



UJ FM ANNUAL COMPLIANCE REPORT

MARCH 2024

2022/2023 ANNUAL COMPLIANCE REPORT

UNIVERSITY OF JOHANNESBURG BROADCASTING AS UJ FM

LICENCE PERIOD: 27 October 2018 to 28 October 2023

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 (ICASA Act)¹, the Electronic Communications Act (ECA)² 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 monitor compliance by broadcasters with the terms and conditions of their licence, and any relevant legislation and regulations.

The purpose of this report is to give an account of UJ FM's performance for the 2022/2023 financial year. Aspects of compliance that are measured comprise Geographic Coverage, Community participation and Programming Obligations.

Further, the report will measure compliance with the Regulations that include South African Music Content, Standard Terms and Conditions for Class Licensees, Compliance Procedure Manual Regulations and Code of Conduct for Broadcasters.

2. BACKGROUND

UJ FM hold a Class Sound broadcasting service licence⁴. The radio station's mandate is to provide sound broadcasting service to its community of interest, being students of the University of Johannesburg residing within the geographic coverage area, as set out in the Licensee's radio frequency spectrum licence.⁵

¹ Independent Communications Authority of South Africa Act, Act No. 13 of 2000, as amended

² Electronic Communications Act No. 36 of 2005

³ Broadcasting Act No. 4 of 1999

⁴ Appendix A: UJ FM broadcasting licence

⁵ Ibid

3. COMPLIANCE ASSESSMENT

3.1 Control Structure

Clause 1 of the licence states that:

"The Licence is issued to:

1.1 Name of Company/Entity: University of Johannesburg.

1.2 Name of the Station: UJ FM.

1.3 Control of the licensee: Control shall vest in the University of Johannesburg."

The name of the entity remains the University of Johannesburg and the name of the station is UJ FM.

According to UJ FM's constitution, the Board members shall consist of the University Council members of not less than six (6) persons. The Council members are elected as per section 27 (4) of the Higher Education Act.

The Licensee did not submit a list of Council members who form part of the Board of the radio station. The monitoring exercise could not confirm if the control of the Licensee still vests in the University of Johannesburg.

Compliance with the above clause could not be established due to the lack of information.

3.2 Licence Period

Clause 2 of the licence states that:

"2.1 The effective date of the licence is 27 October 2018

2.2 The licence shall expire on the 28 October 2023".

The Licensee complies with clause 3 of the licence.

3.3 Geographic Coverage Area

Clause 3 of the licence stipulates that:

"The Licensee shall provide services to the University of Johannesburg (Johannesburg Campus) and the surrounding areas in the Gauteng Province as set out in the Licensee's radio frequency spectrum licence".

UJ FM provide services to the areas stipulated in its licence and therefore complies with clause 3 of the licence.

3.4 Community

Clause 4.1 of the licence states that:

"The licensee shall provide services to the community of interest being students of the University of Johannesburg residing within the geographic coverage specified herein"

UJ FM provides a sound broadcasting service to the geographic community residing within the community of interest, being students of the University of Johannesburg residing within the geographic coverage area specified herein, as set out in the Licensee's radio frequency spectrum licence.

The Licensee complies with clause 4.1 of the licence.

Clause 4.2 of the licence provides that:

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

4.2.1 The Licensee shall hold two (2) general meetings annually with its community through listener's forums 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.

During the year under review, the Licensee submitted proof of two meetings that were held with the community on, 09 February 2022 and 21 June 2022. The Licensee submitted the minutes of the meeting however, submitted unsigned attendance registers of the meetings held.

The Licensee partially complies with clauses 4.2.1 and 4.2.2 of its licence.

4.2.3 The Licensee shall hold 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

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 operates within the structure of the University which is governed by the Higher Education Act.

The Licensee complies with clause 4.2.3 and its licence.

3.5 Programming

Clause 5.1 of the licence states that the Licensee shall provide programming in the following format:

5.1.1 "Local News and information: The Licensee shall broadcast a total of 86 minutes of news per day. This shall be made up of 36 minutes of news from the community produced by the station on issues affecting the community, 30 minutes of national news and 20 minutes of international news.

The monitoring exercise revealed that UJ FM broadcasts news bulletins every hour between, 06h00 and 18h00 on weekdays and between 07h00 and 12h00 on weekends. The bulletins are broadcast for approximately four (4) minutes. On average, a total of fifty-two (52) minutes including community news is broadcast each weekday and approximately twenty (20) minutes on weekends, during the South African performance period. The news monitored includes local, regional, national, and international news.

The following are some of the news excerpts monitored:

"Discussions around the student's finance aid model said to accommodate the missing returning students are still on the way according to the Department of Higher Education. These students are categorized as those who did not qualify for a financial funding aid scheme, yet they cannot afford to pay for their education. The Department says the students are still subjected to negotiations with the Universities about their respective financial situations. The University of Cape Town and the University of Western Cape students engaged in disruptions surrounding fees. The University of the Western Cape has however agreed with student leadership to extend the registration grace period for returning students."

"Gauteng Premier Panyaza Lesufi said that the province is open to buying any form of energy to curb load shedding. Lesufi was addressing the Gauteng Energy Expo in Johannesburg this morning where industry experts gathered to contribute to the province's security strategy. Lesufi said that the EXPO is for energy producers to pitch their ideas and added that it is actually very important for Gauteng as the economic hub of South Africa to be protected from the devastating economic impact of load shedding."

