



# **UMHLOBO WENENE FM ANNUAL COMPLIANCE REPORT**

**MARCH 2021**

# **2019/2020 ANNUAL COMPLIANCE REPORT**

## **SOUTH AFRICAN BROADCASTING CORPORATION BROADCASTING AS UMHLOBO WENENE FM**

**Licence Period: 18 December 2018 - 17 December 2028**

### **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 seeks to give an account of UMhlobo Wenene FM's compliance with the terms and conditions, as set out in its license, in the financial year that ended March 2020. 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 and Universal Service and Access Fund (USAF).

### **2. BACKGROUND**

UMhlobo Wenene FM holds an Individual Sound Broadcasting Service licence<sup>5</sup> with an obligation to provide a full spectrum service to the geographic areas of Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo. UMhlobo weNene's language of broadcast is isiXhosa.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Geographic Coverage Area**

Clause 3 of the licence provides as follows:

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

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<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 2000

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

<sup>5</sup> UMhlobo weNene's Broadcasting Service Licence

In as far as the radio frequency spectrum license<sup>6</sup> prescribes, the Licensee's coverage area includes, Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

### **3.2 Language(s)**

Clause 4 of the licence provides that the Licensee's language of broadcast is as follows:  
*"Principal Language: isiXhosa".*

The monitoring exercise carried out on UMhlobo Wenene FM's programming profile found that the Licensee's principal language of broadcast is isiXhosa. All programmes monitored for the purposes of this year's reporting were observed to be in isiXhosa. A few interviews, particularly during the Current Affairs show, were done in English and the interviewer would then translate after the interview.

**UMhlobo weNene FM complied with clause 4 of its licence.**

### **3.3 Format**

A prescription made by clause 5.1 of the schedule to the licence reads as follows:

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

While clause 5.2 further instructs:

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

UMhlobo Wenene FM is categorised as a public radio station of the SABC and offers a full-spectrum service to its audience as outlined in the licence. This characteristic was observed during a monitoring exercise carried out on the Licensee's programming profile for the year ended 31 March 2020.

**The Licensee complied with clause 5.1 and 5.2 of its licence.**

### **3.4 Local Content Obligations**

Clause 6 gives the following instruction:

*"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:*

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<sup>6</sup> UMhlobo WeNene's Frequency Spectrum Licence

6.1 different genres; and

6.2 South African Music Content, in programming 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 5h00 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".

In the year that this report seeks to review, the SABC submitted its quarterly reports as per clause 6 of its licence and the Compliance Procedure Manual Regulations.

### **3.5 General programming obligations**

Further on into this report, the Authority will outline its findings based on the monitoring exercise carried out on Umhlobo WeNene's programming profile. For the purposes of noting, UMhlobo Wenene FM's 2019/2020 programming profile had very little changes compared to the previous year's reporting. Almost all programmes found in the previous year's monitoring were found in this year's exercise.

While the tone of the programme – and sometimes the attitude – may have been observed to be different and upbeat compared to the previous years', the Licensee was found to be keeping to its obligations just as it always has.

#### **3.5.1 General**

Clause 7.1.1 of the licence stipulates that:

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

The SABC's editorial policy<sup>7</sup> echoes the provision of the above clause. The policy stipulates that:

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

The Licensee's programming profile was found to reflect mostly the religions of the isiXhosa speaking communities of South Africa.

The monitoring exercise revealed that the following programmes contain religious content that is suited for the isiXhosa speaking community in particular Christian and Islam:

- "NdinguYehova iGqirha lakho" a weekday offering broadcast between 05h00 and 05h30. This programme's content varies from week to week and may be

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<sup>7</sup> An extract from the Licensee's Editorial Policy

Christian or Islam orientated. Religious discussions as well as some religious music were found during the monitoring of this programme.

