



RADIO RIPPEL ANNUAL COMPLIANCE REPORT

MARCH 2020

2018/2019 ANNUAL COMPLIANCE REPORT

RADIO RIPPEL

LICENCE PERIOD: 16 MARCH 2016 to 15 MARCH 2021

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 Act to regulate broadcasting activities in the public interest. The Authority has a mandate to ensure compliance by broadcasters with the terms and conditions of the licence, the ECA, the ICASA Act and any other relevant legislation and Regulations.

The purpose of the report is to give account of Radio Rippel's compliance with the terms and conditions as set out in its licence for the 2018/2019 financial year. Aspects of compliance that will be measured comprise Geographic Coverage, Community Participation, Programming, Format, News and Information, Local Content Obligation, Language(s), South African Music Content Regulations and Regulations Regarding Standard Terms and Conditions.

2. BACKGROUND

Radio Rippel is a class broadcasting service Licensee providing services to Greater Pretoria in the City of Tshwane Metropolitan Municipality in the Gauteng Province as set out in the Licensee's radio frequency spectrum licence. The radio station provides a programming format that is a mix of talk, radio and music.

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the schedule to the licence provides that:

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

² ICASA Act No 13 of 2000, as amended

³ Electronic Communications Act No 36 of 2005

"The Licence is issued to:

1.1 Name of company/entity: Radio Rippel (Association Incorporated under section 21)".

1.2 Name of Station: Radio Rippel".

1.3 Control of the Licensee: Control shall vest in the Board of Directors of Radio Rippel (Association Incorporated under section 21)".

In January 2019, the Licensee submitted a Notification of Change of Information in Respect of Class Licence (form L), notifying the Authority of its intention to change the entity and radio station's names from Radio Rippel to Groot FM.

The Licensee complies with clause 1 of the schedule to its licence.

3.2 Licence Period

Clause 2 of the schedule to the licence provide that:

"2.1 The effective date of the licence is 16 March 2016.

2.2 The licence shall expire on 15 March 2021."

The licence remains valid and the Licensee is operational. The Licensee will be reminded of its eligibility to submit a renewal application in accordance with the prescribed regulatory timeframes.

The Licensee complies with clause 2 of the schedule to its licence.

3.3 Licence Area

Clause 3 of the schedule to the licence provides that Groot FM's coverage area is as follows:

"The Licensee shall provide services to Greater Pretoria and immediate surroundings within the City of Tshwane Metropolitan Municipality in the Gauteng Province".

The Licensee confirmed that it provides a service to the licensed area as set out in the Licensee's radio frequency spectrum licence. In the year under review, the Authority did not receive any reports or complaints indicating that the radio station has gone beyond its licenced area.

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

3.4 Community

Clause 4.1 of the schedule to the licence provides that:

"The Licensee shall provide services to the community of interest which consists of Afrikaans and English-speaking persons with strong family and Christian values residing within the geographic coverage area specified herein".

The Licensee submits that they provide a sound broadcasting service as prescribed in the licence document. The Authority also confirmed that their programming includes Christian content.

The Licensee complies with clause 4.1 of the schedule to its licence.

Clause 4.2 of the schedule to the licence provides that:

"The Licensee shall provide for the participation of community members in the affairs of the station in the following ways:

4.2.1 The Licensee shall hold at least two (2) meetings annually with its community on programming and programme-related matters for the selection and provision of programmes.; and

4.2.2 The Licensee shall furnish the Authority with proof of such meetings as well as the attendance thereof by members of the community".

The Licensee submitted minutes, agenda and registers for programming meetings held on 03 July and 06 November 2018 respectively.

The Licensee complies with clause 4.2 of the schedule to the licence.

Further, clause 4.2.3 of the licence provides that:

"The Licensee shall hold an Annual General Meeting 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 any Special Annual General Meeting as and when required by the Constitution; 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 did not submit proof that it held an Annual General Meeting during the period under review.

The Licensee does not comply with sub-clause 4.2.3 of the schedule to its licence.

