



THOBELA FM ANNUAL COMPLIANCE REPORT

MARCH 2019

2017/2018 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION BROADCASTING AS THOBELA FM

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 Constitution¹, the ICASA Act², the Electronic Communications Act³ (ECA) and the Broadcasting Act⁴ 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 Thobela FM'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

Thobela FM is an Individual Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full spectrum service to the geographic areas⁵ of Gauteng;

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

² Act No. 13 of 2000, as amended

³ Act No. 36 of 2005

⁴ Act No. 4 of 1999

⁵ Frequency Spectrum Licence

Mpumalanga and Limpopo. The radio station is located in Polokwane, Limpopo Province. According to the Broadcast Research Council of South Africa (BRC), the listenership figures for the last quarter of the period under review was 2 771 000⁶, retaining on its number five (5) spot in South Africa's biggest radio stations by listenership. However, the radio station's listenership is down 2.4% from the same period in the previous year.

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 reported on the name and shareholding of the Licensee. Thobela FM forms part of the public service division of the SABC and is 100% owned by the State.

The Licensee complies with clauses 1.1, 1.2 and 1.3 of its licence.

3.2 Geographic Coverage Area

Clause 2 of the licence states that:

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

⁶ <https://brcsa.org.za/brc-ram-radio-listening-oct17-mar18-jan18-jun18/>

According to the frequency spectrum licence, the radio station's coverage areas are Gauteng, Mpumalanga and Limpopo. The transmitter sites are located in Blouberg; Dullstroom; Ga-Mabula; Haenertsburg; Hoedspruit; Johannesburg; Kwaggafontein; Louis Trichardt; Middleburg; Nylstroom; Potgietersrus; Pretoria; Thabazimbi; Tolwe and Tzaneen. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

The Licensee complies with clause 2 of the licence.

3.3 Language(s)

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

"Principal Language: Sepedi".

The Authority's monitoring exercise confirmed that Thobela FM's principal language of broadcast is Sepedi. This is applicable to all programmes including news and other broadcasts such as advertisements and live sports commentary.

The Licensee complies 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".

Clause 4.2 stipulates that:

"The licensed service shall be a full-spectrum service".

Thobela FM 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 engages in different topical issues of national interest across its programming offering.

The Licensee complies with clause 4.1 of the licence.

3.4 Local Content Obligations

Clause 5 of the licence stipulates that:

"In each licence year, the Licensee shall, within thirty (30) days of the end of the quarter, submit to the Authority written records indicating the extent of:

Clause 5.1 different genres; and

Clause 5.2 South African Music Content in programme material broadcast in the licensed service during that quarter, in each instance, distinguishing between genres, providing the relevant details in relation to prime time and the period between 05h00 and 23h00 daily ("the South African broadcast period"), and expressing relevant details both as an aggregate in minutes and as a percentage of the total of all such programming material".

The SABC's Thobela FM submitted its quarterly reports for the period under review as reflected in the tables below in line with the Compliance Procedure Manual Regulations. The figures show Thobela FM's compliance with the quotas set out by the Authority. These figures were verified during the Authority's monitoring exercise.

First Quarter April – June 2017

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	THOBELA FM's Provision In week (Minutes Daily/Weekly)	THOBELA FM's Compliance (%)
News	60min (Daily)	104 min (Daily) 60 (Saturday) 60 (Sunday)	100%
Current Affairs	60min (Daily)	120 (Daily) 60 (Saturday) 60 (Sunday)	100%

<i>IKB</i>	<i>180min (Weekly)</i>	<i>312min (Weekly)</i>	<i>100%</i>
<i>Education</i>	<i>300min (Weekly)</i>	<i>300min (Weekly)</i>	<i>100%</i>
<i>Children</i>	<i>60 min (Weekly)</i>	<i>80min (Weekly)</i>	<i>100%</i>
<i>Drama</i>	<i>150min (Weekly)</i>	<i>250min (Weekly)</i>	<i>100%</i>

