



RADIO 2000 ANNUAL COMPLIANCE REPORT

MARCH 2022

2020/2021 ANNUAL COMPLIANCE REPORT

RADIO 2000

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 Constitution¹, the ICASA Act², the Electronic Communications Act³ (ECA) and the Broadcasting Act⁴ to regulate broadcasting activities in South Africa in the public interest. Among the responsibilities of the Authority is the task to ensure compliance by broadcasting service Licensees with the terms and conditions of their licence and any relevant legislation and/or regulations.

The purpose of the report is to give an account of Radio 2000's compliance with the terms and conditions as set out in its licence for the 2020/2021 financial year. Aspects of compliance that are measured comprise of Format, Local Content Obligations, General Programming Obligations, Training and Skills Development, Finances, Complaints, ICT COVID-19 National Disaster Regulations; South African Music Content Regulations, Regulations Regarding Standard Terms and Conditions, Universal Service and Access Fund (USAF) Regulations, and General Licence Fees Regulations.

2. BACKGROUND

Radio 2000 is an Individual Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full radio spectrum service in South Africa.

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

² Act No. 13 of 2000, as amended

³ Act No. 36 of 2005

⁴ Act No. 4 of 1999

In other words, the radio station provides a balanced range of broadcast content such as educational programming, drama programming, news and current affairs programming, sports and content of national interest. For the period 2020/2021 (peak COVID-19), there was no audience measurement report from the Broadcast Research Council of South Africa (BRC), however, for the licensee, the listenership figures for the previous reporting period were, 640 000⁵.

3. COMPLIANCE ASSESSMENT

3.1 Ownership and Control

Clause 1 of the licence stipulates that:

- 1.1 Name of company/entity: The South African Broadcasting Corporation*
- 1.2 Shareholders: The State shall hold one hundred (100%) percent of the shares of the Corporation*
- 1.3 Ownership by persons from historically disadvantaged groups: N/A*

For the period under review, there were no changes in the name and shareholding of the Licensee. Radio 2000 forms part of the public service division of the SABC and continues to be fully owned by the State.

The Licensee complied with clauses 1.1, 1.2 and 1.3 of its licence.

3.2 Geographic Coverage Area

Clause 2 of the schedule to the licence states that:

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

⁵ <https://brcsa.org.za/brc-ram-listenership-report-oct18-mar19/>

The radio frequency spectrum licence outlines the radio station's coverage area to be one of a national footprint. During the period under review, there were no complaints that the Authority is aware of that were lodged against the Licensee regarding its coverage area. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

The Licensee complied with clause 2 of the schedule of its licence.

3.3 Language(s)

Clause 3 of the schedule to the service licence states that the language of broadcast is as follows:

"The principal language is a balanced range of official languages".

The Authority's monitoring exercise found English to be the principal language of broadcast, however the licensee utilises other official languages in between the various shows. This is especially prominent when hosts take calls from the listeners.

The Licensee complies with clause 3 above.

3.4 Format

Clause 4.1 of the schedule to the licence states that:

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

Radio 2000 forms part of the public service stations of the SABC and offers a full-spectrum service to its audience as outlined in the licence. Further, the principle of editorial independence is entrenched in the SABC's Editorial Code, which states that *"The scope of the public service mandate means that the SABC has to provide consistent, relevant, useful and high-quality content, including information and analysis"*.

The Licensee is consistent in providing up to date news and information that is delivered in an unbiased manner, whilst providing a platform for the public to participate and air their different views

Clause 4.2 of the schedule to the licence states that:

"The licensed service shall be a facility service in a balanced range of genres (including education, sports, religious programming and music) broadcast in a balanced range of official languages".

The programming line-up reflects a diverse range of shows that cater for a wide audience. On the morning programme *"The Take Off"*, World Teacher day was celebrated through analysis and engagement with the listeners on influential teachers that played a role in their lives.

The Licensee complied with clause 4.1 and 4.2 of the schedule to its licence.

