



UNIVEN COMMUNITY RADIO ANNUAL COMPLIANCE REPORT

MARCH 2022

2020/2021 ANNUAL COMPLIANCE REPORT

UNIVEN COMMUNITY RADIO:

LICENCE PERIOD: 27 October 2018 to 26 October 2023

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. One of the main tasks of the Authority, is to ensure compliance by broadcasters with the terms and conditions of their licence, and any relevant legislation and regulations.

The following report is intended to give account of Univen Community Radio’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 Licence Area, Programming, Promise of Performance, Local Content Regulations, Regulations Regarding Standard Terms and Conditions.

2. BACKGROUND

Univen Community Radio is a class sound broadcasting service licensee broadcasting to a student community of common interest in the University of Venda and surrounding communities in Limpopo Province as set out in the Licensee’s radio frequency spectrum licence. The radio station’s mandate is to provide a broadcasting service to a student community of interest residing within the geographic coverage area.

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

3. COMPLIANCE ASSESSMENT

3.1 Licence Area⁵

Clause 3 of the service licence stipulates that:

The Licensee shall provide services to University of Venda and surrounding communities in Limpopo Province as set out in the Licensee's radio frequency spectrum licence".

The Licensee provides community broadcasting services as per their spectrum licence with Sentech being their signal distributor.

The Licensee complies with its licence area.

3.2 Community

Regulation 12 (A) (B) of the amended ICT Covid – 19 National Disaster Regulations published on 11 September 2020 stipulates that⁶:

- (A) The requirement for community broadcasting services to hold any community meetings or AGMs and be required to submit proof of holding the meetings is suspended;
- (B) The suspension in sub regulation (12A) will automatically cease upon the expiry of the National State of Disaster.

The Authority will not be able to make an assessment for clauses under community related obligations which are related to (1) community programming committee meetings and proof thereof and (2) convening of an AGM and submission of proof thereof due to the suspension of such by the above-mentioned regulations.

3.3 Programming

Clause 5.1 of the service licence stipulates that:

⁵ Appendix A

⁶ Appendix B

"The Licensee shall provide programming as follows:

Clause 5.1.1 Local News and Information:

"The Licensee shall broadcast news to a total of sixty (60) minutes of news per day, of which forty-five (45) minutes shall be local, ten (10) minutes national and five (5) minutes international".

The monitoring exercise conducted for the period under review indicated that Univen Community Radio broadcasts news bulletins from 07H00 until 18H00 each day for an average of five (5) minutes which equates to an average of sixty (60) minutes.

Among the news stories covered for the period under review were excerpts from certain broadcasts, as follows:

- *"Vhamuhasho wa mutakalo fhando Afrika Tshipembe vho divhadza zwau ri vhathu vha tshigidi tshithihi na madana mavhili fumbili sumbe ndi vhane vho lingiwa vha wanala uri vhana na Corona virus kha awara dza fumi mbila nna dzo fhelaho. Mashudu mavhi, vha muhasho vho divhadza uri vhathu vhane vha tenda fumalo nnthihi ndi vhane vho lovha nga Corona virus kha awara dza fumi mbilu nna dzo fhelaho.*
- *Tshivhalo tsha zwiwo zwa vhulwadze ha Covid-19 this khou bvela phanda na u ya nntha u bva tshe lino shango la iswa kha luta lwa u thoma lwa nyiledzo dza u tshimbila. Muhulwane wa zwa tsedzuluso kha khoro ya tsedzuluso dza zwa saints na ndowe tshumo Ridhwaan Suliman vha ri zwiwo zwa vhulwadze ha Covid 19 zwi khou ya nntha nga 2% nga vhege, hone zwi tshi khou ya nnthesa kha vundu la Eastern Cape na vundu la Northern Cape.*
- *The Collins Chabane Local Municipality in Malamulele in Limpopo will pay former Municipal Manager implicated in the VBS saga her salary until June following her resignation earlier in March. Charlotte Ngobeneni resigned three (3) days before she made her first court appearance on charged of*

corruption and contravention of the Municipal Finance Management Act two weeks ago."

Furthermore, the Licensee broadcast their news bulletins in all their language of broadcast.

The Licensee complies with their news obligations.

Clause 5.1.3 of the service licence stipulates that the format between Talk vs Music should be as follows:

60 % Talk and 40% music".

The monitoring exercise confirms that the radio station is predominantly talk based with music being complimentary. The Morning and Drive time programme are dominated by music, whereas their sports programme and current affairs shows between 18H00 – 20H00 are talk driven. Their mid-afternoon programmes are mainly talk format of current affairs and information knowledge building content for an overall predominantly talk format during the performance period.

The Licensee complies with their format.

Clause 5.1.4 of the service licence stipulates that the languages of broadcast are as follows:

- (a) 40% English*
- (b) 35% Tshivenda*
- (c) 15% Xitsonga; and*
- (d) 10% Sepedi*

The Licensee in the previously compliance report had challenges with the presenters for Sepedi which has now been improved. The weekly breakfast show has a Sepedi speaking presenter and they have a news presenter as well to cater for such. The rest of the presenters are multilingual and can interchangeably

converse in the other indigenous languages.

The Licensee complies with their language obligations.

3.4 Promise of Performance

Clause 8.1 of the service licence stipulates

"The Licensee shall broadcast programmes related to children, youth, adults the elderly and the disabled."

The Licensee broadcasts a programme on Wednesday between 14H00 to 15H00 called "*Nkho ya Lushaka*" which is aimed at person with disability, with the Friday time slot dedicated to children programming called "*The New Generation*"⁷. They cater for other age groups as per the service licence condition in different programming throughout the performance period.

The Licensee complies with its promise of performance.

4. REGULATIONS

4.1 South African Music Content Regulations

The ICASA Regulations on South African Music published on 23 March 2016 stipulate that:

"A holder of a community sound broadcasting service licence must ensure that after eighteen (18) months from the date of 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 evenly throughout the performance period".

The monitoring exercise found that the radio station complies with the local content of 80% local music. They have dedicated programme such as "*Vhaimbi*

⁷ Appendix C

na vhasiki” on Saturday which play music indigenous to the Limpopo Province, with other programmes such as the “*National Hits*” on Friday playing strictly up tempo local music. The overall playlist includes Kwaito, VenRAp, Amapiano amongst others which is aimed at their target audience as per the community that they serve.

Some of the music monitored included *Worship House – Hayani makoleni*, *Matshikos – I’m trapped*, *Ricky Rick – Buy it Out*, *Master KG feat Team Mosha – Waya Waya*, *Benny Mayengani – Hi Hanya Kanwe* amongst others.

The Licensee complies with the South African Music Content Regulations.

4.2 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences

During the period under review, the Authority did not identify any non-compliance by Univen Community Radio with the Standard Terms and Conditions for Class Licences.

5. CONCLUSION

Univen Community Radio complied with the service licence terms and conditions and regulations for the period under review.

6. APPENDICES

Appendix A: Univen FM service licence;

Appendix B: ICT Covid – 19 National Disaster Regulations

Appendix C: Compliance Submission