Second Quarter July – September 2017

<i>Content/ Genre</i>	<i>ICASA Quota (Minutes Daily/Weekly)</i>	<i>THOBELA FM's Provision in (Minutes Daily/Weekly)</i>	<i>THOBELA FM's Compliance (%)</i>
<i>News</i>	<i>60min (Daily)</i>	<i>87min (Daily) 60 (Saturday) 60 (Sunday)</i>	<i>100%</i>
<i>Current Affairs</i>	<i>60min (Daily)</i>	<i>120 (Daily) 60 (Saturday) 60 (Sunday)</i>	<i>100%</i>
<i>IKB</i>	<i>180min (Weekly)</i>	<i>312min (Weekly)</i>	<i>100%</i>
<i>Education</i>	<i>300min (Weekly)</i>	<i>300min (Weekly)</i>	<i>100%</i>
<i>Children</i>	<i>60 min (Weekly)</i>	<i>80min (Weekly)</i>	<i>100%</i>

<i>Drama</i>	<i>150min (Weekly)</i>	<i>250min (Weekly)</i>	<i>100%</i>

Third Quarter October – December 2017

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	THOBELA FM's Provision in (Minutes Daily/Weekly)	THOBELA FM's Compliance (%)
<i>News</i>	<i>60min (Daily)</i>	<i>104 min (Weekdays) 60 min (Saturday) 60 min (Sunday)</i>	<i>100%</i>
<i>Current Affairs</i>	<i>60min (Daily)</i>	<i>120 min (Daily) 60 min (Saturday) 60 min (Sunday)</i>	<i>100%</i>
<i>IKB</i>	<i>180min (Weekly)</i>	<i>312 min (Weekly)</i>	<i>100%</i>
<i>Education</i>	<i>300min (Weekly)</i>	<i>300 min (Weekly)</i>	<i>100%</i>
<i>Children</i>	<i>60 min (Weekly)</i>	<i>80 min (Weekly)</i>	<i>100%</i>
<i>Drama</i>	<i>150min (Weekly)</i>	<i>250 min (Weekly)</i>	<i>100%</i>

Fourth Quarter January – March 2018

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	THOBELA FM's Provision in (Minutes Daily/Weekly)	THOBELA FM's Compliance (%)
News	60min (Daily)	85 min (daily) 60 min (Saturday) 60 min (Sunday)	100%
Current Affairs	60min (Daily)	120 min (Daily) 60 min (Saturday) 60 min (Sunday)	100%
IKB	180min (Weekly)	312 min (Weekly)	100%
Education	300min (Weekly)	300 min (Weekly)	100%
Children	60 min (Weekly)	80 min (Weekly)	100%
Drama	150min (Weekly)	250 min (Weekly)	100%

The above quarterly submissions indicate compliance by Thobela FM with the set quotas during the 2017/2018 financial year.

3.5 General programming obligations

3.5.1 General

Clause 6.1.1 of the licence stipulates that:

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

The SABC's editorial policy⁷ stipulates that:

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

The monitoring exercise found a religious program called *"Lentsu ke bophelo"*, where sermons from different religious denominations are aired. These are normally pre-recorded sermons which were held at each specified church. The show is broadcast on Sundays between 21h30 – 22h00.

The Licensee complied with clause 6.1.1 of its licence.

Clause 6.1.2 of the licence stipulates that:

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

Thobela FM's popular wedding and events announcement show on Saturdays between 08h00 – 09h00 is a classic example of the Licensee's expression of different cultures and traditions of its audiences. The show, *Mekgolokwane*, presented by veteran radio host Moloko Mashamaite, is one of the oldest running shows at that radio station. To further demonstrate traditional expressions of its audience, the host starts the show with *"sereto sa Bakone/ Bakone nation's praise song"* which is captured as follows during the monitoring exercise:

"Ke nna Mashamaite a Mokone lefika letswalela ngope a le tswalele kgomo fela le marumo le a mo tswalela, ka nnete Mokone aa ntshi di kgolo tlogolo saa apela bela gatishera mokgohlwa a dibata, motho wabo masokong kwaa! Motho wabo mokgekolo waga babitsela, ke bolela ka motho wabo mmakwena".

The Licensee complied with clause 6.1.2 of its licence.

⁷ An extract from the Licensee's Editorial Policy

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

In its quarterly submission of a programme schedule, it appears the Licensee has not updated the name of its programmes according to what is being broadcast on air. The Licensee's program schedule must be updated to reflect what's being broadcast on air. The following programmes were monitored:

- **State Your Mind:** An educational programme targeted at teenagers from all backgrounds. The monitoring exercise found that the show discusses topics such as child trauma; depression amongst teens and the effects in education and the dangers of parents fighting in front of their children. The nature of the show is such that an expert on a topic is invited to discuss along with teenagers from various backgrounds. The show is broadcast on Saturdays between 09h00 – 10h00.
- **Ma-Afrika Tumelong:** a cultural show that celebrates Sepedi culture and educates audiences on various traditional practices and songs that are unique to the Bapedi nation. The show is broadcast on Sundays between 20h00 – 21h00.

