

1. INTRODUCTION

The Independent Communications Authority of South Africa (“Authority”) has a statutory mandate in terms of the Constitution¹, the Independent Communications Authority of South Africa Act² (ICASA Act), the Electronic Communications Act³ (“EC Act”) and the Broadcasting Act⁴, as amended, to regulate broadcasting activities in South Africa in the public interest.

The South African Broadcasting Corporation (“SABC”) Limited derives its existence and mandate from the Broadcasting Act. The SABC was granted licences by the Authority to provide public sound and television broadcasting services.

Section 2 (u) of the Object of the EC Act, directs the SABC to ensure that in the provision of public broadcasting services-

- (i) the needs of language, cultural and religious groups;
- (ii) the needs of the constituent regions of the Republic and local communities; and
- (iii) the need for educational programmes, are duly taken into account.

Further, the SABC is governed by the Charter, as contained in Chapter IV of the Broadcasting Act. The Charter provides or empowers the Authority to monitor and enforce compliance with the Charter by the SABC.

It is within the above context that the Authority conducted a monitoring exercise, in order to determine the extent to which the SABC has complied with the provisions of the applicable legislation, the licence terms and conditions and the relevant regulations.

¹ The Constitution of the Republic Act No 108 of 1996.

² ICASA Act No 13 of 2000.

³ Electronic Communications Act No 36 of 2005.

⁴ Broadcasting Act No 4 of 1999.

2. LEGISLATIVE FRAMEWORK

2.1. Performance Period

The Authority, in measuring compliance with the provisions of the applicable legislation, the licence terms and conditions and relevant regulations, takes into account the definition of the performance period as defined in the South African Television Content Regulations, as published in Government Gazette No. 28454, dated 31 January 2006. The performance period refers to the total number of hours between 05h00 and 23h00 every day. In line with this definition, recordings were requested from the SABC for the period September to October 2008, in order to determine compliance during the performance period.

2.2. South African Television Content Regulations

Clause 3.1 of the South African Television Content Regulations stipulates that a public television broadcasting licensee must ensure a minimum weekly average of 55% of its programming measured over a period of one year, during the performance period, consists of South African television content and that such South African television content is spread reasonably evenly throughout the south African performance period and prime time.

Clause 3.2 further provides that where a public television broadcasting licensee provides a broadcasting service which has more than one channel, that licensee must ensure that a minimum of 55% of its programming on each channel during the performance period, consists of South African television content which is spread reasonably evenly throughout the performance period.

Further, clause 3.3 states that in complying with its obligation in respect of clause 3.1 read with clause 3.2 above, the SABC must ensure that the minimum percentages outlined in the table below are adhered to.

Programme Type	Public Service	Commercial Service
S.A. Drama	35%	20%
Children's Programming	55%	25%
Documentary Programming	50%	30%
Informal Knowledge Building	50%	30%
Current Affairs	80%	50%
Educational Programming	60%	-

2.3. Special Licence Terms and Conditions- Programme content per genre

The special licence terms and conditions for the respective licenses provide that the licensee shall in each financial year broadcast a certain number of hours during the performance period. The following table indicates the number of hours per programme genre to be transmitted by each television channel for the year under review (*see Appendix A-SABC TV licences for further details*).

Category	SABC1	SABC2	SABC3
News	7 hours week, 3 hours 30 minutes in prime time packaged as a single programme daily	Ibid	Ibid
Current Affairs	4 hours a week, 2 hours in prime time.	Ibid	5 hours a week 1 hour in prime time
Informal Knowledge Building	14 hours a week, 2 hours in prime time	18 hours a week, 2 hours in prime time	11 hours a week, 2 hours in prime time
Documentary	3 hours a week, 1 hour in prime time	4 hours a week, 1 hour 30 minutes in prime time	4 hours a week, 1 hour in prime time
Drama	24 hours per week, 8 hours in prime time, 4 hours S.A. content in prime time	Ibid	Ibid
Children's	20 hours per week	15 hours per week	7 hours per week
Educational	10 hours per week	10 hours per week	-

3. RECORDING MATERIAL

The SABC provided the Authority with SABC 1 and 2 recordings from 05h00 to 18h00 for September 2008, which is not in line with the performance period requirement. This resulted in some of the programmes such as 7de Laan, which runs from 18h00 to 18h30, being cut short, ending a few minutes after 18h00. Outstanding recordings from 18h30 until 23h00, including October 2008, were requested from the broadcaster, however these could not be provided to the Authority as the recordings were no longer available due to the lapse of the 60 day period provided for in terms of section 53 (1) (a) of the EC Act which provides as follows:

*'A broadcasting service licensee must-
on demand by the Authority, produce to the Authority any recording of every programme broadcast in the course of his or her broadcasting service for examination or reproduction, within 60 days from the date of broadcast'.*

Due to the non availability of recordings from 18h00 to 23h00, the prime time period and the requirements thereof, as provided for in the licence terms and conditions for SABC 1 and 2, could not be monitored.

With respect to SABC 3, for the month of September 2008, the SABC submitted recordings for 22 days. The recordings for the period 01 to 07 September 2008 were however not submitted. The recordings for the period from the 08 September 2008 started at 12h00. For the month of October 2008, the SABC submitted recordings for 12 days, starting from 01 until 12 October 2008. No recordings were received from 13 to 31 October 2008. As with the situation in SABC 1 and 2 mentioned above, the outstanding recordings could not be obtained from the licensee due to the lapse of the 60 day period.

Consequently, the information contained in this report is an outcome of the actual content monitored in respect of SABC 1, 2 and 3. In addition, while this report is the outcome of material monitored, the Licensing and Compliance Division ("LCD") also took into account the SABC's Quarterly Reports (Quarters One, Two, Three and Four) submitted to the Authority for the 2008/9 financial year, of which summaries are captured below.