The Licensee does not meet the required minutes of news broadcast per day and on weekends.

The licensee does not comply with clause 5.1.1 of its licence.

5.1.2 South African Music Content: 40%.

The details and findings regarding the Licensee's South African music content output are discussed under section 5.2 below.

5.1.3 Talk vs. Music: 35% Talk and 65% Music.

The licensee broadcast a total of 35% talk and a 65% music during the performance period. With programme topics such as gender-specific health issues, personal development, and relationships. The licensee broadcast South African Music content and conducts interviews with local artist.

The Licensee complies with clause 5.1.3

5.1.4 Language(s) of broadcast:

5.1.4.1 English – 73%;

5.1.4.2 Afrikaans – 19.8%;

5.1.4.3 Sesotho/Nguni – 3.25%;

5.1.4.4 Arabic – 1.6%.; and

5.1.4.5 Hebrew – 1.6%."

The licensee broadcasts predominately in English and other languages such as Sesotho and Nguni are featured in its programming. The Licensee does not broadcast in Arabic, Hebrew and Afrikaans.

The Licensee does not comply with clause 5.1.3

Clause 5.2 of 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 proforma of the log to be kept will be supplied by the Authority."

The Licensee submitted the log of programmes broadcast to the Authority as required by clause 5.2.

The licensee complies with clause 5.2 of the licence

4 PROMISE OF PERFORMANCE

Clause 8.1 of the licence provides that:

"The licensee shall establish and maintain a coordinating body that consists of representatives of student-based organisations, cultural organisations and individual members from its coverage area in the promotion of its aims and objectives."

The licensee submitted a report that indicates that UJFM has engaged the services of current University of Johannesburg students and recent graduates to achieve its objectives of upskilling young individuals within its immediate coverage area and creating employment opportunities in the long term. As the University of Johannesburg's radio station, UJFM has established a coordinating body consisting of representatives from various student organizations.

The Licensee complies with clause 8.1 of the licence.

Clause 8.2 of the licence provides that:

"65% of the Licensee talk content shall be aimed at education, promotion of literacy, academic activities and information. This shall informal education such as skills development".

The licensee submitted a report that states that it affords weekly radio slots to a total of twenty (20) faculties and support departments. Moreover, UJFM hosted biweekly interviews for six (6) flagship institutes affiliated with the University of Johannesburg. The monitoring exercises revealed that the licensee talk content is aimed at education, promotion of literacy, academic activities and information.

The Licensee complies with clause 8.2 of the licence.

Clause 8.3 of the licence provides that:

"The Licensee shall broadcast programmes related to members of the community, children, students and youth between 18-26 age groups".

The licensee submitted a report that state that to encourage interaction between the University of Johannesburg's Vice-Chancellor and the UJ community, UJFM launched a program called "My VC and I." Additionally, it launched a teaching and learning program, "UJFM Insights," specifically designed to cater to the needs of UJ students. The monitoring exercise revealed that the licensee broadcast programmes related to members of the community, children, students and youth between 18-26 years.

The Licensee complies with clause 8.3 of the licence.

Clause 8.4 of the licence provides that:

The Licensee shall in addition to the University's financial statements, draw up a separate audited financial statement to be approved by the AGM.

The Licensee operates within the structure of the University which is governed by the Higher Education Act as such all financial matters are handled by an elected body outlined in the act.

The Licensee complies with clause 8.4 of the licence.

5 REGULATIONS

5.1 Complaints Received

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,

For the year under review, the Licensee did not submit any forms as per the regulations.

The Licensee does not comply with the Compliance Procedure Manual Regulations

5.2 South African Music Content Regulations⁶

Regulations 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 months of the gazetting of these regulations, a minimum of 60%, increased by 10% annually to reach 80% of the musical work in the performance period, consist of South African music and that such South African music is spread evenly throughout the performance period⁷"

The monitoring exercise revealed that UJ FM broadcasts South African music content as per regulations. Some of the artists monitored are Nasty C Amu Faku, DJ Zintle, AKA and Kekelingo and Mhlonipho.

The licensee complies with the Regulations.

5.3 Regulations Regarding Standard Terms and Conditions for Class Broadcasting Services Licences⁸

⁶ Appendix B: ICASA South African Music Content Regulations 2016

⁷ Ibid

⁸ Appendix C: Standard Terms and Conditions for Class Licences 2016

During the period under review, there is no record that the Licensee did not adhere to the Regulations on Standard Terms and Conditions for Class Licensees.

UJ FM complies with Standard Terms and Conditions for Class Broadcasting Service Licences.

6 CONCLUSION

UJ FM is operating under the University of Johannesburg which is governed by the University Council. Their founding documents are not the same as other non-profit companies. UJ FM complies with most of its licence conditions however, the Licensee does not comply with its news and languages of broadcast obligation, as stipulated in the licence. The Licensee will be notified of the identified transgressions and will continue to be monitored during the next financial year, to ensure full compliance.

7 TERMS OF REFERENCE

Appendix A: UJ FM broadcasting licence

Appendix B: ICASA South African Music Content Regulations 2016

Appendix C: Regulations Regarding Standard Terms and Conditions for Class Licences 2016

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