



MOTSWEDING FM ANNUAL COMPLIANCE REPORT

FEBRUARY 2017

2015/16 ANNUAL REPORT

SOUTH AFRICAN BROADCASTING CORPORATION ("SABC") BROADCASTING AS MOTSWEDING FM

LICENCE PERIOD: 18 DECEMBER 2008 - 17 DECEMBER 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 Authority's main tasks is to ensure compliance by broadcasters with the terms and conditions of their License⁵, the ECA, the ICASA Act, the Broadcasting Act and any relevant legislation and regulations.

The purpose of the report is to give an account of Motsweding FM's performance with its licence terms and conditions as set out in its licence for the period 2015/2016 financial year. The report focuses on the following key areas: Geographic Coverage, Languages, Format, Training and Skills Development Obligations, Financial Performance, Regulations regarding Standard terms and Conditions, Regulations on Prescribed Annual Contribution of Licensees to the Universal Service; Licence Fees regulations and Access Fund and SA Music Content Regulations.

2. BACKGROUND

Motsweding FM is a public Sound Individual Broadcasting Service licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full radio spectrum service to its audience. Motsweding FM broadcasts from the studios situated at radio Park, Henley Road, Auckland Park, Johannesburg and from the SABC North West, Albert Luthuli Drive, Mafikeng.

¹ The Constitution of the Republic no 108, 1996

² ICASA Act no 13, 2000 as amended

³ Electronic Communications Act no 36, 2005

⁴ The Broadcasting Act no 4 of 1999

⁵ Appendix A: Broadcasting Service Licence

Motsweding FM is accessible to its audience on the frequencies specified in the frequency spectrum licence⁶ granted to it by the Authority. Motsweding FM has Radio Data System (RDS) identification as Motsweding FM. The signal distribution service is conducted by Sentech (Pty) Ltd.

3. COMPLIANCE ASSESSMENT

3.1. Ownership and Control

Clause 1.2 of the licence stipulates as follows:

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

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

"Shareholders: The State: 100%"

Clause 1.3 of the licence stipulates that:

"Ownership held by persons from historically disadvantaged groups: NA"

Motsweding FM forms part of the public service of the SABC which is 100% owned by the state.

The Licensee was found to be in compliance with the above clauses.

3.2. Geographic Coverage

Clause 2 of the schedule to the licence prescribes that:

"The 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 areas are: North-West, Limpopo, Free State, Gauteng and Northern Cape.⁷ The Licensee confirms that its coverage area is as defined in its frequency spectrum licence. There were no complaints or reports brought to the Authority, indicating that the licensee is broadcasting outside its licensed coverage area.

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

⁶ Appendix B: Frequency Spectrum Licence

⁷ Ibid

3.3. Language(s)

Clause 3 of the schedule to the licence stipulates for Motsweding FM to broadcast in:

"Principal Language: Setswana".

The recordings monitored for the period under review revealed that Motsweding FM broadcasts a service using Setswana as a principal language. A minimal percentage of English usage was identified, especially during news broadcasts and interviews.

The Licensee was found to be in compliance with clause 3 of its licence.

3.4. Format

Clause 4.1 of the schedule to the licence provides that:

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

Clause 4.2 stipulates that:

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

Motsweding FM is categorised as a public radio station of the SABC and offers a full-spectrum service to its audience as outlined in the licence as confirmed through the Authority's monitoring activities.

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

3.5. Local Content Obligations

Clause 5 of the schedule to the licence prescribes 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:

5.1 different genres; and

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 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 its quarterly reports for the period under review. The reports are reflective of a week's sample for each quarter. The SABC is of the view that it is unlikely that programming would change in a week.

The figures below show a breakdown of Motsweding FM's compliance with the quotas set out by the Authority. The figures were verified during the Authority's monitoring exercise from the recordings submitted by the radio station for the period under review.

