



# **LOTUS FM ANNUAL COMPLIANCE REPORT**

**MARCH 2025**

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M Ramusi (Chairperson), T Faye, C Mushi, N Nontombana,  
N Sithole (Councillors), T Maluleka – Disemelo (CEO)

# **2023/2024 ANNUAL COMPLIANCE REPORT**

## **SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS LOTUS FM**

**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 Act<sup>1</sup> ("ICASA Act"), the Electronic Communications Act<sup>2</sup> (ECA) and the Broadcasting Act<sup>3</sup> 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 Lotus 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 of Format, Local Content Obligations, General Programming Obligations and Training and Skills Development.

Furthermore, 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 Code of Conduct for Broadcasters.

### **2. BACKGROUND**

Lotus FM is an Individual Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station forms part of the public broadcasting service of the SABC and is licensed to provide a full spectrum service to the Greater KwaZulu-Natal province and parts of Gauteng. The radio station is based in Durban, in the KwaZulu-Natal province.

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<sup>1</sup> Act No. 13 of 2000, as amended

<sup>2</sup> Act No. 36 of 2005

<sup>3</sup> Act No. 4 of 1999

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Ownership and Control**

Clause 1 of the licence stipulates that:

- 1.1 *Name of company/entity: The South African Broadcasting Corporation*
- 1.2 *Shareholders: The State shall hold one hundred percent (100%) of the shares of the Corporation*
- 1.3 *Ownership by persons from historically disadvantaged groups: N/A*

There were no changes reported on the name and shareholding of the Licensee. Lotus FM forms part of the public broadcasting service of the SABC and it is 100% owned by the state.

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

#### **3.2 Geographic Coverage Area**

Clause 3 of the licence schedule states that:

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

According to the frequency spectrum licence, the radio station's coverage area is Gauteng, KwaZulu-Natal and Cape Town. Its transmitter sites are in Durban, Durban North, Glencoe, Johannesburg, Ladysmith, Pietermaritzburg, Port Elizabeth, Port Shepstone, Sunnyside, The Bluff and Tygerberg. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

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

#### **3.3 Language(s)**

Clause 4 of the licence states that the language of broadcast is as follows:

*"Principal Language: English with specialist programmes in Hindi, Tamil, Urdu, Gujarati and Telegu".*

The monitoring exercise confirmed that Lotus FM's principal language of broadcast is English, with alternates between Hindi, Tamil, Urdu, Gujarati and Telegu during some of the radio station's specialised programmes.

**The Licensee complies with clause 4 above.**

### **3.4 Format**

Clause 5.1 of the licence states that:

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

Clause 5.2 stipulates that:

*"The licensed service shall provide a full spectrum service".*

Lotus FM forms part of the public service radio stations of the SABC and offers a full-spectrum service to its audience as outlined in the licence. This was confirmed during the Authority's monitoring exercise which found that the radio station engages in different topical issues of national interest across its programming offerings.

**The Licensee complies with clauses 5.1 and 5.2 of its licence.**

### **3.5 Local Content Obligations**

Clause 6 of the schedule to the licence stipulates that:

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

*Clause 6.1 different genres; and*

*Clause 6.2 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 05h00 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".*

The SABC submitted Lotus FM's quarterly reports for the period under review in line with the Compliance Procedure Manual Regulations; the reports indicated the different genres, the South African music content and programming material for the period under review.

