



# **KURARA FM ANNUAL COMPLIANCE REPORT**

**MARCH 2017**

# **2015/2016 ANNUAL COMPLIANCE REPORT**

## **KURARA FM**

**LICENCE PERIOD : 30 JUNE 2015 – 29 JUNE 2020**

### **1. PREFACE**

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

The following report is intended to give an account of Kurara FM's performance for the 2015/2016 financial year. Aspects of compliance that are measured comprise of the Licence Area, Community, Programming, Promise of Performance, South African Music Content Regulations and Regulations regarding Standard Terms and Conditions for Class Licensees.

### **2. BACKGROUND**

Kurara FM is a community radio station serving the geographic community residing in Kuruman and surrounding areas in John Taolo Gaetsewe District Municipality in the Northern Cape. The radio station is licensed to broadcast in Setswana, English and Afrikaans. The Broadcast Research Council Radio Measurement Survey (RAMS) figures for the period January to September 2016 estimated the radio station's listenership to be 84 000 on average.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Name of Station**

In terms of clause 1 of the schedule to the licence, the name of the radio station is:

*"Kurara FM".*

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

**The Licensee complies with clause 1 of the licence.**

### **3.2 Licence Area<sup>1</sup>**

Clause 3 of the schedule to the licence provides that the Licensee's coverage area is as outlined below:

*"The Licensee shall provide services to Kuruman and surrounding areas in John Taolo Gaetsewe District Municipality in the Northern Cape as set out in the Licensee's radio frequency spectrum licence."*

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

**The Licensee complies with clause 3 of the schedule to the licence.**

### **3.2 Community**

Clause 4.1 of the schedule to the licence requires the radio station to:

*"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 Kuruman and surrounding areas in the Northern Cape Province. Although some areas in the district are struggling with coverage, the radio station is in discussions with a potential funder to assist with increase of power output so that those areas are fully covered.

**The Licensee complies with clause 4.1 of the schedule to the licence.**

Clause 4.2 of the schedule to the licence provides as follows:

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

*"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 2 (two) meetings annually with its community focusing on programming and programming policies of the station".*

The Licensee held an AGM on 07 July 2015 as well as a special general meeting (SGM) on 07 November 2015. The one meeting was a reporting AGM, and an election of new board members was held. Several issues were reported on including the change of contact details on the licence, which needed to be updated. Members of the community also raised an issue of visibility of the radio station in their areas and not just in Kuruman. They stated that all activities take place in the area of Kuruman whereas there are other communities where the station reaches yet activities such as AGMs are never held there.

During the SGM, the long-standing matter of a constitutional amendment was discussed and finally the new amendments were adopted by the community and a new constitution was duly signed. Some of the resolutions included the change of term of office from 12 months to 5 years, which is aligned to the licence period. During the period under review, there were also some resignations from board members and new members were co-opted to serve on the board. In terms of the station's finances, the treasurer's report revealed that the station did not have any funders and appealed to the local business community to invest into the station in the form of advertisements. The station has not been without its share of problems during the reporting period, as requests for intervention were sought by various members of the community including some from management. The issues were mostly labour related and outside ICASA's jurisdiction and the station was advised to be in touch with relevant labour authorities.

On the positive side, the radio station reported that they managed to revive their talks with previous funders who froze their funding due to lack of accountability in the previous leadership. Some of these funders are the MDDA and the JTG Trust, who have shown commitment towards the radio station.

**Based on the above, the Licensee complied with clause 4.2.1 of the schedule to its licence.**

*Clause 4.2.2 states that, "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 duly submitted the minutes and attendance register of meetings held.

**The Licensee complied with clause 4.2.2 of schedule to its licence.**

*Clause 4.2.3 directs the Licensee to "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 held an AGM and SGM on 07 November 2015. The purpose of the meeting was to report on the station's overall performance on operations; finances; governance and programming of the station. Reports were presented and adopted at the AGM. The minutes and attendance register was submitted to the Authority.

**The Licensee complied with clause 4.2.3 of the schedule to its licence.**

### **3.3 Programming**

Clause 5.1 of the schedule to the licence provides for the radio station's programming as follows:

#### **3.3.1 News and Information**

Clause 5.1.1 of the schedule to the licence provides that:

*"The Licensee shall broadcast 50% local news, 30% national news and 20% of international news"*

The monitoring exercise revealed that Kurara FM broadcasts news throughout the day. One noticeable aspect of their news is that it is mostly centered on Northern Cape Province and other parts being local news about the JTG Local Municipality, in which Kurara FM resides. This is commendable as many community radio stations are struggling to generate local news and rely mostly on online news sites.

