



RADIO 2000 ANNUAL COMPLIANCE REPORT

FEBRUARY 2017

2015/2016 ANNUAL COMPLIANCE REPORT

Radio 2000

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 Constitution, the ICASA Act, the Electronic Communications Act ("ECA") and the Broadcasting Act 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 Radio 2000's compliance with the terms and conditions as set out in its licence for the 2015/2016 financial year. Aspects of compliance that are measured comprise of Geographic Coverage, Community Participation, Programming, Format, Language(s), South African Music Regulations, Regulations Regarding Standard Terms and Conditions, Universal Service and Access Fund (USAF) and Complaints.

2. BACKGROUND

Radio 2000 is an Individual Broadcasting Service Licensee of the South African Broadcasting Corporation ("SABC"). The radio station's mandate is to provide a full radio spectrum service in South Africa. In other words, it has to broadcast content such as educational programming, drama programming, news and current affairs programming, sports and content of national interest.

COMPLIANCE ASSESSMENT

3.1 Ownership and Control

Clause 1.1 of the licence states that:

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

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

"Shareholders: The State: 100%"

Clause 1.3 of the licence states as follows:

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

Radio 2000 forms part of the public service division of the SABC and is 100% owned by the State through the SABC.

The Licensee complied with clauses 1.1, 1.2 and 1.3 of its licence terms and conditions.

3.2 Geographic Coverage

Clause 2 of the schedule to the licence states 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 has a national coverage. For the period under review, there were no complaints that the Authority is aware of, that were lodged against the Licensee regarding its coverage area. **On this basis, the Licensee complied with clause 2 of the schedule of its radio frequency spectrum licence.**

3.3 Language(s)

Clause 3 of the schedule to the service licence states that the language of broadcast is as follows:

"The principal language is a balanced range of official languages".

Through the monitoring undertaken it was established that English is the principal language of broadcast, followed by other languages. This is evidenced by the fact

that most of the presenters are fluent in more than two to four languages. An example is the station's breakfast show Planet "Haaibo" broadcast from 6am to 9am. The anchor of the show can converse in isiXhosa to a person calling from the Eastern Cape, Sepedi to a person calling from Limpopo and so forth.

The Licensee complied with clause 3 above.

3.4 Format

Clause 4.1 of the schedule to the licence states that:

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

Radio 2000 forms part of the public service station of the SABC as indicated earlier. It offers a full-spectrum service to its audience. This was confirmed during the Authority's monitoring exercise which revealed that the station has a variety of programmes that discuss topical and relevant issues which the listeners are interested in. One of the programmes monitored is the "Morning Paradise " broadcast between 03h00 – 06h00 The topic discussed on the show was about identity theft, where it was reported that a woman was found in possession of 15 identity documents (ID) at OR Tambo International Airport and was immediately taken in for questioning.

Clause 4.2 of the schedule to the licence states that:

"The licensed service shall be a facility service in a balanced range of genres (including education, sports, religious programming and music) broadcast in a balanced range of official languages"

Radio 2000 provides facility service in a balanced range of genres such educational programmes, sports and music to its audience as outlined in the licence. The radio station also broadcasts, on a regular basis sporting events of national interest such as cricket matches played by the South African national cricket team at home and abroad.

During the monitoring exercise, the Authority identified educational programming during a show called *Talk on 2000*, where the issue of drug abuse was discussed in length. This was followed by reports of four teenagers in Kwa-Mashu, KZN, who died from an overdose of a drug known as “*mercedes*”. The show also invited a representative from Anti-Drug Forum of South Africa to discuss ways in which communities and parents can get involved in the fight against drug abuse.

One of the Licensee’s strategic elements is its coverage of sports programmes. The sport programmes are detailed and aimed at adult audiences who have a keen interest in sport. Live events such as the ICC World T20 hosted by India as well as many PSL and rugby matches were identified.

The Licensee complied with clause 4.1 and 4.2 of the schedule to its licence.

3.5 General programming obligations

3.5.1 General

Clause 6.1 of the schedule to its licence states that:

“The licensee shall ensure that its programming adequately reflects the diversity of South Africa’s Religions”.