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

## **3.6 General programming obligations**

### **3.6.1 General**

Clause 7.1.1 of the licence stipulates that:

*"The Licensee shall ensure that its programming adequately reflects the diversity of South Africa's religions".*

The SABC's editorial policy<sup>4</sup> stipulates that:

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

Lotus FM broadcasts religious and devotional programmes that cater for different groups. Devotional music from different religions is played across different programmes on Sunday evenings. The following are some of the programmes that were identified during the monitoring exercise:

- *Bhakti Sungheet* is broadcast between 17h00 and 19h00 and it is dedicated to the Hindu religion, and it also holds interviews with leaders in the Hindu religion to provide insight on different topics related to the religion.
- *Gospel Hour* between 19h00 and 20h00 focuses on the Christian religion and provides a platform for guest Pastors to preach. Christian devotional music is also played on the show.
- *Deenyat*, between 20h00 and 21h00, is dedicated to the Islam religion. There is also discourse on various topics around religion; one of the topics that were discussed was the Muslim Personal Law. Listeners are given a platform to interact with experts on different topics.

### **The Licensee complies with clause 7.1.1 of its licence.**

Clause 7.1.2 of the licence stipulates that:

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

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<sup>4</sup> An extract from the Licensee's Editorial Policy

The Licensee provides a diverse range of programmes that demonstrate the cultural and traditional diversity of its audiences. Shows like *Qawali Hour*, which broadcasts Sufi-style music, and *Classic Gold* which plays classic Indian music. Upcoming music events are announced during these shows, and they also provide a platform for listeners to send dedications. *The Next Episode* on Friday evenings between 19h00 and 22h00, plays old school non-Indian (English) music and it also provides for listener dedications.

Movies and music are reviewed on *Bollywood Billboard* which is broadcast on Saturdays between 13h00 and 15h00. The show also has a segment called *News on Bollywood* where it provides updates on the lives of Bollywood movie stars, and any news out of Bollywood, in addition to movie reviews and profiling of different actors.

These programmes demonstrate that the Licensee provides for different cultural and traditional needs of its audience.

### **The Licensee complies with clause 7.1.2 of its licence.**

Clause 7.1.3 of the licence stipulates that:

*"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 African society and shall provide programming on health-related issues, gender issues relevant to all age groups".*

The following are some of the programmes that were identified during the monitoring exercise, where various issues of interest to society were discussed:

- *Talk @7* is a talk show that is broadcast weekdays between 19h00 and 21h00 and it discusses issues that are of interest to and affect society. Topics such as relationship matters, crime, politics, health and wellness were heard during the monitoring period. There was also an interview with a legal expert about the issue of abuse and harassment, and steps to be followed to get a restraining order if you are a victim of harassment.
- *Nite Café* is broadcast from 21h00 on weekdays, except Friday. It is music dominated but it also discusses interesting topics. There was a discussion on the upcoming elections with an official from the IEC providing insight on

different matters related to elections, including the eligibility criteria for candidates.

- *The Breakfast Express* is an interactive show that deals with different topics on lifestyle, sport, politics, entertainment and business updates. It also offers fun and interesting content such as quizzes, with listener participation, including children. It also offers a platform for listeners to send dedications and to discuss issues that affect them. In celebration of World Radio Day, there was an interview with Ukhozi FM presenter, Mroza about her journey on radio as a female broadcaster.
- *The Weekend Recharge* is a Saturday breakfast show that is broadcast between 06h00 and 09h00. It has a lot of listener interaction where fun topics that include cooking, fashion, quizzes, comedy and dedications are provided. Some of the topics that were discussed include eating habits and exercise for good health.

The diversity of shows on the Licensee's line-up confirms that it addresses various issues relevant to people of all age groups and genders.

### **The Licensee complies with clause 7.1.3 of its licence.**

#### **3.6.2 News and Current Affairs**

Clause 7.2.1 of the schedule attached to the licence stipulates that:

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

The quarterly reports submitted by the SABC show that Lotus FM broadcasts approximately seventy (70) minutes of news programming daily. The monitoring exercise revealed that the Licensee broadcasts approximately eighty (80) minutes of news programming. It broadcasts news bulletins every hour between 05h00 and 20h00 on weekdays, and between 07h00 and 20h00 on weekends.

