



# **RADIO TEEMANENG ANNUAL COMPLIANCE REPORT**

**MARCH 2025**

# **2023/2024 ANNUAL COMPLIANCE REPORT**

## **RADIO TEEMANENG**

**LICENCE PERIOD: 24 OCTOBER 2023 to 23 OCTOBER 2030**

### **1. PREFACE**

The Independent Communications Authority of South Africa (the 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 Radio Teemaneng'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, Regulations Regarding Standard Terms and Conditions and the Code on People with Disabilities.

### **2. BACKGROUND**

Radio Teemaneng is a class broadcasting service Licensee providing services to Kimberley, including the surroundings of Windsorton and Barkley West in the Northern Cape Province. The radio station provides a programming format that is a mix of talk radio and music.

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

<sup>2</sup> Act No 36 of 2005, as amended

### **3. COMPLIANCE ASSESSMENT**

#### **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: Radio Teemaneng*

*1.2 Name of Station: Radio Teemaneng*

*1.3 Control of the Licensee: Control shall vest in the Board of Directors of a voluntary association known as Radio Teemaneng."*

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 08 October 2023.*

*2.2 The licence shall expire on 07 October 2030."*

Radio Teemaneng's licence was renewed during the period under review.

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

#### **3.3 Licence Area**

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

*"The Licensee shall provide services to Kimberley, including the surrounding towns of Windsorton and Barkley West in the Northern Cape Province as set out in the Licensee's radio frequency spectrum licence".*

The Licensee confirms that it provides a service in Kimberley and the surrounding towns as set out in the Licensee's radio frequency spectrum licence.

**The Licensee complies with clause 3 of the schedule to 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 document.

**The Licensee complies with clause 4.1 of the schedule to 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 submits that it did not hold any programming meetings during the period under review. It stated that this was because it was dealing with internal conflicts between Management and the Board, which led to the former taking the latter to the Complaints and Compliance Committee ("CCC").

One of the issues at the centre of the conflict was the validity of the Licensee's membership and therefore, it could not form programming committees due to the

lack of membership. The Licensee is working on the matter to ensure compliance with this obligation.

**The Licensee did not comply with 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 the minutes and attendance register of an elective Annual General Meeting ("AGM") that was held on 25 November 2023. The individuals who were elected to the board of the Licensee, are the following:

- 1) Mr Shane Griqua
- 2) Mr Itumeleng Chakane
- 3) Ms Rose-Ann Pretorius
- 4) Mr Lebogang Mokoto
- 5) Ms Khethiwe Nkonkela
- 6) Mr Kabelo Mokwena
- 7) Mr Brandon Sekgabo
- 8) Mr Akanyang Mac Moapese

**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 50 minutes of news per day, of which 25 minutes shall be local news including community announcements, 15 minutes national news and 10 minutes international news per day.*

The Authority's monitoring exercise revealed that the Licensee broadcasts approximately fifty (50) minutes of news per day. It broadcasts mostly national news, approximately thirty-five minutes, local news is about five minutes (5) and the rest of the minutes, approximately ten (10) minutes, is regional news. No international news was heard during the monitoring period.

The following news items were identified:

- *Barkley West non-profit organisation, Youth and Development Safety Care Centre will host a gender-based violence and femicide awareness workshop at the De Beers Hoogte Primary School Hall on the 27<sup>th</sup> of March. The Chairperson of the Youth Centre, Dominic Jammer said various stakeholders, including the police, LifeLine, the Department of Justice, Father A Nation, the South African Human Rights Commission and the Department, would offer training in a bid to eradicate GBVF. Jammer also urged all community members to attend this workshop.*
- *Crop Estimated Committee, CEC, says the maize harvest for the 2023/2024 season is expected to be 19.3 percent lower than the previous season. The harvest is expected to consist of 6.2 million tons of white maize for human consumption and 6.98 million tons of yellow maize used mainly in animal feed. Chief Economist for the Agricultural Business Chamber of South Africa, Wandile Sihlobo, told the News24 that excessive heat and scant rains across South Africa in February, have changed the outlook from positive to concerning for May supplies at home and for neighbouring countries.*
- *"Umbuso udize ukubandakanyeka kolungu losapho oludumileyo oluqhuba ishishini leeteksi KwaZulu-Natal kwityala lokubulawa kukaCanaan "AKA" Forbes noTebello "Tibz" Motsoane.*

- *uSydney Mfundo Gcaba, okwangumtshana kulowo owayesakuba nguMongameli uJacob Zuma, utyholwa ukuba uhlawule imali engaphaya kwezigidi ezingamashumi asibhozo kwi account yomtyholwa. Loomali yahlawulwa ngomhla weshumi elinanye kweyoMdumba, kusuku emva kokubulawa kukaAKA noTibz. uMbuso utyhola ngelithi lemali yahlawulwa ngokubulawa kwalomRapper. uMbuso udize okukothusayo ngethuba amadoda amahlanu kwasixhenxe, ebvele phambi kwenkundla kaMantyi yaseThekwini ngoLwesibini emva kwemini”.*

The Licensee complies with the minutes of news as stipulated in the licence, which is an improvement from the previous report when it was only broadcasting thirty (30) minutes of news programming. However, it does not comply with the split of local, national and international news. Also, the Licensee does not broadcast international news, at all.

