



JACARANDA FM ANNUAL COMPLIANCE REPORT

MARCH 2025

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2023/2024 ANNUAL COMPLIANCE REPORT

JACARANDA FM (PTY) LTD BROADCASTING AS JACARANDA FM 94.2

Licence Period: 18 December 2018 - 17 December 2028

1. PREFACE

The Independent Communications Authority of South Africa (“Authority”) has a statutory mandate in terms of the Constitution, the Independent Communications Authority of South Africa Act¹ (“ICASA Act”), the Electronic Communications Act² (ECA) and the Broadcasting Act³ 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 Jacaranda FM’s compliance with the terms and conditions as set out in its licence for the 2023/2024 financial year. Aspects of compliance that are measured comprise Format, Local Content Obligations, General Programming Obligations, Training and Skills Development, Finances and Complaints.

Additionally, the report will measure compliance with Regulations that include South African Music Content, Standard Terms and Conditions for Individual Licensees, Universal Service and Access Fund, General Licence Fees, and the Code of Conduct for Broadcasters.

2. BACKGROUND

Jacaranda FM is an Individual Broadcasting Service Licensee that is licensed to broadcast to parts of Gauteng, Limpopo, North West and Mpumalanga Province. The radio station is located in Midrand, Gauteng Province and it provides an adult contemporary/golden oldies format.

¹ Act No. 13 of 2000, as amended

² Act No. 36 of 2005

³ Act No. 4 of 1999

3. COMPLIANCE ASSESSMENT

3.1 Licensee Details

Clause 1 of the service licence stipulates that:

"The licence is issued to:

1.1. Name of Company/Entity: Jacaranda FM (Pty) Ltd

1.2. Shareholders: Kagiso Media (Pty) Ltd – 100%

1.3. Ownership held by persons from historically disadvantaged groups:

1.3.1. Kagiso Broadcasting (Pty) Ltd – 43.39%

During the reporting period, the Licensee's ownership structure remained unchanged with no changes reported to the Authority.

The Licensee complies with clause 1 of its licence.

3.2 Geographic Coverage

Clause 3 of the schedule of the licence provides that:

"Parts of Gauteng, Limpopo, North West and Mpumalanga as defined in the map attached to the radio frequency spectrum licence".

Jacaranda FM's coverage remained consistent during the reporting period, with no coverage-related complaints received by the Authority.

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

3.3 Broadcast Languages

Clause 4 of the schedule to the licence stipulates that Jacaranda FM's languages of broadcast are:

"English 50% and Afrikaans 50%".

The Authority's monitoring exercise confirmed that the Licensee has a language split of English and Afrikaans throughout its programme offering.

The Licensee maintains a balanced language split of 50% English and 50% Afrikaans, as per clause 4 above. The monitoring exercise observed this through the radio station's imaging, news and information such as traffic announcements and advertisements.

The Licensee complies with clause 4 of its licence.

3.4 Format

Clause 5.1 of the schedule to the licence provides that:

"The Licensee shall have a programming format of music in an adult contemporary/golden oldies format providing a mix of music and information that is community-based".

The monitoring exercise found that Jacaranda FM adhered to its licenced format throughout the review period. To illustrate this compliance, the radio station's playlist includes classic hits such as "What's Love Got to do with it" by Tina Turner; "Crazy" by Icehouse; "The Living Years" by Mike & The Mechanics and "Everybody Hurts" by R.E.M.

The Licensee complies with clause 5.1 of the schedule of its licence.

Clause 5.2 of the schedule to the licence provides that:

"The Licensee may not change more than fifteen percent (15%) of its format between 05h00 and 23h00".

Jacaranda FM maintained its adult contemporary/golden oldies format during the performance period and did not deviate from the set limit.

The Licensee complies with clause 5.2 of the schedule of its licence.

3.5 Local Content Obligations

Clause 6 of the schedule to the licence provides that:

6.1 *"The Licensee shall annually hold live music concert featuring South African artists, and*

6.2 *The Licensee shall provide new local artists with a platform to promote their music”.*

Jacaranda FM's commitment to South African artists extends beyond regular airplay. The radio station provides extensive support through interviews, concert coverage, and new music spotlights, culminating in music events like “*Carols by Candlelight*” which features artists such as Bernice West and Lloyd Cele. The popular “*Friday Live*” segment on Martin Bester's Breakfast Show further amplifies this support of local artists and features live performances by artists like Arno Carstens and Jo Black.

The Licensee complies with clauses 6.1 and 6.2 of the schedule of its licence.

