



# **RADIO SONDER GRENSE ANNUAL COMPLIANCE REPORT**

**MARCH 2020**

# **2018/2019 ANNUAL COMPLIANCE REPORT**

## **SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS RADIO SONDER GRENSE**

**Licence Period: 18 December 2008 to 17 December 2018**

### **1. PREFACE**

The Independent Communications Authority of South Africa (“the Authority”) has a statutory mandate in terms of the Constitution<sup>1</sup>, the ICASA Act<sup>2</sup>, the Electronic Communications Act<sup>3</sup> (“ECA”) and the Broadcasting Act<sup>4</sup> to regulate broadcasting activities in South Africa in the public interest. Among the responsibilities of the Authority is the task to ensure compliance by broadcasting service Licensees with the terms and conditions of their licence and any relevant legislation and/or regulations.

This report is intended to give account of Radio Sonder Grense’s compliance with the terms and conditions as set out in its license, 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 Regulations, Regulations Regarding Standard Terms and Conditions.

### **2. BACKGROUND**

Radio Sonder Grense (“RSG”) is an individual public sound broadcasting service Licensee, broadcasting on a full spectrum nationwide. It forms part of the South African Broadcasting Corporation’s (“SABC”) public service mandate. The radio station’s mandate is to provide a full-spectrum service to the geographic areas of Gauteng, Free State, Western Cape, Northern Cape, Eastern Cape, North West, Kwa-Zulu Natal, Mpumalanga and Limpopo Provinces.

RSG accesses its audience on the frequencies granted to it by the Authority as specified in its Radio Frequency Spectrum Licence. Its signal distribution is provided by Sentech (Pty) Ltd, via the Brixton Tower high site. The radio station broadcasts from its studio’s

---

<sup>1</sup> The Constitution of the Republic of South Africa, No 108 of 1996

<sup>2</sup> Act No. 13 of 2000, as amended

<sup>3</sup> Act No. 36 of 2005

<sup>4</sup> Act No. 4 of 1999

situated at the SABC's premises in Auckland Park, Johannesburg, to the various regions throughout the country.

### **3. COMPLIANCE ASSESSMENT**

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

Clause 1 of the service licence of RSG provides that:

*"1.1 Name of Company/Entity: The South African Broadcasting Corporation*

*1.2 Shareholders: The State 100%*

*1.3 Ownership held by persons from historically disadvantaged groups:*

*N/A"*

Radio Sonder Grense forms part of the public service of the SABC and is 100% owned by the State.

**The Licensee complies with clauses 1 of its licence.**

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

Clause 2 of the Schedule to service licence of RSG provides that:

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

In the year under review, the Authority did not receive reports or complaints indicating that the radio station has gone beyond its licence area.

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

#### **3.3 Languages**

Clause 3 of the Schedule to the service licence of RSG provides that:

*"Principal Language: Afrikaans"*

The monitoring exercise found that Afrikaans is the principal language of broadcast of the Licensee.

**The Licensee complies with clause 3 of the Schedule of its licence.**

#### **3.4 Format**

Clause 4 of the Schedule to the service licence of RSG provides that:

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

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

The Licensee confirms that Radio Sonder Grense is a public radio station that forms part of the SABC. It further confirms that the service offered is a full-spectrum service as required by the licence obligation.

**The Licensee complies with clause 4 of the Schedule of its Licence.**

### **3.5 Local Content Obligations**

Clause 5 of the Schedule to the service licence of RSG provides that:

*"In each 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 the different genres; and*

*5.2 the South African music content, in programming material broadcast on the service during that quarter, in each instance, distinguishing between the 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 the 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 written records indicating the different genres, the South African music content and programming material, for the period under review. The information contained in the quarterly reports was compared to the findings of the monitoring exercise and the conclusions thereof is outlined below.

**The Licensee complies with clause 5 of the Schedule of its licence.**

### **3.6 General Programming Obligations**

Clause 6.1 of the Schedule to the service licence of RSG provides that:

*"6.1 General*

*6.1.1 The Licensee shall ensure that its programming adequately reflects the diversity of South African religions.*

*6.1.2 The Licensee shall take reasonable steps to provide programming that reflects the cultural and traditional needs of its audience.*

*6.1.3 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 RSG's programming has due regard for the interest of all sectors of South African society. The programming includes business content, Agriculture, sports, children's programming, current affairs, drama, educational programming and news.