3.5 Programming

Clause 5.1 of the schedule to the licence provides that:

"The Licensee shall provide programming as follows":

5.1.1 Local News and Information: The Licensee shall broadcast news to a total of 55 minutes per day of which 25 minutes shall be local, 20 minutes national and 10 minutes international.

The Licensee's monthly submissions indicate that it broadcasts an average of forty-eight (48) minutes of news per day. The Authority's monitoring exercise revealed that the Licensee broadcasts an average of fifty (50) minutes of news per day on weekdays and an average of twenty (20) minutes of news on weekends.

Further, forty-five (45) minutes of the news is national news. The radio station broadcasts news in Afrikaans only, there is no news broadcast in English.

The following are some of the news items were identified:

- *"Cope gaan 'n amptelike klag by die Menseregte Kommissie indien teen die Black First, Land First woordvoerder Lindsay Maasdorp. Die party gaan ook 'n saak van haatspraak aanhandig maak. Dit volg nadat Maasdorp in 'n Twitter boodskap gesê het dat die dood van die wit kinders by die Hoerskool Driehoek moet gevier word. Vier (4) kinders het omgekoop toe 'n loopbrug by die skool ineengestort het";*
- *"Lede van die Enlightened Christian Gathering Church of ECG betoog buite die gespesialiseerde misddadshof in Pretoria. Die kerk se pastoor, Shepard Bushiri en sy vrou Mary verskyn vandag in die hof op aanklagte van geldwassery en bedrog. Die egpaar is verlede week in Rustenburg deur die Valke ingehtenis geneem. Die protest optrede raak verkeer buite die hof fen motoriste word aangeraai om Visagie straat te vermy";*
- *"Anglo-American se hoofbestuurder, Mark Cutifani, het Eskom beskryf as die grootse gevaar in die korttermyn vir die mynreus se Suid-Afrikaanse sakebedryf. Hy het die opmerking gemaak by die mynbou indaba in Kaapstad, nadat die kragvoorsiener sy verlies vir die huidige boekjaar op twintig (20) miljard rand beraam het. Amper dubbel*

sy vorige vooruitskatting van elf (11) miljard rand. Volgens Business Day het kredietagentskappe en bedryfsleiers die moontlike prystygings en die onbetroubaarheid van elektrisiteitsvoorsiening geïdentifiseer as die grootse gevaar vir die ekonomie”; and

- *"Die gewese ANC parlamentslid, Vytjie Mentor, keer more terug na die Staatskapingskommissie om kruisondervra te word deur Duduzane Zuma en die omstrede sakeman Fana Hlongwane, wat sy albei in haar getuienis by korrupsie betrek het. Sy het verlede jaar getuig dat die Gupta's haar deï posisie van Minister van Openbare Ondernemings aangebied het end at Zuma haar voorgestel het aan Fana Hlongwane. Mentor het later erken dat dit nie Hlongwane was aan wie sy voorgestel is nie".*

The Licensee does not comply with its news obligation.

Clause 5.1.2 of the licence provides that:

South African Music Content: 70%

The Licensee, in its monthly submissions, submits that it plays more than seventy percent (70%) South African music. The Authority's monitoring exercise revealed that the radio station broadcasts seventy percent (70%) South African music content.

The Licensee complies with its South African Music Content obligations.

Clause 5.1.3 of the licence provides that the format is as follows:

40% Talk and 60% Music

The Licensee's programme shows demonstrate a mixed blend of talk and music. The monitoring exercise confirmed that the radio station broadcasts more music than talk. Their shows provide for listener interaction and discussions throughout the day, with music in-between.

The Licensee complies with its prescribed format.

Clause 5.1.4 of the licence provides that:

Language(s) of broadcast:

5.1.4.1 Afrikaans – 70%; and

5.1.4.2 English – 30%.

The monitoring exercise revealed that the Licensee broadcasts all its programs in Afrikaans. Except for a few interviews in English, the Licensee does not provide any of its content in English. This is not in line with the language with the languages of broadcast as per the licence.

