



MAHIKENG FM ANNUAL COMPLIANCE REPORT

MARCH 2025

2023/2024 BROADCASTING COMPLIANCE ANNUAL REPORT

MAFIKENG COMMUNITY RADIO STATION

LICENCE PERIOD: 07 December 2023 to 08 December 2030

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. The Authority is tasked with ensuring compliance by broadcasters with the terms and conditions of their license, the Electronic Communications Act (“ECA”), the ICASA Act, and any relevant legislation and regulations.

The purpose of the report is to give an account of Mafikeng Community Radio Station’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, community participation, programming, format, news and information, local content obligations, language(s), South African Music Regulations, and Regulations Regarding Standard Terms and Code on People with Disabilities.

2. BACKGROUND

Mafikeng Community Radio Station is a class broadcasting licensee providing service to the community residing in Mahikeng and surrounding areas in the Mahikeng Local Municipality as well parts of the Ngaka Modiri Molema District in the North-West Province, as specified in and required by its radio frequency spectrum licence. The radio station’s mandate is to provide a service to the community within its area of broadcast³.

¹ ICASA Act No 13 of 2000, as amended.

² Electronic Communications Act No 36 of 2005.

³ Service and spectrum licence.

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the licence provides that:

"The Licence is issued to:

1.1 Name of Company/Entity: Mafikeng Community Radio Station

1.2 Control of the Licensee: Control shall vest in the Board of Directors of a not-for-profit organisation known as Mafikeng Community Radio Station".

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

The Licensee complies with clauses 1.1 and 1.2 of its licence.

Clause 1.3 of the licence provides as follows:

"Name of the radio station: Mafikeng Community Radio Station".

The radio station's name is Mafikeng Community Radio Station as provided in the licence.

The Licensee complies with clause 1.3 of its licence.

3.2 Licence Area

Clause 3 of the licence provides that Mafikeng Community Radio Station's coverage area is as follows:

"Mafikeng as set out in the Licensee's radio frequency licence".

The Licensee confirms providing service to the community residing in Mafikeng and surrounding areas in the Mahikeng Local Municipality as well as parts of the Ngaka Modiri Molema District in the North-West Province.

The Licensee complies with the clause 3 of its licence.

3.3 Community

Clause 4.1 of the licence provides that:

"The Licensee should provide services to the community residing within the geographic coverage area specified herein".

Mafikeng Community Radio provides a sound broadcasting service in Mahikeng and surrounding areas in the Mahikeng Local Municipality as well as parts of the Ngaka Modiri Molema District in the Limpopo Province.

The Licensee complies with clause 4.1 of its licence.

Clause 4.2 of the licence provides that:

"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 two (2) meetings annually with its community on programming and programme-related matters for the selection and provision of programmes;

4.2.2 The Licensee shall furnish the Authority with proof of such meetings as well as the attendance thereof by members of the community";

The Licensee held two (2) meetings with its community on programming and programme-related matters for the selection and provision of programmes as required by the licence. The first meeting was held on 7 September 2023 and the other on 11 March 2024. The Licensee submitted records of the meetings as well as the attendance registers⁴.

Further, clause 4.2.3 provides that:

"The Licensee shall hold an Annual General Meeting (AGM) for the following purposes:

4.2.3.1 To provide feedback on the Licensee's compliance with licence conditions,

⁴ Minutes of Community Meetings and Attendance Registers

- 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”.*

Mafikeng Community Radio Station held its reporting Annual General Meeting on 12 August 2023⁵. The purpose of the AGM was to provide feedback on the Licensee’s compliance with licence conditions, operational and financial performance of the radio station. The reports presented by the Chairperson of the Board included the Audited Financial Report and were duly adopted by the members present at the AGM.

The Licensee holds regular board meeting to discuss the Licensee’s compliance with licence conditions, operational, financial performance; and programming and programme-related matters.

The Licensee complies with clause 4.2 of its licence.

3.4 Programming⁶

Clause 5.1 of the licence provides that:

“The Licensee shall provide programming as follows:

4.1.1 Format:

60% talk and 40% music”.

Mafikeng Community Radio Station submits that it broadcasts 60% talk and 40% daily as required by its licence.

The monitoring exercise confirmed that the Licensee’s format is 60% talk and 40% music.

The Licensee complies with clause 5.1.1 of its licence.

⁵ AGM Minutes.

⁶ Programme Schedule and Log sheets.

Clause 5.1.2 of the licence provides that:

5.1.2.1 "The Licensee shall broadcast 60% local, 30% national and 10% international news per day. This shall include news from the community produced by the station on issues affecting the identified community".

The Licensee submits that it complies with the above clause.

The monitoring exercise conducted for the period under review indicated that Mafikeng Community Radio broadcasts news bulletins every hour on the hour and news headlines at the bottom of the hour. 75% of the news is local, 20% national and 5% is international.