4. SABC' S QUARTERLY REPORTS

The following tables illustrate compliance, according to the SABC, with the licence terms and conditions as well as local content regulations, as reflected in their Quarterly Reports submitted to the Authority for SABC 1, 2 and 3.

4.1. SABC 1

Quarter One (April- June 2008)

	News	Current Affairs	Education	INFORMAL KNOWLEDGE BUILDING	DRAMA	CHILDRENS	DOCUMENTARY
Weekly hourly (content transmitted)	7 hours 18 minutes	5 hours 57 minutes	10 hours 45 minutes	15 hours 51 minutes	30 hours 22 minutes	22 hours 53 minutes	4 hours 16 minutes
Prime Time	3 hours 39 minutes	1 hour 48 minutes	#	1 hour 55 minutes	2 hours 01 minutes; 5 hours 07 minutes (SA drama)	#	2 hours 30 minutes
Local content Regulations %	# ⁵	89.64%	99.41%	80.76%	43.34%	75.11%	73.73%

The SABC's overall compliance with 55% local content regulations requirement for April to June 2008 was 77.49%.

⁵ Not a requirement

Quarter Two (July- September 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	7 hours 22 minutes	5 hours 55 minutes	10 hours 55 minutes	14 hours 54 minutes	29 hours 48 minutes	22 hours 47 minutes	4 hours 10 minutes
Prime Time	3 hours 42 minutes	1 hour 51 minutes	#		12 hours 02 minutes; 5 hours 10 minutes (SA drama)	#	2 hours 10 minutes
Local content Regulations %	#	88.28%	99.63%	80.12%	42.17%	75.50%	74.41%

The SABC's overall compliance with 55% local content regulations requirement for July to September 2008 was 77.55%.

Quarter Three (October- December 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	7 hours 21 minutes	6 hours 4 minutes	9 hours 37 minutes	14 hours 30 minutes	32 hours 33 minutes	23 hours 45 minutes	4 hours 08 minutes
Prime Time	3 hours 39 minutes	1 hour 55 minutes		1hour.47 minutes	12 hours 3 minutes; 5 hours 18 minutes (S.A drama)		2 hour 11 minutes
Local Content Regulations%	#	88.39%	86.94%	78.14%	42.17%	74.88%	73.98%

The SABC's overall compliance with 55% local content regulations requirement for October to December 2008 was 77.14%.

Quarter Four (January-March 2009)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	7 hours 18 minutes	6 hours 10 minutes	11 hours 47 minutes	14 hours 20 minutes	35 hours 24 minutes	22 hours 03 minutes	3 hours 37 minutes
Prime Time	3 hours 35 minutes	1 hour 56 minutes	#	2 hours 07 minutes	12 hours 08 minutes; 5 hours 23 minutes (SA drama)	#	1 hour 52 minutes
Local content Regulations %	#	87.99%	98.37%	78.72%	41.85%	72.86%	73.49%

The SABC's overall compliance with 55% local content regulations requirement for January to March 2009 was 75.01%.

4.2 . SABC 2

Quarter One (April-June 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	10 hours 08 minutes	9 hours 40 minutes	10 hours 20 minutes	24 hours 31 minutes	26 hours 59 minutes	15 hours 53 minutes	4 hours 50 minutes
Prime Time	7 hours 02 minutes	2 hours	#	2 hour 29 minutes	9 hours 34 minutes; 7 hours 02 minutes (SA drama)	#	1 hour 57 minutes
Local content Regulations %	#	100%	87.85%	80.84%	51.95%	61.05%	47.47%

The SABC's overall compliance with 55% local content regulations requirement for April to June 2008 was 77.83%.

Quarter Two (July- September 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	9 hours 59 minutes	9 hours 38 minutes	9 hours 55 minutes	25 hours	24 hours 38 minutes	<u>14 hours 30 minutes</u> Not met 15 hour quota	4 hours 51 minutes
Prime Time	7 hours 05 minutes	2 hours 03 minutes	#	2 hours 15 minutes	9 hours 08 minutes; 5 hours 10 minutes (SA drama)	#	2 hours 08 minutes
Local content Regulations %	#	100%	85.49%	81.07%	54.15%	59.58%	61.66%

The SABC's overall compliance with 55% local content regulations requirement for July to September 2008 was 76.07%.

Quarter Three (October- December 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted	10 hours 33 minutes	9 hours 10minutes	9 hours 51 minutes	24 hours 28 minutes	27 hours 51 minutes	<u>14 hours 20 minutes</u> Non compliance with 15 hours	4 hours 48 minutes
Prime Time	7 hours 08 minutes	2 hours 01 minute	#	2 hours 09 minutes	9 hours 18 minutes; 6 hours 53 minutes (S.A drama)		2 hours 09 minutes
Local Content Regulations%	#	98.49%	83.76%	79.98%	51.90%	60.45%	64.29%

The SABC's overall compliance with 55% local content regulations requirement for October to December 2008 was 76.24%.

Quarter Four (January-March 2009)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	10 hours 19 minutes	9 hours 30 minutes	10 hours 10 minutes	24 hours 24 minutes	28 hours 46 minutes	15 hours 30 minutes	4 hours 27 minutes
Prime Time	7 hours 02 minutes	2 hours 19 minutes	#	2 hours 10 minutes	9 hours 26 minutes; 6 hours 32 minutes (SA drama)	#	1 hours 54 minutes
Local content Regulations %	#	97.26%	83.12%	79.12%	51.27%	58.30%	61.77%

The SABC's overall compliance with 55% local content regulations requirement for January to March 2009 was 74.93%.