**The Licensee complies with clause 6.1 of the Schedule to its license.**

Clause 6.2.1 of the Schedule to the service Licence of RSG state that:

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

Some of the news that was broadcast during the period under review include:

- *"Die Black Management Forum (BMF) eis dat die ANC ook mense in die bestuur van staatsinstellings moet aanstel wat nie noodwendig politieke bande het nie. Die ANC het in Sandton met swart sakelui vergader in 'n poging om vrede met die BMF te maak na 'n misleidende koerantberig. Die BMF het verlede week uitgevaar teen die ANC se nasionale uitvoerende kommittee lid, Senzo Mchunu, en die Minister van Openbare Ondernemings, Pravin Gordan, omdat hulle sou gesê het dat die probleme by Eskom toegeskryf kan word aan swart bestuurders."*
- *"Die SAUK sê hy is besig om die kontrakte van vryskut aanbieders wat aan die einde van die maand verval, te heroorweeg. Die openbare uitsaaier het verlede jaar artikel 189 kennisgewings inwerking gestel om 981 werkers af te lê en die kontrakte van 1200 vryskut werkers te beëindig. Die proses is egter opgeskort ndat verskeie SAUK raadslede bedank het."*
- *"President Cyril Rhamaphosa sê sy regering is daartoe verbind om korrupsie en staatskapping te beëindig. Hy het in die nasionale vergadering Vrydag, vrae beantwoord oor wat die regering gaan doen met die getuienis wat by die Zondo kommissie van ondersoek oor staatskapping gelewer is."*
- *"Die Suid-Afrikaanse Menseregtekommissie het werkers van Supersport gevra om voorleggings te doen wat sal kan help in sy ondersoek na bewerings van rasisme by die kanaal. Dit volg nadat die oud springbok Ashwin Willemse*

*bewerings van rasisme teen twee van sy kollegas Nick Mallett and Naas Botha gemaak het. Willemse het 'n opskudding veroorsaak toe hy tydens 'n regstreekse uitsending van die stel afgestap het. Supersport het daarna sy eie onafhanklike ondersoek gedoen”.*

The quarterly reports, as submitted by the Licensee, indicate that the Licensee broadcast on average of eighty (80) minutes of news per day.

During the period under review, the monitoring exercise found that the news as broadcasted by the Licensee meets and exceeds the requirement as set above by broadcasting a minimum of sixty (60) minutes per day.

Further, the Licensee originates its own news, with less than ten percent (10%) of its total news sourced externally. The monitoring exercise found that the Licensee complies with its editorial policy.

**The Licensee complies with clause 6.2.1 of the Schedule to its service licence.**

Clause 6.2.2 of the Schedule to the service Licence of RSG state that:

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

The monitoring exercise found the following current affairs programming was broadcast weekdays during the period under review, by the Licensee:

- “*Monitor*”, which is broadcasted from 06h00 to 08h00 for an average duration of eighty (80) minutes;
- “*Praat Saam*” after 08h00 until 09h00 for an average duration of fifty (50) minutes; and
- “*Spektrum*” from 13h00 to 1400 for an average duration of forty-five (45) minutes.

The monitoring exercise found that on Saturdays, the Licensee broadcast the following current affairs programming:

- “*Naweekaktueel*” is a current affairs programme that is broadcast between 12h00 and 13h00, with an average total broadcast time of forty-five (45) minutes.

The monitoring exercise found that on Sundays, the Licensee broadcasts the following current affairs programming:

- “*Kommentaar*” is broadcasted after 20h00 for a duration of forty (40) minutes.

The quarterly reports, as submitted by the Licensee, show that the licensee on average broadcast a total of one hundred and fifty (150) minutes of current affairs programming per day during week days and sixty (60) minutes of current affairs programming each day during weekends.

The monitoring exercise found that the Licensee broadcast the minimum and exceeds the sixty (60) minutes of current affairs programming requirement during weekdays. On Saturdays and Sunday, the monitoring exercise found that the average current affairs programming on weekends is forty (40) minutes. The Licensee, however, has various current affairs inserts throughout the weekend and as such meets the minimum requirement of sixty (60) minutes per day of current affairs programming during the performance period.