- *"Ibuzwa kwaba phambili"* broadcast on Saturdays between 05h00 and 06h00, was found to carry some elements of a religious programme. This while the content was found to be more cultural, a whole lot of the programme content had content of a religious programme as well.
- *"Iqonga leGospel"* broadcast between 22h00 and 23h00 on Tuesdays. This programme features local gospel music artists.
- *"LelikaYehova Ihlabathi"* broadcast on Thursdays between 09h00 and 12h00. This programme is an interactive programme targeted at Christian women. Judging by the interactive nature of this programme through phone-ins, the show serves as a revival programme;
- *"Ukholo neNgqiqo"* broadcast on Sundays between 05h00 and 09h00. This programme is a religious magazine programme and covers a variety of topics mostly from religious points of view on lifestyle in general.
- *"Seza Umphefumlo"* is a religious music offering on Sundays between 09h00 and 11h00.
- *"Imvuselelo"* a programme that is literally translates the meaning of its name and serves a revival for the Christian community.

**All of the above-mentioned programmes demonstrate the Licensee's compliance with clause 7.1.1 of its licence.**

Clause 7.1.2 of the licence stipulates:

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

The monitoring exercise found that UMhlobo Wenene FM's programming sufficiently reflects the cultures and traditions of the amaXhosa community.

Firstly, the language used by the radio station bears testimony to the Licensee's compliance with this clause. Further, the Licensee's programming below, caters for the cultural and traditional needs of its audience:

- *"Ibuzwa kwaba phambili"* broadcast on Saturday morning between 05h00 and 06h00;
- *"Lavuth' iBhayi"* is broadcast on Saturdays between 10h00 and 13h00. This is a traditional music programme which plays hundred percent South African Music and featuring traditional Xhosa and Zulu music artists.

**UMhlobo weNene complied with clause 7.1.2 of its licence.**

Clause 7.1.3 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".*

Monitoring of UMhlobo Wenene FM's programming profile confirmed that the radio station caters for the interests of all sectors of South Africa. The following programmes, among others, were monitored and content was found to be targeted at the different sectors within the IsiXhosa speaking community:

- "Khanya Gqiyazana" a programme following on its name in that it strives to make the woman shine in all aspects of life including parenting and business.
- "Nal' ibali" a weekday offering targeted at children and produced in a language children understand;
- "Le likaYehova ihlabathi" a Thursday offering catering for Christian women;
- "Islamic Faith" a feature on "NdinguYehova iGqirha Lakho" which caters for the believers of Islam;
- "Iqonga labatsha" a youth orientated show which features dance and a weekly gig guide. This show also offers celebrity gossip and was identified as being popular with its target market;
- "Ezemidlalo" caters for the sports loving listener and was identified between Monday and Thursday during weekdays;
- "Isikhokelo kwezeMfundo" – a weekday offering targeted at the school going listener. This show features the classroom curriculum;
- "Umyezo we Reggae" – a reggae music show targeted at those who love the music and the followers of Rastafari movement or religion.

**The Licensee complies with clause 7.1.3 of its licence.**

### **3.5.2 News and Current Affairs**

Clause 7.2.1 of the schedule attached to the licence stipulates that:

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

Umhlobo Wenene's quarterly submissions demonstrates that the Licensee broadcasts at least sixty (60) minutes of news each day during the South African performance period.

In monitoring the Licensee's programme recordings, the Authority found that Umhlobo Wenene FM schedules at least fifteen (15) full news bulletins on each day of the week. All bulletins have a duration of at least five (5) minutes each. This amounts to a total of ninety (90) minutes of news each day, during the South African performance period.

