



# **AGANANG COMMUNITY RADIO ANNUAL COMPLIANCE REPORT**

**MARCH 2017**

# **2015/2016 ANNUAL COMPLIANCE REPORT**

## **AGANANG COMMUNITY RADIO STAION**

**LICENCE PERIOD : 08 DECEMBER 2013 – 07 DECEMBER 2018**

### **1. PREFACE**

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution, the ICASA Act and the Electronic Communications Act (ECA) 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 ICASA Act, the ECA, the terms and conditions of their licence, any relevant legislation and regulations.

The following report is intended to give an account of Radio Station's performance for the 2015/2016 financial year. Aspects of compliance that are measured comprise of the Geographic Coverage, Community Participation, Format, News and Information, Local Content, Language(s), Broadcast hours, South African Music Content Regulations and Regulations regarding Standard Terms and Conditions for Class Licensees.

### **2. BACKGROUND**

Aganang FM is a geographically founded community radio station; serving the interests and needs of Potchefstroom and surrounding areas in Gauteng Province according to its service and spectrum license. The radio station is situated in the town of Potchefstroom in the North West Province. The radio station broadcasts to Setswana; Afrikaans; Sesotho; isiXhosa and speakers of other languages according to its license. The Radio Measurement Survey (RAMS) figures for the period February 2016 estimated the radio station's listenership to be 89 000 listeners.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Name Of Station**

In terms of clause 1 of Aganang FM's schedule of the licence, the name of the radio station is:

*"Aganang FM".*

There were no changes reported by the Licensee regarding the name of the organisation. Furthermore, the radio station identifies itself at regular intervals, with frequency number and area of coverage.

**The Licensee complies with clause 1.1 of the licence.**

#### **3.2 Geographic Coverage Area<sup>1</sup>**

Clause 2 of the schedule to the licence provides that the Licensee's coverage area is as outlined below:

*"Potchefstroom and surrounding areas in Gauteng Province as set out in the Licensee's radio frequency spectrum license."*

The Licensee confirms that it broadcasts in the geographic area as set out in its frequency spectrum license.

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

---

<sup>1</sup> Annexure 6.1: Sound broadcasting service and spectrum license

### **3.2 Community**

Clause 3.1 of the schedule to the licence provides that:

*"The Licensee shall provide services to a geographic community residing within the geographic coverage area as specified herein".*

The Licensee provides broadcasting services to the area of Potchefstroom and surrounding areas in Gauteng Province, as well as North West Province. The Licensee has applied for the relocation of its transmitter site. Further, it has applied to increase the output radius in order to cover all designated areas in full capacity. At the time of writing this report, the decision was still pending and the engineering department of the Authority is finalizing the application.

**The Licensee complies with clause 3.1 of the schedule to the licence.**

Clause 3.2 of the schedule to the licence provides as follows:

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

*"3.2.1 The Licensee shall hold at least two (2) meetings annually with its community on programming and programme-related matters for the selection and provisioning of programmes".*

The Licensee has failed to hold at least two programming or programme related meetings with the community as required by its licence.

**Based on the above, Licensee did not comply with clause 3.2.1 of the schedule to its licence.**

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

The radio station did not hold any meetings during the period under review and no proof of meetings were submitted.

**The Licensee complied with clause 3.2.2 of schedule to its licence.**

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

*3.2.3.1 To provide feedback on the Licensee's compliance with license conditions,*

*3.2.3.2 To provide feedback on the Licensee's operational and financial performance, and*

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

The Licensee reports that plans are underway to hold an AGM, and that the current board are still on duty as elected by the community in 2014.

The current board members' names are as follows:

- Thomas Modise – Chairperson (African Male)
- Letukile Letlojane – Secretary (African Male)
- William Nokoane – Member (African Male)
- Molefi Rabotapi – Member (African Male)
- Thabo Leping – Ex-officio member (African Male)

**The Licensee complies with clause 3.2 of the schedule to its licence.**

Clause 3.3 of the schedule to the license provides that the licensee amends its founding documents as follows:

*"The Licensee shall within six months of the commencement of this license amend its founding documents to provide for an appeal mechanism in the event that membership of the license is refused"*

The licensee did not report any constitutional amendments during the period under review.

**The Licensee did not comply with clause 3.3 of the schedule to its licence.**

#### **4. Format**

Clause 4.1 of the schedule to the license provides for the radio station's format as follows:

*"60% talk and 40% music".*

The Licensee submits that it complies with all the conditions of schedule four (4) of its licence.

The licensee, in its talk segment, ensures that it covers a broad range of topics when it comes to current affairs. Programmes such as *"Tsheka Tsheko"* and *"Ithuteng,"* discuss relevant and topical issues of community interest, such as service delivery and by-elections.

The Authority's monitoring exercise, during the period under review found that the Licensee broadcasts a balanced mixture of talk and music. This is contrary to what their licence states (60% Talk 40% Music) and therefore the Licensee does not comply with its format factor obligations.