**The Licensee complies with clause 6.2.2 of the Schedule to its service license.**

Clause 6.2.3 of the Schedule to the service Licence of RSG state that:

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

- (i) exercise full editorial control in respect of its 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 SABC's editorial policy stipulates that full editorial control vests with the Licensee. Further, the policy indicates that emphasis is placed on meeting the highest standard of journalistic professionalism and that coverage should be fair, unbiased, impartial and balanced without any governmental, commercial or other interference.

The monitoring exercise found that the news and current affairs programming as broadcast by the Licensee is in line with its editorial policy.

**The Licensee complies with clause 6.2.3 of the Schedule to its service license.**

Clause 6.3 of the Schedule to the service Licence of RSG state that:

*"6.3 Programming targeted at Children*

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

6.3.2 *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; and*
- (iii) educational and is made from the children's point of view".*

The Monitoring exercise found the following programmes targeted at children:

- "Op Skud" is broadcast Mondays, Wednesdays and Fridays at 19h10 for an average duration of ten (10) minutes. The programme educates children from an informal perspective;
- "Luister en Leer" is broadcast Tuesdays, Thursdays and Saturdays at 19h10 for an average duration of ten (10) minutes; and
- "Die Avonture van Bibberbobbejaantjie" is broadcast on Sundays at 19h10 for an average duration of ten (10) minutes.

The quarterly reports, as submitted by the Licensee, show that the Licensee broadcast an average of seventy (70) minutes of programming targeted at children per week during the South African performance period.

The monitoring exercise found that the Licensee is compliant with the requirement to broadcast one (1) hours of children's programming per week. The average duration of children's programming for the week was seventy (70) minutes.

### **The Licensee complies with clause 6.3 of the Schedule to its license.**

Clause 6.4 of the Schedule to the service Licence of RSG state that:

#### **"6.4 Educational Programming**

*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."*

During the monitoring exercise identified the following educational programming, amongst others:



- "*Kompas*" is broadcasted on Wednesdays after 19h30 for an average broadcast duration of thirty (30) minutes and focuses on institutionalised education; and
- "*Kopkrap*" is broadcasted after 19h30 on Tuesdays, Thursdays and Fridays. The program focuses on the revision of high school subjects and preparation for examinations. Kopkrap has an average broadcast duration of twenty (20) minutes;
- "*Die Tale Wat Ons Praat*" is broadcast after 11h00 on Sundays for an average duration of twenty (20) minutes. The program focus on all the aspects of language, with special attention given to Afrikaans;
- "*Hoe Verklaar Jy Dit*" is broadcast after 11h30 on Sundays. This program has an average broadcast duration of twenty-eight (28) minutes and focuses on life science;
- "*Sterre en Planete*" is broadcast after 19h30 for an average broadcast of twenty-eight (28) minutes. This program focuses on astronomy;
- "*RSG Landbou*" is a program that focuses on developments in the Agri-cultural sector. The average broadcast duration is fifteen (15) minutes. The program is broadcasted on Saturdays just before 12h00 and discusses topics such as Free-Range farming;
- "*Regsake*" on Mondays after 11h30 that is broadcasted for an average of twenty-five (25) minutes;
- "*RSG Geldsake*" is broadcast on Mondays after 18h00 for an average broadcast of forty-five (45) minutes;
- "*Vers en Klank*" is broadcast on Tuesdays that focuses on literature and poetry at 21h10 for an average duration of forty (40) minutes; and
- "*Impak*" is broadcast on Sundays after 16h00 for an average duration of twenty (20) minutes.

The children's programming as identified under clause 6.3 of this report contribute a further seventy (70) minutes of educational programming.

The quarterly reports, as submitted by the Licensee, show that the Licensee broadcast an average of more than three hundred (300) minutes, which translates to five (5) hours of educational programming per week.

The total average duration of Educational Programming as confirmed by the monitoring exercise, exceeds the requirement to broadcast five (5) hours per week.