3.6 **General Programming Obligations**

Clause 7.1 of the schedule to the licence provides that:

“The Licensee shall, during each weekday, broadcast an average of:

7.1.1 twenty-seven (27) minutes of national news;

7.1. 2 thirteen (13) minutes of news related to coverage area; and

7.1.3 fifteen (15) minutes of international news, with particular emphasis on news from African Content

Clause 7.2 of the schedule to the licence provides that:

“The Licensee shall broadcast newscasts on all weekdays from 05h00-19h00 and on weekends from 07h00 to 18h00”.

The monitoring exercise found the following extracts of news during the period under review:

- *“Voormalige voorsitter van die Suid-Afrikaanse Mediese Vereniging, en gesinsgesondheidsorgpraktisyn, Dr. Angelique Coetzee, sê dit is nie nodig om paniekerig te raak namate gevalle van Mpox toeneem nie. Die aantal positiewe gevalle het tot 13 gestyg, met twee sterftes wat in Gauteng en KwaZulu-Natal aangemeld is. Coetzee het mense met comorbiditeite aangemoedig om gereeld hul behandeling te neem.*

- *Intussen het die Departement van Gesondheid die eerste groep anti-virale behandeling vir Mpox-siekte verkry wat slegs aan mense wat reeds deur die virus besmet is, gegee sal word. Die departement het Vrydag gesê hy het 'n bondel Mpox-spesifieke behandeling, Tecovirimat (ook bekend as TPOXX of ST-246) ontvang vir die behandeling van pasiënte wat ernstige gesondheidskomplikasies ervaar weens die Mpox-siekte”.*
- *Rand Water sê dit kan 'n paar dae neem vir laagliggende gebiede in die provinsie om water te ontvang nadat proaktiewe instandhouding Maandag by die Mapletonstasie voltooi is. Die waterraad waarsku verder dat die herstel in die hoogliggende gebiede na verwagting tot twee weke sal duur. Rand Water Group se uitvoerende hoof, Siphos Mosai, sê Maandagmiddag in 'n video op sosiale media dat selfs die onderbrekings inwoners gefrustreerd laat, die massiewe instandhouding is betyds voltooi. "Hierdie tydperk word verleng vir alle hoogliggende gebiede, veral dié wat afhanklik is van reservoïrvlakke en druk. Mapleton-pompstasie begin herstel met sommige laagliggende gebiede in die Stad Ekurhuleni wat water begin ontvang. "Dit sluit gebiede soos Vosloorus, Dawnpark en Dalpark in. Meer gebiede sal water begin ontvang." Hierdie week is die finale fase van Rand Water se maandlange proaktiewe instandhouding wat op 22 Junie 2024 'n aanvang geneem het”.*
- *"Die terugkeer van Kurt-Lee Arendse het die Bulle 'n tydige hupstoot gegee voor hul titelkragmeting Saterdag met die Glasgow Warriors op 'n uitverkoopte Loftus Versfeld. Jake White, afrigter van die Bulle, het Arendse Vrydag in sy begin-XV aangewys. Die Springbok-vleuel het teruggekeer ná 'n operasie vir 'n gebreekte wangbeen wat hy in die kwarteindstryd teen Benetton opgedoen het. Die terugkeer van Arendse is 'n groot hupstoot vir die span ná die verlies van heelagter Willie le Roux. Le Roux het die veld in die halfeindstryd teen Leinster verlaat ná 'n kop- en nekblesering en kan volgens mediese protokolle nie vir die Groot Finaal beskikbaar wees nie. Devon Williams sal op heelagter uitdraaf in die enigste ander verandering aan die begin-XV. "Kurt-Lee se dokter en spesialis was beïndruk met die operasie en regtig gelukkig met hoe hy herstel het," het White gesê”.*

Clause 7.3 of the schedule to the licence provides that:

"Should the Licensee source news material from a source other than itself, the source(s) thereof shall be disclosed during the news broadcast".

The monitoring exercise confirmed that the radio station primarily relies on self-generated news and further adheres to the source disclosure requirement when necessary.

The Licensee complies with clause 7.3 of the schedule of its licence.

3.7 Training and Skills Development Obligations

Clause 8.1 of the schedule to the licence provides that:

"The Licensee to assist in the development of broadcasting knowledge and skills amongst historically disadvantaged groups in the industry by "adopting" at least three community sound broadcasters within the broadcasting coverage area and providing them with, among other things, managerial and technical training through the holding of workshops and hands-on experiential training at Jacaranda FM'.

During the period under review, Jacaranda FM significantly invested in education and radio talent development. The radio station reported a partnership with Wits Radio Academy (Voice of Wits), where two (2) news and two (2) radio-focused internships were provided. Additionally, the Licensee provided a total of six (6) internships spanning a period of 12 months and were offered across various departments, including HR, Marketing, Radio, and News, with several interns subsequently hired as full-time staff. Jacaranda FM further extended support to community radio stations Kofifi FM and Ga Rankuwa FM by providing R70 000 worth of alternative power solutions to Kofifi FM for uninterrupted broadcasts during power outages and broadcasting equipment to Ga Rankuwa FM.