The following News excerpts were found during monitoring:

- *"Inkulumbuso yase Italy, uGiuseppe Conte, uyalele abantu bakhe ukuba bahlale kwela lizwe kwaye bacele imvume xa kukho isidingo esingxamisekileyo sokuba bathathe uhambo. Oku kuza emveni kokuba evale onke amazibuko angina naphuma kwalalizwe nelibantu aba balelwa kwi60million ngenxa yokunwenwa kwentsholongwane iCorona. Iitaly neyeyona enamanani aphezulu olosuleleko lwalentsholongwane ngaphandle kweChina ibike ukuba inani Labantu ababhubhe ngenxa yale ntsholongwane izolo lisuke ku366 laya kutsho ku463. Kungoku ngabantu abafikele kumawaka alithoba abosuleleke yiCorona Virus. Inani Labantu abosuleleke yilentsholongwane kwihlabathi liphela lihleli kuhundred and eleven thousand, ze kwabhubha abangama waka amathathu namakhulu alithoba";*
- *Inkundla ephakamileyo yasePitoli namhlanje izakuwisa isigwebo kwityala elaziswa ngaphambili nguMongameli uCyril Ramaphosa lokokuba kuphononongwe ingxelo yoMkhuseli woluNtu, Ubusisiwe Mkhwebane, nemayela nenkxaso-mali yephulo lakhe lokugaya inkxaso yobuMongameli kwiANC ngo2017 elibizwa iCR17. Uramaphosa wafaka isicelo kwiNkundla ePhakamileyo ukuba ingxelo kaMkhwebane ibhengezwe nje ngengekho mthethweni. Ithi le ngxelo, uRamaphosa walahlekisa iPalamente, wanyhasha imithetho yokuziphatha kwaMagosa aPhezulu ebuRhulumenteni, mayela nomnikelo weR500 000 awayinikwa yiNgqonyela yeBosasa engasekhoyi uGavin Watson. Uthi uRamaphosa wayengazi ngalomnikelo, kwaye uMkhwebane akanamaguya okuphanda iminikelo eyenziwa kumaphulo ezopolitiko abucala; and*
- *Iimanyano zabaSebenzi kwiQumrhu loPhapho iSAA zithi zisifumene isibhengezo sokumiselwa kukaSection 189 ongokuqaliswa kwenkqubo enokukhokelela ekudendweni kwabasebenzi abangamawaka amabini namakhulu amabini. Eli philo lizakuchaphazela abasebenzi bakwaSAA kuphela hayi abakwaMango, iSAA Technical kunye nabapheki. Enye imanyano, iNational Transport Union ithi urhulumente makabaqeshe abasebenzi abazakudendwa. Umashudura Peta weNTU uthi akhange bacinge ukuba kungadendwa abasebenzi abaninzi ngoluhlobo".*

**The Licensee complies with clause 7.2.1 of its licence.**

Clause 7.2.2 provides as follows:

*"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 submissions demonstrate that UMhlobo Wenene broadcasts a daily average of one hundred and thirty-seven (137) minutes of Current Affairs programming during the South African Performance Period.

The Authority's monitoring exercise found that the Licensee broadcasts three (3) current affairs programmes between Monday and Friday as follows:

- *"Laphum' ikhwezi"*: Current Affairs Morning between 05h30 and 06h30;
- *"Apha naPhaya Midday"*: Current Affairs Midday between 12h00 and 13h00; and
- *"Apha naPhaya Evening"*: Current Affairs between 18h00 and 19h00.

The following current affairs programming was also monitored between Saturday and Sunday:

- *"Ziyawoyika umbethe"*: Current affairs programming on Saturday between 06h00 and 07h00;
- *"Uphendlo 'ndaba zeveki"*: Current affairs programme on Sunday between 18h00 and 19h00.

The duration of all monitored current affairs programmes is sixty (60) minutes each. Accordingly and as per the monitoring exercise, the Licensee broadcasts, an average total of at least one hundred and forty-five (145) minutes of current affairs programming on each day, during the South African Performance Period.

### **UMhlobo weNene FM complied with clause 7.2.2 of its license.**

Clause 7.2.3 further provides as follows:

*"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 SABC’s editorial policies echo the provisions of this clause. The Licensee’s policies also prescribe that the Licensee shall exercise 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. Further, the editorial policies provide that the Licensee broadcast fair, unbiased and impartial coverage of content, independent from government, commercial or other interference.

