



# **MUNGHANA LONENE FM ANNUAL COMPLIANCE REPORT**

**MARCH 2023**

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## **2021/2022 ANNUAL COMPLIANCE REPORT**

### **SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS MUNGHANA LONENE FM**

**Licence Period : 18 December 2018 - 17 December 2028**

#### **1. PREFACE**

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution<sup>1</sup>, the Independent Communications Authority of South Africa Act (ICASA Act<sup>2</sup>), the Electronic Communications Act<sup>3</sup> (ECA) and the Broadcasting Act<sup>4</sup> 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 Munghana Lonene FM's compliance with the terms and conditions as set out in its licence for the 2021/22 financial year. Furthermore, the report will measure compliance with regulations which include South African Music Content, Standard Terms and Conditions for Individual Licensees, Universal Service and Access Fund, General Licence Fees and Code of Conduct for Broadcasters.

#### **2. BACKGROUND**

Munghana Lonene FM is an Individual Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full spectrum radio service to the Gauteng, Mpumalanga and Limpopo province<sup>5</sup>.

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<sup>1</sup> The Constitution of the Republic of South Africa, No 108 of 1996

<sup>2</sup> Act No. 13 of 2000, as amended.

<sup>3</sup> Act No. 36 of 2005.

<sup>4</sup> Act No. 4 of 1999.

<sup>5</sup> See Appendix A.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1. Geographic Coverage**

Clause 3 of the licence provides that:

*"The coverage area is as defined in the map attached to the radio frequency spectrum licence".*

The coverage area is as per the coverage map on the frequency spectrum licence. The signal distribution is provided by Sentech.

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

#### **3.2 Language (s)**

Clause 4 of the schedule to the licence provides that the language of broadcast is as follows:

*"Principal Language: XiTsonga".*

Munghana Lonene FM broadcasts its content in Xitsonga, there would however be some content in other languages such as English and other indigenous languages in news reports and interviews.

**The Licensee complies with its language obligations.**

#### **3.3 Format**

Clause 5.1 of the schedule to the licence provides that:

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

Clause 5.2 of the schedule to the service provides that:

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

Munghana Lonene FM forms part of the public service stations of the SABC and offers a full-spectrum service to its listeners as outlined in the service licence.

**The Licensee complies with its format.**

### **3.4 Local Content Obligations**

Clause 6 of the schedule to the licence provides that:

*"In each licence year, the Licensee shall, within thirty (30) days of end of the quarter, submit to the Authority written records indicating the extent of:*

*Clause 6.1 different genres; and*

*Clause 6.2 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 submits its quarterly reports in accordance with the template and frequency provided in the Compliance Procedure Manual Regulations. It should be noted that the SABC applies for exemptions to comply with certain obligations during the coverage of sporting events or any other event of national interest which might affect their compliance with certain obligations.

### **3. 5 GENERAL PROGRAMMING OBLIGATIONS**

#### **3.5.1 General**

Clause 7.1.1 of the schedule to the licence provides that:

*"The licensee shall ensure that it's programming adequately reflects the diversity of South Africa's Religion".*

Munghana Lonene FM broadcasts a morning devotion programme at 05h55 before the current affairs show, with representatives from different faith such as Christian teachings, and traditional faith by a traditional healer. They also have a feature midweek on the programme called "Gongomela" which brings a topic that then has different perspectives from Christianity, Islam and traditional faith.

**The Licensee complies with clause 7.1.1 of the schedule to its licence.**

Clause 7.1.2 of the schedule to the licence provides that:

*"The Licensee shall take responsible steps to provide programming that reflects the cultural and tradition needs of the audience."*

Munghana Lonene FM's broadcast a special segment that addresses African faith called "Gongomela" and through the morning devotion before the morning current affairs at 06H00 in the morning weekdays.

**The Licensee complies with clause 7.1.2 of the schedule to its licence.**

Clause 7.1.3 of the schedule to the licence provides 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".*

Munghana Lonene FM broadcast "Swa Risima" weekdays between 09H00 and 12H00 which focuses on lifestyle topics including health and mental wellness, business, finance, motivational talk any knowledge building content.

**The Licensee complies with clause 7.1.3 of the schedule to its licence.**

**3.5.2 News and Current Affairs**

Clause 7.2.1 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least sixty (60) minutes of news per day during the South African Performance Period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast an average of four hundred and twenty-five (425) minutes of news weekdays and seventy-five (75) minutes on Saturday and Sunday. The monitoring exercise confirmed that they have news bulletins from 06h00 until 22h00 with each bulletin averaging five (5) minutes in duration for a total of more than eighty-five (85) minutes of news per day. Below are some of the news stories that were heard.