The following were among the news stories covered:

- *Three charred bodies have been discovered in a factory in Mission Lands in Verulam, north of Durban. It is alleged that nine men were on duty on Friday night at a furniture manufacturing factory when a fire broke out.*

*Four workers escaped unharmed, whilst another was rushed to hospital with burn wounds. Security company, Reaction Unit SA (RUSA), was called to the scene by relatives of the deceased, following their gruesome discovery on Saturday afternoon. All the deceased are believed to be foreign nationals. RUSA's General Manager, says one person remains missing.*

- *The Interim Executive Officer of Eskom, Calib Cassim, says the country would have been in what he calls a precarious situation if stage six loadshedding was not implemented last weekend. He has appeared before Parliament's Public Enterprises Committee. During the State of the Nation Address last week, President Ramaphosa remarked that the end of loadshedding was in sight, only for stage six blackouts to be implemented two days later. Cassim says the hiking of the loadshedding to higher stages, was necessitated due to various reasons.*
- *President Cyril Ramaphosa has dismissed suggestions that his visit to Mpumalanga today is an ANC election campaign disguised as the government's presidential imbizo. The President is accompanied by several Ministers at eMalahleni for the twelfth District Development Model Presidential Imbizo. His entourage will tackle the water crisis that has ravaged the province recently. He says, in as much as the country is going to the elections in two months, this does not mean that the government has ceased to exist.*
- *Russian President, Vladimir Putin has insisted that Russia has no interest in invading Poland, Latvia or any other NATO-aligned countries. He scores such a scenario absolutely out of the question. Putin made the comments in a lengthy interview with American talkshow host, Tucker Carlson. President Putin also said the Atlantic Alliance must accept Moscow's territorial gains in Ukraine. It was the Russian leader's first one-on-one interview with a Western media figure since Moscow invaded Ukraine two years ago."*

**The Licensee complies with its news obligation.**

Clause 7.2.2 stipulates that:

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

The Licensee's submissions indicate that Lotus FM broadcasts eighty (80) minutes of current affairs programming daily on weekdays and approximately sixty (60) minutes daily on weekends.

The Authority's monitoring revealed that the Licensee broadcasts *Newsbreak* between 05h00 and 06h00 on weekdays and between 12h00 and 13h00 on weekends. It also has a current affairs slot between 13h00 and 13h30 during *The Lunch Break* programme on weekdays.

**The Licensee complies with clause 7.2.2 of its licence.**

Clause 7.2.3 stipulates that:

*"The Licensee shall in the production of its news and current affairs programming:*

- (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 reasonable opportunity for the public to receive a variety of points of view on matters of public concern".*

The Licensee's editorial policies indicate that the Licensee exercises full editorial control with respect of the content of its programming. The editorial policies further indicate that the Licensee endeavours to meet the highest standards of journalistic professionalism. Further, it provides fair, unbiased and impartial coverage independent from government, commercial or other interference.

The monitoring exercise revealed that Lotus FM broadcasts matters of regional, national and international significance.

**The Licensee complies with clause 7.2.3 of its licence.**

### **3.6.3 Drama**

Clause 7.3 of the schedule to the licence stipulates that:

*"The Licensee shall broadcast at least two and a half (2½) hours of drama per week within the South African performance period".*

According to quarterly reports submitted by the SABC, Lotus FM broadcasts one hundred and fifty (150) minutes (2 hours and 30 minutes) of drama programming per week during the performance period.

The Authority's monitoring exercise confirmed that the radio station broadcasts two and a half (2½) hours per week. It broadcasts the drama, *The Moguls* on weekdays from 11h45 to 12h00 in the mornings and repeated at 21h45 to 22h00 in the evenings.

**The Licensee complies with clause 7.3 of its licence.**

### **3.6.4 Informal Knowledge Building**

Clause 7.4 of the schedule to the licence stipulates that:

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

According to quarterly reports submitted by the SABC, Lotus FM broadcasts five hundred and forty-five (545) minutes of informal knowledge-building programming per week. The monitoring exercise confirmed the radio station broadcasts at least three (3) hours of informal knowledge-building programming per week.

