



94.5 KFM ANNUAL COMPLIANCE REPORT

MARCH 2025

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2023/2024 BROADCASTING COMPLIANCE ANNUAL REPORT

PRIMEDIA (PTY) Ltd BROADCASTING AS 94.5 KFM

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) and the Electronic Communications Act² (“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 terms and conditions of their licence and any relevant legislation and regulations.

The report is intended to give an account of 94.5 KFM’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 Geographic Coverage, Broadcasting Languages, Format, General Programming Obligations, Training and Skills Development, Community-Related Obligations, Ownership and Control, South African Music Regulations, Regulations Regarding Standard Terms and Conditions and the Universal Service and Access Fund (USAF) Regulations.

2. BACKGROUND

In December 2018, the Authority issued Primedia (Pty) Ltd (“Licensee”) with an Individual Commercial Sound Broadcasting Service licence and a Radio Frequency Spectrum licence³ in terms of the ECA.

The Licensee broadcasts as 94.5 KFM and provides a service in the Greater Western and Southern Cape. The radio station is broadcasting from the studios situated in Cape Town and have a central business office at 5 Gwen Lane, Sandown in Gauteng.

¹ Act No. 13 of 2000, as amended.

² Act No. 36 of 2005.

³ 94.5 KFM Broadcasting Service and Frequency Spectrum licences.

3. COMPLIANCE ASSESSMENT

3.1. Control Structure

3.1.1. Ownership and Control

Clause 1 of 94.5 KFM's licence provides that:

"The licence is issued to:

1.1 Name of Company/Entity: Primedia (Pty) Ltd

1.2 Shareholders: Primedia Holdings III Limited

1.3 Ownership held by persons from historically disadvantaged groups: 49.1%"

During the period under review, there were no changes reported by the Licensee to its name, shareholding and HDG structure.

The Licensee complies with clause 1 of its licence.

3.4 Name of Station

Clause 1 of the schedule to 94.5 KFM's licence provides that:

"Name of Station: 94.5 KFM".

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

The Licensee complies with clause 1 of the schedule of its licence.

3.5 Geographic Coverage Area

Clause 2 of the schedule to 94.5 KFM's frequency spectrum licence provides that 94.5 KFM's geographic coverage area be as follows:

"Greater parts of in the Western and Southern Cape, as defined in the coverage map attached to the Licensee's radio frequency licence".

The Authority did not receive reports suggesting deviance with the defined coverage area. The signal distribution service is conducted by Sentech (Pty) Ltd.

The Licensee complies with clause 2 of the schedule of its licence.

3.6 **Broadcast Language**

Clause 3 of the schedule to the licence provides that the language of broadcast shall be Afrikaans and English.

94.5 KFM broadcasts in Afrikaans and English as its primary languages. Most of the presenters at the radio stations are conversant in both languages and are also able to engage listeners in both languages of broadcast.

The Licensee complies with its language of broadcast obligation.

3.7 **Format**

Clause 4 of the schedule to the licence provides that:

"The Licensee shall have programming format of talk and music in an adult contemporary format providing a programming mix of music and information (including coverage of community affairs)".

The Authority's monitoring exercise confirmed that 94.5 KFM broadcasts an adult contemporary programming format of talk and music. The programmes identified also include a mix of music and information on community affairs in and around the Western and Southern Cape.

The Licensee complies with clause 4 of the schedule of its licence.

3.8 **Local Content Obligations**

Clause 5 of the schedule to 94.5 KFM's licence provides that:

"The Licensee shall ensure at least thirty percent (30%) local content in its music output".

The Licensee submits that, during the period under review it averaged 36% (thirty-six percent) local content in its music output. This is made up of local music plays on-air, live interviews with both emerging and established local artists, live in studio performance and/or coverage of local music events as reflected in its programme log sheet. The Licensee submits it complies with clause 5 of the schedule of its licence.

The monitoring exercise revealed that 94.5 KFM carries approximately thirty-five percent (35%) of South African Music. The South African artists featured included among others, Elaine, Tyler, Fokof Polisiekaar, Connell Cruise, PTZ and Holly Ray.

The Licensee complies with clause 5 of the schedule of its licence.

3.9 General Programming Obligations

Clause 6 of the schedule to the licence provides that:

"6.1 The Licensee shall broadcast a minimum of thirty (30) minutes of news per day between 05h00 and 23h00 during weekdays.

6.2 The Licensee shall include news from the African continent and the related coverage area".

The monitoring exercise revealed that K FM broadcasts news from the African continent during the Performance Period, daily.

