



MAMS FM ANNUAL COMPLIANCE REPORT

MARCH 2025

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2023/2024 BROADCASTING COMPLIANCE ANNUAL REPORT

RADIO MAMS FM

LICENCE PERIOD: 12 FEBRUARY 2024 – 11 FEBRUARY 2031

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”), the Electronic Communications Act² (ECA) 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 Radio Mams FM known as Mams FM’s compliance performance with the terms and conditions as set out in its licence for the 2023/2024 financial year. Aspects of compliance that are measured comprise the Licence Area, Community, Programming, South African Music Content Regulations and Regulations regarding Standard Terms and Conditions for Class Licensees.

2. BACKGROUND

Mams FM is a class broadcasting service licensee serving the geographic community of Mamelodi and Eesterust and the surrounding areas in Gauteng province.

3. COMPLIANCE ASSESSMENT

3.1 Licensee Details

Clause 1 of the schedule to the licence stipulates that:

1.1 Name of Entity: Radio Mams FM

1.2 Name of the Station: Radio Mams FM

¹ Act No. 13 of 2000, as amended.

² Act No. 36 of 2005.

Control of Licensee: Control shall vest in the Board of Trustees of Radio Mams FM.

There were no changes reported the regarding the name of the radio station and the controlling structure of the Licensee during the period under review. Mams FM forms part of the community broadcasting service and continues to be fully owned by a non-profit entity. Further, the radio station identifies itself at regular intervals, with frequency number and areas of coverage.

The Licensee has complied with clause 1 of the licence.

3.2 Licence Period

Clause 2 of the schedule to the licence stipulates that:

2.1 The effective date of the Licence is 12 February 2024.

2.2 The Licence shall expire on 11 February 2031.

Mams FM holds a valid licence during the review period and at the time of this report.

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

3.3 Licence Area

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 Mamelodi and Eesterust and the surrounding areas in Gauteng Province 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. Furthermore, the station was found to be operating within its designated technical specifications.

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

3.2 Community

Clause 4.1 of the schedule to the licence stipulates that:

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

Mams FM provides broadcasting services to Mamelodi, Eesterust, and surrounding areas in Tshwane Metropolitan Municipality. The station's news content, sports coverage, and the use of Mams Lingo provided further evidence of its geographic community focus.

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:

"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".

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".

Clause 4.2.1 of Mams FM's licence mandates the holding of at least two annual community meetings focused on programming and policies. The radio station's reliance on annual management reviews of the programming lineup does not satisfy this requirement. Moreover, Mams FM has failed to provide any proof of programming committees or structures, as required by the licence.

The Licensee does not comply with clause 4.2 of the schedule of the licence.

Clause 4.2.3 The Licensee shall hold Annual General Meetings (AGM) for the following purposes:

4.2.3.1 To provide feedback on the Licensee's compliance with license 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".*

For the period under review, the Licensee held a reporting AGM on 23 March 2024. The licensee reported to its constituency on operational, financial and community participation matters. The licensee further submitted proof in the form of minutes and attendance registers, as well as the reports tabled at the AGM.

The Licensee complies with clause 4.2.3 of the schedule of the licence.

3.3 Programming

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

Clause 5.1.1. **News and Information:** *"The licensee shall broadcast a total of ninety (90) minutes of news per day, of which 45% shall be local, 35% national and 20% international news."*

The monitoring exercise confirmed that the radio station met its news percentage breakdown requirements. However, the radio station only broadcast on average 5-minute news bulletins hourly from 6 am to 6 pm, resulting in a total daily news broadcast time of 60 minutes which is well below the required 90 minutes.

The Licensee does not comply with clause 5.1.1 of the schedule of the licence.

Clause 5.1.2 of the schedule to the licence provides that:

"South African Music Content: 80%"

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

Clause 5.1.3. **Format:** *"60% Talk and 40% Music."*

The monitoring exercise found that the licensee adheres to its format. The station's talk programming is significantly represented by *"Mams Talk"*, a weekly current affairs show, as well as *"Tshedimoso"* and *"Children's Radio"*.

These shows are a demonstration of a diverse range of talk content that contributes towards meeting this format requirement.

The Licensee complies with clause 5.1.3 of its licence.

3.4 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 English – 30%;

5.1.4.2 Setswana/Sepedi – 30%;

5.1.4.3 isiNdebele – 10%;

5.1.4.4 xiTsonga – 10%;

5.1.4.5 Mamelodi Lingo – 10%; and

5.1.4.6 Afrikaans – 10%;

The monitoring exercise revealed that the radio station primarily broadcasts in English, Setswana/Sepedi, isiNdebele and Mams Lingo. There was no evidence of the use of xiTsonga and Afrikaans, which is a clear non-compliance with the language requirements.

The Licensee does not comply with its language quotas.

Clause 5.2 of the schedule to the licence provides that:

"The Licensee shall keep a log of programmes broadcast which must be submitted on a monthly basis to the Authority. A pro-forma of the log to be kept will be supplied by the Authority".

The Licensee does not submit monthly program logs as required by clause 5.2 above.

The Licensee does not comply with clause 5.2 of the schedule of its licence.

3.6. Promise of Performance

Clause 8.1 of the licence provides that:

"The Licensee shall broadcast programmes to combat crime, drug abuse, poverty and HIV/AIDS".

The monitoring exercise found that the show "*Tshedimoso*", a youth empowerment program directly addresses the above issues by tackling topics such as alcohol and drug abuse as well as teenage pregnancy. The show brings in experts and organisations that offer services in the problematic areas that the youth in particular, and community in general, face daily. The show also provides information on skills development and training opportunities for the youth.

The Licensee complies with clause 8.1 of its licence.

4. REGULATIONS

4.1 South African Music Content

Regulation 3 (3) of the Regulations on South African Music Content as published on 23 March 2016 stipulates that:

"A holder of a community sound broadcasting licence must ensure that after eighteen (18) months 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".

The radio station complies with the 80% South African music quota and actively promotes local talent, particularly those from Tshwane, offering a wide range of genres including Amapiano, House, Hip Hop and the unique *Barcadi* genre from Mamelodi.

The Licensee complies with South African Music Content Regulations.

4.2 Regulations Regarding Standard Terms and Conditions for Class Licenses.

Regulation (14A) stipulates that:

“The board of directors /trustees and station management must not occupy a dual role with regard to being members of the board, trustees, managers and simultaneously being presenters at the radio station”.

The monitoring exercise revealed that Mams FM's station manager and programs manager were actively hosting shows, which is a direct contravention of the prohibition against dual roles for management as outlined in Regulation (14A).

The Licensee does not comply with the regulations on Standard Terms and Conditions for Class Licenses.

5. CONCLUSION

Mams FM's compliance status reveals a mixed picture. The radio station excels in its support of local music and its commitment to the community through programs like *“Tshedimoso”*. However, there is non-compliance in areas such as community engagement, record-keeping and adherence to regulatory prohibitions on management roles. The areas of non-compliance will require focused attention and corrective action, to bring the station into full regulatory compliance. The Licensee will be notified of the identified non-compliance and be expected to correct all of that. Where however, the Licensee does not correct and comply in full, it may be referred to the Complaints and Compliance Committee (CCC).

6. TERMS OF REFERENCE

6.1 Annexure A: Mams FM Station Class broadcasting service and spectrum licence

Annexure B: ICASA Compliance Procedure Manual Regulations.

Annexure C: ICASA South African Music Content Regulations.

Annexure D: Standard Terms and Conditions for Class Broadcasting.

Annexure E: Processes and Procedure Regulations for Class Licences.

END