



SOSHANGUVE FM ANNUAL COMPLIANCE REPORT

FEBRUARY 2017

SOSHANGUVE COMMUNITY RADIO: 2015/2016 ANNUAL COMPLIANCE REPORT

LICENCE PERIOD: 27 October 2013 to 26 October 2018

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution¹, the ICASA Act², the Electronic Communications Act³ (ECA) 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 ensure compliance by broadcasters with the terms and conditions of their licence, the three Acts mentioned already and any relevant legislation and regulations.

The purpose of the report is to give an account of Soshanguve Community Radio's compliance with the terms and conditions as set out in its licence for the financial year ending February 2016. Aspects of compliance that are measured comprise of Licence Area, Community Participation, Programming, Promise of Performance, Local Content Regulations, Regulations Regarding Standard Terms and Conditions.

2. BACKGROUND

Soshanguve Community Radio's is a class sound broadcasting service licensee broadcasting to Soshanguve and surrounding areas in the Gauteng Province. The radio station's mandate is to provide a broadcasting service to the geographic community in its broadcasting area. According to the South African Advertising Research Foundation (SAARF), the listenership figures for the period under review is 117 000⁵.

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

² Act No. 13 of 2000, as amended

³ Act No. 36 of 2005

⁴ Act No. 4 of 1999

⁵ <http://www.saarf.co.za/>

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the service licence stipulates that:

"The Licence is issued to:

- 1.1 Name of Entity: Soshanguve Community Radio.*
- 1.2 Name of the station: Soshanguve Community Radio*
- 1.3 Control of the Licensee: Control shall vest in the Board of Directors of Soshanguve Community"⁶.*

The Licensee's details have not changed with regards to clause 1 of the service licence.

The Licensee complies with the clause 1 of the service licence.

3.2 Licence Area

Clause 3 of the service licence stipulates that:

The Licensee shall provide services to a geographically community residing in the Gauteng Province as set out in the Licensee's radio frequency spectrum licence"⁷.

The Licensee provides a broadcasting service to Soshanguve and surrounding communities including Soshanguve, Mabopane, Hamaanskraal and Pretoria Central amongst others within the Gauteng Province.

The Licensee complies with the clause 3 of the service licence.

⁶ See appendix A

⁷ Ibid

3.3 Community

Clause 4.2 of the service licence stipulates that:

"The Licensee shall provide for the participation of community members in the affairs of the station in the following ways⁸:

4.2.1 "The Licensee shall hold at least two (2) general meetings annually with its community focusing on programming and programming policies of the station;

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 radio station submitted minutes and attendance registers of two meetings held with the community programming committee on 10 February 2016 and 30 March 2016 respectively. The first meeting dealt with issues about health and nutrition and the second one discussed the integration and partnership of local artists in the upcoming twentieth celebration of the radio station.

The meetings were attended by approximately 6 people. There was no discussion of credentials before the commencement of meetings. The radio station has been advised to have documents outlining the functions of the programming committee, representatives in the committee as well as what would constitute a quorum for the committee to function properly.

The Licensee complies with clause 4.2 (1) (2) of the service licence.

"4.2.3 The Licensee shall hold an 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

⁸ Ibid

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's management initially reported that they could not submit the minutes and attendance register for the radio station's AGM held for the year under review. This they alleged, was because these were not made available to them by the Secretary of the Board. However, when the Chairperson of the Board was contacted, he mentioned that the station management should be in possession of the AGM minutes. This is indicative of the challenges between the Board of Directors and management of the radio station with regards to the running of the radio station and overall accountability. The radio station's management later confirmed that there was no AGM held for the year under review.

There will be further engagement with the two management structures to find a solution for the radio station to comply with all its community participation obligations.

The Licensee did not comply with clause 4.2.3 of the service licence.

3.4 Programming

Clause 5.1 of the service licence stipulates that:

"The Licensee shall provide programming as follows:

Clause 5.1.1 News and Information Obligations:

"The Licensee shall broadcast a 50% local, 35% national and 15% international news per day. This shall include news from the local newspapers, local police stations and Network Radio Services".

The monitoring exercise indicated that Soshanguve Community Radio broadcasts news bulletins from 07h00 until 18h00 weekdays and from 07h00 until 15h00 on Saturdays. There were no news bulletins that was identified on Sundays. The news

bulletins are at least 4 minutes. News headlines are broadcast half hourly and sports bulletins on the mornings and afternoons drive time shows.

Soshanguve Community Radio broadcasts its news in all its languages of broadcast with a dedication of the specific languages on the different programmes i.e. Isizulu during the morning programmes, Sepedi and Setswana during the midmorning and afternoon programmes and Xitsonga during the afternoon drive time programme.