First Quarter April – June 2015

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Motsweding FM's submission (Minutes Daily/Weekly)
News	60 min (Daily)	159 min
Current Affairs	60 min (Daily)	620 min (Week Days) 60 min (Saturdays) 60 min (Sundays)
IKB	180 min (Weekly)	2700 min (Weekly)
Education	300 min (Weekly)	800 min (Weekly)
Children	60 min (Weekly)	120 min (Weekly)
Drama	150 min (Weekly)	155 min (Weekly)

Second Quarter July – September 2015

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Motsweding FM's submission (Minutes Daily/Weekly)
News	60 min (Daily)	90 min
Current Affairs	60 min (Daily)	600 min (Week Days) 60 min (Saturdays) 60 min (Sundays)

IKB	180 min (Weekly)	2575 min (Weekly)
Education	300 min (Weekly)	795 min (Weekly)
Children	60 min (Weekly)	110 min (Weekly)
Drama	150 min (Weekly)	160 min (Weekly)

Third Quarter October – December 2015

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Motsweding FM's submission (Minutes Daily/Weekly)
News	60 min (Daily)	89 min
Current Affairs	60 min (Daily)	600 min (Week Days) 60 min (Saturdays) 60 min (Sundays)
IKB	180 min (Weekly)	3015 min (Weekly)
Education	300 min (Weekly)	735 min (Weekly)
Children	60 min (Weekly)	110min (Weekly)
Drama	150 min (Weekly)	165 min (Weekly)

Fourth Quarter January – March 2016

Content/ Genre	ICASA Quota (Minutes Daily/Weekly)	Motsweding FM's submission (Minutes Daily/Weekly)
News	60 min (Daily)	89 min
Current Affairs	60 min (Daily)	600 min (Week Days) 60 min (Saturdays) 60 min (Sundays)
IKB	180 min (Weekly)	3025 min (Weekly)
Education	300 min (Weekly)	735 min (Weekly)
Children	60 min (Weekly)	100 min (Weekly)
Drama	150 min (Weekly)	165 min (Weekly)

The above quarterly submissions indicate compliance by Motsweding FM with the set quotas during the 2015/16 fiscal year. Details of the Authority's findings are outlined in the next sections.

3.6. General Programming Obligations

The following sections outline the findings on Motsweding FM's performance based on the monitored recordings for the period under review.

3.6.1. General

Clause 6.1.1 of Motsweding FM's licence conditions stipulates that:

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

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".

Motsweding FM broadcasts "Rorisang" and "Setlhoeng sa Tumelo" every Sunday. The programmes include devotion, gospel music and motivational discussions involving different South African cultural and religious denominations.

The Licensee is in compliance with clause 6.1.1 of its licence.

Clause 6.1.2 of the licence stipulates that:

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

Motsweding FM's target audience is primarily the Setswana speaking people. The Authority's monitoring revealed that the radio station's programme content is reflective of the cultural and traditional needs of its audience.

"Ragoga Gee", "Resemeletse" and "Kopa dilalelo" are some of the programmes identified that are more reflective of the Setswana cultural and traditional needs. The programmes involve discussions on cultural and traditional topics with experts from different disciplines. One of the topics discussed involved the impact of food crisis, especially on dairy, poultry and red meat and the impact this will have on the lower LSM's of society. The discussion extended to what government should do to alleviate this problem especially for the poor members of society, who will not be able to afford basic foods, should this crisis continue.

The Licensee is in compliance with clause 6.1.2 of its licence.

Clause 6.1.3 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".

Motsweding FM's programme content is made up of a variety of material that caters for the interest of all South Africans and also covers a wide range of social, economic and political issues such as professions for disabled people, health and social welfare.

During the programme, "Resemeletse" there was an interview with a Social Worker. The discussion was about why people choose to retire early and she discussed various reasons why people choose to retire early. She sighted health and financial reasons as the most prominent reasons for early retirement. She further offered advice on how to keep yourself occupied should you choose to retire early.