The Licensee’s editorial policy in terms of religious diversity provide that:

‘Religious programmes should take account of regional factors, target audiences, language and cultural preferences, and the devotional needs of specific groups’.

The monitoring exercise found that during the programme called ‘*Talk on 2000*’, listeners called in to talk about churches and how they have evolved overtime from being more spiritual to now being run like businesses.

The approach used by Radio 2000 matches or is equal to its adult audience who are mature adults. Programmes with spiritual and religious content or information featured during the programme called “*Emlanjeni*”.

The Licensee complied with clause 6.1 above.

Clause 6.1.2 of the licence stipulates that:

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

The monitoring exercise established that the cultural and traditional needs of different audiences are covered through the introduction of various topics. A programme called "Emlanjeni" hosted by KG Moeketsi featured a modern traditional healer in the 21st century, clairvoyances and others. These guests interacted with listeners and shared their cultural and traditional beliefs and stories about their experiences.

The Licensee complied with clause 6.1.2 above.

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".

The programme line-up of the radio station reflects the provisions of the above clauses. In addition, the programming content of Radio 2000 is made up of a variety of material that is aimed at catering for the interest of South Africans. During the monitoring exercise, there were many programmes discussing diversified topics. For example, "Weekend Treat", discussed tips on how to increase chances of living longer and what food groups can help achieve this.

"The Collective", which is an insert sponsored by Value Added Life Products featured anti-oxidants and its effects.

News:

Although the licence terms and conditions do not have a requirement in terms of news, Radio 2000 broadcasts news from 06h00 to 19h00. Full news bulletins at the top of the hour and news headlines at the bottom of the hour.

During the period under review, the following news excerpts were monitored:

"The Opposition to Urban Tolling Alliance says it will defend its members if they are summoned to appear in court";

"A 33-year-old man who was allegedly running a scam claiming he could get Oscar Pistorius's murder case quashed has been arrested, the Hawks said on Friday"; and

"Investigations are continuing into an armed robbery at the Helen Suzman Foundation's offices in Parktown amongst others. News is broadcast in English".

3.6 Programming for People living with disabilities

Clause 7 of the licence stipulates that:

"The licensee shall in the provision of the licensed service, ensure that people with disabilities regularly feature and participate in its programme material in accordance with the Integrated Disability Strategy".

During the monitoring exercise, Radio 2000 programming was dominated by sporting events and features. The Authority did not find any programme that featured people with disabilities. Accordingly, the Licensee was found to be non-compliant with clause 7 of the schedule to its licence. This matter will take this up with the Licensee to establish reason/s for this non-compliance and the proposed way forward in terms of complying with this condition.

3.6 Training and Skills Developments Obligations

Clause 7 of the schedule to the licence states the following:

"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 take 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; and*
- 7.4 *The Licensee must, within thirty (30) days of the end of each financial year, provide the Authority the written information regarding its compliance with the above requirements”.*

The Licensee submits that it conducted several projects directed at achieving transformational targets and Employment Equity plan. Amongst others, the licensee implemented capacity building workshops for the National Disability Committee members to ensure that the members can perform their roles with regards to implementation of EE objectives of the SABC. This is an important step as the licensee still has not achieved its target of 2% for people with disabilities for the second successive year. The licensee must do better to achieve and exceed this target. The licensee continues to provide training for its employees with 87.54% having attended training.

Furthermore, the Licensee embarked on a talent acquisition strategy to increase the number of females, in particular Black female employees with disabilities. Projects such as the *Take A Girl Child To Work* were meant to give work exposure to young girls. Another project was *Man in the Making Day*, which was aimed at young boys with disabilities to be interested in working for the SABC.

Lastly, the licensee submits that it embarked on the *SABC Techno Girl* programme. Its purpose was to expose young learners to the SABC Technology Division and align them to choose in-demand careers and skills in the ICT sector.

The Licensee complied with clause 7 of its licence.

3.7 Provision of Audited Financial statements to the Authority

Clause 8 of the licence stipulates that:

"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 SABC submitted its Audited Financial Statements for the 2015/2016 within the regulated timeframe. According to the AFS, the Licensee generated revenue of R7,978, 841000. 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 complied with clause 8 of its licence.