Programmes such as *The Weekend Recharge*, *Morning Masala*, as well as *Talk @7* were identified as those that offer informal knowledge-building content. These shows cover a diverse range of informative topics, with interviews with experts and leaders in different fields. Discussions on family matters, education and careers, consumer rights, labour matters, beauty tips, finance, marriage and relationships. There was an interview with a doctor about pink eyes and its causes, a discussion with a technical expert on groundbreaking technological inventions and a discussion with a security expert on child safety amidst the high number of missing children in the country.

The *Language Shows* between 18h00 and 19h00 on weekdays, teach different Indian languages (Hindi, Telegu, Gujarati, Urdu and Tamil) which forms part of informal knowledge building.

**The Licensee complies with clause 7.4 of its licence.**

### **3.6.5 Training and Skills Development Obligations**

Clause 8 of the Schedule to Lotus FM's licence stipulates that:

- "8.1 *The Licensee must adopt and implement equal opportunity employment Practice.*
- 8.2 *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 historically disadvantaged persons.*
- 8.3 *The Licensee shall endeavour to achieve fair and reasonable participation by historically disadvantaged persons with respect to:*
- (a) its management and control structures*
  - (b) skills development*
  - (c) enterprise development; and*
  - (d) procurement*
- 8.4 *The Licensee must, within thirty (30) days of the end of each financial year, provide the Authority the written information regarding its compliance with the above requirements."*

The Licensee's commitment to a skilled and trained workforce is evident in its efforts to provide development for its employees. The SABC's Annual Skills and Development Report 2023/2024, shows that bursaries which were previously only reserved for employees identified by the Licensee's 2019/2020 Skills Audit, were, have been extended to all SABC employees.

In the year under review, the Licensee facilitated at least one thousand and ninety-one (1091) training interventions, in response to one thousand two hundred and seventeen (1217) training needs identified in its Workplace Skills

Plan for the year ended. At least nine hundred and twenty-three (923) individuals received training, and ninety-nine percent (99%) of the training recipients were people from previously disadvantaged groups.

The Licensee continues to prioritise the employment of women and Black people.

Women continue to serve in high-level positions within the Licensee, and people from previously disadvantaged groups still make up the majority at the executive level.

The analysis of the Licensee’s Employment Equity report shows a decline in the occupancy of Black people within the Licensee’s Board of Directors for the year under review. However, this cannot be seen as indicating a decrease in the Licensee’s efforts to maximise the presence of Historically Disadvantaged Individuals in its executive. The year ended March 2024 saw the Licensee left with around sixty-six percent (66%) of Black People at the Executive Level, a decline of around nineteen percent (19%) from last year’s reporting.

The Licensee has already reached its 2025 Employment Equity target; currently, Historically Disadvantaged Individuals make up the majority at levels.

**Table 1:** SABC’s 2025 Employment Equity Targets (Control/Management Echelon) measured against the last two financial years’ progress.

<b>Employment Category</b>	<b>September 2025 Target</b>	<b>February 2023 Actual</b>	<b>March 2024 Actual</b>
<b>Black Board of Directors with Voting Rights</b>	50%	85.72%	66.6%
<b>Female Board of Directors with Voting Rights</b>	25%	33%	33.3%
<b>Black Executive Directors (GCEO, COO, CFO)</b>	50%	66.67%	33.3%
<b>Black Female Executive Directors (GCEO, COO, CFO)</b>	25%	0%	33.3%
<b>Black Executive Managers / Senior Management</b>	60%	88 %	74.1%
<b>Black Female Executive</b>	30%	32%	38.7%