The Licensee is in compliance with clause 6.1.3 of its licence

3.6.2. News and Current Affairs

Clause 6.2.1 of 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 SABC submitted compliance information covering only quarter four (4) for the period under review. However, the Licensee did not submit information on news programming to indicate how the radio station complied with the above licence requirement.

The monitoring exercise revealed that the radio station broadcasts news bulletins every hour on the hour from 05h00 to 22h00 and headlines every half hour. The news bulletins last for approximately five (5) minutes. The following were among the news stories covered. All the news bulletins are broadcast in Setswana:

- *"Letona la ditshelete, Pravin Gordhan o kuelleditse ma Afrika Borwa a tloaelegileng go ema 'me a sireletse naga ea bona. O ne a bua le mokgathlo wa ANC wa maikutlo a moetsi ko Durban. O re ke phoso go dumella batho ba ba seng bakae go tshwara naga mo matsogong a bona.";*
- *"Australia e phagamisa boemo ba yona ba go sireletsa go palo e e gaisang ya dingwaga dile lesome le bone (14) tsedi fetileng ka lebaka la choral bleaching. Letona la Tikologo, Greg Hunt, are tshenyo e ke molato wa leoatle.";*
- *"Mokgathlo wa ditsela, SANRAL e tiisitse gore bakgweetsi baba itatola go lefa di e-toll batlile go amogela makwalo a abalaletsang gore batle kgotla tshekelo. Makwalo atla romelwa ke moromiwa wa kgotla tshekelo.";*
- *"Matona atsa maphelo ko Guinea are a phuphuditse makgolo a batho baeleng gore gona le kgonego ya gore ba kopane le bolwetse ba Ebola, se se latela kamego entsha e amileng maso a batho bale bane (4). Guinea ere e supile batho bale (818) babatseang ko malepang ale (107)."; and*
- *"Premier ya Gauteng, David Makhura are kgethollo ya merafe ekase fenywe ge kgang yagosa lekane esa buiwe. O ne a bua ka nako ya tihomelo ya Gauteng e seng e atametse sehlopha sa kago ya setjhaba ko Johannesburg."*

Approximately 65 minutes of news was monitored daily on weekdays and approximately 60 minutes on weekends during the South African performance period.

The Licensee was found to be in compliance with clause 6.2.1 of its licence.

Clause 6.2.2 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 quarterly reports submitted by the SABC for the period under review indicate that the radio station broadcast an average of six hundred (600) minutes of current affairs programming on weekdays and an average of sixty (60) minutes on Saturdays and Sundays during the performance period.

The monitoring exercise revealed that the radio station broadcasts two current affairs programmes every weekday, in the morning from 06h00 to 07h00 during "Boresetse" and in the evening from 18h00 to 19h00 on "Tsele le tsele". The radio station also has a current affairs programme called "Itlhabe Botlhale" on weekends from 13h00 to 14h00.

The radio station's current affairs programmes involve interviews, live field reports, phone-ins and analysis of matters of public interest and broadcast for 60 minutes each. Setswana was a predominant language of broadcast, interspersed with English.

The Current Affairs items monitored included the following items:

- Discussion was held with the spokesperson of COSAS Zama Khanyase regarding the approach the organisation intends to utilise in order to deal with the use of drugs in schools. The spokesperson was interviewed and questioned on the manner in which COSAS wants to use some form of corporal punishment in order to tackle the use of drug as well as target drug sellers. Some listeners who called in expressed concerns regarding the use of corporal punishment and the fact that it might lead to serious misunderstandings between the Department of Education and the South African Police Services (SAPS). Although some listeners agreed with the approach stating that the SAPS have not been helpful and the schools are being targeted by drug dealers and the school administrators are helpless in certain instances; and
- Interview was held with the MEC for Community Safety – Gaoage Molapisi in the North West Province regarding the state of public transport and the laws. The MEC explained the process to undertake if one wishes to have a driving school. Discussed the responsibility of driving schools and the fact that they are not regulated which makes it difficult to hold them accountable. He furthermore spoke about public servants especially traffic officers accepting bribes and how that also allows motorists specifically to get away with wrong doing."