4.3. SABC 3

Quarter One (April – June 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	11 hours 58 minutes	11hours 18 minutes	#	11 hours 45 minutes	36 hours 18 minutes	11 hours 12 minutes	7 hours 10 minutes
Prime Time	3 hours 41 minutes	1 hour	#	2 hours 50 minutes	12 hours 47 minutes; 4 hours (SA drama)	#	1 hour 18 minutes
Local content Regulations %	#	99.85%	#	83.05%	28.13%	52.35%	66.21%

The SABC's overall compliance with 35% local content regulations requirement for April to June 2008 was 49.53%.

Quarter Two (July- September 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	12 hours 07 minutes	11 hours 21 minutes	9 hours 55 minutes	11 hours 55 minutes	37 hours 38 minutes	12 hours 20 minutes	6 hours 15 minutes
Prime Time	3 hours 40 minutes	1 hour 01 minutes	#	2 hours 15 minutes	13 hours 28 minutes; 3 hours 57 minutes (SA drama)	#	1 hour 21 minutes
Local content Regulations %	#	99.92%	85.49%	81.07%	26.52%	47.71%	72.71%

The SABC's overall compliance with 35% local content regulations requirement for July to September 2008 was 49.37%.

Quarter Three (October- December 2008)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	12 hours 33 minutes	10 hours 25 minutes	#	12 hours 15 minutes	43 hours 28 minutes	12 hours 32 minutes	5 hours 28 minutes
Prime Time	3 hours 38 minutes	59 minutes	#	2 hours 39 minutes	13 hours 32 minutes; 4 hours 03 minutes (S.A drama)	#	1 hour 21 minutes
Local Content Regulations %	#	99.84%	#	72.13%	25.41%	47.23%	64.38%

The SABC's overall compliance with 35% local content regulations requirement for October to December 2008 was 48.77%.

Quarter Four (January- March 2009)

	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
Weekly hourly (content transmitted)	12 hours 21 minutes	09 hours 49 minutes	#	12 hours 34 minutes	48 hours 23 minutes	12 hours 29 minutes	5 hours 03 minutes
Prime Time	3 hours 36 minutes	58 minutes	#	2 hours 39 minutes	13 hours 44 minutes 4 hours; 15 minutes (SA drama)	#	1 hour 21 minutes
Local content Regulations %	#	95.43%	#	66.66%	24.85%	46.71%	46.71%

The SABC's overall compliance with 35% local content regulations requirement for January to March 2009 was 46.50%.

5. PROGRAMME CONTENT PER GENRE

The following tables reflect the actual content monitored in respect of SABC 1, 2 and 3 for the period September- October 2008.

5.1. SABC 1:

5.1.1. Monitored output hours and minutes for September 2008

September	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
<u>WEEK 1: 5-11 SEP</u> Content transmitted from 05h00-18H00	2 hours 21 minutes	-	10 hours 88 minutes (11hours)	4 hours 1 minute	9 hours 1 minute	22 hours 38 minutes	1 hour
*Local content Regulations	109 minutes 8 seconds	-	545 minutes	205 minutes 16 seconds	462 minutes 11 seconds	1127 minutes, 11 seconds	73 minutes 20 seconds

September	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
<u>WEEK 2: 12-18 SEP</u> Content transmitted from 05h00-18H00	5hours 06 minutes	- ⁶	11 hours 04 minutes	1 hour 48 minutes	7 hours 91minutes (8 hours)	19 hours 35 minutes	3 hours 71 minutes (4hours)
*Local Content Regulations ⁷	256 minutes 25 seconds	-	576 minutes 26 seconds	77 minutes 30 seconds	391 minutes 4 seconds	969 minutes 7 seconds	187 minutes 8 seconds
<u>WEEK 3: 19-25 SEP</u> Content transmitted from 05h00-18H00	2 hours 66 minutes (3 hours)	-	11 hours 71 minutes (12 hours)	5 hours 86 minutes (6 hours)	12 hours 98 minutes (13 hours)	20 hours 7 minutes	1 hour 06 minutes
*Local Content Regulations	136 minutes 10 seconds	-	583 minutes	292 minutes 41 seconds	647 minutes 48 seconds	1038 minutes 30 seconds	52 minutes 25 seconds
<u>WEEK 4: 26-30 SEP</u> Content transmitted from 05h00-18H00	1 hour 4 minutes	-	12 hour 75 minutes (13 hours)	3 hours 21 minutes	6 hours 41 minutes	16 hours 35 minutes	1 hour
*Local content Regulations	72 minutes 35 seconds	-	633 minutes 4 seconds	157 minutes 45 seconds	325 minutes 6 seconds	813 minutes 15 seconds = 100%	48 minutes 20 seconds

⁶ No programmes were identified

⁷ Compliance with Local content Regulations could not be measured as the individual percentages per genre and the overall percentages could not be calculated.

