



RADIO VERITAS ANNUAL COMPLIANCE REPORT

MARCH 2022

2020/2021 ANNUAL COMPLIANCE REPORT

RADIO VERITAS TRUST BROADCASTING AS RADIO VERITAS

LICENCE PERIOD: 12 SEPTEMBER 2016 to 11 SEPTEMBER 2021

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution¹, the ICASA Act², the Electronic Communications Act³ (ECA) and the Broadcasting Act to regulate broadcasting activities in the public interest. The Authority has a mandate to ensure compliance by broadcasters with the terms and conditions of the licence, the ECA, the ICASA Act and any other relevant legislation and Regulations.

The purpose of this report is to give an account of Radio Veritas's compliance with the terms and conditions as set out in its licence for the 2020/2021 financial year. 2020/2021 financial year. Aspects of compliance that are measured comprise of the Geographic Coverage, Community participation, and Programming Obligations.

Further, the report will measure compliance with regulations that include South African Music Content, Standard Terms and Conditions, and the ICT Covid-19 National Disaster Regulations⁴ first published in April 2020 and the subsequent amendments following the proclamation of the State of National Disaster.

The ICT Covid-19 National Disaster Regulations as amended have introduced exemptions with specific service licence conditions and/or revised quotas and such will be reflected in the body of the report accordingly.

2. BACKGROUND

Radio Veritas is a class broadcasting service Licensee providing services to a geographic community residing in the Greater Johannesburg Metropolitan area in the Gauteng province. The radio station provides a programming format that is a mix of talk radio and music.

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

² ICASA Act No 13 of 2000, as amended

³ Electronic Communications Act No 36 of 2005

⁴ The ICT COVID-19 National Disaster Regulations, 2020 as published in *Government Gazette* No. 43207 dated, 06 April 2020, as amended.

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the schedule to the licence provides that:

"The Licence is issued to:

1.1 Name of company/entity: Radio Veritas Trust.

1.2 Name of Station: Radio Veritas.

1.3 Control of the Licensee: Control shall vest in the Board of Trustees of a Trust known as Radio Veritas Trust."

There were no changes reported by the Licensee to its company name and control structure during the period under review.

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

3.2 Licence Period

Clause 2 of the schedule to the licence provides that:

"2.1 The effective date of the licence is 12 September 2016; and

2.2 The licence shall expire on 11 September 2021."

The licence is still valid.

3.3 Licence Area

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

"The Licensee shall provide services to Greater Johannesburg Metropolitan area in the Gauteng Province as set out in the Licensee's radio frequency spectrum licence".

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

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

3.4 Community

Clause 4.1 of the schedule to the licence provides that:

"The Licensee shall provide services to a Christian community residing within the geographic coverage area specified herein, namely Greater Johannesburg Metropolitan".

The Licensee submitted and confirmed that it provides a sound broadcasting service as prescribed in its licence. The monitoring exercise confirmed that Radio Veritas broadcasts Christian content, specifically for the Catholic faith.

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

Clause 4.2 of the schedule to the licence provides that:

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

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

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

Compliance with this clause of the licence was suspended during the period under review as per the ICT Covid-19 National Disaster Regulations.

Further, clause 4.2.3 provides that:

"The Licensee shall hold an Annual General Meeting for the following purposes:

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

4.2.3.2 To provide feedback on the Licensee's operational and financial performance, and any Special Annual General Meeting as and when required by the Constitution; and

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

Compliance with this clause of the licence was suspended during the period under review as per the ICT Covid-19 National Disaster Regulations.

3.5 Programming

Clause 5.1 of the schedule to the licence provides that:

"The Licensee shall provide programming as follows:

5.1.1 Format: "60% Talk and 40% Music"

The monitoring exercise revealed that the Licensee's programming is a mixture of talk and music though with more talk. Its broadcasts show that are devoted to church services, discussions on faith and spirituality. There are broadcasts mass services as described in the Catholic faith, prayer sessions and listener interactions. The monitoring exercise confirmed that the Licensee's format as prescribed in the licence as is, it is more talk than music.

The Licensee complies with its format as prescribed in the licence.

Clause 5.2 of the licence provides for:

"News and information obligation:

5.2.1: The Licensee shall broadcast news to a total of hundred and five (105) minutes per week, of which sixty (60) minutes shall be local news, fifteen (15) minutes shall be national news and thirty (30) minutes shall be international news."

The Authority's monitoring exercise revealed that the Licensee broadcasts approximately one hundred and twenty (120) minutes of news per, with approximately twenty-four daily minutes on weekdays. However, about fifty (50) minutes of the news is international, forty (40) minutes is national, and ten (10) minutes is local.

