



TRU FM ANNUAL COMPLIANCE REPORT

MARCH 2019

2017/2018 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION BROADCASTING AS TRU 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 Tru 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

Tru FM holds an Individual Sound Broadcasting Service licence which provides for an Urban Contemporary Music format to East London, King Williams Town and Queenstown.

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 2000

⁴ Act No. 4 of 1999

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. Tru FM 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 licence provides that:

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

A Radio Frequency Spectrum Licence⁵ held by Tru FM's provides that the radio station covers the following areas: East London, King Williams Town and Queenstown. The SABC confirms that its coverage area is as defined in its frequency spectrum licence.

In the year under review, the Authority did not receive any complaints alleging that the Licensee is in contravention of its frequency spectrum licence.

The Licensee complies with clause 2 of licence.

⁵ Tru FM's Frequency Spectrum Licence

3.3. Language(s)

Clause 3 of the licence provides that Tru FM's language split shall be as follows:

"Principal Language: 60% English and 40% isiXhosa".

The Authority's monitoring exercise, carried out on the Licensee's programme recordings, found that the main languages of broadcast on Tru FM are English and isiXhosa, with English dominating the schedule.

The Licensee complies with clause 3 of the schedule to its licence.

3.4 Format

Clause 4.1 of the schedule to the licence reads:

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

While clause 4.2 of the schedule to the licence adds that:

"The licensed service shall provide a service within an Urban Contemporary Music Format".

The Authority's monitoring exercise confirmed that the radio station is a public radio station of the SABC and that it offers a full-spectrum service with an Urban Contemporary Music format to its audience, as outlined in the licence.

The Licensee complies with clauses 4.1 and 4.2 of the licence.

3.5 Local Content Obligations

Clause 5 of the schedule to the licence prescribes as follows:

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

5.1 different genres; and

5.2 South African Music Content, in programme material broadcast on 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 submitted its quarterly reports for the period under review, the reports are reflective of a week's sample for each quarter.

The figures below show a breakdown of Tru FM's compliance with the quotas set out by the Authority. These figures were verified during the Authority's monitoring exercise, as detailed under paragraph 3.5 of the report.

First Quarter April – June 2017

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	TRU FM's Provision (Minutes Daily/Weekly)	TRU FM's Compliance (%)
News	60 min (Daily)	65min (Daily)	108%
		61 min (Saturdays)	102%
		61 min (Sundays)	102%
Current Affairs	30 min (Daily)	54min (Daily)	180%
		30min (Saturdays)	100%
		60 min (Sundays)	200%
Informal Knowledge Building	60 min (Weekly)	3741 min (Weekly)	6235%

<i>Education</i>	<i>120 min (Weekly)</i>	<i>175min (Weekly)</i>	<i>146%</i>
<i>Children</i>	<i>30 min (Weekly)</i>	<i>85 min (Weekly)</i>	<i>142%</i>

Second Quarter July – September 2017

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	TRU FM's Provision (Minutes Daily/Weekly)	TRU FM's Compliance (%)
News	60 min (Daily)	65 min (Daily) 65 min (Saturdays) 65 min (Sundays)	108% 108% 108%
Current Affairs	30 min (Daily)	84 min (Daily) 30 min (Saturdays) 60 min (Sundays)	280% 100% 200%
Informal Knowledge Building	60 min (Weekly)	2785min (Weekly)	4641%
Education	120 min (Weekly)	390 min (Weekly)	325%

Third Quarter October – December 2017

Content/ Genre	ICASA Quota <i>(Minutes Daily/Weekly)</i>	TRU FM's Provision <i>(Minutes Daily/Weekly)</i>	TRU FM's Compliance <i>(%)</i>
News	60 min (Daily)	65 min (Daily) 65 min (Saturdays) 65 min (Sundays)	108% 108% 108%
Current Affairs	30 min (Daily)	84min (Daily) 30min (Saturdays) 60 min (Sundays)	280% 100% 200%
Informal Knowledge Building	60 min (Weekly)	2975min (Weekly)	4958%
Education	120 min (Weekly)	365 (Weekly)	304%
Children	30 min (Weekly)	60min (Weekly)	200%

