



RADIO PULPIT ANNUAL COMPLIANCE REPORT

MARCH 2023

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RADIO PULPIT

LICENCE PERIOD: 12 February 2019 to 11 February 2024

1. PREFACE

The Independent Communications Authority of South Africa ("Authority") has a statutory mandate in terms of the Constitution¹, the Independent Communications Authority of South Africa Act (ICASA Act²), the Electronic Communications Act (ECA)³ 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 monitor 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 Radio Pulpit's performance for the 2021/2022 financial year. Aspects of compliance that are measured comprise of Geographic Coverage, Community participation, Programming Obligations and Standard Terms and Conditions.

Furthermore, the report will measure compliance with regulations that include South African Music Content, Standard Terms and Conditions for Individual Licensees, Universal Service and Access Fund, General Licence Fee, Code of Conduct for Broadcasters, and applicable sections of the ICT Covid-19 National Disaster Regulations first published in April 2020 and the subsequent amendments following the proclamation of the State of National Disaster.

¹ The Constitution of the republic of South Africa, No 108 of 1996

² Independent Communications Authority of South Africa Act, 2000 'ICASA Act' (Act No. 13 of 2000), as amended

³ Electronic Communications Act, 2005 'ECA' (Act No. 36 of 2005), as amended

⁴ Broadcasting Act ,1999 (Act No. 4 of 1999), as amended

2. **BACKGROUND**

Radio Pulpit hold a Class Sound broadcasting service licence⁵. The radio station's mandate is to provide sound broadcasting service to the community of Christian families of all races, ages, cultural backgrounds and languages, as set out in the Licensee's radio frequency spectrum licence.

3. **COMPLIANCE ASSESSMENT**

3.1 **Control Structure**

Clause 1 of the licence states that:

"The Licence is issued to:

1.1 Name of Company/Entity: Radio Pulpit.

1.2 Name of the Station: Radio Pulpit.

1.3 Control of the licensee: Control shall vest in the Board of Directors of a Section 21 company known as Radio Pulpit.

There were no changes reported by the Licensee to its control structure during the period under review. The Licensee is still Radio Pulpit. The name of the Licensee's radio station is Radio Pulpit. The control of the Licensee is still in the hands of an entity known as Radio Pulpit.

According to Radio Pulpit's Memorandum of Incorporation (MOI), the Board consists of not less than three (3) Directors and there shall be no maximum number of Directors. Each director is appointed by the Board by a majority of the Directors of the company and shall serve for an indefinite term.

The Licensee held an elective AGM on 09 November 2021 and all the Directors were available for re-election and were re-appointed as directors. The administrative control in the operations of the community Radio Pulpit remains with the Board of Directors and management of the company.

The Licensee complies with clauses 1.1 to 1.3 of the licence conditions.

3.2 Licence Period

Clause 2 of the licence states that:

"2.1 The effective date of the licence is 12 February 2019

2.2 The licence shall expire on 11 February 2024".

Radio Pulpit's licence is effective from 12 February 2019 to 12 February 2024.

The Licensee complies with clause 2 of the licence conditions.

3.3 Geographic Coverage Area

Clause 3 of the licence stipulates that:

"The Licensee shall provide services to Greater Gauteng in the Gauteng Province, as set out in the Licensee's radio frequency spectrum licence".

Radio Pulpit provide services to the areas stipulated in its licence.

The Licensee complies with clause 3 of the licence conditions.

3.4 Community

Clause 4.1 of the licence states that:

"The licensee shall provide services to a Christian interest-based community residing within the geographic coverage area specified herein. The licensee shall cater for Christian families of all races, ages, cultural backgrounds and languages applicable within its defined broadcast area."

Radio Pulpit provides a sound broadcasting service to the geographic community of Christian families of all races, ages, cultural backgrounds and languages, residing within the geographic coverage as set out in the Licensee's radio frequency spectrum licence.

The Licensee complies with clause 4.1 of the licence conditions.

Clause 4.2 of 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 focusing 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 attendance thereof by members of the community; and

4.2.3 The Licensee shall hold Annual General Meeting (AGM) 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

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 has held three (3) meetings with its community. The first one in Benoni on 17 February 2022; the second one in Pretoria on 18 February 2022 and the third one in Soweto, Protea South on 23 February 2022. The licensee submitted proof of the meetings and the attendance register of the meetings.

The Licensee held an elective AGM on, 09 November 2021 and the members of the controlling structure were elected according to the Licensee's founding documents.

The Licensee complies with clause 4.2 of the licence conditions.

3.5 Programming

Clause 5.1 of the licence states that the Licensee shall provide programming as follows:

5.1.1 "Local News and information: The Licensee shall broadcast a total of sixty (60) minutes of news per day which shall include community announcements. This shall also include community news produced by the station.

The Licensee submitted their Form 8A log sheet indicating that the radio station broadcasts an average of three hundred and eighty (380) minutes of news weekly.

The monitoring exercise revealed that Radio Pulpit broadcasts news bulletins for approximately five (5) minutes with headlines broadcast for less than one (1) minute. On average, a total of seventy-six (76) minutes of news is broadcast each day, during the South African performance period.

Below are some of the news excerpts monitored.

