



UMHLOBO WENENE

FM

ANNUAL

COMPLIANCE REPORT

MARCH 2023

2021/2022 ANNUAL COMPLIANCE REPORT

SABC BROADCASTING AS UMHLOBO WENENE 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 Constitution¹, the Independent Communications Authority of South Africa Act (ICASA Act²), the Electronic Communications Act³ ("ECA") and the Broadcasting Act⁴ 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 report seeks to give an account of UMhlobo Wenene FM's compliance with the terms and conditions, as set out in its license, in the financial year that ended March 2022. In addition, this report will measure Umhlobo Wenene FM's compliance with the following regulations: South African Music Content, Standard Terms and Conditions for Individual Licensees, Universal Service and Access Fund, General Licence Fee, Code of Conduct for Broadcasters, and the applicable sections of the ICT Covid-19 National Disaster Regulations first published in April 2020 as amended.

2. BACKGROUND

UMhlobo Wenene FM is part of the South African Broadcasting Corporation ("SABC") and holds an Individual Sound Broadcasting Service licence⁵. The SABC – through UMhlobo Wenene – has an obligation to provide a full spectrum service to the geographic areas of Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo. UMhlobo Wenene's language of broadcast is isiXhosa.

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 2000

⁴ Act No. 4 of 1999

⁵ UMhlobo Wenene's Broadcasting Service Licence

3. COMPLIANCE ASSESSMENT

3.1 Geographic Coverage Area

Clause 3 of the licence provides as follows:

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

The frequency spectrum license⁶ prescribes, the Licensee's coverage area includes Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo. The Licensee continues to offer service to the coverage area as defined in the frequency spectrum licence. For the period under review, there were no complaints that were lodged against the Licensee regarding its coverage area.

3.2 Language(s)

Clause 4 of the licence provides that the Licensee's language of broadcast is as follows:

"Principal Language: isiXhosa".

A monitoring exercise carried out on UMhlobo Wenene FM's programming profile found that the Licensee's principal language of broadcast is isiXhosa. All programmes monitored were found to be in isiXhosa. A few interviews, particularly during the Current Affairs show, were done in English and the interviewer would then translate after the interview.

UMhlobo Wenene FM complied with clause 4 of its licence.

3.3 Format

Clause 5.1 of the schedule to the licence reads as follows:

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

While clause 5.2 further instructs:

⁶ UMhlobo Wenene's Frequency Spectrum Licence

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

UMhlobo Wenene FM is categorised as a public service radio station of the SABC and offers a full-spectrum service to its audience as outlined in the licence. This characteristic was observed during a monitoring exercise carried out on the Licensee's programming profile for the period under review.

The Licensee complied with clauses 5.1 and 5.2 of its licence.

3.4 Local Content Obligations

Clause 6 of the licence provides that:

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

6.1 different genres; and

6.2 South African Music Content, in programming 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 5h00 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".

The SABC submitted its quarterly written records indicating the different genres, its South African music content and programming material for the period under review. The quarterly written records expressed the relevant details as an aggregate in minutes as well as a percentage of the total of all such programming material.

Furthermore, the information contained in the quarterly reports was compared to the findings of the monitoring exercise as undertaken during the period under review and the conclusion of this comparison is outlined in the report below.

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

3.5 General programming obligations

The below gives an account of the Licensee's submission, as outlined in their quarterly reports and its findings based on the monitoring exercise carried out on the Licensee's programming profile.

It is worth noting that the Licensee's programming profile has – over the years – presented a trend of changing less than 5% of programming when necessary. Ordinarily, the monitoring exercise would find that UMhlobo Wenene FM's programming has not changed for two years consecutively, save for changes in Presenters to the shows.

3.5.1 General

Clause 7.1.1 stipulates that:

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

The SABC's editorial policy⁷ echoes the provision of the above clause. The policy 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 programming profile was found to reflect – mostly – the religions of the isiXhosa-speaking communities of South Africa.

