



LESEDI FM ANNUAL COMPLIANCE REPORT

MARCH 2017

2015/2016 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS LESEDI FM

LICENCE PERIOD: 18 DECEMBER 2008 TO 18 DECEMBER 2018

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution¹, the ICASA Act of 2000², the Electronic Communications Act of 2005³ (ECA) and the Broadcasting Act⁴ 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 purposes of the report is to give account of Lesedi FM's compliance with terms and conditions as set out in its licence for the 2015/2016 financial year. Aspects of compliance that are measured comprise of Geographic coverage, Format, Local Content Obligations, General Programming Obligations, Training and Skills Development Obligations, Finances, South African Music Content regulations and the Standard Terms and Conditions.

2. BACKGROUND

Lesedi FM is an Individual Public Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full spectrum service to the following Provinces: Gauteng, Free State, North West, Mpumalanga, Kwa-Zulu Natal and Eastern Cape⁵.

3. COMPLIANCE ASSESSMENT

3.1 Ownership and Control

Clause 1.1 of schedule of the licence provides as follows:

"Name of the Company/Entity: The South African Broadcasting Corporation".

¹ The Constitution of the Republic of South Africa no: 108 of 1996

² Act no: 13 of 2000 as amended

³ Act no: 36 of 2005

⁴ Act no: 4 of 1999

⁵ Individual Broadcasting Service Licence

Clause 1.2 of the licence states that the shareholders are as follows:

1.2 Shareholders: *The State: 100%*

Clause 1.3 of the licence states that:

"Ownership held by persons from historically disadvantaged groups: N/A

Lesedi FM forms part of the public service of the SABC and is 100% owned by the State. The Licensee does not have persons from historically disadvantaged groups in its ownership.

The Licensee was found to be in compliance with clause 1.2 of the schedule of the licence.

3.2 Geographic Coverage Area

Clause 2 of schedule of the licence stipulates that:

"The geographic coverage area is as defined in the map attached to the radio frequency spectrum licence."

Lesedi FM's broadcasting footprint remains as prescribed in the frequency spectrum licence⁶.

The Licensee was found to be in compliance with clause 2 of the schedule of the licence.

3.3 Language(s)

Clause 3 of schedule of the licence stipulates that Lesedi FM's language of broadcast is as follows:

"Principal Language: Sesotho"

The monitoring exercise confirmed that Lesedi FM uses Sesotho as its language of broadcast, no other languages were detected.

Lesedi FM was found to be in compliance with clause 3 of the schedule of the licence.

⁶ Annexure 6.1: Lesedi FM's Frequency Service Licence

3.4 Format

Clause 4.1 of schedule of the licence stipulates that:

"The service authorised by this licence forms part of the public service division of the Licensee".

Clause 4.2 stipulates that:

"The licensed service shall be a full-spectrum service".

Lesedi FM's is categorised as a public radio station of the SABC and offers a full spectrum service to its audience as outlined in the licence. This was confirmed during the monitoring exercise.

The Licensee was found to be in compliance with clauses 4.1 and 4.2 of the schedule of the licence.

3.5 Local Content Obligations

Clause 5 of schedule of the licence stipulates that:

"In each licence year, the Licensee shall, within thirty (30) days of end of the quarter, submit to the Authority written records indicating the extent of:"

Clause 5.1 the different genres; and

Clause 5.2 South African Music Content in programme material broadcast in the licensed service during that quarter, in each instance, distinguishing between genres, providing the relevant details in relation to prime time and the period between 5h00 and 23h00 daily ("the South African broadcast period"), and expressing relevant details both as an aggregate in minutes and as a percentage of the total of all such programming material.

For the period under review, the Licensee submitted its quarterly reports as required by clause 5.2 read with the Compliance Procedure Manual Regulations (CPMR).

The figures below show a breakdown of Lesedi FM's compliance with the quotas set out by the Authority, as submitted by the Licensee.

