



# **ISAJONISI YOUTH RADIO ANNUAL COMPLIANCE REPORT**

**MARCH 2023**

# **2021/2022 ANNUAL COMPLIANCE REPORT**

## **ISAJONISI YOUTH RADIO**

**Licence Period: 07 March 2018 to 06 March 2023**

### **1. PREFACE**

The Independent Communications Authority of South Africa ("Authority") has a statutory mandate in terms of the Constitution<sup>1</sup>, the Independent Communications Authority of South Africa Act (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. One of the main tasks of the Authority is to monitor compliance by broadcasters with the terms and conditions of their licence and any relevant legislation and regulations.

The purpose of this report is to give an account of Isajonisi Youth Radio's compliance with the terms and conditions, as set out in its license, for the 2021/2022 financial year. 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 the applicable sections of the ICT Covid-19 National Disaster Regulations first published in April 2020 as amended.

### **2. BACKGROUND**

Isajonisi Youth Radio holds a Class Sound Broadcasting Service License which requires the Licensee to provide service to the geographic coverage area of Port St Johns in the OR Tambo District Municipality in the Eastern Cape Province as set out in the licensee's radio frequency spectrum licence. The License document herein reviewed had expired however, it was duly renewed in November 2022.

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<sup>1</sup> The Constitution of the Republic of South Africa, 1996

<sup>2</sup> Act No. 13 of 2000, as amended

<sup>3</sup> Act No. 36 of 2005

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

### 3. COMPLIANCE ASSESSMENT

#### 3.1 Licensee

Clause 1 of Isajonisi Youth Radio service licence provides that:

*"The Licence is issued to:*

*1.1 Name of Company/Entity: Isajonisi Youth Radio*

*1.2 Name of the Station: Isajonisi Youth Radio*

*1.3 Control of the Licensee: Control shall vest in the governing body of Isajonisi Youth Radio."*

The Licensee reported no changes to the controlling structure of the entity or the company name in the year currently under review.

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

#### 3.2 Licence Area

Clause 3 of the licence prescribes as follows:

*"The Licensee shall provide services to Port St Johns within the OR Tambo District Municipality area as set out in the Licensee's radio frequency spectrum licence<sup>5</sup>."*

In the year under review, the Authority received no reports or complaints indicating that the radio station has interfered in areas that are outside its coverage area.

**The Licensee complies with clause 3 of its licence.**

#### 3.3 Community

Clause 4.1 of the licence provides as follows:

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

Isajonisi Youth Radio is the pride and joy of the community of Port St Johns. The Licensee maintains that it will continue to serve the community of the OR Tambo

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<sup>5</sup> Appendix A: Isajonisi Youth Radio's Broadcasting Service Licence

District Municipality with great zeal. Isajonisi Youth Radio provides service to the geographic community as specified in the frequency spectrum licence.

In addition, in the year under review, the Authority received no complaints indicating interference with licensees outside Isajonisi Youth Radio's coverage area.

### **The Licensee complies with clause 4.1 of the Licence.**

While clause 4.2 of the licence gives the following obligation:

*"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."*

*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.*

*4.2.3 The Licensee shall hold Annual General Meetings (AGM) 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*

*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".*

The Licensee convened two meetings during the period under review. In August 2021, it held its first programming meeting for the year, in February 2022, the Licensee's Annual General Meeting discussed programming as part of the agenda. Minutes<sup>6</sup> and attendance registers for the two meetings were submitted to the Authority as proof in line with clause 4.2.2 of their licence<sup>7</sup>.

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<sup>6</sup> Appendix B Minutes of meeting with Community

<sup>7</sup> Appendix C: AGM minutes and attendance register

**The Licensee complies with clause 4.2 and the sub-clauses of its licence.**

### **3.4 Programming**

Clause 5.1 of the licence provides that the Licensee shall provide programming as follows:

#### **3.4.1 Format**

Clause 5.1.1 of Isajonisi Youth Radio provides that the Licensee's broadcasting format shall be:

*"60% talk and 40% music"*

The Licensee's compliance submissions maintain that its programming format is 60% talk and 40% music.

The monitoring exercise observed that the Licensee's format could be at least 50% talk and 50% music, sampled over various three-hour shows during weekdays and at least 30% talk and 70% music during weekends. On average, this calculates to a 40% talk and 60% music programming format over a seven-day period.