<b>Employment Category</b>	<b>September 2025 Target</b>	<b>February 2023 Actual</b>	<b>March 2024 Actual</b>
<b>Managers/Senior Management</b>			
<b>Black Middle Management</b>	75%	83%	71.2%
<b>Black Female Middle Management</b>	38%	42%	36.2%
<b>Black Junior Managers</b>	88%	93%	81.9%
<b>Black Female Junior Managers</b>	44%	49%	42%
<b>Black People with Disabilities</b>	2%	2%	2.5%

**The Licensee complied with clause 8 of the schedule to the Licence.**

### **3.6.6 Submission of Audited Financial Statements to the Authority:**

Clause 9 of the service licence provides that:

*"The Licensee shall provide the Authority with the audited annual financial statements of the licensed service within six (6) months of the end of the Licensee's financial year, provided that the Licensee may on good cause apply to the Authority for an extension."*

The Licensee submitted its audited annual financial statements to the Authority within the prescribed period.

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

## **4. REGULATIONS**

### **4.1 ICASA South African Music Content Regulations, 2016**

On 23 March 2016, the Authority published the ICASA South African Music Content Regulations.

Regulation 3 (1) of the South African Music Content<sup>5</sup> as published on 23 March 2016 stipulates that:

*"A holder of a public sound broadcasting service licence must ensure that after eighteen (18) months from the date of gazetting of these Regulations, a minimum of 60% increasing to 70% in the following year, of the musical works broadcast in the performance period, consist of South African music and that South African music is spread evenly throughout the performance period."*

On 6 February 2019, the Authority approved the exemption request authorising Lotus FM to only broadcast 35% of South African music content for their licence period, with special conditions.

The SABC's quarterly reports indicated that Lotus FM broadcast an average of 35% South African Music content during the performance period, supplemented by interviews with South African artists.

Featured artists during the period under review include *Lynette, Majozi, Dr Victor, Zubair Bobat, Shay, Imran Qamar* and *Prenolin Pillay*, among others.

### **The Licensees complies with the ICASA South African Music Content Regulations.**

#### **4.2 Special Conditions Regarding South African Music Content**

Clause 10.1 of the schedule to the licence states the following:

*"10.1. In line with the exemption granted in terms of Regulation 44.1-3 of the 2016 Music Regulations, the Licensee shall broadcast 35% of local music and further do the following:*

*10.1.1 Create four (4) bi-annual lyric writing competitions;*

The Licensee submitted that the competitions could not be held due to the following challenges and lack of sponsorship. It stated the following:

- Financial challenges: The station's expenses outweigh the revenue. The station's expenses are +- R27 million vs revenue of R9 million;

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<sup>5</sup> ICASA South African Music Content Regulations, 2016 as published in *Government Gazette* No. 39844 dated, 23 March 2016.

- Loadshedding and power cuts - it stated that the breaks in transmission due to power cuts because of cable theft and generator malfunction, pose a challenge when it comes to running the lyric writing competitions on air; and
- Lack of sponsorship: Sponsorship opportunities were offered to advertising clients, but these did not yield any results as none of the advertisers took up the sponsorship. The sponsorship investment to clients was R294, 000 and Lotus FM was willing to give them a total value in airtime, sponsorship and marketing for R581, 000.

*10.1.2 Record religious music to fulfil the religious programming needs;*

The Licensee submitted that although recording religious music is an ongoing exercise, it continues to host Outside Religious Broadcasts. It submitted the following as religious recordings and music received during the period under review, as per table 2 below:

**Table 2**

<b>Religious Recordings and Music Received for F23/243</b>	
<b>Artist</b>	<b>Song</b>
Mehesh Naidoo	Hari Hari Narayan
Seema Nanoo	Hey Ram
<b>Religious Recitals Received for F23/24</b>	
<b>Artist</b>	<b>Song</b>
Ramayan Recitals	Pundit Lokesh Maharaj
Ramayan Recitals	Pundit Lokesh Maharaj
Ramayan Recitals	Pundit Lokesh Maharaj

*10.1.3 Co-ordinate workshops for South African artists with visiting overseas artists;*

The Licensee submitted that there was a lack of promoters bringing overseas artists, mainly due to the high costs involved and the unwillingness to spend on the station. Therefore, it has not been able to secure any ties with promoters who had artists. In the period under review, there was only one (1) concert however, the promoter could not partner with the radio station.