Among the news stories covered were excerpts from certain broadcasts, as follows:

- *"MoPresidente Cyril Ramaphosa o tthalositse lenaneo la tshikatshiko ya dingwaga dile some a mararo tsa demokrasi ja ka kgato ya boammaruri ya seemo sa naga e tlhagisang selebo se namatsang le se se sa jeseng diwelang kgatelopele ledi kgwetlo tsa naga."*
- *"Lefapha la thuto mo profenseng ya North West, la re barutwana ba lone ba matriki ba kgonne go fitlhelela nako yotlhe e latlhegileng ya dithuto ka mutso wa ditshupetso tse dikaga thebolelo ya ditirelo. Dithuto di ne di kgorelletswe gangwe le gape ka motso wa ditsupetso tseno monongwaga. North West e na le barutwana ba fetang dikete di le masome a mararo le borataro gotswa go bakanna dikete dile kgolo a robedi ba ba simollotseng ditlhatlhobo tsa matriki naga ka bophara gompiono."*
- *"The convicted murderers of North-West businessman Wandile Bozwana will learn their fate on Friday when sentencing proceedings resume at the High Court in Pretoria. Mamelodi businessman, Vusi Khekhe Mathibela, Siphon Hudla, Robert Mutapa and Bonginkosi Khumalo were found guilty of Bozwana's murder. They had all pleaded not guilty for the murder and the attempted murder of Bozwana's business partner, Mpho Baloyi."*

The Licensee partially complies with clause 5.1.2 of its licence.

5.1.2.2. *"The Licensee's proportion of local news output shall be equal to or greater than its international news".*

The Licensee submits that a larger proportion of its news is made up of local news and only 10% is international.

The monitoring exercise confirmed that Mafikeng Community Radio's local news makes up a larger proportion of its daily news broadcast.

The Licensee complies with clause 5.1.2.2.

Clause 5.1.3.1 of the licence provides that:

"The Licensee shall broadcast South African music content of 80%".

The details and findings regarding the Licensee's South African music content output are discussed under 4.1 below.

Clause 5.1.3.2 of the licence provides that:

"The majority of the Licensee's programming shall be locally produced".

The Licensee submits that all its programmes are produced in South Africa, and this was confirmed during the Authority's monitoring exercise.

The Licensee complies with clause 5.1.3.2 of its licence.

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

- a) *Setswana – 75%.*
- b) *English– 20%; and*
- c) *Afrikaans– 5%.*

The Licensee submits that it complies with the above requirement.

The monitoring exercise confirmed that programmes are broadcast predominately in Setswana, with English and Afrikaans used as supplementary and many of the presenters engage with Listeners in languages as outlined in the licence.

The Licensee complies with clause 5.1.4 of its licence.

Clause 4.1.5 of the licence provides that:

"The Licensee shall broadcast for 24 hours a day"

The Licensee submits that it broadcasts for 24 hours a day.

The monitoring exercise confirmed that the Licensee broadcasts its programmes 24 hours a day.

The Licensee complies with clause 5.1.5 of its licence.

4. REGULATIONS

4.1 Complaints

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

The Licensee reported to have not received complaints for the period under review.

The Licensee complies with the Compliance Procedure Manual Regulations.

4.2 South African Music Content Regulations

Regulation 3.3 of the Regulations on South African Music Content⁷ as published on 23 March 2016 provides that:

"A holder of a community sound broadcasting service licence must ensure that after eighteen (18) months from the date of the gazetting of these regulations, a minimum of 60%, increasing by 10% annually to reach 80% 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".

⁷ ICASA South African Music Content Regulations, 2016 as published in *Government Gazette* No.39844 dated, 23 March 2016.

The Licensee broadcasts a significant amount of South African music. The local music played by the radio station includes among others, the following South African artists: HHP, Notshi, Prince Kaybee, Kabza Da Small, Trompies, Zonke, Lebo Sekgobela etc.

The monitoring exercise confirmed that the Licensee plays an average of 80% local music.

The Licensee complies with both Music Regulations.

4.3 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences⁸

During the year under review, the Authority did not find any instance of non-compliance by the Licensee with the standard terms and conditions for class licensees.

4.4 Code on People with Disabilities

Clause 3.1 (a) of the Code on People with Disabilities as published in the Government Gazette, no 30441, 7 November 2007, states that:

"Broadcasting service licensees must ensure that their services are made available and are accessible to people with disabilities".⁹

The Licensee submits that its studios are easily accessible to the community and community persons with disabilities.

⁸ Regulations on Standard Terms and Conditions for Class Broadcasting & Class Electronic Communications Services, 2010 as published in Government Gazette No. 33294 dated, 14 June 2010, as amended.

⁹ Code of People with Disabilities.

5. CONCLUSION

Mafikeng Community Radio Stations complies with its licence terms and conditions and Regulations.

6. TERMS OF REFERENCE

Appendix A: Mahikeng Community Radio's broadcasting service licence and frequency spectrum licence

Appendix B: Minutes and Attendance Registers of Community Meetings

Appendix C: AGM minutes and Attendance Register

Appendix D: List of Board of Directors

Appendix E: Programme Schedule and Log sheets

Appendix F: ICASA South African Music Content Regulations.

Appendix G: Regulations on Standard Terms and Conditions for Class Licenses

Appendix H: Code of People with Disabilities