The Licensee does not comply with its languages of broadcast obligation, therefore, does not comply with clause 5.1 of the schedule to its licence.

Clause 5.2 of the schedule to the licence provides that:

"The Licensee shall keep a log of programmes broadcast which must be submitted on a monthly basis to the Authority. A pro-forma of the log to be kept will be supplied by the Authority".

The Licensee submitted monthly programme logs to the Authority during the period under review.

The Licensee complies with clause 5.2 of the schedule to its licence.

4. PROMISE OF PERFORMANCE

Clause 8.1 of the licence stipulates that:

"The Licensee shall provide for the participation of community members in the affairs of the station in the following ways:

8.1.1 Through committees which are established with entities such as churches, businesses, schools and welfare organisations to help solicit inputs from the community and ensure community participation; and

8.1.2 The community will also be encouraged to phone-in and comment on programmes.

The Licensee submitted minutes, agenda and registers for community meetings held on 03 July and 06 November 2018 respectively. The meetings discussed, among others, the sourcing and composition of its news as well as the "Goeie Nuus Vrydag" segments; whereby good news is shared with the community. This segment focuses on stories of hope and inspiration and community members were informed on how to send in their good news

stories. New programmes and changes to the current programming schedule were also discussed, including allocation of presenters in particular programmes. Listeners were given opportunity to provide their inputs/feedback.

The Licensee complies with clause 8.1 of the schedule to its licence.

5. REGULATIONS

5.1 Complaints

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A which reports on all complaints received during the financial year under review.

The Licensee submitted a Form 12A (Complaints Report) as required by the Compliance Procedure Manual Regulations. The Licensee received no complaints during the period under review.

The Licensee complies with the relevant clause of the Compliance Procedure Manual Regulations.

5.2 ICASA Regulations on South African Music

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

"A holder of a community sound broadcasting licence must ensure that after eighteen (18) months of the gazetting of these regulations, a minimum of 60%, increasing by 10% annually to reach 80% of the musical works broadcast in the performance period, consist of South African music and that such South African music is spread reasonably evenly throughout the said period".

For the period under review, the obligation in accordance with the SA Music regulations above was for at least seventy percent (70%) of South African music content to be played by community sound broadcasting Licensees.

The Authority's monitoring exercise revealed that the radio station broadcasts seventy percent (70%) of South African music content. The Licensee plays different genres of English and Afrikaans music including RnB, Gospel and Rock 'n Roll.

The artists that were played at Radio Ripple include the following: *Karen Zoid, Blackbyrd, Ruan Josh, GoodLuck, Nadia Herbst* and many others.

The Licensee complies with the ICASA Regulations on South African Music.

5.3 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences

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 Licences.

6. CONCLUSION

The Licensee generally complies with most provisions of its licence conditions and all applicable regulations. The areas of non-compliance will be brought to the attention of the Licensee. The radio station is licensed to provide services to a community of interest which consists of Afrikaans and English-speaking persons but it only broadcasts in Afrikaans exclusively, contrary to its language of broadcast percentage split, per the licence.

The Authority will continue to monitor the compliance of the Licensee during the next financial year and should the Licensee not improve its performance it will be advised of the Authority's intention to refer their non-compliance to the Complaints and Compliance Committee ("CCC") and afforded an opportunity to respond to the non-compliance findings.

7. TERMS OF REFERENCE

7.1 Appendix A: Radio Rippel's Service;

7.2 Spectrum Licences;

7.3 Appendix B: Amended Standard Terms and Conditions for Broadcasting services, 2010 as published in *Government Gazette* No. 33296 dated, 14 June 2010, as amended;

7.4 Appendix C: ICASA South African Music Content Regulations, 2016 as published in *Government Gazette* No. 39844 dated, 23 March 2016; and

7.5 Appendix D: ICASA Compliance Procedure Manual Regulations, 2011 as published in *Government Gazette* No. 34863 dated, 15 December 2011.