These examples of shows demonstrate due regard for South Africans of all backgrounds and with different interests encompassing all age groups. The Licensee has a diverse line-up of programmes in line with the Public Broadcasters mandate.

The Licensee complied with clause 6.1.3 of its licence.

3.5.2 News and Current Affairs

Clause 6.2.1 of the licence stipulates that:

"The Licensee shall broadcast at least sixty (60) minutes of news programming each day during the South African performance period".

The SABC's quarterly submissions report that the Licensee broadcasts ninety-five (95) minutes of news each day.

The monitoring exercise identified at least eighty-five (85) minutes of news on each day of the week. News is broadcast each hour from 06h00 until 22h00 and at the bottom of each hour. An example of the news monitored is as follows:

- *"Maphodisa are aya go beya pele province ya Gauteng maitekong a ona go thibela le go lwantshana le bosinyi. Bare ke lebakanyana ba hlokomologa province yeo le gore bosinyi bo tswile taolong. Mo commissioner wa bosetshaba wa maphodisa wa motswa o swere Lesetja Mothiba obe a bolela pulong ya operational command centre ka station sa bogare sa maphodisa sa Johannesburg. "Gauteng is accounting for the bigger chunk of our crimes nationally, and its just making sense that we prioritize Gauteng because when Gauteng sneezes the whole of South Africa catches cold and I must confess that as the police management we were not prioritizing Gauteng. Quarantine Gauteng as a spatial problem and we're going to start channelling our resources or the majority of our resources in this province*
- *Maphodisa are aya go hloma lesolo la kgoparara la go fedisha di kgaruru kgahlanong le basadi le bana. Se se tseweeditse ke tona ya maphodisa Fikile Mbalula nakong ya ge abe ale kopanong yeo, Mbalula ore gago mosadi otl'a bushetswang morago ka station se sengwe le se sengwe sa maphodisa go gabaganya le naga kakong ye a leka go bula molato wa tlaisho kgahlanong le motho yoo a ratanang naye. "Most of the complaints that have been raised is that the cases that women report in the police stations are not taken seriously. I've got first hand experience of that, Ive got women who have been turned away in police stations and if women are going to undermine their right to fight abuse by being frivolous then they're undermining the cause and we must expose them, and the law will expose them.*
- *President Jacob Zuma ore ANC emo nakong yeo e hlokanng go kgetha baetapele ba mmakgonthe. Go lebeleletse sengwalwa sa mokgahlo seo se*

bitswago Through the Eye of the Needle. President obe a boledishana le kemedi yeo e tsenetswego lekgotla pharephare la province ya KwaZulu Natal la mokgahlo woo, ka Mpangeni. President Zuma o boletse malebana le mekgwa yeo esa kgahlishego yeo e senyago setso le botee bja mokgahlo wa ANC e bjalo ka go shomisha lenanego la bonkgetheng nakong ya ge go kgethwa moetapele. Ore baetapele bao ba kgethilwego ka leshobana la nalete, baya go dula ba botegile basa dire bo menetsa ebile bana le maitshwaro.

- *Modula setulo ka province ya KwaZulu Natal o sotse bo moahlogadi banabangwe ba mokgahlo ka baka la gore gaba kgathe tema nakong ya masolo ago rapa thekgo ya bakgethi mola babangwe basa nyake lego kgatha tema mananeong a mokgahlo. Zikala obe a bolela le kemedi nakong ya kopano yeo e tswelang pele ka Mpangeni. Ore ge mokgahlo oo obushago o amogela boipeletso bja bo mahloaadibona babangwe bja conference yago ahlaahla ditaba tsa ka mokgahlong, gokaba bokaone gore bo mahloaadibona bao ba ihlalose gore ke ka lebaka lang basa kgathe tema makaleng a mokgahlo"*

The Licensee complied with clause 6.2.1 of its licence.

Clause 6.2.2 of the licence stipulates that:

"The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period".

The Licensee's quarterly reports indicate that Thobela FM broadcasts hundred and twenty (120) minutes of current affairs programming per day during the South African performance period.

