



STAR FM

ANNUAL COMPLIANCE

REPORT

MARCH 2025

2023/2024 ANNUAL COMPLIANCE REPORT

GAUTENG MEDIA DEVELOPMENT PROJECT NPC TRADING AS STAR FM

LICENCE PERIOD: 03 August 2024 to 02 August 2031

1. PREFACE

The Independent Communications Authority of South Africa (“Authority”) has a statutory mandate in terms of the Constitution, the Independent Communications Authority of South Africa (“ICASA Act”)¹, the Electronic Communications Act² (“ECA”) and the Broadcasting Act³ 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 following report is intended to give an account of Gauteng Media Development Project NPC’s compliance with the terms and conditions as set out in its licence for the 2023/2024 financial year. Aspects of compliance that are measured comprise Licence Area, Programming, Local Content Regulations, Regulations Regarding Standard Terms and Conditions and Community Broadcasting Services Regulations.

2. BACKGROUND

Gauteng Media Development Project NPC broadcasting as Star FM is a class sound broadcasting service licensee broadcasting to Randburg and surrounding areas in the Gauteng Province as set out in the Licensee’s radio frequency spectrum licence. The radio station for the period under review submitted a renewal notice for their licence together with a notification for their on-air name change from Hot 91.9 FM to Star FM.

¹ Act No. 13 of 2000, as amended.

² Act No. 36 of 2005

³ Act No. 4 of 1999

3. COMPLIANCE ASSESSMENT

3.1 Licence Period⁴

Clause 2 of the service licence stipulates the licence period.

"The effective date of the Licence is 03 August 2024 until 02 August 2031."

The licence is still valid.

3.2 Geographic Coverage Area

Clause 3 of the service licence stipulates that:

The Licensee shall provide services to Randburg and surrounding areas as set out in the Licensee's radio frequency spectrum licence".

The Licensee provides community broadcasting services as per their spectrum licence.

The Licensee complies with its licence area.

3.3. Community

Clause 4.2 of the schedule to the service licence of Hot 919 FM 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 programming-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 the attendance thereof by members of the community;

The Licensee submitted two community programming meetings, one on 20 July 2023 and 08 November 2023, respectively. The meetings were held online with

⁴ Appendix A

only one engagement in July 2023 having members of the public, whilst the November meeting was only by the management of the station.

The Licensee submits that it did broadcast the invite on air for both meetings but there was no attendance for the November 2023 meeting and that is beyond their control. Nevertheless, they opted to continue with the meeting. The Broadcasting Compliance Unit advised the Licensee that for the meeting to be credited as a community programming meeting, it should be held with the community and/or members of the licenced entity and thus the meeting held on 08 November 2023 didn't meet such a requirement as set out in clause 4.2.1 above⁵.

The Licensee has partially complied with their clause 4.2.1 above.

4.2.3 The Licensee shall hold Annual General Meetings (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 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 that it held their AGM on 16 August 2023 with minutes and attendance register being attached and forwarded to the Authority. The gathering was a reporting AGM and minutes from the last general meeting were adopted, financials were presented for adopted by the attendees. Other general submissions were discussed which included training for presenters, the format of the radio station and funding among others⁶.

The Licensee complies with their AGM obligations.

⁵ Appendix B

⁶ Appendix C

3.3 Programming

Clause 5.1 of the service licence stipulates that:

"The Licensee shall provide programming as follows:

Clause 5.1.1 Local News and Information:

"The Licensee shall broadcast news to a total of thirty-two (32) minutes of news per day, of which 30% will be local, 30% national and 40% international news."

The monitoring exercise conducted for the period under review indicated that the Licensee broadcasts weekday news bulletins from 06H00 until 18H00, with weekend news broadcast from 07H00 until 13H00. The news bulletins are an average of three and a half minutes which equates to an average of forty-five minutes during weekdays, with twenty-five minutes over the weekend. The Licensee reads news bulletins in English.

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

- *"Members of the Gauteng Legislature portfolio committee on community safety have visited Tembisa. This followed a mob attack in which five men were stoned to death by community members accusing them of being criminals.*
- *Police have launched a manhunt for a suspect who killed an Inkatha Freedom Party ward councillor and two children in KwaZulu Natal. In a statement, police have confirmed that a preliminary investigation indicates that the Councillor was ambushed along the R618 in Nongoma while attending to a vehicle breakdown.*
- *The BBC reports that former President Donald Trump must pay nearly 355 million US Dollars to the New York State for lying about the values of his properties. Judge Arthur Engoron also banned him from serving as a company director or taking out loans from banks in the state for three years.*

The Licensee meets its weekday news obligations but does not meet its news obligation over the weekend. Therefore, the Licensee does not comply with clause 5.1.1 above.

Clause 5.1.3 of the service licence stipulates that the format should be as follows:
30 % Talk and 70% music”.

The monitoring exercise confirms that the radio station is music-driven throughout the performance period. Most of the shows are a mixture of music and speech content, with the only talk-based content being on Mondays between 18H00 and 19H00 called “*Beyond Mentorship*” which is focused on Business and Economics, and “*Reality Radio*” on Fridays.

The Licensee complies with its Licensed format.

Clause 5.1.4 of the service licence stipulates that the language of broadcast is *100% English*

The Licensee broadcasts its content in English.

The Licensee complies with its language obligations.

4. REGULATIONS

4.1 South African Music Content Regulations

Regulation 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 (18) months from the date 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”*⁷.

The Licensee submitted their Form 8A⁸ and their local music content is an average of seventy (72%) which is lower than the regulated music obligation.

Some of the music artists that were monitored include *Rafael - Beatenberg, Liquideep – Fairytale, Lady Zamar – This is Love, DJ Kent – Top of the world,*

⁸ Appendix D

Malaika – 2 Bob amongst others. The Licensee conducts interviews for local musicians such as Toya Delazy and Una Rams on their music career and new releases.

The Licensee does not comply with the Regulations on South African Music Content.

4.3 Regulations Regarding Standard Terms and Conditions for Class Licensees

There was no non-compliance with any provision of the Regulations on Standard Terms and Conditions for Class broadcasting licences.

5. CONCLUSION

Star FM has, during the year under review, been changing its management and governance structure. The financial year of 2023/2024 has seen the radio station working toward bringing about stability in its management and community engagement. However, the station only held one (1) properly constituted community programming meeting instead of two (2).

The Licensee did not meet its daily news output over the weekend and failed to meet its Local content music quota. There will be engagement with the Licensee to ensure that the few areas of non-compliance are attended to and addressed accordingly.

6. Annexures

Annexure A: Star FM service licence.

Annexure B: Programming Committee Meeting Minutes and Attendance Register

Annexure C: Annual General Meeting and Attendance Register

Annexure D: Form 8A of the Compliance Procedure Manual Regulations