First Quarter April 2015 – June 2016 (specifically the week 2)

Content/Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News (M-F)	60 min (M-F)	440min	733%
News (Sat)	60 min (Sat)	(weekdays)	108%
News (Sun)	60 min (Sun)	65 min (Saturday) 65 min (Sunday)	108%
Current Affairs (M-F)	60 min (M-F)	1035min	1725%
Current Affairs (Sat)	60 min (Sat)	(weekdays)	100%
Current Affairs (Sun)	60 min (Sun)	60 min (Saturday) 60 min (Sunday)	100%
IKB	900 min (weekly)	1290 min (weekly)	143%
Education (weekly)	300 min (weekly)	315 min (weekly)	105%
Children (weekly)	60 min (weekly)	75 min (weekly)	125%
Drama (weekly)	150 min (weekly)	150 min (weekly)	100%

Second Quarter July 2015 – September 2016 (specifically the week 2)

Content /Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News (M-F)	60 min (M-F)	450 min	750%
News (Sat)	60 min (Sat)	(weekdays)	
News (Sun)	60 min (Sun)	65 min (Saturday) 65 min (Sunday)	108% 108%
Current Affairs	60 min (M-F)	975min (weekdays)	1625%
Current Affairs	60 min (Sat)	60 min (Sat)	
Current Affairs	60 min (Sun)	60 min (Sun)	100% 100%
IKB	180 min (weekly)	1695min (weekly)	941%
Educational	300 min (weekly)	315min (weekly)	105%
Children's (weekly)	60 min (weekly)	100 min (weekly)	166%

Drama	150 min (weekly)	150 min (weekly)	100%

Third Quarter October 2015 – December 2016 (specifically the week 2)

Content/Genre	ICASA Quota (Minutes Daily/Weekly)	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News daily (M-F)	60 min (daily)	450 min (daily)	750%
News (Sat)	60 min (Sat)	65 min (Sat)	108%
News (Sun)	60 min (Sun)	65 min (Sun)	108%
Current Affairs (M-F)	60 min (daily)	955 min (daily)	1591%
Current Affairs (Sat)	60 min (Sat)	60 min (Sat)	100%
Current Affairs (Sun)	60 min (Sun)	110 min (Sun)	183%
IKB (weekly)	180 min (weekly)	1050 min (weekly)	583%
Education (weekly)	300 min (weekly)	280 min (weekly)	93%
Children (weekly)	60 min (weekly)	100 min (weekly)	166%
Drama (weekly)	150 min (weekly)	150 min (weekly)	100%

Fourth Quarter January 2015– March 2016 (specifically the week 2)

Content /Genres	ICASA's Quota	Lesedi FM's Provision (Minutes Daily/Weekly)	Lesedi FM's Compliance (%)
News (M-F)	60 min (M-F)	450 min	750%
News (Sat)	60 min (Sat)	(weekdays)	
News (Sun)	60 min (Sun)	60 min (Saturday)	100%
		60 min (Sunday)	100%
IKB	180 min (weekly)	910min (weekly)	505%
Educational	300 min (weekly)	300min (weekly)	100%
Children's (weekly)	60 min (weekly)	100 min (weekly)	166%

Drama	150 min (weekly)	150 min (weekly)	100%
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The above quarterly information indicates compliance by Lesedi FM with the set quotas during 2015/2016 fiscal year. The Authority's findings are outlined in the relevant sections below.

4. General Programming obligations

4.1 General

Clause 6.1.1 stipulates that:

"The Licensee ensure that its programming adequately reflects diversity of South Africa's Religion".

The SABC's editorial policy stipulates that:

"Religious programmes should take account of regional factors, target audiences, language and cultural preferences, and the devotional needs of specific groups."

During the period under review, the monitoring exercise revealed that "Dikalaneng" is programme broadcast between every Monday to Friday between 03h00 and 05h30, deals with a variety of social issues and not necessarily religious topics. One of the topics discussed was about how to make people join different Religions, namely the Islam, Rastafari and Christian. The lines were opened for listeners to share their views. One of the callers was Islam and stated that the critical or main issue is the behaviour and way people handle themselves amongst others that will attract people to their Religion.

The Licensee was found to be in compliance with clause 6.1.1 of the schedule of the licence.

Clause 6.1.2 of the licence stipulates that:

"The Licensee shall take responsible steps to provide programming that reflects the cultural and traditional needs of its audience".

A discussion about culture was identified during the programme called "ReMmoho" which is broadcast Mondays to Fridays between 21h00 and 00h00. The hours that the Authority monitors are between 05h00 to 23h00. The "ReMmoho" programme includes a variety of other issues of interest concerning culture and tradition.