Clause 8.2 of the schedule to the licence provides that:

"The Licensee shall spend at least R1 500 000 00 (one million five hundred thousand Rand) over its licence period on training and skills development.

Jacaranda FM surpassed the R1,500,000 minimum requirement per Clause 8.2 above by spending R1 931 598.84 on training and skills development. This investment included spending on internships, bursaries, and short courses.

The Licensee complies with clause 8 of the schedule of its licence

3.8 Transmitter Split

Clause 9 of the schedule to the licence provides that:

“The Licensee is authorised to operate a transmitter split service known as RMFM for four (4) hours per day from 12h00 to 16h00 weekdays and 10h00 to 14h00 on Saturdays in Limpopo, parts of Mpumalanga and the North West Province, as is set out in the radio frequency spectrum licence”.

Jacaranda FM operates the RMFM transmitter split service, during the specified hours in Limpopo Province, Mpumalanga Province, and North West Province in accordance with its licence conditions.

The Licensee complies with clause 9 of the schedule to its licence.

4 REGULATIONS

4.1. South African Music Content Regulations

Regulation 3(2) of the Regulations on South African Music Content as published on 23 March 2016 provides that:

“Every holder of a commercial sound broadcasting licence must ensure that after eighteen (18) months from the date of gazetting of these Regulations, a minimum of 35% 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” (Regulations on South African Music Content attached as Attachment C).

Jacaranda FM’s music output contains at least 35 % South African Music as defined in the South African Music Content Regulations. The combination of consistent local music airplay, coupled with the radio station's active engagement in covering live performances, music events, and interviewing local artists ensured that Jacaranda

FM local content obligation is met. Artists found on the playlist include *Jemma Catherine, Johnny Clegg* and *Just Jinjer* to mention a few.

The Licensee complies with the South African Music Content Regulations.

4.2. Regulations regarding Standard Terms and Conditions for individual broadcasting licences

Regulation 11 (3) of the Standard Terms and Conditions for Individual Licences Regulations⁴ stipulates that:

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

Jacaranda FM met the station identification requirements of Regulation 11(3), broadcasting clear station IDs within the mandated 30-minute intervals. No instances of non-compliance with the Standard Terms and Conditions for Individual Licences occurred during the review period.

The Licensee complies with the Regulations on Standard Terms and Conditions for Individual Licensees.

4.3 General Licence Fees Regulations

Regulation 3 (1) (a) of the General Licence Fees Regulations provides that:

"The annual Licence fees prescribed in these regulations and as set out in Schedule 2 apply to holders of Individual and Class ECS licences, Individual and Class ECNS licences and Individual Commercial BS licences".

Schedule 2 under Annual Licences Fees provides that:

"Individual Commercial Broadcasting Service Licensees to pay an annual licence fee of 1.5% of gross profit to the Authority".

⁴ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

Schedule 3 (4) (b) and (c) provides that:

"(b) in respect of payment, such are due and payable within 6 months from the end of the licensee's financial year;

(c) may only be paid by way of an electronic transfer or via direct deposit into the Authority's bank account"

Jacaranda FM paid its annual licence fees in accordance with the General Licence Fees Regulations.

The Licensee complies with the General Licence Fees Regulations.

4.4 Universal Service and Access Fund (USAF) Regulations

Regulation 3 (1) of the prescribed annual contribution of licences to USAF regulations published on 10 February 2011 provides that:

"Every holder of the licence granted in terms of Chapter 3, 4 and /or 9 or converted in terms of Chapter 15 of the Act, must pay an annual contribution of 0.2 % of the annual turnover, to the Fund".

Regulation 3 (2) stipulates that:

"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".

The Licensee confirmed its MDDA offset provision and contribution, in compliance with Regulation 3 of the USAF Regulations above.

The Licensee complies with the USAF Regulations.

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.

Jacaranda FM being a member of the National Association of Broadcasters (NAB), has its complaints processed by the Broadcasting Complaints Commission of South Africa (BCCSA). However, during the reporting period, no complaints were escalated to the Authority.

6. CONCLUSION

Jacaranda FM complies with its licence conditions and applicable regulatory obligations for individual broadcasting licensees during the review period.

7. TERMS OF REFERENCE

Annexure A: Jacaranda FM Service and Spectrum Licence

Annexure B: Jacaranda FM Compliance Submission

Annexure C: Regulations on South African Music Content

Annexure D: Standard Terms and Conditions for Individual Licences

Annexure E: General Licence Fees Regulations

Annexure F: Universal Service and Access Regulations

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