Fourth Quarter January – March 2018

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Tru FM's Provision (Minutes Daily/Weekly)	TRU FM's Compliance (%)
News	60min (Daily)	65min (Daily)	108%
		65min (Saturday)	108%
		65min (Sunday)	108%
Current Affairs	30min (Daily)	84 min (Daily)	280%
		30 min (Saturdays)	100%
		60 min (Sundays)	200%
Informal Knowledge Building	60 min (Weekly)	2975min (Weekly)	4958%
Education	120 min (Weekly)	390 min (Weekly)	325%
Children	30 min (Weekly)	120min (Weekly)	400%

The above quarterly submissions indicate compliance by Tru FM with the set quotas during the 2017/2018 financial year. The Licensee scheduled more Informal Knowledge Building in the year under review compared to previous years of reporting. The Authority's findings are outlined in 3.6 below.

3.6 GENERAL PROGRAMMING OBLIGATIONS

3.6.1 General

According to Clause 6.1.1 of the licence:

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

The SABC's editorial policy⁶ 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 that Tru FM's religious programming is reflective of the religions of the isiXhosa speaking community in the Eastern Cape and is mostly based on Christianity. While monitoring Tru FM's programming profile, the Authority found the following programmes which contained religious content:

- *"Hlalani Kum Nam ndihlale kuni"* broadcast four (4) days a week from Monday to Thursday and then again on Sundays between 19h00 and 21h00. This show carries gospel music and thought-provoking religious content taken from the bible. "
- *"Isingqi seZulu"* broadcast on Sundays between 06h00 and 08h00 and is a gospel music show which features local and international gospel musicians.

The Licensee complies clause 6.1.1 of the 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 its audience".

The monitoring exercise found that, TRU FM's programming carries content that is reflective of the cultures and traditions of the people living in the Eastern Cape.

⁶ An Extract from the Licensee's Editorial Policy

The programme, *"The Nest"* was identified as having elements of cultural programming on Tru FM. *"The Nest"* is broadcast on Sundays between 09h00 and 12h00.

The Licensee complies with clause 6.1.2 of the licence.

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".

The monitoring exercise found that the Licensee's programming profile caters for the interests of all sectors of the South African society within the Eastern Cape community. The programmes observed hereto cater for the different sectors of the South African society and feature programmes on health and gender related issues relevant to all age groups:

- *"Incoko"* is broadcast between Monday and Thursday, for a duration of 30 minutes between 18h30 and 19h00. This show is an SABC Education initiative mostly aimed at tackling youth issues by debating topics that are relevant to their growth and development. This programme allows for youngsters to interact during the show.
- *"Reggae Tunes"* caters and broadcasts content relevant to the subscribers of the Rastafari movement/religion from all age groups;
- *"The Joy Ride"* discusses different topical issues relating to education health, and social relations and is targeted at all genders and age groups.
- *"Iintsatshana neLizwi"* a child orientated show providing the young ones with a Sunday school teaching approach to religious messages. The children are encouraged to call in and participate during this show.
- *"Ground Zero"* a show dedicated to the listeners that love hip hop music.

- *"Isingqi seZulu"* is a gospel music show which was found to satisfy the Christian echelon within the Licensee's listenership.
- *"The Nest"* a show that zealously tackles issues of moral regeneration while rooting the listener on things that matter most and that identify with the Eastern Cape Community mostly.

The Licensee complies with clause 6.1.3 of its licence.

3.6.2 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 Licensee's quarterly submission indicate that Tru FM schedules at least sixty-five (65) minutes of news each day within the South African performance period.

The Authority's monitoring exercise found that Tru FM broadcasts 13 full news bulletins between 06h00 and 19h00 every day of the week. All news bulletins found were for a duration of at least five (5) minutes each and this translates to a total of sixty-five (65) minutes of news per day during the South African Performance Period.