5.1.2. Categories not defined in the special licence terms and conditions, but are locally produced programmes

September	Talk Shows	Infomercials	Sport	Religious	Magazine
<u>WEEK 1: 5-11 SEP</u> Content transmitted from 05h00-18H00	4 hours 61minutes (5 hours)	3 hours 06 minutes	5 hours 85 minutes (6 hours)	3 hour 21 minutes	6 hours
*Local Content Regulations	228 minutes 50 seconds	180 minutes 25 seconds	291 minutes 40 seconds	157 minutes 26 seconds	300 minutes 35 seconds
<u>WEEK 2: 12-18 SEP</u> Content transmitted from 05h00-18H00	2 hours 83 minutes (3 hours)	2 hours 68 minutes (3 hours)	8 hours 38 minutes	3 hours, 51 minutes	4 hours 43 minutes
*Local Content Regulations	158minutes	137minutes	419 minutes	175 minutes	218 minutes
<u>WEEK 3: 19-25 SEP</u> Minutes transmitted from 05h00-18H00	4 hours 31 minutes	3 hours 88 minutes (4 hours)	5 hours 96 minutes (6 hours)	53 minutes	6 hours 15 minutes
*Local Content Regulations	211 minutes 10 seconds	197 minutes	298 minutes 15 seconds	41 minutes 20 seconds	309 minutes 55 seconds
<u>WEEK 4: 26-30 SEP</u> Minutes transmitted from 05h00-18H00	2 hours 41 minutes	3 hours 35 minutes	4 hours 76 minutes (5 hours)	2 hours16 minutes	3 hours 46 minutes
*Local Content Regulations	120 minutes	165 minutes	239 minutes 50 seconds	106 minutes	172 minutes

5.2 SABC 2

5.2.1 Monitored output hours and minutes for September 2008

September	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
<u>WEEK 1: 5-11 SEP</u> Content transmitted from 05h00-18H00	4 hours 4 minutes	13 hours 25 minutes	1 hour 30 minutes	5 hours 88 minutes (6hours)	9 hours 45 minutes	10 hours 81 minutes (11hours)	1 hour 35 minutes
*Local Content Regulations	228 minutes	663 minutes	68 minutes	293 minutes	471minutes	541minutes	69 minutes
<u>WEEK 2: 12-18 SEP</u> Content transmitted from 05h00-18H00	8 hours 25 minutes	24 hours 48 minutes	2 hours 21 minutes	5 hours 55 minutes	13 hours 21 minutes	11 hours 43 minutes	1 hour
*Local Content Regulations	411 minutes	1229 minutes	109 minutes	273 minutes	661 minutes	542 minutes	47 minutes
<u>WEEK 3: 19-25 SEP</u> Content transmitted from 05h00-18H00	6 hours 3 minutes	14 hours 4 minutes	5 hours 23 minutes	5 hours 71 minutes	7 hours 28 minutes	10 hours 36 minutes	56 minutes
*Local Content Regulations	302 minutes	720 minutes	266 minutes	283 minutes	365 minutes	514 minutes	22 minutes

September	News	Current Affairs	Education	Infomercials Knowledge Building	Drama	Children	Documentary
<u>WEEK 4: 26-30 SEP</u> Content transmitted from 05h00-18H00	5 hours	10 hours	3 hours	9 hours	12 hours	10 hours	-
*Local Content Regulations	248 minutes	509 minutes	149 minutes	428 minutes	628 minutes	493 minutes = 100%	-

5.2.2 Categories not defined in the special licence terms and conditions, but are locally produced programmes

September	Talk Show	Infomercials	Sport	Religious	Magazine
<u>WEEK 1: 5-11 SEP</u> Content transmitted from 05h00-18H00	10 hours	2 hours 6 minutes	12 hours	3 hours 45 minutes	4 minutes
Local Content Regulation	484 minutes	100 minutes	599 minutes	171 minutes	12 minutes
<u>WEEK 2: 12-18 SEP</u> Content transmitted from 05h00-18H00	7 hours	85 minutes	16 hours 35 minutes	5 hours 4 minutes	2 hours
*Local Content Regulations	340 minutes	39 minutes	813 minutes	276 minutes	93 minutes
<u>WEEK 3: 19-25 SEP</u> Minutes transmitted from 05h00-18H00	7 hours 8 minutes	1 hour 1 minute	1 hour	1 hour 3 minutes	-
*Local Content Regulations	353 minutes	54 minutes	45 minutes	50 minutes	-
<u>WEEK 4: 26-30 SEP</u> Minutes transmitted from 05h00-18H00	6 hours	-	3 hours	5 hours 6 minutes	1 hour 6 minutes
*Local Content Regulations	295 minutes	-	133 minutes	256 minutes	84 minutes

5.3 SABC 3

5.3.1 Monitored output hours and minutes for September and October 2008

September	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
<u>Week 1: 01-07 SEP</u>	No recordings were submitted from 01 to 07 September 2008.						
<u>Week 2: 08-14 SEP</u> Content transmitted from 12h00-23h00	7 hours 30 minutes	7 hours 20 minutes	#	11 hours 16 seconds	17 hours 75 minutes 30 seconds	8 hours 28 minutes 15 seconds	4 hour 5 seconds
Prime Time	3 hours 5 minutes 10 seconds	1 hour 50 seconds	#	4 hours 11 minutes 46 seconds	8 hours 5 minutes; 3 hours 26 minutes 25 seconds (SA content in prime time)	#	1 hour 10 minutes 25 seconds
*Local content Regulations	294 minutes	460 minutes	#	651 minutes 16 seconds	897 minutes 30 seconds	508 minutes 15 seconds	210 minutes 5 seconds
<u>Week 3: 15-21 SEP</u> Content transmitted from 12h00-23h00	9 hours 25 seconds	28 hours 8 minutes 10 seconds	#	11 hours 3 minutes 5 seconds	24 hours 7 minutes 13 seconds	10 hours 21 minutes	4 hours 5 seconds
Prime Time	3 hours 80 minutes	4 hours 25 seconds	#	2 hours 73 minutes 25 seconds	22 hours 3 minutes; 4.2 hours 23	#	1 hour

