



# **THOBELA FM ANNUAL COMPLIANCE REPORT**

**MARCH 2025**

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# **2023/2024 ANNUAL COMPLIANCE REPORT**

## **SOUTH AFRICAN BROADCASTING CORPORATION (SABC)**

### **BROADCASTING AS THOBELA FM**

**Licence Period: 18 December 2018 - 17 December 2028**

#### **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 Act<sup>1</sup> ("ICASA Act"), the Electronic Communications Act<sup>2</sup> ("ECA") and the Broadcasting Act<sup>3</sup> to regulate broadcasting activities in South Africa in the public interest. Among the responsibilities of the Authority is the task to ensure compliance by broadcasting service Licensees with the terms and conditions of their licence and any relevant legislation and/or Regulations.

The purpose of the report is to give an account of Thobela FM'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 include Format, Local Content Obligations, General Programming Obligations and Training and Skills Development.

Additionally, the report will measure compliance with Regulations that include South African Music Content, Standard Terms and Conditions for Individual Licensees, Universal Service and Access Fund, General Licence Fee and the Code of Conduct for Broadcasters.

#### **2. BACKGROUND**

Thobela FM is an Individual Sound Broadcasting Service Licensee of the SABC.

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

<sup>2</sup> Act No. 36 of 2005

<sup>3</sup> Act No. 4 of 1999

The radio station's mandate is to provide a full spectrum service to the geographic areas<sup>4</sup> of Gauteng, Mpumalanga, and Limpopo. The radio station is located in Polokwane, in the Limpopo Province.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1 Ownership and Control**

Clause 1 of the licence stipulates that:

*1.1 Name of company/entity: The South African Broadcasting Corporation*

*1.2 Shareholders: The State: 100%*

*1.3 Ownership by persons from historically disadvantaged groups: N/A*

For the period under review, the SABC maintained its existing structure, with no changes to its name or state shareholding. Thobela FM, as a part of the SABC's public service, it retains its status as a wholly state-owned entity.

**The Licensee complies with clause 1 of the Schedule to its licence.**

#### **3.2 Geographic Coverage Area**

Clause 3 of the Schedule to the licence states that:

*"The geographic coverage area is as defined in the map attached to the radio frequency spectrum licence".*

The radio station's coverage area and in particular the areas of Gauteng, Mpumalanga, and Limpopo as detailed in the frequency spectrum licence, saw no changes during the reporting period. The listed transmitter sites remained active, and no alterations to the coverage were reported.

**The Licensee complies with clause 3 of the Schedule to its licence.**

#### **3.3 Language(s)**

Clause 4 of the Schedule to the service licence states that the language of broadcast is as follows:

*"Principal Language: Sepedi".*

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<sup>4</sup> Thobela FM Frequency Spectrum Licence

Thobela FM's compliance with its Sepedi principal language mandate was verified through the monitoring exercise. This language compliance extended to all program types, including news, sports, and advertisements.

**The Licensee complies with clause 4 of the Schedule to its licence.**

**3.4 Format**

Clause 5.1 of the Schedule to the licence states that:

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

As mandated by its licence, Thobela FM operates as part of the SABC's public service division by delivering consistent, relevant and high quality programming content including up-to-date and unbiased news, and a platform for diverse public views, in accordance with the SABC's editorial independence principles. Thobela FM is a cornerstone of information for people in its coverage area, delivering the latest news and updates in Sepedi.

Clause 5.2 stipulates that:

*"The licensed service shall be a full-spectrum service".*

Thobela FM consistently upholds its full-spectrum service obligation under Clause 5.2. This is reflected in the station's varied programming and music, which successfully engages a diverse listenership. These include drama, educational programming, current affairs, news and information, sports and other programming of cultural and religious significance.

