



# **MOUTSE COMMUNITY RADIO ANNUAL COMPLIANCE REPORT**

**MARCH 2025**

# **2023/2024 BROADCASTING COMPLIANCE ANNUAL REPORT**

## **MOUTSE COMMUNITY RADIO STATION**

**LICENCE PERIOD: 27 OCTOBER 2023 to 26 OCTOBER 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 Act<sup>1</sup> ("ICASA Act"), the Electronic Communications Act<sup>2</sup> ("ECA") to regulate broadcasting activities in the public interest. The Authority has a mandate to ensure compliance by broadcasters with the terms and conditions of the licence, the ECA, the ICASA Act and any other relevant legislation and Regulations.

The purpose of the report is to give an account of Moutse 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 will be measured comprise Geographic Coverage, Community Participation, Programming, Format, News and Information, Local Content Obligation, Language(s), South African Music Content Regulations and Regulations Regarding Standard Terms and Conditions.

### **2. BACKGROUND**

Moutse Community Radio Station is a class broadcasting service Licensee providing services to Moutse, surrounding areas and informal settlements in the Limpopo Province as set out in the Licensee's radio frequency spectrum licence. The radio station provides a programming format that is a mix of talk radio and music.

### **3. COMPLIANCE ASSESSMENT**

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

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

### **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: Moutse Community Radio Station*
- 1.2 Name of Station: Moutse Community Radio Station*
- 1.3 Control of the Licensee: Control shall vest in the Board of Trustees of Moutse 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 clause 1 of the schedule of its licence.**

### **3.2 Licence Period**

Clause 2 of the schedule to the licence provides that:

- "2.1 The effective date of the licence is 27 October 2023; and*
- 2.2 The licence shall expire on 26 October 2030."*

The Licence was renewed during the period under review.

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

### **3.3 Licence Area**

Clause 3 of the schedule to the licence provides that Moutse Community Radio's coverage area is as follows:

*"The Licensee shall provide services to Moutse, surrounding areas and informal settlements in the Limpopo Province as set out in the Licensee's radio frequency spectrum licence".*

The Licensee confirms that it provides a sound broadcasting service to Moutse and surrounding areas as set out in the Licensee's radio frequency spectrum licence.

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

### **3.4 Community**

Clause 4.1 of the schedule to the licence provides that:

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

The Licensee submits that it provides a sound broadcasting service as prescribed by the licence.

**The Licensee complies with clause 4.1 of the schedule of its licence.**

Clause 4.2 of the schedule to 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 submitted minutes and attendance registers for two (2) programming meetings that were held on 06 May 2023 and on 11 November 2023.

**The Licensee complies with clause 4.2 of the schedule of the licence.**

Further, sub-clause 4.2.3 provides that:

*"The Licensee shall hold an Annual General Meeting for the following purposes:*

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

*4.2.3.2 To provide feedback on the Licensee's operational and financial performance, and any Special Annual General Meeting as and when required by the Constitution; 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".*

The Licensee submitted minutes and attendance register of a reporting AGM that was held on 30 September 2023.

**The Licensee complies with sub-clause 4.2.3 of the schedule of its licence.**

### 3.5 Programming

Clause 5.1 of the schedule to the licence provides that:

*"The Licensee shall provide programming as follows":*

*5.1.1 Local News and Information: The Licensee shall broadcast a total of twenty-five (25) minutes of local news, ten (10) minutes of national news and five (5) minutes of international news per day."*

The Authority's monitoring exercise confirmed that the Licensee broadcasts forty (40) minutes of news per day on weekdays, and thirty (30) minutes on weekends. It broadcasts more local news, approximately thirty (30) minutes on weekdays, and twenty (20) minutes on weekends. It broadcasts ten (10) minutes of national news, and it does not broadcast international news. The news bulletins are in Sepedi, Setswana and isiNdebele.

The following news items were identified:

- *"Mapodisi a kwa Hlogo-Tlou ao a leng kwa karolong ya Sekhukhune, a batlana le balatofatswa bao ba khothositseng batho madi a stokvel ao a ntseng ba a kokowana kgwedi ka kgwedi. Go ya ka dipego, maloko a a stokvel, ba ne ba kokowane kwa legaing la monngwe e le gone ba fetsa go ntsha madi ka Lamatthatso thapaama, fa ba ne ba tllhaselwa ke balatofatswa bao ba neng ba tshotse ditlhobolo, ba be ba khothotsa madi otlhe. Go ikowela mo bathong bao ba kabong ba na le tshedimosetso ka balatofatswa ba, gore ba letsetse Sajene Madimetja Manganyi mo dinomorong tse di latelang 064 6876 261.*
- *Batho ba senyane ba go tswa profensing ya Mpumalanga ba lobile maphelo nakong eo base eo e be go ba sepela ka yona go tswa moletlong wa tshepiso tsa mokgatlo wa ANC o o beng o diretswe go la Durban mafelong a beke. Go kwagala kotsi ye diragetse tseleng ya R33 dikilometara tse tlhano pele o ka tsena motseng wa Paul Pietersburg. Go kwagala mootledi a na lahlehetswe ke taolo ka bo iri ya bohloko ka masa a letsatsi la maobane, gomme bese ya menoga. Ba senyane ba lahlegetswe ke bophelo, gomme ba lesome isitswe maakelong ka digobalo tse shoro.*
- *MoPresidente wa mogahlo wa African National Congress, ANC ka boripana, President Cyril Ramaphosa, o re mogahlo wa gabo o ya go beya shedi ya wona go dintla di tshela go netefatsa gore go ba le golo ya economy ka tlase ga puso ya ANC mo*