**The Licensee does not comply fully with its news obligation.**

*5.1.2 South African Music Content: 80%*

The quarterly reports submitted by the Licensee show that it broadcasts eighty percent (80%) of South African music content. The Authority’s monitoring exercise confirmed that the radio station broadcasts approximately eighty percent (80%) of South African music content.

**The Licensee complies with its South African Music Content obligations.**

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

The monitoring exercise confirmed that Radio Teemaneng’s programming is sixty percent (60%) talk and forty percent (40%) music. It broadcasts programmes that are dominated by talk throughout the day on weekdays, with more music being played in the evenings and on weekends.

There are discussions on various topics such as religion, sport, business, service delivery and other issues that affect the community. There is also listener interaction throughout the day. It also broadcasts two (2) current affairs programmes on weekdays. It also has a story-telling segment aimed at children during the lifestyle programme, *The Avenue*.

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

*5.1.4 Language(s) of broadcast:*

*5.1.4.1 Afrikaans – 20%*

*5.1.4.2 Setswana – 30%*

*5.1.4.3 isiXhosa – 10%*

*5.1.4.4 English – 40%*

The monitoring exercise revealed that the Licensee broadcasts its programmes in all the languages of broadcast, with English being the main language of broadcast, followed by Setswana. Afrikaans and isiXhosa programmes are also available, with all the languages being used interchangeably throughout the station's programming.

**The Licensee complies with its languages of broadcast obligation.**

**The Licensee substantially complies with clause 5.1 of the schedule of 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 monthly, during the period under review.

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

## **4 PROMISE OF PERFORMANCE**

Clause 8.1 of the schedule to the licence provides that:

*"The Licensee shall develop and maintain Programming Committees to promote participation in its coverage area to cater for the programming needs of members from areas such as Windsor and Barkley West".*

The Licensee confirmed that Programming Committees were not developed due to internal conflicts during the period under review, as stated in section 3.4 of this report, above.

**The Licensee did not comply with clause 8.1 of the schedule of its licence.**

## **5. REGULATIONS**

### **5.1 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.

**The Licensee did not comply with the relevant clause of the Compliance Procedure Manual Regulations.**

### **5.2 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 with the SA Music regulations above was for at least eighty percent (80%) of South African music content to be played by community sound broadcasting Licensees.

The monthly reports submitted by the Licensee show that it broadcasts approximately eighty percent (80%) of South African music content. The Authority’s monitoring exercise revealed that the radio station broadcasts eighty percent (80%) of South African music content. Various genres were identified on the station’s music line-up including House, Afro Pop, Reggae, Gospel and Kwaito with artists such as *L’vovo Derango, Caiphus Semenya, AKA, Nomcebo Zikode, Blaq Diamond, Chicco Twala, Amadodana aseWesile, Winnie Khumalo, Nomfundo Moh* and many others being played.

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

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

The were no areas of non-compliance with the Standard Terms and Conditions that were identified during the monitoring period under review.

**The Licensee complies with these regulations.**

## **6. CONCLUSION**

The Licensee complies with most of its licence terms and conditions and prescribed Regulations. The Compliance Department has noted a lot of improvement in the Licensee’s compliance despite the turmoil it went through after the passing of the former Station Manager due to the conflicts between the Management and the former Board of the Licensee. Monitoring of other areas of non-compliance, including the news split obligation and the programming meetings will continue.

The Licensee also appeared before the CCC during the period under review where it was ruled that the Board must be dissolved because it failed to hold an AGM for seven (7) years. An Interim Committee was put in charge of organising an elective AGM, which was held on 25 November 2023. However, there are still some governance issues at the Licensee, with only half the elected board members left and they do not seem to be providing much, if any, strategic direction at the Licensee, including amending the Memorandum of Incorporation ("MoI") as recommended by the CCC. Communication or updates are not forthcoming as agreed with the Compliance Department during the Board induction workshop that was conducted for the new Board in January 2024.

The Compliance Department will continue to engage the Board of the Licensee; however, the Licensee will be informed that should the Board fail to perform its fiduciary duties, the matter will be referred to the CCC once again.

## **7. TERMS OF REFERENCE**

Appendix A: Radio Teemaneng Service Licence

Appendix B: Radio Teemaneng Spectrum Licence

Appendix C: Standard Terms and Conditions for Class licences, as amended.

Appendix D: ICASA South African Music Content Regulations, 2016

Appendix E: ICASA Compliance Procedure Manual Regulations, 2011

**END**