



MAPUTALAND COMMUNITY RADIO ANNUAL COMPLIANCE REPORT

MARCH 2017

2015/2016 ANNUAL COMPLIANCE REPORT

MAPUTALAND COMMUNITY RADIO BROADCASTING AS MCR

LICENCE PERIOD: 24 OCTOBER 2013 TO 23 OCTOBER 2018

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution¹, the ICASA Act², the Electronic Communications Act³ (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 purpose of the report is to give an account of Maputaland Community Radio's performance for the 2015/2016 financial year. Aspects of compliance that are measured comprise of the Geographic Coverage, Community, Programming Obligations, South African Music Content Regulations and Regulations Regarding Standard Terms and Conditions.

2. BACKGROUND

Maputaland Community Radio also known as MCR holds a Class Sound Broadcasting Service Licence, providing a service to the geographic community of Ubombo/ Ingwavuma and surrounding areas in the KwaZulu Natal province as set out in the Licensee's radio frequency spectrum licence⁵.

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the schedule to the licence provides that:

"The Licence is issued to:

1.1 Name of Company/Entity: Maputaland Community Radio.

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 Appendix A: Maputaland Community Radio's frequency spectrum licence

1.2 Control of the Licensee: Control shall vest in the Board of Directors of Maputaland Community Radio”⁶.

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

The Licensee’s current Board of Directors remain the same as the AGM has not been convened. They consist of the following members:

Mr Themba Ndlovu– Chairperson;
Mr S. R. Mhlongo – Deputy Chairperson and Fundraising;
Mrs R. Maoela - Treasurer;
Mr M. M. Mthembu - (Secretary);
Mr I. T. Mkhwanazi – Deputy Board Secretary; and
Ms B. Nhleko – Community Liaison⁷.

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

3.2 Geographic Coverage Area

Clause 2 of the schedule to the licence states that the radio station’s geographic coverage area is as follows:

“Ubombo/Ingwavuma and surrounding areas in the Kwa-Zulu Natal Province as set out in the Licensee’s radio frequency licence”.

The Licensee confirms that it covers the areas stipulated in its licence. This was confirmed during the Authority’s monitoring exercise.

The Licensee complies with clause 2 of the schedule to its licence conditions.

3.3 Community

Clause 3.1 of the schedule to the licence stipulates that:

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

⁶Appendix B: Maputaland Community Radio’s broadcasting service licence

⁷ Appendix C: Maputaland Community Radio’s Annual Report

Maputaland Community Radio confirms that it provides a sound broadcasting service to the geographic Community of Ubombo and Ingwavuma.

The Licensee complies with clause 3.1 of the schedule to its licence.

Clause 3.2 of the schedule to the licence states that:

"The Licensee shall provide for the participation of community members in the affairs of the station in the following ways:

3.2.1 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.

3.2.2 The Licensee shall furnish the Authority with proof of such meetings as well as the attendance thereof by members of the community.

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

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

3.2.2.3 To provide feedback on the Licensee's operational and financial performance and

3.2.2.4 To elect members of the controlling structure, e.g. Board of Directors, Trustees etc. subject to the licensee's founding documents".

The Licensee has conceded that the 2 meetings did not materialise. No reasons were provided. With regards to the AGMs, Maputaland Community Radio convened its last AGM on 7 December 2013. The radio station has conceded that no subsequent AGMs have been convened. They have stated that the AGMs and reporting to the community are long overdue and that is not in line with the licence conditions are operating under.

The Licensee did not comply with clause 3.2.1, 3.2.2 and its sub-clauses.

Clause 3.3 of the schedule to the licence provides:

"The Licensee shall apply its annual net surplus towards community driven projects in its coverage area".

The Licensee states that during the 2015/ 2016 financial year, it was involved in several projects as required by clause 3.3 of the schedule to its licence conditions. The Licensee's projects are listed below as follows:

- The Licensee reported that the station printed and distributed 15000 calendars to the communities in its footprint and the cost was R52 000.00 of this amount R15 000.00 was sponsored by Easy way driving school.

The Licensee was found to be in compliance with clause 3.3 of the schedule of its licence.

3.4 Programming

Clause 5.1.1 of the schedule to the licence stipulates that:

"Local News and Information: The Licensee shall broadcast news to a total of 30 minutes per day. This shall include news from the community produced by the station on issues affecting the identified community"

Maputaland Community Radio states that it complies with clause 5.1.1 of the schedule to the licence. The monitoring exercise revealed that the radio station broadcasts six (6) news bulletin daily. The news bulletins broadcast by Maputaland Community Radio are five (5) minutes long.

Among the news stories covered for the period under review were excerpts from certain broadcasts, as follows:

- *"Uyaqhubeka umdonsiswano phakathi kwamakhondo namatekisi aseJozini";*
- *"Ungqongqoshe wamaphoyisa uNkosinathi Nhleko usekulungele ukusho ukuthi angabe umengameli uJacob Zuma kumele yini akhokhe ingxenye ethile yemali ngokulungiswa komuzi wakhe oseNkandla";*
- *"Iphini likamengameli, u-Cyril Ramaphosa uthi inkampane ephakela ngogesi kuleli izama ukuthola abasebenzi abanamakhono ngaphandle kokubheka ibala labo";*

- *"Bagwetshe udilika jele abadlwengula owesifazane phambi komweni wakhe"; and*
- *"Uthisha wesifazane ofundisa izifundo zesayensi ubanjwe oqotsheni ezithokozisa ngocansi nomfundi wesilisa egunjini lokufundisa lezifundo".*

The Licensee was found to be compliant with clause 5.1.1 of the schedule to the licence.