3.5 General programming obligations

3.5.1 General

Clause 6.1 of the schedule to its licence states that:

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

The SABC's editorial policy⁶ stipulates that:

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

The Licensee's revised Editorial Policy states, on clause 9.2.8 under matters of Policy on Religious Content that: *'The content should take account of regional factors, target*

⁶ An extract from the Licensee's Editorial Policy

audiences, language and cultural preferences, and the devotional needs of specific groups.

The Licensee strives to cater for religious content that is, broadly speaking, unbiased and representative of the radio station's public interest mandate. Further, the various religious content available on the programme line-up, be it music or general content, is one that is in keeping with the regional demographics of the station.

The Licensee complied with clause 6.1 above.

Clause 6.1.2 of the licence stipulates that:

"The Licensee should take responsible steps to provide programming that reflects the cultural and tradition needs of the audience".

The monitoring exercise found diverse programming that seeks to address the diversity of traditions and cultures enjoyed by the licensee's target audience. On the show *Queens of Grace*, the topic of *go laya* (loosely translated as: to groom...usually a new bride) was discussed at length, with experts in the form of a marital counsellor, invited to shed more light on the culturally important yet sensitive topic that is nuanced with modern standards and cultural traditions. The show comes across as engaging and accommodates differing views.

The Licensee complied with clause 6.1.2 above.

Clause 6.1.3 of the licence stipulates that:

"The licensee shall during the South African performance period, provide programme material that caters and has due regard for the interests of all sectors of South African society and shall provide programming on health-related issues, gender issues relevant to all age groups".

For the period under review, there was a suspension on the above-mentioned obligation under the provisions of the ICT COVID-19 National Disaster Regulations.

However, the monitoring exercise found that Radio 2000 broadcasts matters of national and international significance such as the latest developments related to the pandemic

The Licensee complied with clause 6.1.3 above.

3.6 Programming for People Living with Disabilities

Clause 7 of the licence stipulates that:

"The licensee shall in the provision of the licensed service, ensure that people with disabilities regularly feature and participate in its programme material in accordance with the Integrated Disability Strategy".

The SABC established the SABC 360 Disability Project in 2016 with the aim to have a 360° approach to Disability. The project is implemented through the SABC's broadcasting platforms for example, online and during events hosted by the SABC. Content such as podcasts or clips are uploaded to these various platforms and the SABC social media pages ensure such material is publicised. This is seen by the SABC, as a one-stop-shop of disability information/content from all SABC radio stations in all official languages. The Facebook page of the project is as follows: <https://www.facebook.com/SABCDisability360/>

The Licensee complies with clause 7 of its licence conditions.

3.6 Training and Skills developments Obligations

Clause 7 of the schedule to the licence states the following:

"7.1 The licensee must adopt and implement equal opportunity employment practices;

7.2 The Licensee must ensure that its management and staff are representative of South African society and that its human resource policies 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 submitted its Employment Equity and Transformation plan report and its Training and Skills Development that provides a detailed breakdown of its compliance with the above requirements to the Authority for the period under review within 30 days of the end of the financial year.

These reports indicate that the Licensee has adopted and implemented equal opportunity employment practices and showed that the Licensee has remained committed to diversity and inclusion in the workplace. Its workforce represents the different groups of South African society.

The report further shows that the licensee delivered 765 training interventions for 690 employees. Of the total 690 employees, 491 were Africans, 67 were Coloureds, 41 were Indians, 91 were whites and 14 employees living with disabilities. The Licensee further endeavours to ensure that females are empowered and therefore, 53,62% of the total employees trained, were female.

The training interventions confirm that the Licensee’s policies does consider seriously, the development of managerial, production, technical and other skills and expertise, particularly regarding the historically disadvantaged persons.

Fair and reasonable participation by historically disadvantaged persons is evident at all occupational levels and in decision-making positions.

The Licensee was found to be compliant with its training and skills developments obligations.