The discussion was about whether funerals are still respected at this day and age. The Presenter mentioned that in the olden days, funerals were respected a lot. Children would sit down when a funeral convoy passed through and men would take off their hats when at a funeral or Herse passes by. Females would wear dresses and not pants. This was a phone in programme and listeners shared their views.

The Licensee was found to be in compliance with clause 6.1.2 of the schedule of the licence.

Clause 6.1.3 of the schedule of the licence further provides as follows:

"The licensee shall during the South African performance period, provide programme material that caters and has due regard for the interests of all sectors of South Africa society and shall provide programming on health related issues, gender issues relevant to all age groups".

The monitoring exercise revealed that Lesedi FM broadcasts a variety of programmes that cater for the interests of all sectors of South Africa.

The following programmes were identified as catering for health-related issues, gender issues relevant to all age groups:

- *"Ha Re Ye" broadcast weekdays between 07h00 to 09h00;*
- *"Mathemalodi" broadcast weekdays between 09h00 to 12h00;*
- *"Re a Kubeletsa" broadcast weekdays between 15h00 to 18h00;*
- *"Ke Moqebelo" broadcast on Saturdays only between 07h00 – 09h00; and*
- *"Kgatholoha" broadcast Sundays between 21h00 to 00h00*

The following were amongst the topics discussed:

- *Safety of youth during the Easter Holidays;*
- *Nutrition;*
- *Awareness that racism is not right;*
- *Immunization of kids; and*

- *Oral hygiene.*

The Licensee was found to be in compliance with clause 6.1.3 of the schedule of the licence.

4.2 News and Current Affairs

Clause 6.2.1 of the schedule of the licence states:

"The Licensee shall broadcast at least sixty (60) minutes of news programming each day during the South African performance period".

A monitoring exercise revealed that Lesedi FM broadcasts news bulletins every hour and headlines every half hour, the first bulletin is at 05H00 and the last bulletin is at 22h00.

The monitoring exercise further revealed that Lesedi FM broadcasts 18 news bulletins each day during the performance period. Each news bulletin lasts for at least 5 minutes. In total, an average of 90 minutes of news per day was monitored. The news covered are local, national and international news.

The following are some of the news excerpts covered:

- *"President of the South African Council of Churches, Bishop Mbulelo said that they going to issue a letter of request signed by many people who are in support of the release of AbaThembu King Buyelekhaya Dalindyabo from prison";*
- *"A certain Pakistan man has been arrested for faking to be a Traditional Healer in Rankopane Village at QwaQwa. Police spokesperson Mabomu Phiring said the residents of Rankopane had complained about his legitimacy";*
- *"Farmworkers of Swartland in the Western Cape Province who were at the Human Rights Celebrations yesterday were informed about their rights and how to apply them. The Grootgedacht Trust organised the event and the focus was on protecting the rights of women and children in rural areas";*

- *"The 33 year old man who was arrested for pretending to be from the NPA who told murder accused Paralympian Oscar Pretorius that he can make the murder docket disappear if he can give him R200 000"; and*
- *"President of America, Barack Obama had talks with his Cuban counterpart Roul Castro Havana. It is the second day the President is visiting the communist country, they met at the Palace House of Cuba. Barbra Pilet Asha of BBC News reported that Barack Obama is going to be raising economic issues, especially with private sector".*

Lesedi FM was found to be in compliance with clause 6.2.1 of the schedule of the licence.

Clause 6.2.2 of the schedule of the licence stipulates that:

"The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period".

The monitoring exercise revealed that the Licensee broadcasts 255 of minutes of current affairs news which exceeds the quota of 60 minutes by far.

The following are some of the programmes that were broadcast during the monitoring period:

- *"Makumane" broadcast Monday to Friday between 05h30 and 07h00;*
- *"Imatlafatse" broadcast Monday to Friday between 12h00 and 13h00;*
- *"Matshohlo" broadcast Monday to Friday between 18h00 and 19h00; and*
- *"Mathumisa" broadcast on Saturday only between 06h00 and 07h00*

A variety of current affairs news is broadcast during the above-mentioned programmes. For example: on the *"Matshohlo"* programme the discussion was about the alleged relationship between the GUPTA family and State President Jacob Zuma.

The Licensee was found to be in compliance with clause 6.2.2 of the schedule of the licence.