The Licensee complies with clause 6.2.2 of its licence.

Clause 6.2.3 of the licence stipulates that:

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

- i. Exercise full editorial control in respect of 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 stipulates 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 standards of journalistic professionalism. Further, the policy stipulates 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.

The monitoring exercise revealed that Motsweding FM's broadcasts matters of international, national, regional and local significance. In its current affairs broadcast, the radio station provides an opportunity for the public to receive different points of view on matters of public concern (*See 6.2.1 and 6.2.2 above*).

The SABC's Editorial Policies form part of the SABC's Charter and monitoring of Motsweding FM 's news and current affairs programmes for the period under review demonstrated compliance with clause 6.2.3 of its licence and the Charter as contained in the Broadcasting Act of 1999.

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

3.6.3. Programming targeted at Children

Clause 6.3.1 of the 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".

The quarterly reports submitted by the SABC for the period under review indicate that the radio station broadcast an average of hundred and ten (110) minutes of programming targeted at children during the South African performance period on weekdays and weekends.

The monitoring exercise revealed that Motsweding FM's broadcasts approximately 20 minutes of children's programming per day during week days and approximately 100 minutes per week.

The "Nal'ibali" reading-for-enjoyment campaign was identified in the monitored recordings. The programme is aimed at helping spark children's potential through storytelling, reading and reading clubs. For example, on 18 March 2016 the discussion centred around the importance of taking care of animals and the types of illnesses that affect animals. The programme is broadcast during weekdays and it runs for at least 10 minutes.

Another children's programme, "Bana ba Motsweding", was monitored. The programme focused on Grade 1: Foundation Phase education. The programme's duration was also 10 minutes. **The Licensee was found to be in compliance with clause 6.3.1 of its licence.**

Clause 6.3.1 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) Target at and appropriate for children between the ages of nought (0) to six (6) and seven (7) to twelve (12) years respectively; and*
- iii) Educational and is made from children's point of view".*

"Nal'ibali", "Bana ba Motsweding", "Early Childhood Development" and "Takalani Sesame" were identified as programmes catering for children's needs between the ages of nought (0) to six (6) and seven (7) to twelve (12) years respectively. The

programmes were made from a child's perspective and broadcast mostly at times of the day when children are available to listen.

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

3.6.4. Educational Programming

Clause 6.4 of the licence stipulates that:

"The Licensee should broadcast at least five (5) hours of educational programming per week within the South African performance period".

The SABC's quarterly reports indicate that the radio station broadcasts an average of seven hundred and thirty-five (735) minutes of educational programmes per week during the period under review. The programme involves informal educational material for children.

The monitoring exercise revealed that Motsweding FM broadcasts an average of 150 minutes of Educational Programming during week days and an average of 200 minutes per week. There is a discrepancy in what the Licensee considers educational material and informal knowledge building material and what the Authority considers to be educational programming. The Authority has engaged the Licensee on these differences in interpretation of classification of these genres during meetings held between the Authority and the Licensee. The Authority's television regulations of 2006 define the two genres as follows:

Educational programming: *"programming specifically and primarily designed to support structured educational activity whether such structured activity relates to institutional- based education or non- institutional based learning".*

Informal Knowledge Building: *"means programming which provides information on subjects such as for example, science, technology, health, law and citizens' rights, religion, business, finance and natural or built environment".*

It is clear from the above that a grey area exists especially where non-institutional- based learning is concerned. Some programmes that fall under IKB, can overlap with non-institution-based learning as defined under educational programming. The Authority has explained that these two genres should not

overlap. Because of this discrepancy, a conclusion on compliance or noncompliance could not be drawn.