During weekdays, the monitoring exercise identified at least three (3) current affairs programmes, namely:

- *" Taba Kgolo Evening":* Current Affairs programme between 20:00 – 21:00

- *"Hlokwa la Tsela: Mantsiboa"*: Current Affairs Midday between 18:05 – 19:00 or 18:45 whereby Premier Soccer League (PSL) games are broadcast live; and
- *"Hlokwa la Tsela: Ntshebele. Motho o sebela ke wabo"*: Current Affairs Morning between 06:05 – 07:00.

On weekends, the monitoring exercise identified *Hlokwa la Tsela* between 06:00 and 07:00.

The Licensee complied with clause 6.2.2 of its licence.

Clause 6.2.3 of the licence stipulates that:

"The Licensee shall in the production of its news and current affairs programming:

- (i) Exercise full editorial control in respect of the contents of such programming;*
- (ii) Include matters of international, national, regional and where appropriate, local significance*
- (iii) Meet the highest standards of journalistic professionalism;*
- (iv) Provide fair, unbiased, impartial and balanced coverage independent from governmental, commercial or other interference; and*
- (v) Provide reasonable opportunity for the public to receive a variety of points of view on matters of public concern".*

The Licensee's editorial policies indicate that the Licensee exercises full editorial control in respect of contents of its programming. The editorial policies further indicate that the Licensee endeavours to meet the highest standards of journalistic professionalism. Furthermore, it provides fair, unbiased and impartial coverage independent from government, commercial or other interference.

During the period under review, the monitoring exercise revealed that Thobela FM broadcasts matters of national and international significance.

In its current affairs programmes, the radio station provides an opportunity for the public to receive a plurality of views on matters of public concern. The Licensee's Editorial Policies form part of the SABC's Charter.

The Licensee complied with clause 6.2.3 of its licence.

3.5.3 Programming targeted at Children

Clause 6.3.1 of the licence stipulates that:

"The Licensee shall, in the provision of the licensed service, broadcast at least one (1) hour programming targeted at children (as contemplated in section 10(1) (g) of the Broadcasting Act) per week during the South African performance period".

The Licensee submits that it has broadcast at least seventy-six (76) minutes of children's programming per week. The following is an example of a children's program identified during the monitoring exercise:

Lesang Bana, a Sunday school type of program teaching children about religious scriptures and interacting with the children over the phone on the message received through scripture reading. The show's name is derived from the book of Matthew 19:14 which says '*Lesang bana ba tle go nna, le se ke la ba thibela, gobane mmušo wa Modimo ke wa ba bjalo*' "*Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these.*". The show is broadcast on Sundays between 07:00 – 08:00.

The Licensee complied with clause 6.3.1 of the licence.

Clause 6.3.2 of the licence stipulates that:

"In the production of its children's programming, the Licensee shall ensure that children's programming is:

- (i) *broadcast at the times in the day when children are available to listen;*
- (ii) *Targeted at and appropriate for children between the ages of nought (0) to six (6) years and seven (7) to twelve (12) years respectively; and*
- (iii) *educational and is made from a children's point of view".*

Children's programming is broadcast from children's point of view and caters for the age groups as mentioned above. On the show "*Lesang Bana*", whilst taking phone calls from children, the host asks the children to state their age and it was found that the age groups range from 3 years to 12 years. The style of the show is educational, entertaining and particularly appealing to young children under the age of 12.

The Licensee complied with clause 6.3.2 of its licence.

3.5.4 Educational Programming

Clause 6.4 of the licence stipulates that:

"The Licensee shall broadcast at least five (5) hours of educational programming (as contemplated in section 10(1) (e) of the Broadcasting Act) per week within the South African performance period".

The Licensee's quarterly submissions indicate Thobela FM achieves on average five hours (5) hours of educational programming weekly.

The Authority's monitoring exercise identified *Moswa le Bokamoso: Palamenteng ya Baswa*, which is a youth-oriented show that discusses various topical issues that aim to educate the youth. Topics discussed on this show include issues of the rights of prisoners as well as when they receive visitors. This topic is in line with issues affecting youth as many of them are affected by crime and may end up in jail. The topic further discourages youngsters from engaging in crime as the consequences and conditions are dire in prison. Another educational program identified during the monitoring exercise is "*Nhlahle ke go hlahle*" which

discusses opportunities for youth based initiatives, interviewing various stakeholders such as NYDA to discuss some of its programs targeted at young people looking to run businesses.

The Licensee complied with clause 6.4 of the licence.