Clause 6.2.3 of the schedule of the licence stipulates that:

"The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period".

During the monitoring of the radio station's programming profile, no evidence was found of the radio station's non-compliance with the provisions of clause 6.2.3 which is stipulated on the licence conditions as follows:

- (i) exercise full editorial control in respect of the contents of such programming;*
- (ii) include matters of international, national, regional and where appropriate, local significance;*
- (iii) meet the highest standards of journalistic professionalism;*
- (iv) provide fair, unbiased, impartial and balanced coverage independent from governmental, commercial, or other interference; and*
- (v) provide a reasonable opportunity for the public to receive a variety of points of view on matters of public concern.*

The SABC's editorial policy provides that the licensee must exercise full editorial control in respect of contents of its programming. The editorial policy further indicates that the Licensee endeavours to meet the highest journalistic professionalism.

Further the policy provides for fair, unbiased and impartial coverage independent from government, commercial or other interference. Furthermore, in its news and programming content it includes matters of international, national, regional and local significance.

In its current affairs broadcast, the radio station provides an opportunity for the public to receive a variety of points of view on matters of public concern. The SABC's Editorial Policies forms part of the SABC's Charter and monitoring of Lesedi FM's news and current affairs programming during the year under review not only demonstrated compliance with clause 6.2.3 of its licence but the Charter as contained in the Broadcasting Act of 1999.

The Licensee was found to be in compliance with clause 6.2.3 of the schedule of the licence.

4.3 Programming Targeted at Children

Clause 6.3.1 of Lesedi FM's service licence stipulates that:

"The Licensee shall in the provision of the licensed service, broadcast at least one (1) hour of programming targeted at children (as contemplated in section 10 (1) (g) of the Broadcasting Act) per week during the South African performance period".

Further, clause 6.3.2 of the schedule of the licence stipulates that:

"In the production and presentation of its children's programming, the Licensee shall ensure that such children's programming is:

- (i) Broadcast at times of the day when children are available to listen;*
- (ii) Targeted at and appropriate for children between the ages of nought (0) to six (6) years and seven (7) to twelve (12) years respectively; and*
- (iii) Educational and is made from children's point of view."*

The following some of the children's programmes identified programme:

- *"Mathemalodi" broadcast weekdays between 09h00 and 12h00;*
- *"Ke Moqebelo" broadcast on Saturday between 07h00 and 09h00; and*
- *"Kgothala" broadcast on Sunday between 07h00 and 09h00.*

During the period under review, Lesedi FM broadcast 3 hours 40 minutes of Children's programme which exceeds the set quota. The monitoring was specifically on the "Ke Moqebelo" and "Kgothala" programme.

On the "Ke Moqebelo" programme the children were asked what they understand about the Christians *Good Friday* Celebrations known in the Sotho language as "Paseka". The lines were opened for children to call in and engage on the discussion. Children between the ages of 5 and 10 years called in. A local Pastor Thini explained what the meaning of "Paseka" is and why there is a need for the Celebrations. The children were also taught how to eat healthy and the importance of playing.

Both the programmes were broadcast at a times when children are available to listen. The programmes were very informative and educational. The educational programmes are brought by SABC Education.

"*Mathemalodi*" also has children's programme called "*Takalani Sesame*" that runs for 10 minutes weekdays.

The Licensee was found to be in compliance with clause 6.3.1 of the schedule of the licence.

4.4 Educational Programming

Clause 6.4 of the schedule of the licence provides that:

"The Licensee shall broadcast at least five (5) hours of educational programming (as contemplated in section 10 (1) (e) of the Broadcasting Act) per week within the South African performance period".

The monitoring exercise revealed that Lesedi FM broadcast hours 12 hours 30 minutes of educational programming per week. Some of the programmes monitored during the period under review overlap to Informal Knowledge Building Programming.