3.6.5. Drama

Clause 6.5 of the licence stipulates that:

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

The SABC's quarterly reports indicate that the radio station broadcasts a minimum of hundred and sixty-four (164) minutes of drama per week during the period under review.

The monitoring exercise revealed that Motsweding FM broadcast the following drama series twice every weekday: "Seboloke". The programme is broadcast at 05h25 and 16h45 on weekdays. Motsweding FM plays an average of 20 minutes of drama per day during weekdays. The Authority has, through its monitoring activities, found the Licensee's submission not to be consistent with the monitored minutes for drama.

The Licensee was found not to be in compliance with the above requirement during the period under review.

3.6.6. Informal Knowledge-building

Clause 6.6 of the licence stipulates that:

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

The SABC's quarterly reports indicate that the radio station broadcasts an average of more than three thousand twenty-five (3025) minutes of Informal Knowledge Building programmes per week during the performance period.

The Authority's monitoring exercise revealed that the radio station broadcasts Informal Knowledge Building programmes. The following are amongst the programmes identified:

- "Resemeletse" which is broadcast between 10h00 and 14h00;

- "Kopa Dilalelo" which is broadcast from Monday until Thursday between 20h00 and 24h00. The programmes involve discussions on a variety of topics of social, economic and political importance.

One of the programmes monitored included medical advice on how to identify dehydration in children as well as prevention and cure mechanisms to apply, especially during the holiday seasons during summer.

Approximately 39 hours of Informal Knowledge-building programming was monitored over a period of a week.

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

3.7. Training and Skills Development Obligations

Clause 7 of schedule attached to the licence stipulates 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 takes 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:

- (a) Its management and control structures;*
- (b) Skills development;*
- (c) Enterprise development; and*
- (d) Procurement*

The SABC submitted a training and skills development report indicating that its management and staff is representative of South African society. Further, for the period under review there was reasonable participation by historically disadvantaged people with respect to its management and skills development.

The SABC ensured that the learning and development needs are strategically aligned to business needs to bring about positive business impact and increases in the productivity level at large.⁸

According to the Licensee's report on its Annual Employment Equity and Skills Development plan, the Licensee strives for the creation of an "equitable working environment, in which the dignity of all individuals is respected and the diversity of all employees are valued." In this report, the SABC further advances that at least 84.74% of their overall staff complement are Black people; while 77.11% of its management are people from historically disadvantaged backgrounds.

The Licensee submits that it has exceeded most of the quotas prescribed by licence conditions. However, the Licensee submits that it is unable to reach their 50% target of females in the organisation. The Licensee fell short by 2.45% from reaching this target as it is currently sitting on 47.55%. Although 76% of females in management are black.

The Licensee further submits that it intends to adhere to its BBBEE obligations and remains committed to contributing to the growth of the South African Economy through the empowerment of previously disadvantaged individuals.⁹

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".

The Licensee submitted its Training and Skills Development to the Authority for the period under review.

The Authority is of the view that the Licensee has complied with the provisions of clause 7.

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

3.6. Provision of Audited financial statements

Clause 8 of the licence stipulates that:

⁸ Appendix C: Skills and Development Report

⁹ Ibid

"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 cause 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. Of this amount, some of the expenses were on broadcast costs, signal distribution and linking costs, marketing costs, professional and consulting fees. The Licensee incurred a loss of R411 605 000.

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

4. REGULATIONS

4.1. Compliance Procedure Manual – Form 12A

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A¹⁰ which reports on all complaints received in the course of each financial year. In April 2016, the SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

The Licensee received a complaint relating to unfair reporting. An example of the complaint received by the broadcaster by listeners:

- *"A journalist from the SABC News Division, who was assigned to cover a disciplinary hearing against Hlaudi Motsoeneng at the Southern Sun Hotel, in Kathrine Street in Sandton, created her own story to suite her taste. She wrote, "Bernard Koma did not convince or confirm that he was dismissed from the SABC by Hlaudi Motsoeneng who is the COO of that company. She failed to tell the listening public the truth and precisely what I have placed into the disciplinary records, on this day 9th December 2015."*

For the period under review, the Licensee did not receive complaints against Motsweding FM. However, at the time of writing this report, the above complaint was still pending.