The following were among the news items identified during the period under review:

- *"The Democratic Alliance in the Western Cape says they encourages all South Africans not yet registered for the national and provincial elections on 29 May 2024, to make sure they are registered to vote before Friday, 23 February 2024. The DA was the first party out of the blocks to launch its 2024 election campaign in the Western Cape and has been running an extensive registration campaign since mid-2023..."*
- *"The Western Cape water department has urged residents to use water sparingly. This as the globe marks World Water Day on Friday, a day to highlight issues including access to good water quality and preservation of water resources..."*
- *"A man who claims to be responsible for the fire that ravaged a five-story building in the Johannesburg CBD where over 70 people died is due to appear in court soon. The 29-year-old was arrested on Tuesday after he revealed this during the commission of inquiry into the Usindiso building fire; and*
- *"Twenty-two construction workers have been rescued from the rubble of a collapsed building in George in the Western Cape.*

- *This after a five-storey building under construction collapsed in the town on Monday afternoon, with about 70 construction workers on site. The George Municipality said that rescue teams were working around the clock to rescue other workers still trapped underneath.*

The Licensee complies with clause 6 of the schedule to its licence.

3.10 Training and Skills Development Obligations

Clause 7 of the schedule to the licence provides that:

"The Licensee shall spend one percent (1%) of its annual salary payroll over its licence period on staff training and development, particularly on staff from historically disadvantaged groups".

The Licensee submits that its total annual payroll amounted to R19,460,999.16 (nineteen million four hundred sixty thousand rand, nine hundred ninety-nine rand sixteen cents). One percent thereof is R194,609,99 (one hundred ninety-four thousand six hundred and nine rand ninety-nine cents).

The Licensee submits that R530,532.05 (five hundred thirty thousand five hundred thirty-two rand five cents) on training persons from historically disadvantaged groups.

The Licensee complies with clause 7 of its licence.

3.11 Community-related Obligations

Clause 8.1 of the schedule to the licence provides that:

"The Licensee shall offer community sound broadcasters the following:

8.1.1 programme presenting and production, news, sales, marketing and sound engineering through mentoring and on-the-job training that is, having such staff "shadow" 94.5 KFM's presenters, producers, news reporters, sales representatives, marketing staff and sound engineers while at work.

The Licensee submits that KFM hosted a Community Radio Conference which focused on inter alia future proofing of radio news in the era of digital content, building a sustainable community media and the importance of support as well as tips for leading with purpose and passion whilst getting results.

Attendees included community stations in Cape Town including Zibonele FM, Voice of the Cape FM, Bush Radio, and UCT Campus station. The Licensee submits that as part of the programme, attendees were given an opportunity to job shadow the Marketing Manager, Station Manager, Sales Manager and the news editorial team.

The Licensee complies with clause 8.1 of the schedule of its licence.

Clause 8.2 of the schedule to the licence provides that:

"The Licensee shall:

8.2.1 raise at least R250 000 (two hundred and fifty thousand Rand) in cash and goods annually".

The Licensee submits that in the period under review, it raised a total of R1,750,000 (one million seven hundred fifty thousand rand). Table 1 below illustrates the Licensee’s fundraising campaign.

Table 1. KFM’s Fundraising campaign

Initiative	Contribution	Total Amount Contributed
Geknit Dit Met Tracey Lange July 2023	Tracey Lange, the popular host of KFM 94.5’s weekday Mid-morning show invites friends and supporters to once again join forces in knitting Cape Town warm. This year, the initiative focuses on supporting senior individuals and four deserving beneficiaries have been carefully selected to receive the donations. 2023/24 Beneficiaries are: <ul style="list-style-type: none"> • CPOA Lotus River House • Parkhaven Old Age Home Wynberg • KSA Kraaifontein Tehuis • Sen CIT Restheaven Home for the Aged 	Hundreds of pieces of knitted wear were donated to four deserving beneficiaries.
KFM 94.5 X The Star Foundation – Project Flamingo July -November 2023	The Star Foundation in collaboration with KFM 94.5 launched a 12-month-long campaign to raise funds for Project Flamingo. Project Flamingo is a non-profit company (NPC) that aims to improve inclusive cancer care in the South African public health sector by providing critical resources needed for breast cancer surgery. The waiting list for 2023 consists of 200 women awaiting surgery in the Western	The Star Foundation donated R1.2 million to Project Flamingo