The following programmes were monitored:

- *"Ha re ye" broadcast Monday to Friday between 07h00 and 09h00;*
- *"Mathemalodi" broadcast on Monday to Friday between 09h00 and 12h00;*
- *"Jwale ke Nako" broadcast Monday to Friday between 13h00 and 15h00;*
- *"Re a kubuletsa" broadcast Monday to Friday between 15h00 and 18h00;*
and
- *"ReMmoho" broadcast Monday to Friday between 21h00 to 00h00*

The following topics were discussed:

- *Tuberculosis disease, what it is, the symptoms, treatment and prevention;*
- *How to be safe during heavy rains;*
- *Economy, why the rand goes down and why interest rates increase;*
- *The importance of saving and investing money for the future; and*
- *Circumcision reduces the chances of HIV/AIDS by 60%.*

The Licensee was found to be in compliance with clause 6.4 of schedule of the licence

4.5 Drama

Clause 6.5 of the schedule of the licence stipulates that:

"The licensee shall broadcast at least two and a half (2 ½) hours of drama per week within the South African Performance period".

Lesedi FM submitted the programmes below as having drama content:

- *"Jwale ke Nako" broadcast Monday to Friday between 13h00 and 15h00*
- *"ReMmoho" broadcast Monday to Friday between 18h00 and 21h00.*

The monitoring exercise revealed that there are 2 drama programmes namely *"Mae a dinotshi"* that runs for 15 minutes and *"Snonori"* that runs for 20 minutes Mondays to Fridays. Both drama programmes were identified during "Jwale ke nako" programme broadcast between 13h00 and 15h00.

In 2 hours 55 minutes of drama was monitored. **Accordingly, the Licensee was found to be in compliance with clause 6.5 of the schedule of the licence.**

4.6 Informal Knowledge Building (IKB)

Clause 6.6 stipulates that:

"The Licensee shall broadcast at least three (3) hours of informal knowledge building programming per week within the South African performance period".

The monitor exercise revealed that Lesedi FM broadcast 8 hours 25 minutes of IKB programming per week.

The following information knowledge building programmes, amongst others, were monitored during the period under review:

- *"Mathemalodi" broadcast Monday to Friday between 09h00 and 12h00;*
- *"Rea Kubeletsa" broadcast Monday to Friday between 15h00 and 18h00;*
and
- *"Re Mmoho" broadcast Monday to Friday between 21h00 and 00h00*

The following topics were identified on the above-mentioned programmes as Informal Knowledge Building:

- *The benefits of book reading of a child at an early age;*
- *Teaching children about respect, trust, forgiveness, thankful, tolerance, apologising, kindness;*
- *Uplifting 'Spaza Shops' and small businesses;*
- *Farming; and*
- *Tips on how to save water*

The Licensee was found to be in compliance with 6.6 of the schedule of the licence.

4.7 Training and Skills Development Obligations

Clause 7 of the licence conditions is stipulated as follows:

7.1 The Licensee must adopt and implement equal opportunity employment practices.

7.2 The Licensee must ensure that its management and staff are representative of South African society and that its human resource policies take into account the development of managerial, production, technical and other skills and expertise, particularly with regard to the historically disadvantaged persons.

7.3 The Licensee shall endeavour to achieve fair and reasonable participation by historically disadvantaged persons with respect to:

- *Its management and control structures;*
- *Skills development;*
- *Enterprise development and*
- *Procurement.*

7.4 The Licensee must, within thirty (30) days of the end of each financial year provide the Authority with written information regarding its compliance with the above requirements.

At the end of the 2015/16 Financial Year; the SABC's employment equity statistics were showing a positive in terms of the Licensee's recognition and practise. The

SABC employed at least 85% black people in its staff complement in the year that is being reviewed while 48% in that number were female employees. Black people dominate the Licensee's employment statistics in the management echelon at 77%, while females at management level are at 43.5%. In addition, 2% of the overall staff complement within the Licensee are people with disabilities and a bulk of that percentage is employed in the Eastern Cape.

The SABC boasts of an award received from the Department of Labour in recognition of its Employment Equity practices.

In terms of training; the Licensee reports of having trained at least 1933 employees in the year that ended 2016. The statistical breakdown of these training interventions show that at least 88% of SABC's trained personnel were people from previously disadvantaged backgrounds.

The Licensee was found to be in compliance with clause 7 of the schedule of the licence.

4.8 Audited Financial Statements

Clause 8 of the licence stipulates that:

"The licensee shall provide the Authority with the audited annual financial statements of the licensed service within four (4) months of the end of the licensee's financial year, provided that the licensee may on good ground shown apply to the Authority for extension".