**The Licensee does not comply with clause 5.1.1 of the licence.**

#### **3.4.2 News and Information**

Clause 5.1.2 of Isajonisi Youth Radio's licence provides as follows:

*The Licensee shall broadcast a total of 75 minutes of news per day, of which 60% shall be local, 30% national and 10% international news."*

The Licensee's monthly log sheets show that the Licensee broadcasts a total of fifty-two (52) minutes per day.

The monitoring exercise found that Isajonisi Youth Radio schedules at least twelve (12) full news bulletins each day between Monday and Friday. The two weeks monitored recorded inconsistencies in that on the first weekend, the Licensee had 5 news bulletins on schedule for both Saturday and Sunday. In the second weekend monitored, the monitoring exercise found 4 news bulletins on both days.

The Licensee confirms that it carries 4 news bulletins on each day of the weekend

All news bulletins would last for approximately five (5) minutes and this translates to a total of sixty (60) minutes of news during weekdays and an average of twenty two (22) minutes of news on the weekends.

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

- *Izakuvula ngomhla wokuqala kwinyanga ezayo inkqubo yokufaka izicelo zesibonelelo sika Rhulumente seR350 kwabo bangaphangeliyo. Le nkqubo ifika kanye xa kufikelela esiphelweyo esosibonelelo esiye sandiswa kunyaka ophelileyo. Ngethuba awaye esenza intetho engobume belizwe, uMongameli Cyril Ramaphosa, wabhebgeza okokuba Tisibonelelo zeR350 siyongezwa de ibe nguMarch kunyaka ozayo. Le nkqubo yokukufaka esi sicelo ivulela lowo ungazange afumane ithuba lokusifaka esisicelo.*
- *Logama abo basaxhamlayo kwesisibonelelo. IArhente yesiBonelelo sikaRhulumente ibengeze okokuba akukho sidingo sokuba baphinde bafake sicelo kwakhona. [Cross over to a live interview with SASSA Spokesperson, Thabisa Mayaba]. Uthi abo babesele besifakile izicelo noba zaye zikhatyiwe na izicelo zabo akukho siding sokokuba bafake izicelo ezitsha, ukuvulwa kwalenkqubo kuvulelwa ukuba abo bangazange bazifaka ezi zicelo kwasasa ngaphambili bazifake.*
- *Iziko elijongene nezifo ezosulelayo iNICD ithi kwenziwe uhlobo lwentsholongwane yeCorona kubantu abayi eighteen thousand seven hundred and nine kwiyure ezingamashumi amabini anesine esigqithileyo, ze abayi one thousand one hundred and forty seven kubo bafunyaniswa bosulelekile. nokulubeka ngoku iqondo lolosuleleko ku six point one pesenti.*
- *Ukanti, iSebe lezeMpilo lithi akukho uchazwe njengobhubhuleyo ngenxa yezifo ezayanyaniswa nalentsholongwane kweziyure zingamashumi amabini anesine kuya kwiiyure ezingamashumi amane anesibhozo ezidlulileyo. Isebe lezeMpilo likwabongoza abantu ukuba bathobele imiqathango ebekiweyo kulo gili kankqo.*

- *Inkulumbuso yePondo ikwaZulu Natal, uSihle Zikalala, ithi uRhulumente wePhondo uzakusixhasa isicwangciso sendlu yasebukhosini KwaZulu, sokubamba inkonzo yokukhumbula iKumkani eyakhothamayo, uKumkani uGodwill Zwelithini kaBhekizulu, ngoMgqibelo. UZikalala uthi, inyanga kaMatshi yeyona ibuhlungu kwisizwe samaZulu nangoko sele ingunyaka yakhothamayo ikumkani. Uthi leveki ibakhumbuza ngoko okwasele kwenzeka kwakunye nendima ikumkani eyayidlalayo kwisizwe samaZulu. Uthi azange bakhe bacinge ubomi ngaphandle kwakhe, ukwathi ngoku bajonge ukuthathat apho ikumkani yabekayo khona ukuze bokhe iPhondo elingcono ikwaZulu Natal. [Cross Over to a live recording of Sihle Zikalala].*

**The Licensee does not broadcast seventy-five (75) minutes of news per day. Therefore, the Licensee did not comply with clause 5.1.2 of its licence.**