3.5.5 Drama

Clause 6.5 of the licence stipulates that:

"The Licensee shall broadcast at least two and a half (2 ½) hours of drama per week within the South African performance period".

The Licensee's quarterly submissions reflect that Thobela FM broadcasts at least four (4) hours and ten (10) minutes of drama per week, during the South African performance period.

During the period under review, the monitoring exercise confirmed that the drama, *"Mahlakung"* is broadcast on weekdays between 19:45 – 20:00 and repeated each morning on weekdays between 11:45 – 12:00.

The Licensee complied with clause 6.5 of its licence.

3.5.6 Informal Knowledge-Building Programmes

Clause 6.6 of the licence stipulates that:

"The Licensee shall broadcast at least three (3) hours of informal knowledge building programming per week within the South African performance period".

The Licensee's quarterly submissions state that Thobela FM broadcast at least twenty-six (26) hours of Informal Knowledge Building programming per week during the South African Performance Period.

The following are examples of informal knowledge building programmes on the Licensee's line-up:

- *"Thobela Documentary"* broadcast on Sundays between 21:05 and 21:30, this show tackles various cultures and traditional issues from the Bapedi nation. Well known royal families from Bapedi nation are profiled and their lineage is traced back to its origins where the listener is taken on a historical journey involving Sepedi culture.
- *Ma-Afrika Tumelong*: a cultural show that celebrates Sepedi culture and educates audiences on various traditional practices and songs that are unique to the Bapedi nation. The show is broadcast on Sundays between 20h00 – 21h00.
- *Dipego tsa baa ba ithobaletsego* and *Ditsibisho tsa Setshaba* – These are public service announcements shows with the purpose of informing the public of bereavements of loved ones as well as general announcements either detailing lost family members or family gatherings of significance. The shows are broadcast on Thursdays between 21h30 – 22h30. These, amongst other shows, satisfy the element of informal knowledge building content.

The Licensee complied with clause 6.6 of the licence.

3.6 Training and Skills Development Obligations

Clause 7 of the schedule to the SABC's licence stipulates that:

7.1 *The Licensee must adopt and implement equal opportunity employment Practice.*

The Licensee has developed an Employment Equity Plan to assist the Licensee to be an equal opportunity employer. The Licensee met all its targets regarding the plan except for female representation. Female representation however increased to 49,82% since the last reporting period.

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*

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 has complied with its training and skills developments obligations.

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 (1) of the South African Music Content⁸ 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

⁸ South African Music Content Regulations

broadcast in the performance period, consist of South African music and that South African music is spread evenly throughout the performance period."

For the period under review, Thobela FM's music content was made up of at least 90% of South African Music. Its playlist was dominated by South African artists. Artists featured on Thobela FM's music schedule include: *Mahlathini and Mahotella Queens; Rex Rabanye; Izintombi za siManje Manje; Makgona Tsohle Band; AmaSwazi Emvelo and Ntando amongst many others.*

The Licensee complied 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 conditions⁹ stipulates that:

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

Thobela FM's promos were identified frequently during the period under review and these were broadcast at intervals of not more than ten (10) minutes apart. The promos carried the name of the station, frequency details and slogan; the promos were aired in the Licensee's principal language of broadcast.

There were no incidents of non-compliance with the Standard Terms and Conditions for Individual Licences Regulations found for the period under review.

The Licensee complied with the Regulations on Standard Terms and Conditions for Individual Licensees.

4.3 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations¹⁰ stipulates that:

⁹ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

¹⁰ Universal Service and Access Fund Regulations

- (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".*

The Authority received confirmation of payment in a form of a Section 18A certificate from the MDDA and the Licensee submitted proof of payment¹¹ to the Authority. The submission was made within the regulated timeframes.

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 2007¹², 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".

¹¹ Proof of SABC's contribution to the USAF

¹²as published in the Government Gazette, no 30441, 7 November 2007

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 its 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 require that broadcasters complete the form bi-annually in accordance with the Licensees' Financial Year.

There were no complaints received by the Licensee during the period under review, and none were escalated to the Authority in this regard.

The Licensee complied with the Code of Conduct for Broadcasters.

5. CONCLUSION

The Licensee complied with its licence terms and conditions and related regulations that governs public broadcasters for the period under review.

6. TERMS OF REFERENCE

Annexure A	: Thobela FM's Broadcasting Service Licence
Annexure B	: Thobela FM'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