- *"President Cyril Ramaphosa says Africa has come a long way in consolidating democracy and good governance of the continent.*
- *The EFF says communication Minister Khumbudzo Ntshabeni is not only corrupt but wilfully arrogant. The second part of the state capture commission report states that the Minister was probably culpable of helping the Gupta family capture state owned arms manufacture, Denel. The commission has recommended that the Denel board members including Ntshabeni who supported the suspension of the three executives should also be investigated by law enforcement agencies. The EFF says the Minister must be probed to show that even those who are closest to the leaders of power are not above the law."*
- *"The ANC president Cyril Ramaphosa says Lekgotla has highlighted that the must be increased scrutiny of the performance of the ruling party's public representatives and government. He gave the closing address at the ANC national executive committee Lekgotla meeting yesterday, Ramaphosa says they seek to build a capable and ethical the developmental state as this is fundamental to the ANC drive for reconstruction growth and transformation of society and the economy."*

The licensee complies with sub clause 5.1.1 of the licence conditions.

5.1.2 South African Music Content: 60%.

According to Form 8A submitted by the Licensee, an average of seventy-seven percent (77%) of South African music is broadcast each week.

The Licensee further submitted a report confirming that it has been broadcasting an average of 70.17% of local music for the past ten months for the year under review.

The monitoring exercise revealed that Radio Pulpit broadcasts approximately 3 tracks of local gospel music are broadcast per hour. The monitoring exercise confirmed that the Licensee broadcasts an average of 70% of local music which is less than the 80% that is required by the South African music content quota.

The licensee did not comply with sub-clause 5.1.2 of the licence conditions.

5.1.3 Talk vs. Music: 60% Talk and 40% Music.

The log sheet submitted by the Licensee indicates that on average four thousand six hundred and seven (4 607) minutes of talk content is broadcast each week. This is equivalent to 60.94% of talk content is broadcast during the performance period per week.

The monitoring exercise revealed that some of the hours have less music, approximately only two tracks are broadcast and other hours will have three to four songs. Most of the broadcast time is allocated to talk content.

The licensee does not comply with its format of 60% talk vs 40% music.

5.1.4 Language(s) of broadcast:

5.1.4.1 English – 35%;

5.1.4.2 Afrikaans – 35%;

5.1.4.3 isiXhosa, isiZulu, Ndebele, siSwati – 20%; and

5.1.4.4 Sesotho, Setswana, Sepedi – 10%.”

The monitoring exercise revealed that the Licensee’s majority of content is broadcast mainly in English and Afrikaans. They have segments of broadcast in indigenous languages where isiZulu and isiXhosa are predominantly used. During weekdays between 20h00 – 21h00, there is a segment “*Hlala nathi Bible*”

dedicated to indigenous languages. The segment is mainly broadcast in isiZulu however, the call-ins and guests who are invited to the show, speak Sesotho, Setswana and Sepedi.

Six hundred and forty-eight (648) minutes is equivalent to 60% of talk per day, and one hundred and ninety-five (195) minutes is equivalent to 30% of indigenous languages. Radio Pulpit has dedicated a show to broadcast indigenous languages for 30 minutes. During the 12h00 -15h00 show an average of one hundred and eight (180) minutes are dedicated to indigenous languages such as Sesotho and Setswana. The Licensee meets its licence obligation of languages as per the above licence requirement.

The licensee complies with clause 5.1.4. of the licence conditions.

Clause 5.2 of 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 proforma of the log to be kept will be supplied by the Authority."

The Licensee submitted the log of programmes broadcast to the Authority as required by clause 5.2.

The licensee complies with clause 5.2 of the licence.

4 PROMISE OF PERFORMANCE

Clause 8.1 of the licence provides that:

"The licensee shall ensure that 60% of the Licensee's talk programming content shall be aimed at the promotion of education. Community upliftment and informal education such as skills development and health issues."

Radio Pulpit submits that it has a daily health program from 13h00 – 14h00 Monday to Friday. These programmes make up 32.31% of talk content.

Religious programming is aimed at community upliftment totalling 47.71% of program content.

The average total of these two (2) programmes is 80.02% focussing on Radio Pulpit's promise of performance.

The licensee complies with clause 8.1 of the licence.

5 REGULATIONS

5.1 Complaints Received

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,

For the year under review, the Licensee submitted its Form 12A. The form shows that the Licensee did not receive complaints during the year under review.

The Licensee complies with the Compliance Procedure Manual Regulations

5.2 South African Music Content Regulations⁵

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

"A holder of a community sound broadcasting service licence must ensure that after eighteen months of the gazetting of these regulations, a minimum of 60%, increased by 10% annually to reach 80% of the musical work in the performance period, consist of South African music and that such South African music is spread evenly throughout the performance period⁶"

The monitoring exercise revealed that the Radio Pulpit broadcast predominantly gospel music. Some of the music artists that were monitored include Adrian Losper, Heilge Gees, Henri Scott Weet and Jeandre van Schalkwyk amongst others.

Further, the monitoring exercise found that the Licensee broadcasts on average 70% of South African music.

⁵ Appendix B: ICASA South African Music Content Regulations 2016

⁶ *Ibid*

The licensee did not comply with the South African Music Content Regulations.

5.3 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Services Licences⁷

During the year under review, the Licensee complies with the clauses of the Regulations mentioned above.

Radio Pulpit complies fully with Standard Terms and Conditions for Class Broadcasting Service Licences Regulations.

6 CONCLUSION

Radio Pulpit corrected most of the non-compliance elements that were found in the last report. However, the Licensee will be consulted further and required to remedy the non-compliance with its format and the South African Music Content Regulations.

7. TERMS OF REFERENCE

Appendix A: Radio Pulpit broadcasting licence

Appendix B: ICASA South African Music Content Regulations 2016

Appendix C: Regulations Regarding Standard Terms and Conditions for Class Licences 2016

END

⁷ Appendix C: Standard Terms and Conditions for Class Licences 2016