Initiative	Contribution	Total Amount Contributed
	Cape and the Eastern Cape. The funds will help all these women receive life-changing surgeries. Each surgery costs at least R6,000.	
Letters to Santa with Game 19 December 2023	Game and KFM 94.5 donated R50,000.00 worth of toys and gifts to children at Tygerberg Children's Hospital as part of the on-air Letters to Santa campaign in December 2023.	R50,000.00
The Flash Drive Stationery Vehicle 17 January 2024 – 25 January 2024	<p>In the heart of the Western Cape, where the sun kisses the mountains and the sea, a remarkable mission unfolded. Carl Wastie, the host of The Flash Drive on KFM, noticed a quiet struggle faced by young learners: the scarcity of stationery. Armed with compassion and determination, Carl embarked on a journey to change lives.</p> <p>The KFM Stationery Vehicle hit the road, fuelled not only by petrol but by the collective goodwill of listeners and various donors.</p> <p>The response was overwhelming. Donations poured in – pencils, notebooks, rulers, and backpacks—each item a beacon of hope. Just over R500,000.00 worth of stationery found its way into the hands of eager students.</p> <p>Seven deserving schools felt the impact:</p> <ul style="list-style-type: none"> • Nooitgedacht Primary • Lotus River High • The Leadership College • Square Hill Primary • Vorentoe Primary • Uitsig Primary • Nederburg Primary 	Just over R500,000.00 worth of stationery was donated to seven deserving schools.
<i>Geknit Dit Met Tracey Lange rebranded*</i> Tracey Lange Cares (TLC) Initiative May 2024 – June 2024	<p>Tracey Lange is calling on school or office reps in the Western Cape to sign up for her Tracey Lange Cares (TLC) initiative to help warm up kids of the Cape during winter. Here's how YOU can get involved.</p> <p>Tracey Lange just launched a party called TLC = Tracey Lange Cares!</p> <p>Ackermans came on board to donate kiddie's puffer jackets to the value of R100,000.00. These jackets are to be distributed to all TLC beneficiaries.</p>	<p>Campaign culminated on 18 July 2024 (Mandela Day 2024)</p> <p>Hundreds of pieces of knitted wear donated to various charities across the Cape.</p>
Grand Total		R1.75 million

Clause 8.2.2 of the schedule to the licence provides that:

"The licensee shall provide airtime worth R250 000.00 (two hundred and fifty thousand rand) annually towards supporting community organisations such as those benefitting:

- (a) people infected or affected by HIV & Aids;*
- (b) the terminally ill and/or the elderly;*
- (c) schools;*
- (d) women;*
- (e) children*
- (f) animal welfare; and or*
- (g) natural/environmental disasters such as fires and floods."*

The Licensee submits that airtime to the total value of over R1,500,000.00 (one million five hundred thousand rand), was allocated to the beneficiaries. Table 2 below, outlines the community organisations and the airtime value raised by the Licensee, in the year under review.

Table 2. Community organisations and the airtime value raised by the Licensee

No.	Organisations	Value
1.	Angels Baby Sanctuary	R30.270.00
2.	Brand Exposed Events & Branding (Pty) Ltd	R1.147.890.00
3.	Breadline Africa NPC	R48.355.00
4.	Cape Mental Health	R32.640.00
5.	Carel Du Toit Centre	R32.640.00
6.	Choc Childhood Cancer Foundation SA	R32.605.00
7.	Community Chest (NPO)	R23.830.00
8.	Greenpop	R35.175.00
9.	Home of Hope Safehouse	R32.640.00
10.	Khusela Public Safety NPC	R62.195.00
11.	Ladles of Love	R125.800.00
12.	National Sea Rescue Institute of South Africa	R62.930.00
13.	Peninsula School Feeding Association PSA	R32.620.00
14.	Prostate Cancer Foundation	R40.710.00
15.	Rare Diseases South Africa NPC	R15.240.00
16.	Reach for a Dream	R56.435.00
17.	S A Red Cross Society - PSA	R32.640.00
18.	South African Guide-Dogs Association for the Blind	R32.640.00
19.	Tears of Foundation (PSA)	R46.165.00
20.	The Association of Palliative Care Centres	R32.580.00
21.	The Craft and Design Institute NPC	R32.815.00
22.	The Learning Initiative Trust (PSA)	R37.670.00
23.	The Lunchbox Fund South Africa (NPC)	R29.860.00
24.	The Society For Animals In Distress (NPO)	R32.640.00
25.	Tsiba Education NPC	R58.910.00

No.	Organisations	Value
26.	Two Oceans Aquarium Education Foundation	R42.570.00
27.	Wings and Wishes (Link A/c)	R25.075.00
	Grand total	R1,500,000.00

The Licensee complies with the obligations as set out in clause 8.2 of the schedule to its licence.

3.12 Ownership and Control

Clause 9.1 of the schedule to 94.5 KFM's licence provides that:

"The Licensee shall ensure that at least fifty percent (50%) of its board of directors are persons from historically disadvantaged groups".