4. REGULATIONS

4.1. ICASA South African Music Content Regulations

Regulation 3.2 of the South African Music Content¹ as published on 31 January 2006 stipulates that:

"Every holder of a public sound broadcasting licence to which these regulations apply must ensure that after eighteen months of the gazetting of these regulations, a minimum of 40% of the musical works broadcast in the performance period consist

¹ South African Music Content Regulations

of South African music and that such South African music is spread reasonably throughout the said period.”

During the period under review, Radio 2000’s music content constituted a minimum 40% of South African Music. Radio 2000 plays a variety of genres of music. It predominantly plays adult contemporary music with emphasis on old school pop, African pop, Soft Rock, Popular Reggae songs and soulful music, rhythm and blues, jazz and world music and a rich mix of South African golden oldies. There isn’t much of foreign music broadcast.

The strategic mix of different genres, hit songs of the past and today can be seen to be accommodating different listeners across the spectrum.

Some of the South African artists featured on the station’s playlist are Lulu Dikana; HHP; Danny K; Nathi and Hugh Masekela; Beatenberg and Johny Clegg.

The Licensee complies with regulation 3.2 of the South African Music Content Regulations.

4.2 Regulations regarding Standard Terms and Conditions for individual licences

Regulation 11 (3) of the standard terms and conditions² stipulates that:

“A station must clearly identify itself at intervals of not more than thirty (30) minutes.”

Radio 2000’s promos were identified frequently during the period under review and these were broadcast at intervals of not more than ten (10) minutes apart. The promos carried the name and frequency location.

Further, no incident of non-compliance with the standard terms and conditions for individual licenses were found.

² Regulations regarding the Standard Terms and Conditions for Individual Licensee’s

Therefore, the Licensee was found to be in compliance with the Standard Terms and Conditions for Individual licences.

4.3 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations³ 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 Authority received confirmation of payment in a form of a Section 18A certificate from the MDDA and the Licensee submitted proof of payment⁴ to the Authority.

The Licensee complied with the regulations in respect of Universal Service and Access Fund.

4.4 Regulations on the Code for People with Disabilities

Form 7C: Code for People with Disabilities contained in the Compliance Procedure Manual Regulations requires broadcasting licensees to annually complete the form in accordance with the Licensee's Financial Year End.

The SABC submitted its report on employee disability management as follows: Employees with disabilities represent 1.90% of the entire workforce. This was due to the fact that some employees left the organisation, which affected its target of 2%. The licensee states that this area will remain a key focus for it. Of the 1.90% of employees with disabilities, 58% of those were female and 77% were black.

³ Universal Service and Access Fund Regulations

⁴ Proof of SABC's contribution to the USAF

Additionally, the licensee hosted the National Blind Buddy Day; Albinism Awareness; Deaf Awareness and Casual Day. These are some of the initiatives aimed at and encouraging disability self-disclosure by employees.

4.5 COMPLAINTS

Form 12A: Complaints Report of the Compliance Procedure Manual Regulations read with the Code of Conduct for Broadcasters stipulates requires that broadcasters complete the form bi-annually in accordance with the Licensees' Financial Year.

There were no complaints submitted to ICASA on the SABC's non-compliance with its licence terms and conditions for the year under review. The complaint/s lodged with the CCC regarding the SABC's revised editorial policy fall outside of this period and will be dealt with in the 2016/17 report.

5. CONCLUSION

During the period under review, the Licensee satisfactorily complied with its licence terms and conditions and related regulations that govern public broadcasters.

6. TERMS OF REFERENCE

- 6.1 Attachment 1 : Radio 2000's Broadcasting Service Licence
- 6.2 Attachment 2 : Radio 2000's Frequency Spectrum Licence
- 6.3 Attachment 3 : Extract from the Licensee's Editorial Policy
- 6.4 Attachment 4 : The Licensee's training report
- 6.5 Attachment 5 : Regulations regarding the standard terms and condition
- 6.6 Attachment 6 : Universal Service and Access Fund Regulations
- 6.7 Attachment 7 : Regulations on the code for people with disabilities
- 6.8 Attachment 8 : Proof of SABC's Contribution to USAF