



# **RAINBOW COMMUNITY RADIO ANNUAL COMPLIANCE REPORT**

**MARCH 2021**

# **2019/2020 ANNUAL COMPLIANCE REPORT**

## **RAINBOW CHRISTIAN COMMUNITY RADIO**

**Licence Period: 24 October 2018 to 23 October 2023**

### **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> and the Broadcasting Act<sup>4</sup> to regulate broadcasting activities in South Africa in the public interest. One of the main tasks of the Authority, is to monitor compliance by broadcasters with the terms and conditions of their licences, the three Acts and any relevant legislation and Regulations.

The purpose of this report is to give an account of Rainbow Christian Community Radio (“the Licensee”)’s performance for the 2019/2020 financial year. Aspects of compliance that will be analysed are geographic coverage, community participation, programming obligations, language(s) of broadcast, broadcast content format, Compliance Procedure Manual Regulations, South African Music Content Regulations and Regulations regarding Standard Terms and Conditions for Class Broadcasting Services.

### **2. BACKGROUND**

Rainbow Christian Community Radio holds a Class Community Sound Broadcasting Service (“C-CSBS”) licence and a Radio Frequency Spectrum (“RFS”) licence (collectively referred to as “licences”) for the provision of services to the West Rand which includes Roodeport, Randfontein, Krugersdorp, Kagiso and Ennerdale in the Gauteng Province.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Control Structure**

Clause 1 of the schedule to the licence states that:

*“The Licence is issued to:*

*1.1 Name of Entity: Rainbow Christian Community Radio.*

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

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

<sup>3</sup> Electronic Communications Act, 2005 (Act No. 36 of 2005).

<sup>4</sup> Broadcasting Act, 1999 (Act No. 4 of 1999).

1.2 *Name of the Station: Rainbow Christian Community Radio.*

1.3 *Control of the Licensee: Control shall vest in the Board of Directors of voluntary association Rainbow Christian Community”.*

There were no changes reported by the Licensee to its control structure during the period under review. The licensee’s name remains Rainbow Christian Community Radio. Control of the Licensee is in the hands of Rainbow Christian Community Radio”.

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

### **3.2 Licence Period**

Clause 2 of the schedule to the licence states that:

*“2.1 The effective date of the Licence is 24 October 2018.*

*2.2 The Licence shall expire on 23 October 2023.”*

The Licensee’s licences were renewed on 12 April 2018.

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

### **3.3 Licence Area**

Clause 3 of the schedule to the licence stipulates that:

*“The Licensee shall provide services to the West Rand which includes Roodeport, Randfontein, Krugersdorp, Kagiso and Ennerdale in the Gauteng Province as specified in the Licensee’s radio frequency spectrum licence”.*

The Licensee’s coverage area remains as is stipulated and specified in the RFS licence.

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

### **3.4 Community**

Clause 4.1 of the schedule to the licence states that:

*“The Licensee shall provide services to a Christian community of interest residing within the geographic coverage area as specified herein”.*

The Licensee confirms that its services are offered to the Christian community that resides within its geographic coverage area.

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

Clause 4.2 of the schedule to the licence stipulates 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) general meetings annually with its community and Listener's organisations focusing on programming and programme policies and matters of the radio station;*

*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;*

During the year under review, the Licensee held two (2) listeners forums, on 25 January 2020 and 14 March 2020 and they forwarded the attendance registers and minutes for both meetings to the Authority

**The Licensee complies with clause 4.2 and its sub-clauses of the schedule to its licence.**

The clause on the Annual General Meetings (AGMs), in the licence stipulates that:

*4.2.3 The Licensee shall hold Annual General Meetings (AGM) for the following purposes:*

*4.2.3.1 To provide feedback on the Licensee's compliance with licence conditions,*

*4.2.3.2 To provide feedback on the Licensee's operational and financial performance; and*

*4.2.3.3 To elect members of the controlling structure, e.g. Board of Directors, Trustees etc. subject to the Licensee's founding documents".*

During the year under review, the Licensee held an elective AGM on 22 June 2019 and forwarded the minutes, attendance register and financial statements to the Authority.

**The Licensee complies with clause 4.2.3 of the schedule to its licence.**

### **3.5 Programming**

Clause 5.1 of the schedule to the licence states that:

***"The Licensee shall provide programming as follows:***

***5.1.1 News and information obligation:*** *The Licensee shall broadcast a total of one hundred and two (102) minutes of news per day, of which sixty (60) minutes shall be local news, thirty (30) minutes and twelve (12) minutes shall be international news. This*

*shall include news from the community produced by the radio station on issues affecting the identified community”.*

The Authority’s monitoring exercise identified a four (4) minute news round up called “*Top 9 at 9*” at 08h50 which focuses on leading news stories in each of the 9 Provinces. There is a twenty (20) minute news montage called “*News on NIV*” at 12h30. “*News on NIV*” starts with headline news in each of the 9 Provinces which is followed by international news then the latest news stories. The Licensee broadcasts news bulletins at the top of the hours and news headlines at the bottom of the hour between 07h00 and 18h30. The news bulletins are between four (4) and five (5) minutes in duration, while news headlines are fifteen (15) seconds in duration. The overall average minutes of news is one hundred and four (104) minutes per day.