				(3 hours)	seconds (SA content in prime time)		
*Local content Regulations	456 minutes 25 seconds	759 minutes10 seconds	#	560 minutes 5seconds	1242 minutes 13 seconds	517 minutes	202 minutes 5 seconds
<u>Week 4: 22-28 SEP</u> Content transmitted from 12h00- 23h00	8 hours 35 seconds	8 hours 55 seconds	#	14 hours	25 hours 8 minutes 21seconds	11 hours 6 minutes 24 seconds	3 hours 38 minutes 40 seconds
Prime Time	4 hours 2 minutes 25 seconds	57 minutes 45 seconds	#	4 hours 10 seconds	8 hours 4 minutes; 4 hours 3 minutes 40 seconds (SA content in prime time)	#	1 hour 2 minutes
*Local Content Regulations	415 minutes35 seconds	409 minutes 55 seconds	#	715 minutes 20 seconds	1301 minutes 21 seconds	592 minutes 24 seconds	167 minutes 40 seconds

<u>October</u>	News	Current Affairs	Education	Informal Knowledge Building	Drama	Children	Documentary
<u>Week 1: 29 SEP-05 OCT</u> Content transmitted	8 hours 43 minutes 30 seconds	10 hours 46 minutes 15 seconds	#	3 hours 6 minutes 45 seconds	26 hours 4 minutes	22 hours 2 minutes 45 seconds	~ ⁸
Prime Time	3 hours 27 minutes 10 seconds	30 minutes		2 hours 16 minutes 50 seconds	7 hours 3 minutes 40 seconds; 3.65 hours; 15 seconds (SA content in prime time)	#	
*Local Content Regulations	523 minutes 30 seconds	646 minutes 15 seconds	#	160 minutes 45 seconds	1322 minutes 45 seconds	1322 minutes 45 seconds	1322 minutes 45 seconds
<u>Week 2: 06-12 OCT</u> Content transmitted from 05h00-23h00	5 hours 5 minutes 5 seconds	6 hours 6 minutes 10 seconds	#	8 hours 6 minutes 5 seconds	13 hours 8 minutes 50 seconds	13 hours 4 minutes	1 hour 6 minutes 35 seconds
Prime Time	3 hours 65 minutes 25 seconds	1 hour		2 hours 35 seconds	12 hours 35 seconds 1.3 hours 30 seconds (SA content in prime time)	#	~
*Local Content Regulations	284 minutes 5 seconds	337 minutes 10 seconds	#	412 minutes 5 seconds	697 minutes 50 seconds	674 minutes	72 minutes 35 seconds

⁸ No content transmitted

5.3.2 Categories not defined in the special licence terms and conditions, but are locally produced programmes

September	Talk Show	Infomercials	Sport	Comedy	Movies
<u>Week 2: 08-14 SEP</u> Content transmitted	10 hours 10 seconds	5 hours 18 minutes 15 seconds	1 hour 8 minutes 32 seconds	45 minutes 40 seconds	8 hours 6 minutes 10 seconds
<u>Week 3: 15-21 SEP</u> Content transmitted	13 hours 50 seconds	7 hours 2 minutes	2 hours 48 minutes 40 seconds	1 hour 24 minutes	7 hours 4 minutes 40 seconds
<u>Week 4: 22-28 SEP</u> Content transmitted	12 hours 35 minutes 40 seconds	7 hours 48 minutes 10 seconds	1 hour 36 minutes 35 seconds	2 hours 12 minutes 30 seconds	6 hours 39 minutes 10 seconds
October					
<u>Week 1: 29 Sep-05 OCT</u> Content Transmitted	19 hours 8 minutes 18 seconds	13 hours 55 seconds	No content	2 hours 23 minutes 5 seconds	2 hours 12 minutes 25 seconds
<u>Week 2: 06-12 OCT</u> Content transmitted	6 hours 15 minutes 40 seconds	5 hours 37 minutes 10 seconds	3 hours 16 minutes 15 seconds	59 minutes 25 seconds	4 hours 32 minutes 20 seconds

6. ANALYSIS ACROSS CHANNELS

Below is an analysis done of the programmes monitored during the period September to October 2008 for SABC channels 1, 2 and 3.

6.1 SABC 1 (September 2008)

Category	Licence Condition	Week 1	Compliance	Week 2	Compliance	Week 3	Compliance	Week 4	Compliance
News	7 hours per week	2 hours 21 minutes	x ⁹	5 hours 6 minutes	x	3 hours	x	1 hour 6 minutes	x
Prime Time	3 hours 30 minutes	no recordings submitted	x	ibid	x	ibid	x	ibid	x
Current Affairs	4 hours a week	no current affairs identified in recordings monitored	x	ibid	x	ibid	x	ibid	x
Prime Time	2 hours		x	ibid	x	ibid	x	ibid	x
Education	10 hours per week	11 hours	√ ¹⁰	11 hours 4 minutes	√	12 hours	√	13 hours	√
Informal Knowledge	14 hours a week	4 hours	x	1 hour 48 minutes	x	6 hours	x	6 hours	x

⁹ Non compliance

¹⁰ Compliance

Building									
Prime Time	2 hours	no recordings submitted	×	ibid	×	ibid	×	ibid	×
Drama	24 hours per week								
Prime Time	8 hours in prime time, 4 hours S.A. content in prime time	no recordings submitted	×	ibid	×	ibid	×	ibid	×
Children	20 hours per week	22 hours	√	19 hours	×	20 hours	√	16 hours	×
Documentary	3 hours a week	1 hour	×	4 hours	√	1 hour	×	1 hour	×
Prime Time	1hour	no recordings submitted	×	ibid	×	ibid	×	ibid	×

6.1.1 Language

The table below reflects the total hours per week of official languages broadcast, other than English, during the performance period.

From the table, it is evident that SABC 1 consistently met the requirement irrespective of the fact that the recordings did not cover the performance period.