The Licensee submitted its Audited Financial Statements for the 2015/2016 financial year within the stipulated timeframe. The AFS indicate that the Licensee generated revenue of R7 978 841 000 and incurred a loss of R411 605 000.

The Licensee was found to be in compliance with clause 8 of the schedule of the licence.

5 REGULATIONS

5.1 Code on People with Disabilities

Regulation 3.1 (a) of the Code for People with Disability of 2007 provides as follows:

"Broadcasting service Licensees must ensure that their services are made available and accessible to people with disability."

Lesedi FM submitted that its programming does not stereotype people with disabilities and that their programming is developed in conjunction with and for people with disabilities. The Licensee boasts of its membership in the following entities who are involved with disabled persons:

- *Disabled People of South Africa;*
- *South African National Council for the Blind;*
- *Ginsberg Special School;*
- *Eastern Cape Disability Economic Empowerment Trust;*
- *Ikhwezi Lokusa Rehabilitation Centre;*
- *Dimbaza Institute for the Blind;*
- *Sweet Waters Special School;*
- *Deafblind South Africa; and*
- *National Council for Persons with Physical Disabilities in South Africa.*

In addition, Lesedi FM's Form 7C⁷ – a report on the Licensee's compliance with the Code on People with disabilities stated that the Licensee has actively engaged the Dimbaza Institute for the Blind for an in studio interview.

The SABC also reported that Employees with disabilities represent 1.90% of the entire workforce as some employees left the organisation and as a result the organisation did not meet its target of 2%. The SABC reported that 58% of all employees with disabilities are female and 77% are black. The SABC also encourage content producers to establish relationships with organisations for people with disabilities to use for content when the need arises.

The Licensee was found to be in compliance with the Code of People with Disabilities.

5.2 Compliance Procedure Manual – Form 12A

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A⁸ which reports on all complaints received in the course of each financial year. In April 2015, the SABC submitted its complaints

⁷ Ikwewezi FM's Form 7c

⁸ SABC Form 12A

report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

The Licensee did submit its complaints report as stipulated above, however during the period under review, Lesedi FM did not receive any complaints. The complaints process announcement is aired on each programme.

The Licensee was found to be in compliance with the Compliance Procedure Manual

5.3 South African Music Content

Regulations 3.1 of South African Music Content as published on 31 January 2006 stipulate that:

"Every holder of a public sound broadcasting licence to which these regulations apply must ensure that after eighteen months of 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" (See appendix D)⁹

During the period under review, the monitoring exercise revealed that the Lesedi FM broadcast at least 60% South African music.

The following local artists were identified:

Aifhani – 'Bhadi'; Khathorus Choristers – 'Dinaledi'; Big Nuz – 'Nazo'; Mirriam Makeba – 'Meet me at the River'; UMsingizane – 'Sefapanong'; Lebo Sekgobole – 'Jesu yabonolo'; Thebe – 'Groovers Prayer'; Diphofolo – 'Otla nyala neng'; Zahara – 'Bengi wrongo'; Jonas Gngwangwa – 'Morwa'.

The Licensee was found to be in compliance with the regulations on South African Music Content Regulations

⁹ South African Music spread

5.4 Standard Terms and Conditions for Individual Broadcasting Licensees

The Authority is satisfied that the Licensee did not contravene the Standard Terms and Conditions for Individual Licences during the period under review.

5.5 Universal Service and Access Fund

Regulation 3 of the USAF Regulations stipulates that:

- (1) *"Every holder of a licence granted in terms of Chapters 3, 4 and/or 9 or converted in terms of Chapter 15 of the Act, must pay an annual contribution of 0.2% of its Annual Turnover to the Fund".*
- (2) *"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 paid its annual contribution to the USAF and received confirmation of payment in a form of a Section 18A certificate from the MDDA. The Licensee submitted proof of payment¹⁰ to the Authority.

The Licensee was found to be in compliance with clause 3 of the USAF Regulations

6 CONCLUSION

During the period under review, Lesedi FM has sufficiently complied with all the clauses of the licence terms and conditions including the relevant Regulations and Legislation.

The Authority applauds Lesedi FM for improving on meeting the quota of Drama in the 2015/2016 financial year as opposed to the previous year.

7. TERMS OF REFERENCE

7.1 SABC service and frequency spectrum licences.

¹⁰ Proof of SABC's contribution to the USAF