During the period under review, the monitoring exercise revealed that UMhlobo weNene broadcasts matters of international national, regional and local significance.

In its current affairs broadcast, the radio station was found to provide an opportunity for the public to receive a variety of points of view on matters of public concern. The Licensee’s Editorial Policies form part of the SABC’s Charter and monitoring of the Licensee’s news and current affairs programmes during the year under review, not only demonstrated compliance with clause 7.2.2 of its licence, it also complied with the Charter, per as the Broadcasting Act of 1999.

### **The Licensee complies with clause 6.2.3 of its licence.**

#### **3.5.3. Programming targeted at Children**

Clause 7.3.1 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”.*

According to the Licensee’s submission, UMhlobo Wenene FM broadcasts an average of three hundred and ten (310) minutes of children’s programming per week.

The monitoring exercise found that the Licensee does have programmes that are targeted at children. Examples of children’s programming on UMhlobo Wenene FM were identified in the following programmes:

- “Nal’ ibali” a 10-minute insertion on the “Khanya Gqiyazana” show for four days during weekdays. In calculations, this translates to forty (40) minutes of Nal’ ibali weekly;

- “*Abantwana kukholo neNgqiqo*” an insert broadcast within a programme called “*Ukholo neNgqiqo*” on Sundays between 07h30 and 08h00 and lasts for thirty (30) minutes.

All in all, the Authority found that the Licensee broadcasts at least seventy (70) minutes of children’s programming per week during the South African Performance Period.

#### **UMhlobo weNene FM complies with clause 6.3.1 of its licence.**

Clause 7.3.2 provides as follows:

*“In the production and presentation of its children’s programming, the Licensee shall ensure that such children’s programming is:*

- (i) broadcast at the 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 a children’s point of view”.*

The monitoring exercise observed that all programmes considered to be Children’s Programming are produced and broadcast in the manner as prescribed by this clause. The use of narrators in child-like voices and characters associated with children was observed. Furthermore, the attitude of the presenter towards children and the language (terminology) often used, it proved to be from the children’s point of view.

#### **The Licensee complies with clause 7.3.2 of its licence.**

#### **3.5.4 Educational Programming**

Clause 7.4 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 that UMhlobo Wenene scheduled at least six (6) hours and twenty (20) minutes of educational programming averaged weekly.

The monitoring exercise found that UMhlobo Wenene FM’s Educational programmes are two-fold, in that they also have some Informal Knowledge Building (IKB) element in them. However, and in an attempt to not count the same programmes twice and end up with an overall distorted programming output for Umhlobo weNene, the programmes the Authority can confirm were found to be strictly educational, were the following: -

- "Isikhokelo kwezemfundo" broadcast on weekdays between 20h30 and 21h30. The content in this programme carries educational support to the classroom curriculum;
- "Ezemfundo" broadcast on Saturdays between 09h00 and 10h00. This programme carries educational content that is directed at children and is an initiative of SABC Education and Sanlam; and
- "Amaziko Emfundo" broadcast on Sundays between 21h00 and 22h00, deals with career guidance to the high school going learners.

At least seven (7) hours of educational programming per week during the South African performance period, was monitored.

### **UMhlobo weNene complies with clause 7.4 of the licence.**

#### **3.5.5 Drama**

Clause 7.5 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 indicate that UMhlobo Wenene schedules at least three (3) hours of drama programming per week, during the South African performance period.

During the period under review, the Authority's monitoring exercise found that the Licensee broadcasts one (1) drama programme twice daily between Monday and Friday during the South African performance period.

- "Ithini na le nto: Leyo yimfihlelo yobomi" broadcast between 13h30 and 13h45 and runs for fifteen minutes every day between Monday and Friday. This radio production is originally written by Sonwabo Yawa and Bomikazi Ngcubhe and is produced by the SABC for broadcast on UMhlobo Wenene; and
- "Ithini na le nto: Leyo yimfihlelo yobomi" a repeat of the midday offering broadcast between 21h35 and 21h50 between Monday and Friday.