	License condition	Hours broadcast	Compliance
Week 1: 05-11 Sep.	39 hours (total hours) per week of official languages other than English	63.46 hours	√
Week 2: 12-18 Sep.		93.23 hours	√
Week 3: 19-25 Sep.		72.41 hours	√
Week 4: 26-30 Sep.		58.86 hours	√

6.2 SABC 2 – (September 2008)

Category	Licence Condition	Week 1	Compliance	Week 2	Compliance	Week 3	Compliance	Week 4	Compliance
News	7 hours week	4 hours 4 minutes	x	8 hours 25 minutes	√	6 hours	x	5 hours	x
Prime Time	3 hours 30 minutes	no recordings submitted	x	ibid	x	ibid	x	ibid	x
Current Affairs	4 hours a week	13 hours 25 minutes)	√	24 hours 48 minutes	√	14 hours	√	10 hours	√
Prime Time	2 hours	no recordings submitted	x	ibid	x	ibid	x	ibid	x
Education	10 hours per week	1hour 30 minutes	x	2 hours 21 minutes	x	5 hours	x	3 hours	x
Informal Knowledge Building	18 hours a week	6 hours	x	6 hours	x	6 hours	x	9 hours	x
Prime Time	2 hours	no recordings submitted	x	ibid	x	ibid	x	ibid	x
Drama	24 hours per week	9 hours 45 minutes	x	13 hours 21 minutes	x	7 hours	x	12 hours	x
Prime	8 hours in prime	no recordings	x	ibid	x	<i>ibid</i>	x	ibid	x

Time	time, 4 hours S.A. content in prime time	submitted							
Children	15 hours per week	11 hours	x	11 hours 43 minutes	x	<i>10 hours</i>	x	10 hours	x
Document ary	4 hours a week	1 hour 35 minutes	x	1 hour	x	<i>56 minutes</i>	x	recording blank	x
Prime Time	1 hour 30 minutes	no recordings submitted	x	ibid	x	<i>ibid</i>	x	ibid	x

6.2.1 Language

The table below reflects the total hours per week of official languages broadcast, other than English, during the performance period.

The four weeks monitored for the month of September, show that the 41 hour requirement could not be met. Again as indicated under the introduction of this report, this could be attributed to the fact that only 14 hours of the performance period was monitored. However the SABC indicated in their quarterly submission that they exceeded the 41 hours requirement by transmitting 43 hours 5 minutes and 43 seconds.

	License condition	Hours broadcast	Compliance
Week 1: 05-11 Sep.	41 hours (total hours) per week of official languages other than English	14 hours 40 minutes	×
Week 2: 12-18 Sep.		18 hours 16 minutes	×
Week 3: 19-25 Sep.		13 hours	×
Week 4: 26-30 Sep.		14 hours	×

6.3 SABC 3 (September 2008)

Category	Licence Condition	Week 1	Compliance	Week 2	Compliance	Week 3	Compliance	Week 4	Compliance
News	7 hours week	No recordings submitted	x	(7 hours 30 minutes	√	9 hours 25 minutes	√	8 hours	√
Prime Time	3hours 30 minutes	no recordings submitted	x	3 hours 05 minutes	x	4 hours	√	4 hours 02 minutes	√
Current Affairs	5 hours a week	no recordings submitted	x	7 hours 20 minutes	√	29hours	√	8 hours	√
Prime Time	1 hours	no recordings submitted	x	1 hour 50 minutes	√	3 hours	√	57 minutes 45 seconds	x
Education	Not a requirement	#		#	#	#	#	#	#
Informal Knowledge Building	11 hours a week	no recordings submitted	x	(11 hours 06 minutes)	√	11 hours 03 minutes	√	14 hours	√
Prime Time	2 hours	no recordings submitted	x	4 hours 11 minutes 46 seconds	√	2 hours 20 minutes 25 seconds	√	4 hours 10 seconds	√

Drama	24 hours per week	no recordings submitted	×	18 hours	×	24 hours 07 minutes 13 seconds	√	25 hours 08 minutes	√
Prime Time	8 hours in prime time	no recordings submitted	×	8 hours 05 minutes in prime time	√	22 hours in prime time	√	8 hours 04 minutes	√
	4 hours S.A. content in prime time			7 hours 02 minutes SA content	√	4 hours 02 minutes	√	4 hours 03 minutes	√
Children	7 hours per week	no recordings submitted	×	8 hours	√	8 hours 37 minutes 55 seconds	√	11 hours 06 minutes	√
Documentary	4 hours a week	no recordings submitted	×	04 hours 01 minutes	√	4 hours	√	3 hours 38 minutes	×
Prime Time	1 hour 30 minutes	no recordings submitted	×	1 hour 10 minutes 10 seconds	√	1 hour	√	1 hour 02 minutes	√

6.3.1 SABC 3 (October 2008)

Category	Licence Condition	Week 1	Compliance	Week 2	Compliance	Week 3	Compliance	Week 4	Compliance
News	7 hours week	7 hours	√	5 hours 50 minutes	x	No recordings submitted	x	No recordings submitted	x
Prime Time	3 hours 30 minutes	3 hours 27 minutes 10 seconds	x	4 hours	√	No recordings submitted	x	No recordings submitted	x
Current Affairs	5 hours a week	10 hours	√	7 hours	√	No recordings submitted	x	No recordings submitted	x
Prime Time	1 hours	30 minutes	x	Blank	x	No recordings submitted	x	No recordings submitted	x
Education	Not a requirement	#		#	#	#	#	#	#
Informal Knowledge Building	11 hours a week	3 hours 06 minutes	x	8 hours 06 minutes	x	No recordings submitted	x	No recordings submitted	x