**The Licensee complies with clause 5 of the Schedule to its licence in its entirety.**

**3.4 Local Content Obligations**

Clause 6 of the schedule to the licence stipulates that:

*"In each licence year, the Licensee shall, within thirty (30) days of the end of the quarter, submit to the Authority written records indicating the extent of:*

*Clause 6.1 different genres; and*

*Clause 6.2 South African Music Content in programme material broadcast in the licensed service during that quarter, in each instance, distinguishing between genres, providing the relevant details in relation to prime time and the period between 05h00 and 23h00 daily ("the South African broadcast period"), and expressing relevant details both as an aggregate in minutes and as a percentage of the total of all such programming material".*

Thobela FM met its quarterly reporting obligations under Clause 6, submitting detailed information on genre and South African music content. The Authority's monitoring confirmed the accuracy of these submissions.

**The Licensee complies with clause 6 of the Schedule to its licence.**

**3.6 General programming obligations**

**3.6.1 General**

Clause 7.1.1 stipulates that:

*"The Licensee shall ensure that its programming adequately reflects the diversity of South Africa's Religions".*

The SABC's Editorial Policy on Religious Content<sup>5</sup> stipulates that:

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

The Licensee's revised Editorial Policy states, on clause 9.2.8 under matters of Policy on Religious Content as follows:

*'The content should take account of regional factors, target audiences, language and cultural preferences, and the devotional needs of specific groups.*

Clause 7.1.1 requires programming that reflects South Africa's religious diversity. Thobela FM complies by considering regional demographics, target audiences, and cultural preferences, as per the SABC's editorial policy. Monitoring confirmed the station's delivery of unbiased religious content, fulfilling its public mandate.

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<sup>5</sup> An extract from the Licensee's Editorial Policy

Clause 7.1.2 of the licence stipulates that:

*"The Licensee shall take reasonable steps to provide programming that reflects the cultural and tradition needs of the audience".*

Thobela FM meets the above requirement through diverse programming that addresses the cultural diversity of its audience. The show "Tsa Bo Rena", loosely translated to mean, "Our roots / Our customs", exemplifies this by profiling local artists ranging from writers, poets, dramatic performers and others, thereby fostering cultural pride and nostalgia.

Clause 7.1.3 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".*

Thobela FM demonstrates compliance through shows like "Tabakgolo", which discusses critical social issues such as alcohol and drug abuse, issues of service delivery, and succession battles in traditional affairs.

**The Licensee complies with clause 7.1 of the Schedule to its licence in its entirety.**

### **3.5.2 News and Current Affairs**

Clause 7.2.1 of the schedule attached to the licence stipulates that:

*"The Licensee shall broadcast at least sixty (60) minutes of news programming each day during the South African performance period".*

The monitoring exercise found the following news extracts:

- *"Kgoro ya Bosetšhaba ya Boeti e sa tšwa go tsenela Mokete wa Letšatši la Bahlahli ba Baeti ba Bodišhabatšhaba wo o swerwego ke Mmušo wa Profense ya Kapa Leboa ka Tirišano le Diprofense tše dingwe. Mokete wo e bile karolo ya letšatši la ngwaga le ngwaga leo le neetšwego go keteka le go hlompha bahlahli ka moka ba baeti ka nageng. Se ke go lemoga mošomo wa bona wo mobotse le boineelo go tirelo yeo ba e fago letšatši*

*le letšatši go tšwetša pele Maitapišo a Polokego ya Boeti le Boemedi. Mokete wa ngwaga wo o swerwe go tloga ka la 16 go fihla ka la 17 Mopitlo. Monyanya o be o akaretša lenaneo la go dira dikgokagano tša bahlahli le sebaka sa go abelana ka mekgwa ye mekaone ka gare ga mafapha a bona a go sepela ka lebelo, go hlahla tlhago le setšo. Tiragalo ye ya matšatši a mabedi e be e swerwe ka Kalahari Molopo Lodge kgauswi le mafelo a mollwane wa Botswana le Namibia ka ntle ga Upington ka Kapa Leboa. Kgoro e file bahlahli ba bane ba Baeti bokgoni, yo mongwe go tšwa seleteng se sengwe le se sengwe sa profense go hwetša temogo ka maitapišo a go aga bokgoni bja meketeko”.*