Hereto are some News extracts found during monitoring:

- *"The SACP says the ANC is in a state of paralysis which is making the governing party ineffective. The party was speaking at a media briefing in Johannesburg following its Central Committee Meeting ahead of the party's National Congress next month. It says that the barrage of leaked emails is an apparent sheer scale of corporate capture and what it called the parasitic plundering of public resources by the Gupta Family are eroding the ANC's integrity. SACP General Secretary, Blade Nzimande added that the ANC is headed for trouble if it does not correct.";*
- *"The 17th National Women's League of the ANC in the North West has officially endorsed former African Union Chairperson, Dr Nkosazana*

Dlamini-Zuma, to become the next ANC president in December. The Ruling Party's Women's League held its provincial elective conference over the weekend in Hartebeesport near Rustenberg.”;

- *“UMphathiswa wokuPhuhliswa kweNtlalo uBathabile Dlamini ubongoze abazali ukuba bathethe ngokuphandle nabantwana malunga nokuxhatshazwa nokuba abenzi bobubi ngamalungu osapho.UDlamini ebethetha ngethuba bekuqosheliswa iveki yokukhuselwa kwabantwana, kumsitho obubanjelwe eLusikisiki kweli leMpuma Koloni. Langingqi kunye nezinye eziyingqongileyo zaziwa kakhuku ngomkhwa wokuthwalwa kwabantwana batshatiswe namadoda amadala. UDLamini unqonqozise abahalali ukuba balwe nokuxhatshazwa kwabantwana.*
- *Ukanti umfundi kaGrade 10 noneminyaka elishumi elinesixhenxe ubudala nokutyholwa ukuba wanyanzeliswa ukuba atshate nendoda endala uthi abazali bakhe bamenza kakubi.”; and*
- *“Luncedwe ngabantliziyo zichukumisekileyo usapho plungathathi ntweni noluphila ngokuchola into esiwa phantsi kwempumlo kwindawo yokulahlela inkunkuma eBerlin ngaseQonce ngokuthi bathiwe jize ngokutya kunye nezinye izinto eziyimfuneko. Oku emveno kokuba intlungu yabo iya yasasazwa licandelo letu likaMabonakude ngoMgqibelo. Olu sapho luhlala kwityotyombe ukanti abazukulwana abalapho abayifumani imali yesibonelelo kuba bengenzazo iziqinisekiso zokuzalwa. UGqwetha uMzwandile Bobotyana kunye nowakwakhe uAdvocate Siphokazi Mntuzi Bobotyana, bazisele olusapho ukutya, iheater, isitovu kunye neParaffin. uAdvocate Ntunzi uthi uBobotyana uchukunyiswe sisicelo solusapho.”*

The Licensee complies with clause 6.2.1 of its licence.

Clause 6.2.2 of the licence provides as follows:

“The Licensee shall broadcast at least thirty (30) minutes of current affairs programming each day during the South African performance period”.

The Licensee's quarterly submissions indicate that the radio station broadcasts an average of fifty-eight (58) minutes of Current Affairs programming each day, during the South African performance period.

The Authority's monitoring exercise found that Tru FM schedules approximately four hundred and fifty (450) minutes of Current Affairs programming per week. This then translates to a daily (each day) average output of at least sixty five (65) minutes of Current Affairs programming during the South African performance period.

The following Current Affairs programming were found during monitoring:

- *Tru News*: broadcast between Monday and Thursday at 11h00 until 12h00;
- *Tru News at Six*: broadcast between Monday and Thursday at 18h00 until 18h30;
- *Interchange*: broadcast on Saturdays between 06h00 and 06h30; and
- *News Review*: broadcast on Sundays between 18h00 and 19h00.

The Licensee complies with clause 6.2.2 of its licence.

Clause 6.2.3 of the licence provides that:

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

- i. Exercise full editorial control in respect of 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 a reasonable opportunity for the public to receive a variety of points of view on matters of public concern".*

The monitoring exercise found that Tru FM's news and current affairs programmes include international, national and local information. In its broadcast of current affairs programming, the Licensee provides an opportunity for the public to receive a variety of points of views, 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.

The Licensee's Editorial Policies form part of the SABC's Charter. Monitoring of Tru FM's news and current affairs programmes not only demonstrated compliance with clause 6.2.2 of its licence but the Charter as contained in the Broadcasting Act of 1999.

