standard Terms and Conditions for Class Licensees.

⁸ Appendix D: Code for People with Disabilities.

platform for Tracy Todd, whom is a quadriplegic. Tracy was given exposure on air for the launch of her book "Brave Lotus Flower Rides the Dragon".

The Licensee complies with the Code on People with Disabilities.

5. CONCLUSION

The Monitoring exercise found that the Licensee complies with the majority of its obligations. The areas of non-compliance regarding the split of its music and talk content as well as the non-compliance regarding the quarterly community meetings will be brought to the attention of the Licensee. The Authority will continue to monitor the compliance of the Licensee during the next financial year.

6. TERMS OF REFERENCE

- 6.1. Annexure A: Radio Laeveld's Class broadcasting service and spectrum licence;
- 6.2. Annexure B: Regulations on South African Music;
- 6.3. Annexure C: Regulations on Standard Terms and Conditions for Class Licences;
and
- 6.4. Annexure D: Code for People with Disabilities.