- *“Mokgahlo wa EFF ba boletše gore Mapisa-Nqakula o swanetše go tlošwa ka pela mo ofising go sa lebeletšwe dipelo tša dinyakišišo tše. “EFF e ipiletša go tlošwa ga Mampisa-Nqakula bjalo ka Sepikara ge a sa nyakišišwa le gore a sekišwe go fihla bokgoleng bjo bo tletšego bja molao,” mokgatlo o boletše, wa tlaleletša ka gore, “Boitshwaro bjo bo bjalo bjo bo pepeneneng [kgahlanong le] pušo ya molao bo ka se kgotlelelwe.” Mapisa-Nqakula o “gannetše ka go tia” ditatofatšo tša tsogolekobong tše di dirilwego kgahlanong le yena mabapi le dikonteraka tša boleng bja go feta R100 milione tša go sepetša didirišwa tša sešole go ya le go boa Democratic Republic of Congo (DRC) le Sudan. Ditatofatšo tša bomenetša bja dithendara di dirilwe ka 2021 eupša Komiti ya Mohlakanelwa ya go Ema ya Palamente ya Tšhireletšo ga se ya tšwela pele ka dinyakišišo ka morago ga gore moabi wa ditaba a se e fe afidafiti. Ka polelo, Mapisa-Nqakula o boletše gore o tla itlama go šomišana ka botlalo le dinyakišišo dife goba dife tša semmušo ka ga ditatofatšo tša tsogolekobong”.*
- *“Mohlagase o tsošološitšwe sepetleleng sa Bogare sa Inkosi Albert Luthuli sa malao a 846, se se kgethegilego ka Durban, ka morago ga gore kabo ya mohlagase ya lefelo le e kgaolwe matšatši a mararo ka lebaka la seteraeke sa bašomi ba masepala sa eThekwini seo se tšwelago pele. Seteraeke sa bjale sa bašomi seo se amanago le Mokgatlo wa Bašomi ba Mmasepala wa Afrika Borwa (Samwu) se šetše se lebišitše go tswalelwa ga dikliniki tše dingwe tša masepala, Mokgatlo wa Bašomi ba Mmušo (PSA) o boletše, go gakatša gape kgatelelo ya ditirelo tša tlhokomelo ya maphelo.*

- *Mmoleledi wa PSA Mlungisi Ndlovu o boletše gore go kgaotša ga mohlagase go bea kotsing ye kgolo maphelong a balwetši le bophelo bjo bobotse bja bašomi ba setheo se le dinolofatši tše dingwe tšeo di se nago mohlagase goba meetse. Go ya ka Ndlovu, diwate tše dingwe di be di šoma leswiswing, go nyaka gore balwetši ba fetišetšwe mafelong a mangwe a tlhokomelo ya maphelo. eThekwini Municipality’s spokesperson Gugu Sisilana said, “Ka bomadimabe, ka lebaka la mabaka a tšhireletšo re ka se utolle mafelo a itšego ao a amilwego ke go kgaotša ga mohlagase goba meetse le moo ditirelo di tsošološitšwego gore mafelo ao a se ke a senywa gape le go bušetša morago dipoelo tšeo di dirilwego”.*

Clause 7.2.2 stipulates that:

*“The Licensee shall broadcast at least sixty (60) minutes of current affairs programming each day during the South African performance period”.*

The radio station features a weekday, hourly current affairs show named *Hlokwa la Tsela*, scheduled for both morning and evening broadcasts.

Clause 7.2.3 stipulates that:

*“The Licensee shall in the production of its news and current affairs programming:*

- (i) Exercise full editorial control in respect of the contents of such programming;*
- (ii) Include matters of international, national, regional and where appropriate, local significance*
- (iii) Meet the highest standards of journalistic professionalism;*
- (iv) Provide fair, unbiased, impartial and balanced coverage independent from governmental, commercial or other interference; and*
- (v) Provide reasonable opportunity for the public to receive a variety of points of view on matters of public concern”.*

Thobela FM’s current affairs programmes deliver objective, engaging, and informative current affairs content, ensuring unbiased reporting that the public can rely on.