### **3.4.3 Language(s) of Broadcast:**

Clause 5.1.4 of the licence provides that Isajonisi Youth Radio's languages of broadcast shall be:

5.1.4.1 *"isiMpondo – 70%;*

5.1.4.2 *isiXhosa – 20%;*

5.1.4.3 *English – 10%."*

The Licensee's exchanges with the Compliance Department have always highlighted the Licensee's intention is to adjust the isiMpondo language input and add more isiXhosa. According to the Licensee, this is because the isiMpondo language is losing its fight against its dialect of origin, isiXhosa. The Licensee reported its attempts to get isiMpondo-speaking presenters only for the presenters to get on air and speak isiXhosa mostly. Another reason advanced by the Licensee was that the original isiMpondo speaking people leave the area of Port St Johns area for school and work in bigger cities. Most isiMpondo speaking people are unable to write in the language as it is not taught in schools, even in the area.

The monitoring exercise found that the Licensee language is dominated by isiXhosa with isiMpondo used as phrases within topic discussions.

None of the Licensee's programmes is purely isiMpondo and there are no news bulletins in isiMpondo. The Licensee's programming is supposed to be dominated by the use of isiMpondo language and that is currently not the case. Some English language content was identified, however, on a small scale.

**On the basis that the Licensee programming is supposed to be mostly in isiMpondo and that is not the case; the Licensee does not comply with clause 5.1.4 of the licence.**

Clause 5.2 of Isajonisi Youth Radio's licence states 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 Licensee keeps a programming log sheet<sup>8</sup> and submits same on a monthly basis and by the seventh day of the following calendar month. In the unlikely event, the Licensee was late in its submission, the Compliance Department would be informed of the reasons.

**The Licensee complies with clause 5. 2 of the licence.**

#### **4. REGULATIONS**

##### **4.1 ICASA South African Music Content Regulations**

Regulation 3 of the ICASA South African Music Content Regulations 2016<sup>9</sup> stipulates that:

*"A holder of a community sound broadcasting service licence must ensure that after eighteen (18) months from the date of gazetting of this regulation, 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."*

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<sup>8</sup> Appendix D: Latest Programme Log sheet submitted by Sajonisi Youth Radio

<sup>9</sup> Appendix E: ICASA South African Music Content Regulations



According to the Licensee's programming log sheets, the Licensee plays 70% South African Music in an average week (calculated over the two weeks monitored). The Authority's monitoring exercise found that Isajonisi Youth Radio's South African Music Output is well over 80%.

In all programmes monitored – around 6 different shows during the South African Performance Period – the monitoring exercise found that at least 8 out of every 10 songs, ticked the South African Music Content box.

The music artists who enjoy airplay on the Licensee's platform are the following: Nathi Mankayi, Vusi Nova, Beritta, Mlindo, Brenda Fassie, AKA, Ringo Madlingozi, Mafikizolo, Micasa, DJ Maphorisa, Something Soweto, Master KG, Kabza De Small, Casper Nyovest, Makhadzi, Ami Faku, Freshly Ground, Bongo Muffin, Freshly Ground, Boom Shaka, Joyous Celebration, Lusanda Beja, Dumi Mkokstad, Hlengiwe Mhlaba, Veliswa Skeyi and many others.

**The Licensee complies with the obligation on South African Music Content.**

#### **4.2 Regulations regarding Standard Terms and Conditions for Class Licensees**

During the period under review, the Licensee did not contravene the Regulations in respect of the Standard Terms and Conditions for Class Licences.

**The Licensee complies with the Standard Terms and Conditions for Class Licensees.**

### **5. CONCLUSION**

Isajonisi Youth Radio generally complies with its obligations as set out on its licence and applicable regulations, save for its programming-related obligations. Their failure to comply with clause 5.1.2 played a major role in their failure to comply with clause 5.1.4. The Licensee will be guided on how to calculate and plan their talk versus music format split.

## **6. TERMS OF REFERENCE**

Appendix A : Isajonisi Youth Radio's Broadcasting Service License

Appendix B : Minutes of meeting with Community

Appendix C : AGM minutes and attendance register

Appendix D : Latest Programme Log sheet submitted by Isajonisi Youth Radio

Appendix E : Regulations on South African Music Content

Appendix F : Regulations regarding the Standard Terms and Conditions