The following news items were identified:

- *"A military vehicle carrying soldiers overturned while en route from Bloemfontein to the Lohatla training area in the Northern Cape, the SA National Defence Force said on Tuesday. "Soldiers were travelling to Lohatla, which is a training area of the South African National Defence Force. It is located in the Northern Cape province of South Africa and is home to the SA Army Combat Training Centre," Brigadier General Xolani Mabanga said. He said no injuries has been reported yet and the exact cause of the accident was not known. The soldiers were in a Ratel. The vehicle is named after the honey badger, which is known for its toughness, fearlessness and ferocity. The baseline version is used as a troop transporter"; and*
- *"The Independent Electoral Commission of South Africa (IEC) says it has reopened one of the three registration stations at Pampierstad in the Northern Cape, following protest in the area. Three voter registration stations were forced to close on Saturday following community protests in the area. The head of the IEC in the Northern Cape, Bonolo Modise, said they hope to reopen the remaining two on Sunday".*

The news is spread across regional news, local news and national news in the percentages as stipulated in the licence. Furthermore, Kurara FM has a balance mix of Setswana, English and Afrikaans news throughout the day in accordance with their licence conditions.

**The Licensee complies with 5.1.1 of the schedule to its licence.**

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

Clause 5.1.4 of the schedule to the licence provides that the languages of broadcast are as follows:

*5.1.4.1 Setswana – 50%;*

*5.1.4.2 English – 30% and*

*5.1.4.3 Afrikaans – 20%*

During the monitoring exercise, programming content was dominated by Setswana; English and some Afrikaans programming, mainly in the news items.

**The Licensee complies with clause 5.1.4 of the schedule to its licence.**

## **4. PROMISE OF PERFORMANCE**

Clause 8 of the schedule to the licence states as follows:

*8.1. "60% of the Licensee's talk programming content shall be aimed at promotion of literacy, education, community upliftment and information programming. This will include education such as skills development."*

The Licensee provides programming that is educational and uplifting as identified by the monitoring exercise. A programme called "Sedikwa" discussed the topic of "Letsatsi la bo mme ba merapelo", which focuses on the role of church-going women in the community who do more in terms of community development. They go door to door, praying for the sick, raising funds for the poor and donating to those in need. This contribution is inspirational and educational.

*Clause 8.2 states that "The Licensee shall broadcast a broad based programming that will involve the whole community"*

Kurara FM's programming is of a diverse nature, in which a broad range of societal issues are discussed in an interactive manner. Furthermore, the monitoring exercise noticed a lot of religious based programming and a dominant gospel and inspirational music playlist. This is possibly what the target market of Kurara FM requires because most of this music is South African music.

**The Licensee complies with clause 8 of the schedule to its licence.**

## **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 50% of South African music content. Various genres were identified on the station’s music line-up including Kwaito; Jazz; Gospel and Afro music with artists such as Joyous Celebration; Judith Sephuma; Zahara and IPCC being played.

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

### **5.2 Regulations regarding Standard Terms and Conditions for Class Licences<sup>3</sup>**

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

## **6. CONCLUSION**

During the period under review, the Licensee has complied with its licence conditions. Whilst the radio station cited challenges related to governance and management problems, on-air operations seem to run optimally with minor technical glitches. This must be commendable because like with most community radio stations, internal challenges exist but they should never spill out into the public as they have a potential to divide the community and create chaos. It

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

<sup>3</sup> Annexure 7.4: Regulations on Standard Terms and Conditions for Class Licences



becomes important for the on-air staff members to exercise restraint and responsibility when it comes to broadcasting on-air, whilst internal matters are being dealt with internally.

The programming of Kurara FM is solid and relevant to the intended recipients and continues to live up to its award-winning reputation i.e. in 2014, the radio station won an award at Youth Radio Awards under the Children's Radio Foundation in Cape Town, for the show "Cracking It" for Best Show. The Licensee also won the "Best Community Involvement in a show" and "Best commentary" award.

## **7. TERMS OF REFERENCE**

- 7.1 Class broadcasting service and spectrum license
- 7.2 Regulations on South African Music Content
- 7.3 Regulations on Standard Terms and Conditions for Class Licences
- 7.4 Regulations on the Code for People with disabilities