**The Licensee complies with cause 6.4 of its service licence.**

Clause 6.5 of the Schedule to the service Licence of RSG state that:

**“6.5 Drama**

*The Licensee shall broadcast at least two and a half (2½) hours of drama per week within the South African performance period.”*

The Authority’s monitoring exercise found that the Licensee broadcasts the following radio dramas, amongst others:

- “*Pelgrimshoop*” is a book reading from the author Ronel Nel, broadcast weekdays after 10h00 with an average broadcast of eight (8) minutes;
- “*Dwaalpad Huis Toe*” written by Engela van Rooyen is broadcast after 14h00 weekdays with a duration of fifteen (15) mins; and
- “*Die Taal van Been*” written by Heilna du Plooy is broadcast weekdays at 19h10 with an average duration of seven (7) minutes.

The quarterly reports, as submitted by the Licensee, indicate that the Licensee broadcast an average of two hundred and fifty (250) minutes of drama per week during the South African performance period.

The total average duration of drama programming, as found during the monitoring exercise, exceeded the two and a half (2½) hour requirement.

**The Licensee complies with clause 6.5 of its Licence.**

Clause 6.6 of the Schedule to the service Licence of RSG state that:

**“6.6 Informal Knowledge-Building Programmes**

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

The Authority’s monitoring exercise confirms that the Licensee has various Informal Knowledge-Building programming during weekdays as well as during the weekend.

Some examples of these programs are:

- During the week, the morning breakfast show has various informal knowledge-building segments. The segments include experts discussing various topics such as how to deal with TB, how to care for a pet, the power of music when training amongst other segments. Throughout the day these segments average a total of ninety (90) minutes per day;
- During the afternoon show on Mondays, there is a five (5) minute segment where listeners call in and share various recipes on air;

- "Die Geheime van die Brein" is broadcast on Mondays and various topics are discussed such as keeping a healthy mind. The program has a duration of twenty-eight (28) minutes;
- "RSG Kuns" is broadcast on Tuesdays between 20h00 and 21h00 with an average duration of forty (40) minutes;
- "Toekoms Nuus" is broadcast on Wednesdays with an average duration of fifteen (15) and discusses future technologies amongst other topics;
- "RSG Dokumenter" is broadcast on Thursdays for fifty (50) minutes;
- "Die Leefwêreld Van Die Gestremde" is broadcast on Sundays with an average duration of twenty (20) minutes; and
- "Ons en Die Onderwys" is broadcast on Sundays for an average duration of twenty (20) minutes.

The quarterly reports, as submitted by the Licensee, indicate that the Licensee broadcast an average of four (4) hours of informal knowledge building programming per week during the South African performance period.

The monitoring exercise found that the total broadcast of informal knowledge-building programmes exceed the three (3) hour requirement.

**The Licensee complies with clause 6.6 of the Schedule to its License.**

### **3.7 Training and Skills Development Obligations**

Clause 7 of the schedule to Radio Sonder Grense's licence stipulates that:

- 7.1 The Licensee must adopt and implement equal opportunity employment Practice.*
- 7.2 The Licensee must ensure that its management and staff are representative of South African society and that its human resource policies take into account the development of managerial, production, technical and other skills and expertise, particularly with regard to the historically disadvantaged persons.*
- 7.3 The Licensee shall endeavour to achieve fair and reasonable participation by historically disadvantaged persons with respect to:*
- (a) its management and control structures;*
  - (b) skills development;*
  - (c) enterprise development; and*
  - (d) procurement.*

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

The Licensee is in its third year of its three (3) year employment equity plan. During the period under review, the Licensee submits that it successfully implemented employment equity and transformation objectives in line with the relevant legislation which ensured that diversity and inclusion is managed in a non-discriminatory environment. The Licensee implemented various initiatives that was aligned to its employment equity plan and was intended to create awareness, to educate and to challenge employees understanding on different topics relating to diversity and inclusion.

The Licensee submitted its Employment Equity and Transformation report for the period under review. The report indicated that the Licensee made significant progress against its employment equity targets and goals as set out in the employment equity plan<sup>5</sup>.

The Licensee during the period under review achieved a level two (2) BBBEE status and received a total score of 19,61 out of 20 for its Management Control/Employment equity element.

The Licensee delivered 2534 training interventions to 1567 employees during the period under review. Of the 1567 employees, 1088 was trained in accordance with the Workplace Skills Programme and 479 where trained based on operational requirements.

The Licensee submitted that 88% of employees that were trained were from the designated groups (Black, Coloured, Indian). 54,56% were females and 2,55% were employees with disabilities.