*mengwageng ye mehlano yeo e tlogo. Go letetswe gore dintlha tseo ditsesitswego ke Ramaphosa di hlole digobo tsa mesomo ka mono nageng ka ge ga bjale naga ya Afrika Borwa e itemogela palo ya godimo ya tlokego ya mesomo. President Ramaphosa o be a bolela letsholong la bona la go kalatsa bakgethi lepatlelong la Moses Mabhida go la Durban, leo le tletsego ka bathegi le balatedi ba mogahlo. Ramaphosa o re mogahlo o bosago, e sale mamoratwa go badudi ba naga ebile o sa tliho go tswela pele o hlabolla maphelo a badudi.*

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

#### *5.1.2 South African Music Content: 80%*

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

#### *5.1.3 Format: 60% Talk and 40% Music*

The monitoring exercise confirmed that the Licensee's format is as prescribed. Its programming is dominated by talk, especially the mid-morning and evening shows. Interesting topics are discussed throughout the day. Some of the topics that were heard during the monitoring exercise include discussions with a gynaecologist and a traditional healer about birth rituals and processes. There was also discussion about different careers, youth unemployment, traditional affairs, health matters and gender-based violence.

### **The Licensee complies with its licenced format.**

#### *5.1.4 Language(s) of broadcast:*

*5.1.4.1 Sepedi – 40%*

*5.1.4.2 isiZulu – 25%*

*5.1.4.3 isiNdebele – 20%*

*5.1.4.4 Setswana – 10%”*

*5.1.4.5 English – 5%*

The monitoring exercise revealed that the Licensee broadcasts mainly in Sepedi supplemented by Setswana and isiNdebele. isiZulu and English are also used interchangeably

throughout the radio station's programmes, including talk shows and current affairs. However, approximately 10% of isiZulu could be heard during the monitoring exercise.

**The Licensee does not comply with its languages of broadcast obligation.**

**The Licensee did not fully comply with clause 5.1 of the schedule to its licence.**

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 submitted programme logs to the Authority on a monthly basis during the period under review.

**The Licensee complies with clause 5.2 of the schedule to its licence.**

Clause 6.2 of the schedule to the licence provides that:

*"Should the Licensee propose to replace the person so designated, the Licensee shall notify the Authority in writing within seven (7) days after appointing the new designate person".*

There were no changes reported by the Licensee to its designated contact person during the period under review.

**The Licensee complies with clause 6.2 of the schedule to 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 has not submitted a Form 12A (Complaints Report) as required by the Compliance Procedure Manual Regulations. Also, the monitoring exercise revealed that the station is using the BCCSA complaints promo even though it is not a member of NAB.

**The Licensee is non-compliant with the relevant clause of the Compliance Procedure Manual Regulations.**

#### **4.2 ICASA Regulations on South African Music**

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".*

For the period under review, the obligation in accordance with the SA Music Regulations above is at least eighty percent (80%) of South African music content to be played by community sound broadcasting Licensees.

The quarterly reports submitted by the Licensee show that it plays an average of eighty percent (80%) of South African music content. The Authority's monitoring exercise revealed that the radio station broadcasts approximately eighty percent (80%) of South African music content. Various genres were identified on the station's music line-up including House, Afro Pop, Hip Hop, Gospel and Kwaito, with artists such as *Sya Zwide, Thebe, Blaq Diamond, Mpho Thosago, Cassper Nyovest, Mirriam Makeba, Amanda Black, Makhadzi, Vusi Nova* and many others being played.

**The Licensee complies with the ICASA Regulations on South African Music.**

#### **4.3 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences**

The Licensee adhered to the Standard Terms and Conditions for Class Licences Regulations as it submitted all information required and requested by the Authority.

### **5. CONCLUSION**

The Licensee is compliant with most of its licence terms and conditions but is non-compliant with some clauses of the Compliance Procedure Manual Regulations and programming obligations.

The Compliance Department will advise the Licensee of its non-compliance and endeavour to assist the Licensee to comply. However, should the Licensee not improve its performance it will be advised of the Authority's intention to refer them to the Complaints and Compliance Committee (CCC) and afforded the opportunity to respond to the non-compliance, concerned.

## **6. TERMS OF REFERENCE**

Appendix A: Moutse Community Radio Service Licence;

Appendix B: Moutse Community Radio Spectrum Licence;

Appendix C: Standard Terms and Conditions for Class Electronic Communications Network Services, 2010 as published in *Government Gazette* No. 33296 dated, 14 June 2010, as amended.

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

Appendix E: ICASA Compliance Procedure Manual Regulations, 2011 as published in *Government Gazette* No. 34863 dated, 15 December 2011.

**END**