The Licensee complies with clause 6.2.3 of its licence.

3.6.3 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 thirty (30) minutes of programming targeted at children (as contemplated in section 10 (1) (g) of the Broadcasting Act) per week during the South African performance period".

While clause 6.3.2 of the licence stipulates that:

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

- (i) broadcast at times of 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;*
- (iii) educational and is made from children's point of view".*

The Licensee's quarterly submissions indicate that Tru FM broadcasts at least one hundred and twenty (120) minutes of children's programming per week during the South African performance period. This calculation presents an increase of at least forty (40) minutes on the radio station's children's programming per week.

The Authority's monitoring exercise found that the Tru FM schedules at most sixty (60) minutes of Children's programming in a show called "*Iintsatshana neLizwi*", broadcast between 08h00 and 09h00 on Sundays. The show caters for children younger than six (6) years but also encompasses other age groups until age of twelve (12) years. The scheduling of this children's programme complies with clause 6.3.2 (i) of the Licence as it is broadcast between 08h00 and 09h00, a time where most children are supposed to be at home before church.

In total, the Authority found at least sixty (60) minutes of children's programming per week during the South African performance period.

The Licensee complies with clauses 6.3.1 and 6.3.2 of its licence.

3.6.4 Educational Programming

Clause 6.4 of the schedule to the licence stipulates that:

"The Licensee shall broadcast at least two (2) 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 submission indicate that the Tru FM provides at least six (6) hours and thirty (30) minutes of educational programming, per week, during the South African performance period.

A monitoring exercise carried out on the Licensee's programming profile found that Tru FM has multiple genre programmes in that, some of its shows carry content that has elements of Educational programming, Children's programming and Informal Knowledge Building (IKB) Programming. This part of the report will focus on the shows that had more Educational Programming than Children's and IKB programs in its content. The Authority's findings are that; Tru FM broadcasts

approximately fourteen (14) hours of educational programming per week during the South African performance period.

The following programmes were identified as carrying Educational content as defined by the South African Television Content Regulations: -

- *"Incoko"*: Broadcast from Monday to Thursday between 18h30 and 21h00;
- *"The Nest"*: Broadcast on Sundays between 09h00 and 12h00; and
- *"Iintsatshana neLizwi"*: Broadcast on Sundays between 08h00 and 09h00.

The Licensee complies with clause 6.4 of its licence.

3.6.5 Informal Knowledge Building Programmes

Clause 6.5 of the schedule attached to the licence stipulates that:

"The Licensee shall broadcast at least one (1) hour of informal knowledge building programming per week within the South African performance period".

The Licensee's submissions report that Tru FM carries an average weekly output of at least forty-eight (48) hours of Informal Knowledge Building programming per week during the South African performance period.

The Authority's monitoring exercise found that Tru FM carries an average weekly output of twenty (20) hours of Informal Knowledge Building Programming during the South African performance period.

In the year under review, the monitoring exercise found the following IKB programmes:

- *"The Joyride"*: a 1-hour feature within the programme (The Joyride being a 3-hour show in total) broadcast between Monday and Thursday on the 05h00 to 06h00 time slot;
- *"Midday Frequency"*: broadcast between Monday and Thursday between 12h30 until 15h00;
- *"The Weekend Chill"*: broadcast on Saturdays between 15h00 and 17h00;
- *"Changing Lanes"*: broadcast on Sundays between 19h00 and 21h00;

- "Sgida ngengoma": A Saturday morning offering between 06h30 and 09h00.

The Licensee complies with clause 6.4 of the licence.

3.7 Training and Skills Development Obligations

Clause 7 of schedule attached to the licence provides as follows:

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 takes 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 with 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.

The SABC continues to submit its written information regarding its compliance with this clause at the end of the financial year.

The Licensee complies with the Training and Skills Development obligations.

3.8 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's audited financial statements for the 2017/18 financial year end were received within six months post year end.

The Licensee complies with clause 8 of its licence.