In total, at least one hundred and fifty (150) minutes of drama programming was monitored per week, during the South African performance period.

### **UMhlobo weNene FM complied with clause 7.5 of its licence.**

### 3.5.6 Informal Knowledge-Building Programmes

Clause 7.6 of the licence stipulates that:

*"The Licensee shall broadcast at least three (3) hours of informal-knowledge building programming per week with[in] the South African performance period".*

The Licensee's quarterly submissions report that UMhlobo Wenene broadcasts at fifteen (15) hours of Informal Knowledge Building programming per week within the South African Performance Period.

The monitoring exercise found the following IKB programmes on uMhlobo Wenene FM's programming profile:

- *"NdinguYehova iGqirha Lakho"* a daily offering between Monday and Friday from 05h00 and 05h30.
- The show offers informal knowledge with regards to different topics e.g. Ezolimo – an everyday feature on the show – speaks mostly about issues of agriculture and the concerns in this sector.
- *"Khanya Gqiyazana"* goes to air between 09h00 and 12h00 from Mondays to Wednesdays and then again on Fridays. Khanya Gqiyazana provides informal knowledge on issues relating to women in all aspects of a woman's life.
- *"Sijik' ilanga"* broadcast during weekdays, between 13h00 and 15h00. This show is targeted mostly at the youth and the topics are always aimed at empowering the youth on business and provides a platform for the unemployed.
- *"Ibuzwa kwaba phambili"* a Saturday morning offering between 05h00 and 06h00. This programme was found to carry content that debates the origins of faith and the basis of the African beliefs.
- *"Ukholo neNgqiqo"* broadcast on Sundays between 05h00 and 09h00. This programme is a religious magazine programme which covers a variety of topics, mostly from a religious point of view regarding marriage, family lifestyles and how to raise children etc.

The Licensee broadcasts at least thirty-five (35) hours of IKB programming per week within the South African Performance Period.

**The Licensee complies with clause 7.6 of the license document.**

### 3.6 Training and Skills Development Obligations

Clause 8 of schedule attached to the licence stipulates as follows:

- 8.1 *"The licensee must adopt and implement equal opportunity employment practices;*
- 8.2 *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;*
- 8.3 *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*
- 8.4 *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 Licensee submitted its Employment Equity and Transformation report for the period under review (2019/2020) to the Authority. The report acknowledges the importance of diversity in the workplace and that employment equity is an imperative business driver. The Licensee implements various education and awareness campaigns with the intention to create and to maintain a respectful, inclusive and non-discriminatory workplace.

The report indicates that the management and staff of the Licensee are representative of South African demographics, including 83 employees living with disabilities. The Licensee further endeavours to ensure that females are well represented at all occupational roles and especially in decision making positions.

The Licensee through its Learning and Development department implements a workplace skills programme in alignment with the needs of the organisation. During the period under review 87% of the people that were trained were from historically disadvantaged backgrounds, with females representing 54,5% of the overall total. The total amount spent on training for the period under review was R10 332 040. The training included among others customer service, effective presentation skills, stress management, office administration and time management.

The report shows the extent to which historically disadvantaged people are represented throughout the organisation. Further, the Licensee has a National employment equity forum that continues to monitor and evaluate the implementation of the Licensee's employment equity objectives.

The Licensee submitted both its Employment Equity and Transformation plan<sup>8</sup> report as well as its Training and Skills Development report, that respectively provide a detailed breakdown of its compliance with the above requirements to the Authority for the period under review.<sup>9</sup>

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

### **3.7 Submission of Audited Financial statements to the Authority**

Clause 9 of the licence stipulates that:

*"The Licensee shall provide the Authority with the audited annual financial statements of the licensed service within six (6) 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 annual financial statements. However, due to the Covid-19 pandemic, the submission of the Licensee's audited financial statements was delayed and could not be submitted within four (4) months of the end of the Licensee's financial year.