*10.1.4 Offer special package to South African artists who want to promote their albums on Lotus FM;*

The Licensee submitted that it has developed an airtime sales package with the purpose to promote and develop local musicians and music. This airtime package includes a 3 – 5-minute interview as well as between 6 to 15 radio commercials. Artists can choose between three packages: a Monday to Friday package, a Saturday and a Sunday package. Details of the different packages were provided in the report submitted to the Authority. The Licensee added that in most cases, local artists cannot afford these packages, therefore, they are offered record giveaways, community slot announcements and interviews on the programme called Local Vocal.

*10.1.5 Promote local concerts through publicising them in the station's community news slots;*

**The Licensee did not provide a report on its compliance with this obligation.**

*10.1.6 Profile at least one local artist/group per week.*

The Licensee reported that it has afforded local artists/groups a chance to be profiled on Local Vocal and all its other shows, including primetime shows. The artists are given opportunities to showcase their music and to give away CDs to promote their albums. This has been a very successful exercise that also assisted with the music quota. The Licensee's submissions show that it interviewed more than ninety (90) musicians.

Below are some of the artists that were interviewed during the period under review.

<b>No.</b>	<b>Artist interviewed in 2023</b>	<b>Date</b>	<b>Time</b>	<b>Duration</b>
1	Kumari Ambigay	13-04-2023	13h15	10 min
2	Priya Boshoff	26-04-2023	13h15	10min
3	Sheen Skaiz	27-04-2023	13h15	10min
4	Imran Qamar	15-03-2023	19h35	15 min

No.	Artist interviewed in 2023	Date	Time	Duration
5	Kirthi Thiluk	16-03-2023	11h05	10 min
6	Prenolin	06-05-2023	19h05	30 min
7	Tribute To Steven Narainsamy	27-05-2023	19h00	30min
8	All Star	27-05-2023	19h30	30min
9	Adderly Ragoobeer	19-05-2023	13h15	10 min
10	Dr Victor	09-06-2023	19h05	40 min
11	The Nu Savoy's.	23-06-2023	19h05	40min
12	Deshen	26-01-2024	18h15	25min
13	Armand Joubert	07-02-2024	13h15	20min
14	Christoff Spies	21-02-2024	20h10	20min
15	Esha Parbhoo	23-02-2024	13h15	20min
16	Shay	29-02-2024	08h15	25min
17	Darrien Luke	14-02-2024	19h00	20min
18	Rajen Pillay	26-02-2024	08h15	50min
19	Sunil Beharie	12-02-2024	08h15	50min
20	Seema Nanoo	02-02-2024	19h05	50min

*10.1.7 Encourage local music producers to participate in competitions where they will submit completed works as part of year-end South African Hit Makers programme;*

**The Licensee did not report on its compliance with this sub-clause.**

*10.1.8 Offer local artists releasing new albums interviews on the station to publicise the album;*

The Licensee submitted that new music is not forthcoming despite all the efforts it has put in place. It provided a list of artists who released new music and were provided a platform at the radio station. Below is the list of artists and songs.

2023/24		
NEE SAYTHER WORU THAAYIN	EDWARD REDDY	2023
EK SAU	RAJENDRA MOODLEY	2023
TU MERI PYAAR TU M	KINX	2023
NASHA	SUMANTHA	2023

2023/24		
SAATH HUM TUM	SUMANTHA	2023
MAA HAI	HUSSEIN VALLY	2023
MERE PAPA UMIT	UMITA KALYAN	2023
O PYARI MA	DEEJAY AVESH	2023
THANDI	RUSHIEL VALLAB	2023
WALLAH	IMRAN QAMAR	2023
TEQULA SHOT	JAANI	2024
NAKHRE LAHORE	JAANI	2024
DOSTI	SEEMA	2024

10.1.9 Give away local CDs/tapes as a way of increasing support among the audiences for local Indian music;

**The Licensee did not report on this sub-clause.**

The Licensee also submitted that it has also implemented other innovations, to promote South African Indian Music. The analysis of the music is outlined below.