4. REGULATIONS

4.1 Code on People with Disabilities

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

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

TRU FM submits that its programming does not stereotype towards people with disabilities and that it is developed to involve and cater for people with disabilities. The Licensee boasts of its membership in the following entities who are involved with disabled persons:

- EC Disability Empowerment Trust;
- Dream Weavers;
- South African National Council for the Blind;
- Eastern Cape Disability Economic Empowerment Trust;
- SA Blind Youth Organisation
- SA National Council for the Blind
- Help the Blind & Partially Sighted Society
- Eastern Cape Braille and Print Institution (Dimbaza)
- Deaf Blind South Africa; and

In addition to that, TRU FM's Form 7C⁷ – a report on the Licensee's compliance with the Code on People with Disabilities – submits to have actively engaged people with disabilities in programming through dedicated weekly slots or features.

Overall, at least 2% of the Licensee's (SABC) staff complement is made up of persons with disabilities.

The Licensee complies with the above-mentioned regulation.

⁷ TRU FM's Form 7c

4.2 Compliance Procedure Manual – Form 12A

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A⁸ which reports on all complaints received in the course of each financial year. In April 2017, the SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

According to the Licensee's Form 12A, there were no complaints received regarding TRU FM's on-air conduct in the year that is currently under review.

The Licensee has complied with the Compliance Procedure Manual.

4.3 ICASA South African Music Content Regulations

Regulation 3.2 of the ICASA Regulations on South African Music⁹ as published on 23 March 2016 stipulates that:

"A holder of a public sound broadcasting 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 such South African music is spread evenly throughout the performance period."

Tru FM's quarterly submission indicate that the Licensee plays at least 80% South African Music content.

The Authority's monitoring exercise found that Tru FM's music play list is dominated by South African music. At least an average of 77% in the overall playlist was observed to be South African music. The following music artists enjoy airtime on TRU FM: Mapaputsi, Moneoa, DJ Kent, Sjava, Kwesta, Zahara, Lira, The Soweto Gospel Group, Brothers of Peace, Brenda Fassie, Mshoza, Bongie Dube, DJ Cleo, Moby Dixon, Zonke Dikana, Jezeil Brothers, Amanda Black, Musa Sukwene, Ntando Bangani, Ringo Madlingozi, Emtee, Amanda Mankayi, Nathi Mankayi, Vusi Nova, K.O and Nandi Mngoma, Proverb, AKA, Veliswa Skeyi, Ricky

⁸ SABC Form 12A

⁹ South African Music Content Regulations

Rick, The Soil, Naaq Music, Simphiwe Dana, Heavy K, Thandiswa Mazwai, Sifiso Ncwane, Nomuzi Mabhena, Bucie, Lira, Busiswa, Teargas and many others.

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

4.4 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Licences

Regulation 11 (3) of the standard terms and conditions¹⁰ stipulates that:

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

The Licensee's jingles/announcement were identified frequently during the period under review and these broadcasts were at intervals of not more than ten (10) minutes apart. The jingles/announcement always carried the name and frequency location of the Licensee. Furthermore, no non-compliance was detected by the Authority with the standard terms and conditions for individual licences.

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

4.5 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations¹¹ 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".*

¹⁰ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

¹¹ Universal Service and Access Fund Regulations

The Licensee paid its annual contribution to the USAF and received confirmation of payment in a form of a Section 18A certificate from the MDDA. The Licensee submitted proof of payment to the Authority within the timeframes as prescribed by the Regulation regarding the Universal Service and Access Fund of 2015.

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

5. CONCLUSION

Tru FM complies with its licence terms and conditions, the provisions of the Compliance Procedure Manual and all regulations that govern the sector. Most importantly, the Authority notes the efforts made by the radio station to remedy the shortfall reported as non-compliance with the Children's Programming obligation in the past year.

6. TERMS OF REFERENCE

Appendix A: Tru FM's Broadcasting Service Licence

Appendix B: Tru FM's Frequency Spectrum Licence

Appendix C: Extract from the Licensee's Editorial Policy

Appendix D: Tru FM's Form 7c

Appendix E: SABC Complaints Report – Form 12A

Appendix F: South African Music Content Regulations

Appendix G: Regulations regarding the standard terms and condition

Appendix H: Universal Service and Access Fund Regulations