Prime Time	2 hours	2 hours 16 minutes 50 seconds	√	2 hours	√	No recordings submitted	×	No recordings submitted	×
Drama	24 hours per week	26 hours 04 minutes	√	14 hours	×	No recordings submitted	×	No recordings submitted	×
Prime Time	8 hours in prime time 4 hours S.A. content in prime time	7 hours 03 minutes 4 hours	x √	12 hours 35 seconds in prime time 1 hours 02 minutes SA content	√ ×	No recordings submitted	×	No recordings submitted	×
Children	7 hours per week	22 hours 2 minutes 45 seconds	√	13 hours 04 minutes	√	No recordings submitted	×	No recordings submitted	×
Documentary	4 hours a week	There were no documentary programmes identified	x	1 hours 06 minutes	×	No recordings submitted	×	No recordings submitted	×
Prime Time	1 hour 30 minutes	There were no documentary programmes identified	x	1 hour 06 minutes	×	No recordings submitted	×	No recordings submitted	×

6.3.2 Language

SABC 3 is licensed to broadcast predominantly in the English language, but is required during the financial year 2008/2009 to broadcast 8% per week of its programme material in other official languages, other than English. The only programme that caters for other languages is “World Today” in which news is broadcast in Sesotho, Tswana and Afrikaans. For the months of September and October 2008, SABC 3 broadcast a total of 17 hours 3 minutes and 25 seconds of programmes in Sesotho, Tswana and Afrikaans languages. Language compliance is broken down as follows:

September 2008

	License condition	Percentage broadcast	Compliance
Week 1: 01- 07 Sep	8% total percentage per week of official languages other than English	No recordings were submitted	×
Week 2: 08-14 Sep.		1.9 %	×
Week 3: 15-21 Sep.		2.6 %	×
Week 4: 22-28 Sep.		3.3 %	×

October 2008

	License condition	Percentage broadcast	Compliance
Week 1: 29- Sep- 05 Oct.	8% total percentage per week of official languages other than English	3.3%	×
Week 2: 06-12 Oct.		0.9 %	×
Week 3: 13-19 Oct.		No recordings submitted	×
Week 4: 20-26 Oct.		No recordings submitted	×

7. OTHER OBLIGATIONS

7.1. Programming for people with disabilities

Section 2 (s) (iii) of the EC Act stipulates that broadcasting services viewed collectively should cater for the broad range of services, specifically the programme needs of children, women, the youth and the disabled. Further, the licence terms and conditions of the SABC TV provide that they must ensure that:

1. Reasonable provision is made for sign language translation during news bulletins transmitted in prime time and during other programme genres, and
2. People with disabilities regularly feature and participate in the programme material in accordance with the Integrated National Disability Strategy

There are no hourly requirements with regard to people with disabilities. From the monitoring done, there were no instances of non compliance with the regulations identified. Although there is still room for improvement in respect to the two clauses above, there are indications that SABC Television services strive to include people with disabilities in their programming. SABC 1 broadcasts a programme called “Shift” presented by a blind person, and SABC 2 broadcasts news bulletins, more especially during the afternoons, with sign language. SABC 3 broadcasts a programme called “DTV” devised for deaf people and the channel has a provision for sign language translation.

7.2. Advertising and Infomercials

The Regulations on Advertising, Infomercials, and Programme Sponsorship, published in April 1999, read with clause 9 of the licence terms and conditions, provide that the SABC may not broadcast more than an average of 10 (ten) minutes of advertisement per hour on the licensed service. Further, that the SABC may not broadcast advertisements in excess of 12 (twelve) minutes in any one-hour.

7.2.1. Advertisements

SABC 1

SABC 1 complied with the maximum 12 minute requirement with regard to advertising, save for the 13 September 2008, between 12h00 and 13h00, where 15 minutes and 27 seconds of advertisements was transmitted, and 29 September 2008, between 10h00 and 11h00, where 15 minutes and 2 seconds was broadcast.

SABC 2

SABC 2 complied with the maximum 12 minute requirement with regard to advertising, save for the 7 September, between 16h00 and 18h00, where 17 minutes and 45 seconds of advertisements was broadcast.

SABC 3

SABC 3 did not fully comply with the requirement of a minimum of 10 minutes and a maximum of 12 minutes per hour in respect of advertising. Non compliance with advertising requirements is reflected in the table below:

Date	Time	Minutes
11 September 2008	Between 21h00-22h00	12 minutes 20 seconds
16 September 2008	Between 20h00-21h00	12 minutes 20 seconds
22 September 2008	Between 19h00-20h00	13 minutes 35 seconds
23 September 2008	Between 11h00-12h00	14 minutes 25 seconds
25 September 2008	Between 19h00-20h00	12 minutes 35 seconds
	Between 20h00-21h00	13 minutes 20 seconds
	Between 21h00-22h00	12 minutes 50 seconds
29 September 2008	Between 11h00-12h00	13 minutes 55 seconds
30 September 2008	Between 19h00-20h00	12 minutes 35 seconds
	Between 20h00-21h00	15 minutes 20 seconds

01 October 2008	Between 17h00-18h00	13 minutes 5 seconds
	Between 18h00-19h00	12 minutes 10 seconds
	Between 19h00-20h00	12 minutes 15 seconds
	Between 21h00-22h00	12 minutes 25 seconds
02 October 2008	Between 16h00-17h00	14 minutes 25 seconds
	Between 20h00-21h00	14 minutes
04 October 2008	Between 10h00-11h00,	14 minutes 25 seconds
08 October 2008	Between 21h00-22h00	12 minutes 25 seconds
09 October 2008	Between 19h00-20h00	12 minutes 20 seconds

7.2.2. Infomercials

No infomercials were broadcast during children's programmes across channels. As a result, regulations on infomercials were complied with.