**The Licensee complies with clause 7.2 of the Schedule to its licence.**

### **3.5.3 Programming Targeted at Children**

Clause 7.3.1 of the licence stipulates that:

*"The Licensee shall, in the provision of the licensed service, broadcast at least one (1) hour programming targeted at children (as contemplated in section 10(1) (g) of the Broadcasting Act) per week during the South African performance period".*

In compliance with the above requirement, Thobela FM offers "Lesang Bana", a show airing on Sundays from 07:00 to 08:00, which is both entertaining and educational, and allows children to participate through call-ins and co-broadcasting with the host.

#### **The Licensee complies with clause 7.3.1 of the Schedule to its licence.**

Clause 7.3.2 stipulates that:

*"In the production of its children's programming, the Licensee shall ensure that children's programming is:*

- (i) broadcast at the times in the day when children are available to listen;*
- (ii) Targeted at and appropriate for children between the ages of nought (0) to six (6) years and seven (7) to twelve (12) years respectively; and*
- (iii) educational and is made from a children's point of view".*

Furthermore, clause 7.3.2 mandates that children's programming be broadcast at appropriate times, targeted at specific age groups, and educational from a child's perspective. The monitoring exercise confirmed that "Lesang Bana" meets the above standards, with a child-centred approach and a comfortable, safe environment for participation.

#### **The Licensee complies with clause 7.3.2 of its licence.**

### **3.5.4 Educational Programming**

Clause 7.4 of the licence stipulates that:

*"The Licensee shall broadcast at least five (5) hours of educational programming (as contemplated in section 10(1) (e) of the Broadcasting Act) per week within the South African performance period".*

Through its offering of "Moswa le Bokamoso" and "Teen Zone", Thobela FM delivers diverse educational topics relevant to its audience, including teen education and health issues.

**The Licensee complies with clause 7.4 of its licence.**

#### **3.5.5 Drama**

Clause 7.5 of the licence stipulates that:

*"The Licensee shall broadcast at least two and a half (2 ½) hours of drama per week within the South African performance period".*

Thobela FM complies with "Mahlakung", a drama that airs for 15 minutes on weekdays, with a repeat broadcast in the morning, thereby fulfilling the required duration.

**The Licensee complies with clause 7.5 of its licence.**

#### **3.5.6 Informal Knowledge-Building Programmes**

Clause 7.6 of the licence stipulates that:

*"The Licensee shall broadcast at least three (3) hours of informal knowledge-building programming per week within the South African performance period".*

The Licensee fulfils this through shows like "Moribo wa Afrika" and "Jazz yeo e phelago" which combine music and talk to impart valuable information to diverse audiences.

**The Licensee complies with clause 7.6 of its licence.**

### **3.6 Training and Skills Development Obligations**

Clause 8 of the Schedule to Thobela FM's licence stipulates that:

*"8.1 The Licensee must adopt and implement equal opportunity employment*

*Practice.*

*8.2 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.*

*8.3 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*

*8.4 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’s commitment to a skilled and trained workforce is evident in its efforts to provide development for its employees. The SABC’s Annual Skills and Development Report 2023/2024 shows that bursaries, which were previously only reserved for employees identified by the Licensee’s 2019/2020 Skills Audit, were now extended to all SABC employees.

In the year under review, the Licensee facilitated at least one thousand and ninety-one (1091) training interventions; this is in response to one thousand two hundred and seventeen (1217) training needs identified in its Workplace Skills Plan for the year ended. At least nine hundred and twenty-three (923) individuals received training, and ninety-nine percent (99%) of the training recipients were people from previously disadvantaged groups. The Licensee continues to prioritise the employment of women and Black people. Women continue to serve in high-level positions within the Licensee, and people from previously disadvantaged groups still make up the majority at the executive level.

The analysis of the Licensee’s Employment Equity report shows a decline in the occupancy of Black people within the Licensee’s Board of Directors for the year under review.