- *"Vandla ra ANC ri le kuvileleni swinene na swona ri thlele ri kombela leswaku ku va na kurhula tani he leswi migingiriko yaku hlawula mayimela ku langwa yi nganaku kokelana na ku tsukiselana mahlo. Vanhu vanharu va dyayiwile eka nhlengeletano ya vandla ra ANC e Inanda e Durban e mahelweni ya vhiki.*
- *Xandla xa Mufambisi wa tiku David Mabuza na swiro swa komiti yo langutana na mintlotlo ya ntungu wa Covid 19 ya vaholobye vo hambana hambana va Cabinet valeku endzeleni Nkomazi Mpumalanga ku*

*ya thloma tihlo eka pphumba ra mfumo ra ntlavela mirhi ya nsautiso wa ntungu wa Covid 19; and*

- *Kule ku rumeliwena ka marhungulo yo tshavelela e ndaku ka loko ku hunza e misaveni ka Phurisidende wa nhlango lowu wu hangalasiwaka wa masocha ya khala ya Umkhotso we Sizwe (MKMVA) Kebby Maphatsoe namutla. Maphatsoe u tirhile tani hi xandla xa holobye wa ndzawulo ya vhusireleri e xikarhi ka lembe ra 2014 kuya fika hi lembe ra 2019.*

Clause 7.2.2 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African Performance Period."*

Munghana Lonene FM submits on their quarterly submission that they broadcast an average of six hundred (600) minutes of news per week of current affairs programming and sixty (60) minutes broadcast on Saturday and Sunday, respectively.

Munghana Lonene FM broadcast their current affairs programming between 06H00 – 07H00 in the morning and another edition in the evening between 18H00 – 19H00. The current affairs programme *"Tiko a xi etleli"* also has an hour segment between 06H00 and 07H00 on Saturdays and between 18H00 and 19H00 on Sunday, respectively.

### **The Licensee complies with its news and current affairs programming obligations.**

#### **3.5.3 Programming targeted at Children.**

Clause 7.3.1 of the schedule to the licence provides that:

*"The Licensee shall in the provision of 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"*.

Clause 7.3.2 of the schedule to the licence provides 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) Targeted at and appropriate for children between the ages of nought (0) to six (6) years and seven (7) to twelve*

*(12) years respectively; (iii) Educational and is made from children's point of view".*

Munghana Lonene FM submits on their quarterly submission that they broadcast one hundred and thirty-five (135) minutes of children programming on a weekly basis.

The Authority's monitoring found that the Licensee broadcasts a programme called "*Pfukani*" for an average of ten (10) minutes from 09H35 with a recital of songs and storytelling. The Licensee also Sunday school service at 07H15 until 07H30 with religious content aimed at kids of the target age group.

The total minutes of the children's programming monitored was over an hour on a weekly basis.

**The Licensee complies with its programming targeted at children obligations.**

#### **3.5.4 Educational Programming**

Clause 7.4 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least five (5) hours of educational programming as contemplated in section 10 (1) of the Broadcasting Act per week within the South African performance period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast three and thirty (330) minutes of educational programming on a weekly basis.

Munghana Lonene FM' broadcast their educational programme called "*Tidyondzo*" weekdays between 21h00 and 22h00 which covers topics such health, financial education, science and technology amongst others under the SABC Education banner with Fridays dedicated to "*Youth ke Yona*".

The Licensee broadcasts more than five (5) hours of educational programming per week.

**The Licensee complies with its educational programming obligations.**

#### **3.5.5 Drama**

Clause 7.5 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least two and half (2 1/2) hours of drama per week within the South African performance period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast two hundred and five (205) minutes of drama on a weekly basis.

The Licensee broadcasts its weekly daily drama series “*Mhina hi mhina*” between at 09H15 and 09H30 with an omnibus on Saturdays between 05H00 and 06H00. There is also a specialist drama in conjunction with Anglo American called “*Makarapa City*” on Thursdays between 14H00 and 15H00 and “*Iketsetse-Zenzele*” sponsored by Standard Bank between 16H00 and 17H00 for an average of five (5) minutes.

The overall total for local drama content comes to a weekly average of one hundred and fifty (150) minutes.

**The Licensee complies with its local drama programming obligations.**

### **3.5.6 Informal Knowledge Building**

Clause 7.6 of the schedule to the licence provides that:

*“The Licensee to shall broadcast at least three (3) hours of informal knowledge building programming per week within the South African Performance Period”.*

Munghana Lonene FM submits on their quarterly submission that they broadcast one thousand two hundred and ninety (1290) minutes of informal knowledge building programming on a weekly basis<sup>6</sup>.

The Licensee broadcasts religious programmes which content is defined as informal knowledge building programmes on Sundays from 06H00 until 09H00 and further “*Teen Zone and State Your Mind*” on Saturdays between 12H00 and 13H00 as knowledge building content for a total weekly output of over four (4) hours of IKB programming.