- a) The Licensee receives new South African (Indian) music, and special priority scheduling of this category is done on all shows and drive shows. Once a new track has reached a minimum of 3 months in this category, it is then moved to regular scheduling. This process has already begun.
- b) It hosts quarterly virtual meetings with South African artists to touch base, air concerns and discuss the local music scene. Individual meetings were held with the following local artists during the reporting period: *Imran Qamar, Mahendra Shamapersad, Edward Reddy, Tansen Neapul, Priya Singh, Freddy Teeka, Segai Kisten, Avish Ramkisson, Ashley Kiston and Rajive Mohan.*
- c) The station ensures that a response (on music received, playlisting, or general queries) is given to the artist within a reasonable time frame (it is suggested, within 24 hours, excluding, weekends and public holidays)

- d) The station will also offer artist interviews on the station and to avoid repetition of artists, it will interview on new music launches, special milestones, new artists and single-track launches, etc.

Lotus FM was not fully compliant with the Special Conditions Regarding South African Music Content. It has submitted a detailed report on the improvements in its local music content and efforts it has made to comply with the special conditions including its initiatives. It has also highlighted the challenges it has faced when it comes to complying with certain clauses under this obligation and has stated its commitment to programmes that seek to promote and advance South African Indian music and artists.

**The Licensee did not fully comply with clause 10 of the schedule of the licence.**

#### **4.3 Regulations Regarding Standard Terms and Conditions for Individual Broadcasting Service Licensees**

During the period under review, the Authority could not find any non-compliance by Lotus FM with the Standard Terms and Conditions for individual Licensees.

#### **4.4 Universal Service and Access Fund Regulations**

Regulation 3 of the USAF Regulations, 2011<sup>6</sup> 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 made the prescribed payment directly to the MDDA and submitted proof thereof to the Authority.

**The Licensee complies with Regulations 3(1) and 3(2) of the USAF Regulations.**

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<sup>6</sup> Published in *Government Gazette* No. 34010 dated, 10 February 2011.

## **4.5 Complaints**

A Licensee is required, in terms of the Compliance Procedure Manual Regulations, 2011, to submit a Form 12A<sup>7</sup> Complaints Reporting form, which a Licensee should complete with details of all complaints received in each financial year.

The SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees, 2009<sup>8</sup>.

## **5. CONCLUSION**

For the period under review, the Licensee substantially complied with its licence terms and conditions and related Regulations that govern public broadcasters. There are still certain shortfalls with the Special Conditions regarding the South African Music content, the Compliance Department will continue to monitor the Licensee's compliance with this obligation.

## **6. TERMS OF REFERENCE**

Annexure A: Lotus FM's Service and Spectrum Licences.

Annexure B: Training & Skills Development Report.

Annexure C: The Religious section as contained in the SABC's Editorial Policy

Annexure D: SABC's Training and Skills Development Report.

Annexure E: South African Music Content Regulations

Annexure F: Regulations Regarding Standard Terms and Conditions

Annexure G: Proof of payment- USAF

Annexure H: General Licence Fees Regulations.

Annexure I: Compliance Procedure Manual Regulations

**END**

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<sup>7</sup> Provided for in the ICASA Compliance Procedure Manual Regulations, 2011 as published in *Government Gazette* No. 34863 dated, 15 December 2011.

<sup>8</sup> Code of Conduct for Broadcasting Service Licensees, 2009 as published in *Government Gazette* No. 32381 dated, 06 July 2009.