The following are some of the news items that were monitored:

- *“Eskom has announced its power system remains constrained but there will be no load shedding expected today. The power utility says some of its emergency generators were supplementing the available generation capacity and would be replenished to ensure that they are at adequate levels to meet the demand for the week ahead”;*
- *“Unions have continued to express outrage over Telkom’s decision to begin with retrenchment talks. The Telecoms company announced in the week that it would be cutting 3000 jobs”;* and
- *“The Department of Public Enterprises says taks are currently under way with National Treasury to raise the R 2 Billion funding needed for SAA inline with the post commencement finance undertaken by Government committed the national airline was placed under business rescue”.*

**The Licensee complies with sub-clause 5.1.1 of the schedule to its licence.**

**“5.1.2 Format:** *40% Talk and 60% Music”.*

The monitoring exercise determined that the Licensee complies with the 40% talk and 60% music format. There is a significant amount of engagement between presenters and guests in studio and presenters and listeners through WhatsApp, Facebook messages, SMS and voicenotes in programs such as “*Club Joy*”, “*Hour of Power*”, “*Corner Stone* and “*NIV*”. During the monitoring exercise there was a debt councillor from Consumer Credit Counseling to assist listeners who are over indebted.

**The Licensee complies with sub-clause 5.1.2 of the schedule to its licence**

**"5.1.3 Local Content Obligations":** *In accordance with the South African music Regulations of 2016, the Licensee shall broadcast a minimum of 60% local music which will be annually increased in line with the above mentioned Regulations.*

See (4.2) below regarding the South African music content Regulations.

**The Licensee complies with sub-clause 5.1.3 of the schedule to its licence**

**"5.1.4 Language(s) of broadcast:**

*5.1.4.1 English – 45%;*

*5.1.4.2 isiZulu – 15%;*

*5.1.4.3 Setswana – 15%;*

*5.1.4.4 Afrikaans – 15%;*

*5.1.4.5 Sesotho – 5%;*

*5.1.4.6 Tshivenda – 5%".*

The monitoring exercise determined that English is the primary language of broadcast, for example, most news bulletins, headlines, prayer sermons and bible lessons are read in English. The Licensee broadcasts prayer sermons in all the languages of broadcast. The Licensee also broadcasts a full news bulletin in Afrikaans at 10h00, a full news bulletin in Setswana at 11h00 and a full news bulletin in isiZulu at 15h00. The station's playlist includes gospel music in mainly the languages of broadcast.

**The Licensee complies with sub-clause 5.1.4 of the schedule to its licence.**

Sub-clause 5.1.5 of the schedule to the licence stipulates 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 submits a log of programmes broadcast to the Authority on a monthly basis on time as required by sub-clause 5.1.5

**The Licensee complies with sub-clause 5.1.5 of the schedule to its licence.**

Clause 8 of the schedule to the licence provides for:

**"PROMISE OF PERFORMANCE"**

Clause 8.1 of the schedule to the licence stipulates that:

*"The Licensee shall provide in-house training for its staff and members of the historically disadvantaged community in basic broadcasting and production of programmes".*

The Licensee empowers the youth, especially those from historically disadvantaged backgrounds. The Licensee runs an intern programme that allows for 2 weeks of in-depth training as well as internships from agencies who request up to 6 months work experience. The Licensee included time sheets from the training and internship programmes.

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

Clause 8.2 of the schedule to the licence states that:

*"The Licensee shall provide a broadcasting platform to members of different denominations in its coverage area, the opportunity to preach sermons and devotions on air on a rotating basis. This shall not exceed fifteen (15) minutes for devotion and thirty (30) minutes for sermons".*

In its submission, the Licensee reports that it has pre-recorded teach time it offers to different ministries of all denominations for a duration of five (5), ten (10) and thirteen (13) minutes. There is one ministry that has thirty (30) minutes time slot and that it is Kenneth Copeland Ministries.

When there are special themes, the Licensee invites pastors from different ministries to share live on air and take prayer requests from the listeners.

**The Licensee complies with clause 8.2 of the schedule to its licence.**

Clause 8.3 of the schedule to the licence states that:

*"The Licensee shall establish and maintain programming committees to promote community participation in its coverage area to cater for the programming needs of members from certain areas such as Randfontein, Kagiso, Ennerdale, Roodepoort and surrounding areas"*

In its report, the Licensee has a community forum comprising of members from its geographic communities. The forum meets on a bi-monthly basis where possible. The forum drives programming.