Among the news stories covered for the period under review were excerpts from certain broadcasts, as follows:

1. *"President Jacob Zuma has urged South Africans not to vote for opposition parties because they do not have experience to govern the country. Addressing thousands of ANC supporters who almost filled the Mbombela Stadium on Sunday. Zuma deviated from his written speech to take a swipe at the opposition parties, saying they have nothing to offer the voters;*
2. *Former Mamelodi Sundowns player Alois Bunjira changed a life of a young street kid who used to beg in the street lights in Zimbabwe. After noticing a young teenager a few times, he felt the needs to assist the teenager. Alois Bunjira, who has played for Mamelodi Sundowns and Free State Stars now runs a soccer academy near Harare; and*
3. *The number of municipalities that have received clean audits has increased in the country. Auditor-General Kimi Makwetu has been presenting his Local Government Outcomes audit report in Pretoria for the past financial year".*

The Licensee's news obligation includes sourcing news from local police and Network Radio Service. The Licensee complies with this obligation.

The Licensee complies with clause 5.1.1 of the service licence.

Clause 5.1.2 stipulates that the Licensee shall broadcast 75% South African music content.

Soshanguve Community Radio broadcasts an average of 77% local music. The radio station has programmes such as the "National Top 30" which is a chart show for only local music. Furthermore, the radio station through its playlist play more local than foreign music. Some of the local artists that were monitored included "Xiganga" by Dr Thomas Chauke, "Ofana NAwe" by DJ Bongz, and "Ngud" by Kwesta. It should be recommended that the radio station plays Venda, Xitsonga and Sotho music on top of the other genres.

The Licensee complies with clause 5.1.2 of the service licence.

Clause 5.1.3 Talk vs Music stipulates that the Licensee shall have a 55% Talk and 45% music in their programming format".

Soshanguve Community Radio maintains a balance between music and talk and complies with its format. The Licensee has programmes such as the sports shows on weekdays between 19h00 until 20h00 which is strictly a talk programme and has the segments of pastors between 18h00 and 19h00 on weekdays.

The Licensee complies with clause 5.1.3 of the service licence.

Clause 5.1.4 of the service licence stipulates that the languages of broadcast are as follows:

- (a) 50% Setswana
- (b) 25% Sepedi
- (c) 15% isiZulu
- (d) 10% Xitsonga

The radio station's presenters are multilingual and attempt to intersperse in most of the languages as stipulated, mostly during the phone in programmes. However, it should be noted IsiNdebele was identified during some shows which is not part of the licence conditions.

The Licensee does not meet its language quotas, and therefore **was found to be partially compliant with clause 5.1.4 of the service licence.**

3.5 Promise of Performance

Clause 8.1 of the service licence stipulates that:

"The Licensee shall broadcast children's, women's, traffic and talk programmes. The Licensee shall ensure that its programmes are informative, educational and entertaining".

The radio station broadcasts traffic updates during the morning and drive time programmes, 10 minutes before the hour from the Tshwane Metro. The radio station also broadcasts a children programmes after 09h00 news for 15 minutes. Other programmes include the lifestyle programme between 09h00 until 12h00 and aimed at addressing women issues as well as discussing about cooking and other incidental issues. The rest of the programming is entertaining and informative

The Licensee was found to be in compliance with clause 8.1 of the licence.

4. REGULATIONS

4.1 South African Music Content Regulations

The Regulations on South African Music Content as published on 31 January 2006 stipulate that⁹:

"Every holder of a community 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 of South African music and that such South African music is spread reasonably evenly throughout the said period".

Soshanguve Community Radio has programmes such as "Ezomdabu" broadcast on Saturdays in Xitsonga between 12h00 and 15h00, featuring only traditional South African music. The monitoring exercise confirms that Soshanguve Community Radio plays more than the stipulated amount as per the regulations.

⁹ See Appendix D

The Licensee complies with the South African Music Content Regulations.

4.2 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Licences¹⁰

During the year under review, the Authority did not identify instances of non-compliance by the Licensee with the standard terms and conditions for class licensees.

5. CONCLUSION

Soshanguve Community Radio complied with some of its licence terms and conditions and regulations, save for clause 5.1.4 and clause 4.2.3 of the licence.

6. APPENDICES

- 6.1 Appendix A: Soshanguve Community Radio FM service licence;
- 6.2 Appendix B: Soshanguve Community Radio FM Programming committee meetings;
- 6.3 Appendix C: Soshanguve Community Radio FM March 2016 Programme Log sheet;
- 6.4 Appendix D: South African Music Content Regulations;
- 6.4 Appendix E: Standard Terms and Conditions Regulation for Class licences;

¹⁰ See appendix E