Clause 5.1.2 of the schedule to the licence provides that:

"South African Music Content: 50%"

The Licensee confirms that it broadcasts 50%, South African. The monitoring exercise confirmed that Maputaland Community Radio complies with this requirement. Monitoring revealed that the radio station's music is constituted of approximately 80% South African music. The programmes highlighted below indicate the Licensee's dedication to local music.

"Rise and Shine Breakfast show" is broadcast between 6h00 and 9h00 on weekdays. This is the programme full of information, local music, birthday dedications and sports updates.

"Emini Bebade" broadcast from 12h00 to 15h00 on weekdays is an entertainment, informational programme with phone ins and music;

"Afternoon drive home show" is broadcast between 15h00 and 18h00 on weekdays. Local music such as kwaito, house and Maskandi are played. Listeners call in to pass their dedications to other listeners, relatives and friends.

"Ezomdabu" is a programme broadcast on Saturday between 13h00 to 15h30. The programme targets traditional music followers or lovers;

"Umculo wama Zion" is broadcast between 17h00 to 18h00 on Saturdays. The programme targets people who enjoy Zion music;

"Slowjam" broadcast between 11h00 and 12h30 on Saturdays. Hip pop music is played during the show;

"Ezase Africa", broadcast between 20h30 and 22h00 and focuses on African music;

"Ezomoya" broadcast between 9h00 to 11h00 on Sundays. During the show, gospel music is played; and

"Jazz and Fusion", music show broadcast between 13h30 and 15h00.

Some of the South African Artists monitored included: Zonke, Shongwe and Khuphuka Saved Group, Ncandweni and Christ Ambassadors, Pongola West Gospel Wagon, Makhana Holly Pastures, Rebecca Malope, Debrah Gumedede, Thokozani Langa, Izintombi ZikaMjaphane, Amageza Amahle, Mandoza, Big Nuz, Masheleni, Siphokazi; Naima Kay; Busiswa; Zahara; Tholakele; MC Ntshatha, Ihashi Elimhlophe; Soul Brothers; Busi Mhlongo; Mmfazomnyama ney'ngane zakhe; Mfiliseni Magubane; Bhaka; Khuzani; The Soil; Berita; and many more.

The Licensee was found to be compliant with clause 5.1.2 of the schedule to the licence.

Clause 5.1.3 of the schedule to the licence states that:

"Talk vs. Music: 50% Talk and 50% Music".

Maputaland Community Radio reported that it complies with clause 5.1.3 of the schedule to its licence. The monitoring exercise revealed that the radio station's talk does not exceed its music. For example, each of the Licensee's programmes include both music and talk except for the current affairs show.

The following programmes are broadcast by the radio station:

"Rise and Shine Breakfast show" is broadcast between 6h00 and 9h00 on weekdays. This is the programme full of information, local music, birthday dedications and sports update.

"Hloma ngolwazi" is broadcast between 9h00 and 12h00 on weekdays. This is an informal knowledge building programme featuring sermons and women magazine. During the programme women share different skills including cooking skills. The radio station plays music and allows listeners to pass their dedications.

"Emini Bebade" broadcast from 12h00 to 15h00 on weekdays is an entertainment, informational programme with phone ins and music.

The monitoring exercise revealed that Maputaland Community Radio broadcasts educational, environmental, tourism, children, youth and gender programmes. Some of the programmes monitored are listed below as follows:

"Ake Sivakashe" is broadcast from 19h00 and 22h00 on weekdays. During the programme the radio station educates listeners about different things such as labour matters, security and safety and many more. For example, the programme monitored on 18 March 2015, the police official was in studio to update community about cases reported within the area. The guest speaker highlighted some cases which include a man that killed the woman and shot himself, community members that were involved in public violence and attempted murder cases.

"Hloma ngolwazi" is broadcast between 9h00 and 12h00 on weekdays. This is an informal knowledge building programme featuring sermons and women magazine. During the programme women share different skills including cooking skills. The radio station plays music and allows listeners to pass their dedications.

"Sixoxa nentsha and Top 20 Hits" is broadcast on Fridays between 19h00 and 22h00. The programme focuses on youth issues. The programme monitored for 13 March 2015 focused on woman behaviour. The topic discussed was *"Is it possible for a woman to propose a man"*. Listeners were given an opportunity to interact with the programme host and studio guest. The studio guest who is a woman and callers confirmed that it does happen.

"Ezabancane" is a children's programme broadcast on Saturdays between 8h00 and 9h30. The programme targets children between 8 and 13 years of age.

"Hlakanipa" or *"Get Wise"* is an educational programme targeting matric learners. The programme is broadcast from Monday to Friday weekly between 19h00 and 21h30. This is a career guidance programme, whereby experts are invited in studio to share their experiences with matriculants. Learners are provided with an opportunity to call in studio to ask questions about a career being discussed and skills needed in order to follow that career path.

"Xoshindlala" is broadcast on Thursdays between 19h00 and 20h00. The programme is broadcast in partnership with Kwa-Zulu Natal Department of Agriculture. The programme educates listeners about using agriculture as a tool