¹⁰ Appendix E: SABC Form 12A

4.2. South African Content Music Regulations

The Regulations on South African Music Content as published on 31 January 2006 stipulates that:

"All public service radio stations must play a minimum 40% South African music content during the South African performance period".

The Licensee submitted that, for the period under review, it has played an average of 58.2%% of South African music.

According to the recordings monitored, Motswedding FM played approximately 60% South African Music content during the period under review.

The radio station plays a wide variety of music genres from Kwaito, RnB, Hip Hop, House, Gospel and cultural music. The local music played by the radio station includes among others: Lundi, Brenda Fassie, Vusi Mahlasela, Thebe, Mdu, TKzee, Mandoza, Crowded Crew, DJ Bongz, Mapaputse, Steve Kekana Dinaledi Cultural Group, Selaelo Selota, Presss, Masotla, Cultural Spear, Ringo and Hugh Masekela.

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

4.3. Regulations regarding Standard Terms and Conditions for Individual Broadcasting licences

During the year under review, the Authority did not identify any non-compliance by the Licensee with the standard terms and conditions for individual licences.

4.4. Regulations in respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund¹¹

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".*

¹¹ Appendix H: General Licence Fees

- (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 submitted proof of payment of its contribution to the USAF/MDDA fund, for the period under review.

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

4.5. General Licence Fees Regulations

Regulation 4(b) of General Licence Fees Regulations stipulates for the exemption of Individual Licences for Public Broadcasting Services.

Motsweding FM as part of Public Broadcasting Services is exempt from paying licence fees.

4.6. 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".

Clause 3.1 (b) stipulates that:

"Options for making broadcasting services more accessible may include the following:

- i. Improve and/or increase subtitles and sign language;*
- ii. Expand knowledge on various adjustments such as induction loops, Minicom/text phones and alternatives computer software;*
- iii. Access to programme support such as fact sheet;*
- iv. Website to offer a range of formats (such as electronic versions, Braille and audiotape);*

- v. *Use of spoken languages where economic indicators, weather details, telephone numbers and addresses or details of goods and services are shown on-screen; and*
- vi. *Use of non-scheduled services such as access via Personal Video Digital Recorders (PVR's) and TV anytime".*

Clause 3.1 (c) states that:

"Broadcasting service licensees must monitor the effectiveness of their service through surveys as well as contact with organisations of and for people with disability and stakeholders".

The Licensee conducted the SABC National Disability Committee quarterly meetings to monitor and evaluate progress against its Disability mainstreaming objectives. The Licensee also commemorated and hosted the International Disability Day in the form of Leadership awareness breakfast session to challenge leadership to understand and create disability awareness.

Among others, the following disability awareness campaigns were hosted:

- National Bind Buddy Day;
- Autism Awareness;
- Albinism Awareness;
- Deaf Awareness; and
- Casual day.

The Licensee further conducted verifications of all declared disabilities and identification of reasonable accommodation needs, as well as participation in a career exposure initiative for scholars with disabilities.

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.

Producers are encouraged to establish relationships with organisations for people with disabilities to use for content when the need arises.

The Licensee has demonstrated that it complies with the Code on People with Disabilities.

5. CONCLUSION

Motsweding FM has, for the period under review, substantially complied with its licence terms and conditions, and legislation save for discrepancies noted regarding educational programming versus Informal Knowledge Building.

6. TERMS OF REFERENCE

6.1 Appendix A: Motsweding FM's broadcasting service and licence frequency spectrum licences