The Authority was duly informed of the delay by the Licensee and considers the covid-19 pandemic good cause for an extension of the submission deadline.

**The Licensee complies with clause 9 of the schedule to its licence.**

## **4. REGULATIONS**

### **4.1 Compliance Procedure Manual – Form 12A**

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A<sup>10</sup> which reports on all complaints received in the course of each financial year. The SABC submitted its complaints report in accordance with the Compliance Procedure Manual Regulations.

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"). According to the above-mentioned submission, there were no complaints received against Ukhlobo Wenene FM in the year that ended March 2020.

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<sup>8</sup> SABC Employment Equity and Transformation: Report to ICASA, Reporting period: 1 April 2019 – end March 2020.

<sup>9</sup> Appendix C: Skills and Training Report

<sup>10</sup> SABC Form 12A

## 4.2 ICASA South African Music Content Regulations

Regulation 3 of the ICASA South African Music Content Regulations 2016<sup>11</sup> 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."*

The Licensee's music play list is dominated by works of South African musicians. UMHlobo weNene FM's music content is made up of approximately 85% South African Music. The following music artists enjoy airtime on UMHlobo weNene FM's music play list: *Sibongile Khumalo, Mirriam Makeba, Stevie Wonder, Nomcebo Zikode, Sjava, Master KG, Nandi Mngoma, Casper Nyovest, Proverb, AKA, Ricky Rick, Thandiswa Mazwai, Amadodana aseWesile, Hlengiwe Mhlaba, Malibongwe Gcwabe, Dumki Mkokstaid, Sifiso Ncwane, Nomuzi Mabhena, Phinda Matlala, Bucie, Lira, Busiswa, Phuz' eKhemisi, Ihash' elimhlophe, Shwi noMntekhala, uThwalufu namaNketshane, Chwane LeBhaca* and many other artists whose music ticks the "South African Music" box requirements.

**UMHlobo weNene FM complies with regulation 3.2 of the South African Music Content Regulations.**

## 4.3 Standard Terms and Conditions for individual broadcasting licences

Regulation 11 (3) of the standard terms and conditions<sup>12</sup> 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. Further, no non-compliance with the Regulations on the Standard Terms and Conditions for Individual Licences, was found.

**The Licensee complies with the regulations on standard terms and conditions for individual licensees.**

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<sup>11</sup> ICASA South African Music Content Regulations

<sup>12</sup> Regulations regarding the Standard Terms and Conditions for Individual Licensees.

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

Regulation 3 of the USAF Regulations<sup>13</sup> 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".*

The Licensee made the prescribed payment and submitted proof thereof to the Authority.

**The Licensee complies with Regulation 3 of the USAF Regulations.**

#### **5. CONCLUSION**

UMhlobo Wenene FM has complied with the terms and conditions in its licence and the Regulations that apply to the SABC as a public broadcaster.

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

- 6.1.** Appendix A: UMhlobo Wenene FM's Broadcasting Service Licence;
- 6.2.** Appendix B: UMhlobo weNene FM's Frequency Spectrum Licence;
- 6.3.** Appendix C: SABC Editorial Policy (An extract);
- 6.4.** Appendix D: SABC's Employment Equity and Transformation Report;
- 6.5.** Appendix E: SABC's Skills and Development Report;
- 6.6.** Appendix F: SABC's Form 7C on Code on People with Disabilities;
- 6.7.** Appendix G: SABC's Form 12A Biannual Complaints Report;
- 6.8.** Appendix H: The ICASA Local Content Regulations;
- 6.9.** Appendix I: Standard Terms and Conditions Regulations;
- 6.10.** Appendix J: Universal Service and Access Fund Regulations

**END**

**March 2021**

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<sup>13</sup> Universal Service and Access Fund Regulations, 2011.