7.3. Independent Production

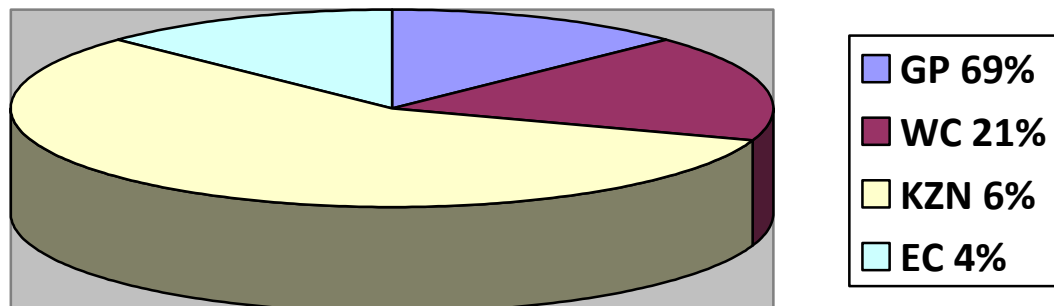
The South African television content regulations require the SABC television services to comply with the 40% quota in respect of independent commissioning. For the year under review, the SABC, according to their report submitted to the Authority maintained that it complied with this requirement as follows:

7.3.1. Total Commissions per Region

Below is breakdown of number of companies commissioned by the SABC per Region/Province

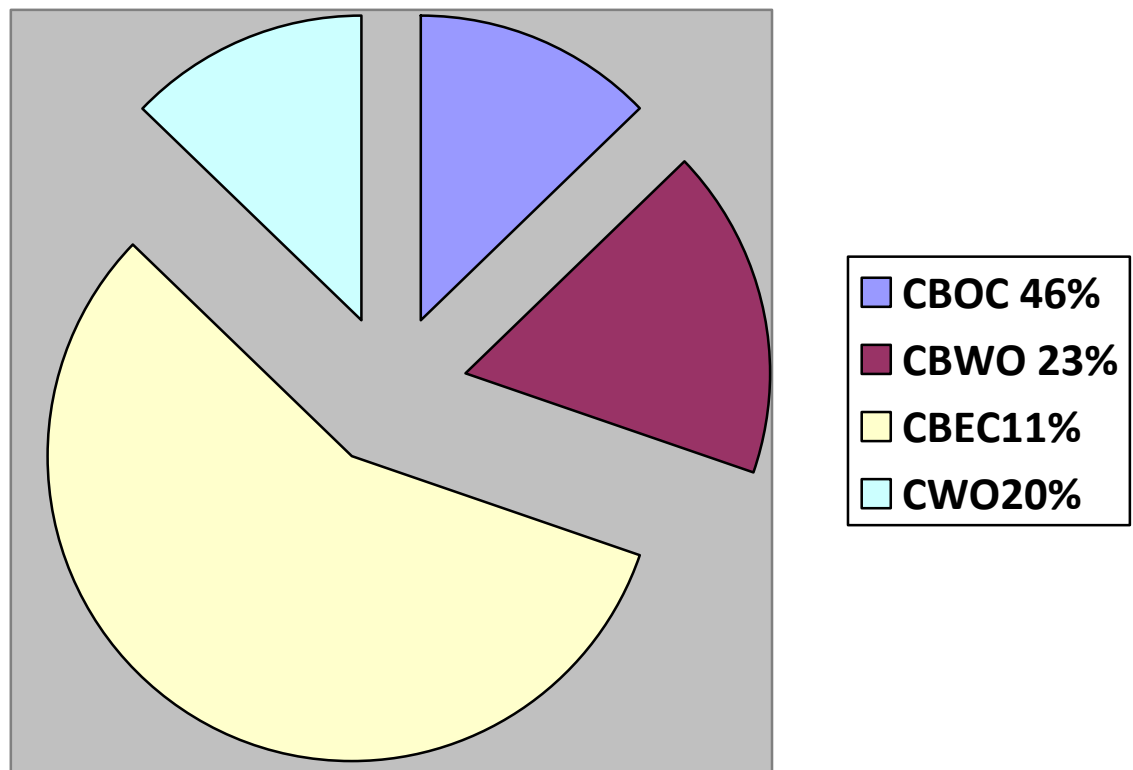
Region	Gauteng	Western Cape	Eastern Cape	KwaZulu Natal
Total	36	11	2	3

Figure 1 -The percentage split of commissioned companies per Regions is reflected in below.



Source:SABC

Figure 2 - BEE CHART- 2008



- CBO- Commissioned black owned companies
- CBWO- Commissioned Black women owned companies
- CBEC- Commissioned Black Empowered companies to date
- CWO- Commissioned White only owned companies to date

(Source: SABC)

(For further details on total number of proposals received per genre and commissioned proposals to date see Commissioned companies 2008 FRB book to date attached as Appendix B of this report).

8. CONCLUSION

Since monitoring of the SABC television recordings was only done for the period September to October 2008, this report is by no means an exhaustive account of SABC's annual compliance with its licence terms and conditions. The Authority derives its findings from the actual content that was submitted by the SABC in respect of its three television licences. Further, due to the fact that the information submitted did not cover the entire performance period, the Authority cannot conclusively deduce that the SABC did not comply with its licence terms and conditions.

It is to be noted however that the information submitted by the licensee in its quarterly reports indicated compliance with the requirements. All areas of concern as articulated in this report, most of which could possibly be attributed to the challenges highlighted with regards to the recording material received, will be communicated to and addressed with the SABC.

9. APPENDICES:

Appendix A: SABC TV Licences- 1, 2 and 3

Appendix B: Commissioned Companies 2008 FRP Book