**The licensee has, during the period under review, failed to comply with clause 4.1 of the schedule of its licence.**

### 3.4 News and Information

Clause 4.2 of the schedule to the license provides that:

*"The Licensee shall broadcast a total of thirty-six (36) minutes of local, twelve (12) minutes of national, twelve (12) minutes of provincial and seven (7) minutes of international news per day".*

The monitoring exercise revealed that the Licensee broadcasts news regularly. The first news bulletin starts at 06h00. The duration of news bulletins is approximately (5) minutes, and are spread between local; provincial; national and international news. Local news can be rounded up to 23 minutes, while provincial and local news amount to 12 minutes each. International news amount to approximately 10 minutes. On an average day, news amounts to 60 minutes, these include news headlines at the bottom of the hour. The following news items were identified:

- *"A school Teacher of Tokotoko in Kwa Zulu Natal is facing a suspension and disciplinary charges after being seen in a video having sex with a student. It was discovered that he has been doing that several times and steps were never taken to deal with him. This matter came into the fore when the Teacher beat 3 students after he saw them looking at the video. According to the school rules, students must not carry cell phones at school. Head of Education, Mthandeni Dlungwane said that they are going to investigate the matter seriously. Dlungwane said they are going to suspend the Teacher with immediate effect and follow the prescripts of the law to deal with the Teacher;*
- *The Independent Electoral Commission (IEC) said that only half of the political parties ready to contest the upcoming local elections has sign the code of conduct. Amongst those political parties that signed is the PAC. The Chairperson of the IEC, Glen Mashinini said that they accept that an error has occurred and that was a human error which they will rectify in due time; and*

- *The African National Congress (ANC) has expressed its shock at the resignation of the SABC CEO Jimmy Mathews. The ANC said his resignation is so sudden and it is not in accordance with the norm as he has given his resignation letter to a news reader. ANC spokesperson Zizi Kodwa said Mathews was supposed to have met up with the SABC and have a discussion with them on the things that he stated in his resignation letter that prompted him to resign”.*

The Authority is satisfied that the Licensee broadcasts news as required. The news output is spread across all areas including national, provincial and local news.

**The Licensee complies with 4.2 of the schedule to its licence.**

### **3.6 Language(s) of broadcast**

Clause 4.3 of the schedule to the licence provides that the languages of broadcast are as follows:

- (a) *Setswana 44%*
- (b) *Afrikaans 29%*
- (c) *Sesotho 12%*
- (d) *isiXhosa 11%*
- (e) *Other 4%*

The monitoring exercise revealed that the Licensee broadcasts in all of the languages stipulated in its licence. News bulletins are broadcast throughout the day in all languages including Sesotho; Setswana, Afrikaans and isiXhosa.

**The Licensee complies with clause 4.3 of the schedule to its licence.**

## **4. GENERAL**

Aganang Community Radio continues to be a leading example of a well-run and well organized entity that serves its listeners educational; informative and



entertaining content. In terms of operational duties its management are thorough in their reporting; their responses to complaints and their stakeholder relationship management. Many community radio stations can take a leaf out of Aganang FM's books. Among some of their achievements are the following:

- Aganang Outreach Programs assisted Mr Edward Molapo with the refurbishment of his dilapidated house and found various sponsors to assist with different aspects of the renovations.
- Aganang Outreach Programs also assisted Rosina Modise who is a single parent with two children living in a shack that was in a bad condition. Her only source of income was child support grants from the government. A fundraiser was held and managed to raise R10 686 which assisted in rebuilding a new shack and proper toilet. The project is still ongoing as fund got depleted at some point.

These small but significant steps are the fiber of what community radio should be. The Licensee promotes social awareness initiatives in many of its programming content and charitable activities. It is a true community builder in the true sense and must continue to grow from strength to strength.

## **5. REGULATIONS**

### **5.1 South African Music Content<sup>2</sup>**

Regulation 3.3 of the Regulations on South African Music Content as published on 31 January 2006 stipulates that:

*"Every holder of a community sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 40% 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".*

The Authority's monitoring exercise confirmed that the radio station broadcasts 60% of South African music content. Various genres were identified on the

---

<sup>2</sup> Annexure 7.3: Regulations on South African Music Content

station's music line-up including Afro Pop; Gospel and Jazz music with artists such as Lira; Sizwe Sakho; Joyous Celebration; Sfiso Ncwane; Keke; Sechaba and others enjoying airplay.

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

## **5.2 Regulations regarding Standard Terms and Conditions for Class Licences**

During the period under review, the Authority did not find any area of non-compliance with the Standard Terms and Conditions for Class Licences.

**The Licensee was found to be in compliance with the Regulations regarding Standard Terms and Conditions for Class Licences**

## **6. CONCLUSION**

During the period under review, the licensee has complied with most of its license conditions. It should also be noted that other common license conditions such as Broadcasting Hours and South African Music Content are not found on the schedule of the license. This may or may not be a factor but the licensee confirmed that they broadcast for 24 hours a day and also comply with the South African music content.

The board of directors are cautioned that holding AGMs is a licence obligation and for them to continue not having these meetings might create a governance challenge which the station does not need. In the coming weeks, a meeting will be held with the board of directors to understand what is preventing them from having AGM as per their licence conditions.

Lastly, in the previous financial year, the Authority cautioned that the format of the radio station which constitutes 60% talk and 40% music is not fully adhered to and therefore the Licensee must consider either amending that part of its licence or undertake major interventions to comply with those quotas. The licensee reports that it will engage with its members on what approach to take in this regard.

## **7. TERMS OF REFERENCE**

### **7.1 Aganang FM's Sound broadcasting service and spectrum licence**