The Licensee submitted its Training and Skills Development that provides a detailed breakdown of its compliance with the above requirements, for the period under review, to the Authority for the period under review<sup>6</sup>.

### **The Licensee complies with its training and skills developments obligations.**

---

<sup>5</sup> SABC Employment Equity and Transformation: Report to ICASA, Reporting period: 1 April 2018 – end March 2019.

<sup>6</sup> Appendix C: Skills and Training Report

### **3.8 Provision of audited financial statements to the Authority**

Clause 8 of the service licence provides that:

*"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 an extension."*

The Licensee submitted its Audited Financial Statements for the 2018/2019 financial year within the stipulated timeframe.

**The Licensee complies with clause 8 of the schedule to its licence.**

## **4. REGULATIONS**

### **4.1 ICASA South African Music Content Regulations, 2016**

Regulation 3.3 of the Regulations on South African Music Content provides that:

*"Every holder of a commercial sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 35% 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".*

Some of the interviews held with South African musicians, during the period under review, include:

*Mariëtte; Connie de Villiers; Charlie Finch; Daniel Baron; Saarkie; Willem Wlesyn; Christien Bam; Swing City; Franja du Plessis; Hennie Jacobs; Douvoordag; and Shadley Schroeder.*

Some of the live music that was broadcast, during the period under review, include:

*Brandon October; David Klassen; Wim Viljoen; Richard Cock Symphony Orchestra; Ockie Vermeulen; Mauritz Lotz; and Zurada Temmingh.*

The quarterly reports, as submitted by the Licensee, indicate that the Licensee broadcast an average of seventy percent (70%) of South African music content per day.

The monitoring exercise found that South African music tracks make up an average of seventy percent (70%) of all the music tracks broadcast by the Licensee. The music is further spread reasonably even throughout the performance period. Furthermore, the

licensee's South African music content quota is increased by the interviews it has with South African artists and the live South African music that it broadcast.

### **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<sup>7</sup>, to submit a Form 12A which reports on all complaints received during each financial year.

The Licensee submitted Form 12A of the Compliance Procedure Manual Regulations to the Authority. Further, the Licensee is a member of the National Association of Broadcasters ("NAB") and complaints in relation to the Code of Conduct by Broadcasters are administered by the Broadcasting Complaints Commission of South Africa ("BCCSA").

### **The Licensee complies with the Compliance Procedure Manual Regulations.**

#### **4.3 Regulations regarding Standard Terms and Conditions for Individual 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 Individual Licences<sup>8</sup>.

### **The Licensee complies with the Standard Terms and Conditions for Individual Broadcasting Licensees.**

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

Regulation 3 of the USAF Regulations<sup>9</sup> provides 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 Broadcasting Service Licensee who has paid an annual contribution to the MDDA must set off that contribution against its USAF Contribution, provided that the MDDA*

---

<sup>7</sup> ICASA Compliance Procedure Manual Regulations, 2011 as published in *Government Gazette* No. 34863 dated, 15 December 2011.

<sup>8</sup> Standard Terms and Conditions for Individual Licences 2010 as published in *Government Gazette* No. 33294 dated, 14 June 2010, as amended.

<sup>9</sup> USAF Regulations, 2011 as published in *Government Gazette* No. 34010 dated, 10 February 2011.

*contribution and the USAF contribution against which it is set off are for the same financial year”.*

The Licensee paid its annual contribution to the USAF and duly submitted proof to the Authority. The SABC’s financial year end is March.

**The Licensee complies with the Universal Service and Access Fund Regulations.**

## **5. CONCLUSION**

Radio Sonder Grense complies with all of its obligations, often exceeding the minimum requirements as set out in its license and applicable regulations. The Authority will continue to monitor the compliance of Radio Sonder Grense in the next financial year.

## **6. TERMS OF REFERENCE**

- 6.1** Appendix A: Service and Frequency spectrum licence;
- 6.2** Appendix B: Editorial policies;
- 6.3** Appendix C: Skills and Training Development Report 2018/2019;
- 6.4** Appendix D: South African Music Content Regulations of 2006;
- 6.5** Appendix E: Regulations Regarding Standard Terms and Conditions; and
- 6.6** Appendix F: Universal Service Obligation Fund Regulations