3.7 Provision of Audited Financial statements to the Authority

Clause 8 of the licence stipulates that:

"The Licensee shall provide the Authority with the audited annual financial statements of the licensed service within four (4) months of the end of the licensee's financial year, provided that the licensee may on good cause apply to the Authority for extension".

The Licensee submitted its audited financial statements within the regulatory timeframes.

The Licensee complied with clause 8 of its licence.

4. REGULATIONS

4.1 ICT COVID-19 National Disaster Regulations

Following the government's declaration of the National State of Disaster under the Disaster Management Act, 2002, the Authority published the ICT COVID-19 National Disaster Regulations in April 2020 and subsequent amendments thereto. The purpose of the Regulations was, among others, to prescribe minimum standards for Licensees in line with the National State of Disaster. The Regulations generally provided for the relaxation of some obligations for Licensees under prevailing circumstances. The exemptions and/or suspensions for Broadcasting Licensees include:

- *The performance period was shortened from 05h00 – 23h00 to 07h00 – 21h00;*

- *The requirement for licensees to submit programming logs and recordings to the Authority quarterly was suspended;*
- *Television broadcasting service Licensees were exempted from compliance with the local television content quotas and specific advertising and programming requirements in terms of licence conditions during the National State of Disaster;*
- *Sound broadcasting service Licensees were exempted from compliance with specific programming requirements and promises of performance in terms of licence conditions during the National State of Disaster;*
- *Sound broadcasting service Licensees to comply with the local content music quotas; and*

There were no incidents of non-compliance with the ICT COVID-19 National Disaster Regulations for the period under review.

The Licensee complies with the ICT COVID-19 National Disaster Regulations.

4.2. ICASA South African Music Content Regulations

Regulation 3 (1) of the South African Music Content⁷ as published on 23 March 2016 stipulates that:

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

⁷ South African Music Content Regulations

The monitoring exercise reflects adherence to the 70% minimum requirements of the South African Music Content. The Licensee's playlist is a balanced combination of almost all genres related to African pop, kwaito, house, jazz, gospel and blues music. A few of the artists featured include, Samthing Soweto; AKA; Sjava; Sankomota; Kelly Khumalo; Lira and many others.

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

4.3 Regulations regarding Standard Terms and Conditions for individual Licences

Regulation 11 (3) of the standard terms and conditions⁸ stipulates that:

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

During the Authority's monitoring exercise, no incidents of non-compliance by the licensee with the Standard Terms and Conditions for Individual Licences, could be found for the period under review.

The Licensee complied with the Standard Terms and Conditions for Individual Licences.

4.4 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations⁹ 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".*

⁸ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

⁹ Universal Service and Access Fund Regulations

- (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".*

A confirmation of the Licensee's annual contribution to the MDDA was received from the Licensee, and this was done within the stipulated timeframes.

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

4.5 COMPLAINTS

Form 12A: Complaints Report of the Compliance Procedure Manual Regulations read with the Code of Conduct for Broadcasters requires that broadcasters complete the form bi-annually in accordance with the Licensees' Financial Year.

The Licensee is affiliated to the National Association of Broadcasters ("NAB"), and as such, any complaints related to this Licensee is administered through the Broadcasting Complaints Commission of South Africa ("BCCSA"). For the period under review, there were no complaints escalated to the Authority.

5. CONCLUSION

For the period under review, the licensee was found to have complied with its licence conditions. This is an improvement from the previous reporting period which had a negative finding on languages. The Licensee appears to have corrected the issue.

4. TERMS OF REFERENCE

Annexure A : Radio 2000's Broadcasting Service Licence

Annexure B : Radio 2000's Frequency Spectrum Licence

Annexure C : Extract from the Licensee's Revised Editorial Policy (2020)

Annexure D : Training & Skills Development Report

Annexure E : Regulations regarding the standard terms and condition

Annexure F : Universal Service and Access Fund Regulations

Annexure G : Proof of SABC's Contribution to USAF

END