**The Licensee complies with clause 8.3 of the schedule to its licence.**

Clause 8.4 of the schedule to the licence states that:

*"60% of the Licensee's talk programmes shall be aimed at education, culture, literacy, health and information. This shall include informal education such as skills development".*

At all times, the Licensee aims to educate the listener by broadcasting educational programmes on shows such as NIV (News information and Views) as well as on Chosen Generation (Youth Programme) where different topics are addressed with professionals in the relevant sector being interviewed. One such example is the ongoing information regarding SASSA grants and payouts. On two morning drive time shows (Tuesdays and Thursdays), the Licensee broadcasts Legal Eagles (Legal advice) and Doctors Corner (Health Issues). These are interactive with the listeners whereby the listener is given an opportunity to pose questions to the in studio guests. Monday afternoon Drive time show deals with Child maintenance and how and where listeners can be assisted.

**The Licensee complies with clause 8.4 of the schedule to its licence.**

Clause 8.5 of the schedule to the licence provides for:

*"The Licensee shall broadcast programmes that relate to children, adults, youth, women and the elderly".*

The Licensee reported that besides normal programming dealing with the requirement of clause 8.4 above, annually they dedicate month long programming to children, adults, the youth, women and the elderly.

**The Licensee complies with clause 8.5 of the schedule to its licence.**

Clause 8.6 of the schedule to the licence provides for:

*"The Licensee shall employ two to four full time staff members in order to collect and disseminate news"*

The Licensee submitted that they have one (1) News Editor, four (4) news readers and producers.

**The Licensee complies with clause 8.6 of the schedule to its licence.**



## **4. REGULATIONS**

### **4.1 ICASA Compliance Procedure Manual Regulations, 2011**

The Licensee is required, in terms of the ICASA Compliance Procedure Manual Regulations as published in *Government Gazette* No. 34863 dated, 15 December 2011 to submit a Form 12A which is a report on all complaints received during the financial year under review.

For the year under review, the Licensee submitted a complaints report and reported that there were no complaints received.

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

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

Regulation 3(3) of the ICASA South African Music Content Regulations as published in the *Government Gazette* No. 39844 dated 23 March 2016 states that:

*"A holder of a Community Sound Broadcasting service licence must ensure that after eighteen months (18) from the date 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 performance period".*

The Authority's monitoring exercise determined that the Licensee broadcasts above 80% South African music. For example, on a three hour program, the playlist will include a maximum of three (3) or four (4) international tracks.

Some of the South African artists identified are: Joyous Celebration "*Oska ntsheba wannyatsa*", Ntokoza Mbambo "*John:316*", Neyi Zimu & Omega "*Ewe Malibongwe*", Martin PK "*Mbonge*", Khaya Mthethwa, Godwin Omghale "*Winner Man*", JD Crosson ft Curt Hardy "*Luh Me Madly*", Spirit of Praise "*Jehova Ritsephile Wena*" and many more.

**The Licensee complies with the ICASA South African Music Content Regulations.**

#### **4.3 Regulations regarding Standard Terms and Conditions for Class Broadcasting Services<sup>5</sup>**

During the period under review, there was no record that the Licensee did not adhere to the Regulations on Standard Terms and Conditions for Class Broadcasting Services.

**The Licensee complies with the Standard Terms and Conditions for Class Broadcasting Services.**

#### **5. CONCLUSION**

For the 2019/20 financial year, the Licensee complies with its C-CSBS licence terms and conditions and applicable Regulations.

#### **6. TERMS OF REFERENCE**

- 6.1** Appendix A: Rainbow Christian Community Radio C-CSBS and RFS licences;
- 6.2** Appendix B: Rainbow Christian Community Radio AGM Register;
- 6.3** Appendix C: Rainbow Christian Community Radio AGM reports & Financial Statements;
- 6.4** Appendix D: Rainbow Christian Community Radio Complaints Report;
- 6.5** Appendix E: 2019 - 2020 Report;
- 6.6** Appendix F: ICASA South African Music Content Regulations, 2016 as published in *Government Gazette* No. 39844 dated, 23 March 2016. (**Repealed** - *ICASA South African Music Content Regulations, 2006 as published in Government Gazette No. 28453 dated, 31 January 2006*);
- 6.7** Appendix G: Standard Terms and Conditions for Class Broadcasting & Electronic Communications Network Services, 2010 as published in *Government Gazette* No. 33296 dated, 14 June 2010, as amended; and
- 6.8** Appendix H: ICASA Compliance Procedure Manual Regulations, 2011 as published in *Government Gazette* No. 34863 dated, 15 December 2011. (re: submission of Form 12A: ECN/S and BS Complaints Reporting).

**END**

**March 2021**

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<sup>5</sup> Standard Terms and Conditions for Class Broadcasting & Electronic Communications Network Services, 2010 as published in *Government Gazette* No. 33296 dated, 14 June 2010, as amended