The Licensee submits that the board of directors of Primedia as the holding company, comprises ten (6) directors, four (4) of whom are from previously disadvantaged groups constituting 60% percent.

The Licensee complies with clause 9.1 of the schedule of its licence.

Clause 9.2 of the schedule to 94.5 KFM's licence provides that:

"The Licensee shall ensure that the majority of all senior management and staff are persons from historically disadvantaged groups".

The Licensee submits that KFM's management team is comprised of 8 (eight) senior managers, 5 (five) of whom are persons from historically disadvantaged groups.

The Licensee further submits that of its total staff complement, 81% are persons from historically disadvantaged groups. All these numbers tally up to a majority as professed in the licence conditions.

The Licensee complies with clause 9.2 of the schedule of its licence.

4. REGULATIONS

4.1 Compliance Procedure Manual Regulations

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, 2011⁴, to submit a Form 12A which reports on all complaints received during the period under review.

The Licensee has submitted details regarding the above regulation and how it accordingly resolved the issues raised therein.

The Licensee complies with the Compliance Procedure Manual Regulations in relation to complaints.

4.2 SA Music Content

The Authority published the ICASA South African Music Contents Regulations on 23 March 2016⁵, which repealed ICASA South African Music Content regulations published on 31 January 2006. The Regulations became effective eighteen (18) months after publication. The quotas were revised from 25% to 35% for commercial sound broadcasting services.

Regulation 3 (2) of the ICASA South African Music Contents Regulations stipulates 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"*.

The Licensee has submitted all the music content details and the monitoring exercise revealed that 94.5 KFM carries an average of 37% (thirty seven percent) of South African Music content. The South African artists featured included among others Freshly Ground, AKA, Spartz, The Pedestrians, COCOSA, and Fokofpolisiekar.

The Licensee complies with regulation 3.2 above.

⁴ Published in *Government Gazette* No. 34863 dated, 15 December 2011.

⁵ Published in *Government Gazette* No.39844 dated, 23 March 2016.

4.3 **Standard Terms and Conditions**

During the year under review, the Authority did not identify instances of non-compliance by the Licensee with the Regulations regarding Standard Terms and Conditions for Individual Licensees⁶.

The Licensee complies with the above regulations.

4.4 **Regulations in respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund**

Regulation 3 (1) of the Regulations in respect of Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund (USAF)⁷, as published in the Government Gazette, No. 31499 of April 2009, stipulates that:

“Every holder of a 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, derived from the licensee’s licence activity, to the Fund (the Fund)”.

Further, Regulation 3 (3) stipulates that:

“A broadcasting service licensee who has paid an annual contribution to the Media Development and Diversity Agency (MDDA) must set off that contribution against its prescribed annual contribution to the Fund”

KFM’s financial year ends on 30 June. The Licensee’s evidence demonstrates that the payment was made to the MDDA in December 2024.

The Licensee complies with the above regulations.

4.5 **General Licence Fees Regulations**

Regulation 3 (1) of the General Licence Fees Regulations⁸ 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

⁶ Standard Terms and Conditions for Individual Licences Regulations Amendment, 2016 published in *Government Gazette* No. 39875 dated, 30 March 2023.

⁷ USAF Regulations, 2011 as published in *Government Gazette* No. 34010 dated, 10 February 2011.

⁸ ICASA General License Fees Regulations 2012, published in *Government Gazette* No. 36323 dated, 28 March 2013 as amended. (Amendment published in *Government Gazette* No. 37521 dated, 02 April 2014).

Licences and individual commercial BS Licences”.

Schedule 2 of the General Licence Fees regulations provides for Licensees to pay an annual licence fee in accordance with their licensed revenue and to be calculated using the set formula, read with the applicable percentages.

Regulation 7(a), 7(b) and 7(c) of Schedule 3 provides that:

- a) Are due annually based on the licensee financial year;*
- b) 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”.*

94.5 KFM’s 94.7 financial year ends on 30 June. The Licensee paid its licence fees in January 2025 and submitted proof of payment⁹ thereof, as required by the regulations. The payment was within the six months after the financial year end as prescribed in the regulations.

The Licensee complies with the above regulations.

5. CONCLUSION

The Licensee has fully complied with its licence terms and conditions, for the period under review.

⁹ Proof Licence Fees Payment for K FM 2023-2024

6. TERMS OF REFERENCE

Annexure A: KFM's Service and Spectrum Licences.

Annexure B: SA Music Content Regulations

Annexure C: Regulations Regarding Standard Terms and Conditions for Individual
Licences

Annexure D: Compliance Procedure Manual Regulations

Annexure E: Universal Service and Access Fund Regulations

Annexure E: General Licence Fees Regulations

Annexure F: Proof of USAF Contribution