However, this cannot be seen as indicating a decrease in the Licensee’s efforts to maximise the presence of Historically Disadvantaged Individuals in its executive. The year ended March 2024 saw the Licensee left with around sixty-six percent (66%) of Black People at the Executive Level, a decline of around nineteen percent (19%) from last year’s reporting. The Licensee has already reached its 2025 Employment Equity target; currently, Historically Disadvantaged Individuals make up the majority at levels.

**Table 1:** SABC’s 2025 Employment Equity Targets (Control/Management Echelon) measured against the last two financial years’ progress.

<b>Employment Category</b>	<b>September 2025 Target</b>	<b>February 2023 Actual</b>	<b>March 2024 Actual</b>
<b>Black Board of Directors with Voting Rights</b>	50%	85.72%	66.6%
<b>Female Board of Directors with Voting Rights</b>	25%	33%	33.3%
<b>Black Executive Directors (GCEO, COO, CFO)</b>	50%	66.67%	33.3%
<b>Black Female Executive Directors (GCEO, COO, CFO)</b>	25%	0%	33.3%
<b>Black Executive Managers / Senior Management</b>	60%	88 %	74.1%
<b>Black Female Executive Managers/Senior Management</b>	30%	32%	38.7%
<b>Black Middle Management</b>	75%	83%	71.2%
<b>Black Female Middle Management</b>	38%	42%	36.2%
<b>Black Junior Managers</b>	88%	93%	81.9%
<b>Black Female Junior Managers</b>	44%	49%	42%
<b>Black People with Disabilities</b>	2%	2%	2.5%

**The SABC complied with its training and skills development obligations per the 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 six (6) 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 licensee provided the Authority with their audited annual financial statements within the prescribed period.

**The Licensee complies with clause 9 of its licence.**

## **4. REGULATIONS**

### **4.1 ICASA South African Music Content Regulations**

Regulation 3 (1) of the South African Music Content<sup>6</sup> as published on 23 March 2016 stipulates that:

*“A holder of a public sound broadcasting service licence must ensure that after eighteen (18) months from the date of gazetting of these Regulations, a minimum of 60% increasing to 70% in the following year, of the musical works broadcast in the performance period, consist of South African music and that South African music is spread evenly throughout the performance period.”*

Thobela FM maintained the 70% South African music content minimum requirement by broadcasting, covering live events and interviewing new and local artists, featuring a rich selection of local music.

### **4.2 Regulations regarding Standard Terms and Conditions for individual licences**

Regulation 11 (3) of the standard terms and conditions<sup>7</sup> stipulates that:

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<sup>6</sup> South African Music Content Regulations

<sup>7</sup> Regulations regarding the Standard Terms and Conditions for Individual Licensee’s

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

Thobela FM met the requirements of Regulation 11(3) by broadcasting clear station identifications within the mandated 30-minute intervals. There were no incidents of non-compliance during the review period.

**The Licensee complies with the Regulations on Standard Terms and Conditions for Individual Licensees.**

**4.3 Universal Service and Access Fund Regulations**

Regulation 3 of the USAF Regulations<sup>8</sup> 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 Licensee confirmed their MDDA offset provision and contribution, in compliance with Regulation 3 of the USAF Regulations above.

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

**4.4 Complaints**

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

Thobela FM being a member of the National Association of Broadcasters (NAB), has its complaints processed by the Broadcasting Complaints Commission of

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<sup>8</sup> Universal Service and Access Fund Regulations

South Africa (BCCSA). However, during the reporting period, no complaints were escalated to the Authority.

## 5. **CONCLUSION**

Thobela FM's performance during the review period demonstrated a satisfactory level of compliance with its licence terms and conditions and related broadcasting Regulations.

## 6. **TERMS OF REFERENCE**

Annexure A : Thobela FM's Broadcasting Service Licence

Annexure B : Thobela FM's Frequency Spectrum Licence

Annexure C : Extract from the Licensee's Revised Editorial Policy (2020)

Annexure D : Training & Skills Development Report

Annexure E : Regulations regarding the standard terms and condition

Annexure F : Universal Service and Access Fund Regulations

Annexure G : Proof of SABC's Contribution to USAF

**END**