**The Licensee complies with its informal knowledge building quota.**

### **3.5.7 Training Skills Development Obligations**

Clause 8 of the schedule to the service licence provides that:

*The Licensee must adopt and implement equal opportunity employment practices;*

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<sup>6</sup> *Ibid*



- 8.1 *The Licensee must ensure that its management and staff are representative of South African society and that its human resource policies take into account the development of managerial, production, technical and other skills and expertise, particularly with regard to the historically disadvantaged persons;*
- 8.2 *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*
- 8.3 *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 revised its Employment Equity and Transformation plan<sup>7</sup> during the 2021/22 financial year and submitted the updated plan and its Training and Skills Development that provides a detailed breakdown of its compliance with the above requirements to the Authority for the period under review<sup>8</sup> within 30 days of the end of the financial year.

These reports indicate that the Licensee has adopted and implemented equal opportunity employment Practices and showed that the Licensee has remained committed to diversity and inclusion in the workplace. The SABC employment equity profile remains healthy, and all groups are well represented in the organisation. The SABC`s employment practices and non-discriminatory environment promote reasonable progress towards a fair and equitable representation from both a gender and race perspective at all occupational levels and in decision-making positions. This is confirmed by the following statistics:

- Females represent 51.5% of the entire workforce and at Skilled level 53.18% of the workforce are females. At a Professional Qualified, Experience Specialist and Middle Management level females represent 50.33%; and

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<sup>7</sup> Appendix C: SABC Employment Equity and Transformation: Report to ICASA, Reporting period: 1 April 2021 – 31 March 2022.

<sup>8</sup> Appendix D: Skills and Development Report.

- Employees living with disabilities represent 2.35% of the entire workforce. These employees are employed across the organisation on different occupational levels and in all SABC provinces.

Further, the SABC is well represented with its Black Executive Managers and Black Senior Managers as well as Female Black Middle Managers.

In terms of training and skills development, the SABC delivered 967 training interventions for 810 employees during the reporting period. This is despite of challenges resulting from its section 189 process, procuring suitable service providers and COVID-19. Statistically, the 810 employees who received training were 84.44% African, 6.81% Coloured, 4.24% Indian and 4.51% were White employees. Further, 56% of the employees who were trained were women and 2% were employees living with disabilities.

**The Licensee complies with clause 8 of the Schedule of its Licence.**

### **3.6 Provision of Audited financial statements to the Authority**

Clause 9 of the service licence provides that:

*"The Licensee shall provide the Authority with the audited annual financial statements of the licensed service within six (6) months of the end of the Licensee's financial year, provided that the Licensee may on good cause apply to the Authority for an extension."*

The Licensee submitted its audited annual financial statements to the Authority within the prescribed time.

**The Licensee complies with clause 9 of the schedule to its service licence.**

## **4. REGULATIONS**

### **4.1 Code of Conduct for Broadcasters**

The Licensee is a member of the National Association of Broadcasters (NAB). Complaints related to code of conduct are administered by the Broadcasting Complaints Commission of South Africa (BCCSA).

#### **4.2 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Licences**

During the period under review, the Authority did not find any non-compliance with the Standard Terms and Conditions for Individual Licences as amended.

#### **4.3 Regulations in respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund**

Regulation 3 of the Regulations in respect of Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund (USAF), published in Government Gazette, No. 34010 of 10 February 2011, 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".*
- (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 made the prescribed payment and submitted proof thereof to the Authority.

#### **The Licensee complies with Regulation 3 of the USAF Regulations.**

#### **4.4 General Licence Fees Regulations**

Regulation 4 (b) of General Licence Fees Regulations provides for the exemption of Individual Licences for Public Broadcasting Services. Munghana Lonene FM is part of the SABC's Public Broadcasting Services and is exempt from paying licence fees.

#### **4.5 South African Music Content**

Regulation 3 (1) of the ICASA South African Music Contents Regulations published on 23 March 2016 stipulates that:

*"Every holder of a public sound broadcasting service licence must ensure that after eighteen (18) months from the date of gazetting of these Regulations, a minimum of 60%, increasing to 70% in the following year, 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".*

Munghana Lonene FM submits on their quarterly submission that they broadcast seventy eight (78%) of local music during the South African performance period. Some of the artists that were monitored include *Benny Mayengani – Malambani, Alpheus Maluleke and Nthlaveni Brothers – Xo Ta Uetlele, Mpho Regalo – Ndi dovhe ndi vhone* amongst others which includes unplugged sessions with local artists between 11H00 and 12H00 on Sundays which contributes to the local music output.

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

## **5. CONCLUSION**

During the period under review Munghana Lonene FM complied with the service licence terms and conditions and applicable Regulations.

## **6. TERMS OF REFERENCE**

- 6.1 Appendix A: Munghana Lonene FM's Service licence
- 6.2 Appendix B: Munghana Lonene FM's Quarterly Reports
- 6.3 Appendix C: Training and Skills Development Report
- 6.4 Appendix D: MDDA Payment

**END**