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

- *"Expressions of praise and gratitude continue to roll in after the Pope's historic trip to Iraq. In a statement published yesterday, members of the Higher Commission of Human Fraternity, hailed Pope Francis's apostolic journey as a crucial moment for promoting tolerance, inclusiveness, and human fraternity. Professor Muhammad Husayn al-Mahrasawi, President of the Al-Azhar University and member of the Higher Committee, said that Pope Francis's visit provided healing for the wounds of the Iraqi people after years of wars and destruction. The Professor added that tolerance and fraternity are the best response to the calls of hatred and extremism which took the lives of many, and displaced millions of innocent people.*
- *Young, unemployed Catholics from as far as the Vaal Deanery, East Rand, Soweto and other parts of Johannesburg, attended today's Cyber Security workshop held at the Cathedral of Christ the King Hall. Organised by the Catholic ICT Forum in collaboration with the Archdiocese of Johannesburg, Justice and Peace office, and the Gauteng*

Department of Finance and eGovernance. The workshop was also an opportunity to network as some of the participants are self-employed. Newly appointed Episcopal Vicar for Justice and Peace of the Archdiocese of Johannesburg, Father Sefako Santawana hopes to have similar workshops at parish level.

- *Eyewitness news has reported that AmaZulu King Goodwill Zwelithini was laid to rest during the early hours of this morning in a private ceremony attended only by close male relatives. The King made history as the longest serving monarch of the Zulu nation, with a reign which spanned five decades. King Zwelithini had been hospitalised over a month before he died of diabetes-related complications last Friday.*

The Licensee does not adhere to the news split as it is prescribed in the licence.

The Licensee partially complies with its news obligation.

Clause 5.3 of the licence provides for:

"Local content obligations:

5.3.1 The Licensee shall broadcast South African music content of 80%"

The Authority's monitoring exercise confirmed that the radio station broadcasts South African music. However, due to the shortened performance period, actual percentages could not be determined.

The Licensee's compliance with this clause could not be determined.

Clause 5.4 of the licence provides that:

"Languages of broadcast:

5.4.1 70% English;

5.4.2 8.4% Sesotho;

5.4.3 8.3% isiZulu;

5.4.4 8.3% Afrikaans;

5.4.5 2.5% Portuguese;

5.4.6 2.5% French."

The monitoring exercise revealed that the Licensee's main language of broadcast is English. It also offers shows in Sesotho, isiZulu and Setswana. There are also some shows that include Portuguese. The monitoring exercise did not hear any use of Afrikaans and French in the Licensee's programming and Setswana is not one of its languages of broadcast

The Licensee does not comply with its languages of broadcast.

Clause 5.5 of the schedule to the licence provides that:

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

The ICT Covid-19 National Disaster Regulations exempted Licensees from submitting programming logs as stipulated in their licence terms and conditions. However, Licensees were required to keep the information and submit to the Authority upon request.

The Licensee submitted the programming logs when requested to do so by the Authority.

4. COMPLAINTS

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

The Licensee has not submitted a Form 12A (Complaints Report) as required by the Compliance Procedure Manual Regulations, 2011.

The Licensee did not comply with the relevant clause of the Compliance Procedure Manual Regulations.

5. REGULATIONS

5.1 ICASA Regulations on South African Music

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

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

For the period under review, the obligation in accordance with the SA Music regulations above, provides for at least eighty percent (80%) of South African music content to be played by community sound broadcasting Licensees.

The monitoring conducted by the Authority indicated that the Licensee plays South African music during the performance period. Below are the some of the artists that were played:

Teboho Moloi, Ladysmith Black Mambazo, Letta & Caiphus, Clermont Choir, PJ Powers, Malaika, Lesego and Judith Sepuma.

The Authority has taken into consideration the impact of the reduced performance period on compliance with this clause; therefore, findings on compliance with this clause of the licence have not been made.

5.2 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences

The monitoring exercise revealed that the Station Manager occupies dual roles by also being a presenter on the station, which is in contravention of Clause 10A (7) (d) of the regulations on Amended Standard Terms and Conditions for Class Licences, 2016 published in *Government Gazette* No. 39872 dated 30 March 2016, which provides that:

"The Board of Directors/Trustees and station management must not occupy dual roles with regard to being managers/presenters at the station"

The Licensee did not comply with the Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences

6. CONCLUSION

The exemptions and suspensions imposed on Licensees due to the National State of Disaster have been lifted for the next review period. Complete monitoring of compliance with licence conditions and Regulations will be conducted in the next review. However, the Broadcasting Compliance Unit will follow up with the Licensee on identified areas of non-compliance.

7. TERMS OF REFERENCE

Appendix A: Radio Veritas's Service Licence;

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

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

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

Appendix E: The ICT COVID-19 National Disaster Regulations, 2020 as published in *Government Gazette* No. 43207 dated, 06 April 2020, as amended.

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