The monitoring exercise revealed that the following programmes contain religious content that is suited for the isiXhosa-speaking community in particular Christian and Islam:

- *"NdinguYehova iGqirha lakho"* a weekday offering broadcast between 05h00 and 05h30. This programme's content varies from week to week and may be Christian or Islam orientated. Religious discussion, talks, as well as some religion-inclined music, were found during the monitoring of this programme.
- *"Ibuzwa kwaba phambili"* broadcast Saturdays between 05h00 and 06h00 was found to carry some elements of a religious programme. While the content was found to be more cultural, a whole lot of the programme content had connotations of a religious programme as well.

⁷ An extract from the Licensee's Editorial Policy

- “Iqonga leGospel” broadcast between 22h00 and 23h00 on Tuesdays. This programme features local gospel music artists.
- “LelikaYehova Ihlabathi” broadcast on Thursdays between 09h00 and 12h00. This programme is an interactive programme targeted at Christian women. Judging by the interactive nature of this programme through phone-ins, the show serves as a revival programme;
- “Ukholo neNgqiqo” broadcast on Sundays between 05h00 and 09h00. This programme is a religious magazine programme and covers a variety of topics mostly from religious points of view on lifestyle in general.
- “Seza Umphefumlo a religious music offering on Sundays between 09h00 and 11h00.
- “Imvuselelo” a programme that literally translates the meaning of its name and serves a revival for the Christian community between 19h00 and 21h00 on Sundays.

All of the above-mentioned programmes demonstrate the Licensee’s compliance with clause 7.1.1 of its licence.

Clause 7.1.2 of the licence records:

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

The Authority’s monitoring exercise found that UMhlobo Wenene FM’s programming sufficiently reflects the cultures and traditions of the amaXhosa community. Importantly the language and tone used by the radio station bear testimony of the Licensee’s compliance with this clause. Furthermore, the following programmes support the Authority’s findings and are indicative of the fact that the Licensee’s programming caters for the cultural and traditional needs of its audience:

- “Ibuzwa kwaba phambili” broadcast on Saturday morning between 05h00 and 06h00;

- Lavuth' iBhayi broadcast on Saturdays between 10h00 and 13h00. This is a traditional music programme which plays hundred percent (100%) South African Music and features traditional Xhosa and Zulu music artists.

UMhlobo Wenene complied with clause 7.1.2 of its licence.

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".

Monitoring of UMhlobo Wenene FM's programming profile confirmed that the radio station caters for the interests of all sectors of South Africa. The following programmes, among others, were monitored and content was found to be targeted at the different sectors within the IsiXhosa-speaking community:

- "Khanya Gqiyazana" a programme following its name in that it strives to make the woman shine in all aspects of life including career, parenting and business. This year's monitoring found that the programme featured different women in leadership positions thus inspiring the young ladies to work harder.
- "Nal' ibali" - a weekday offering targeted at children and produced in a language children understand;
- "Umfula woThando" – A phone in Wednesday Evening offering giving life coaching and advice to the listeners on love matters.
- "Le likaYehova ihlabathi"- a Thursday offering catering for Christian women;
- "Islamic Faith" a feature on "NdinguYehova iGqirha Lakho" which caters for the believers of Islam;
- "Iqonga labatsha" a youth orientated show which features dance and a weekly gig guide. This show also offers celebrity gossip. And was identified as being popular with its target market;

- “Ezemidlalo” - caters for the sports loving listener and was identified between Monday and Thursday every week;
- “Isikhokelo kwezeMfundo” – a weekday offering targeted at the school going listener. This show features the classroom curriculum;
- “Umyezo weReggae” - a reggae music show targeted at those who love the music and the followers of the Rastafari movement or religion.

The Licensee complies with clause 7.1.3 of its licence.

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".

UMhlobo Wenene’s quarterly submissions show that the Licensee broadcasts at least sixty (60) minutes of news each day during the South African performance period.

In monitoring the Licensee’s programme recordings, it was found that UMhlobo Wenene FM schedules at least fifteen (15) full news bulletins on each day of the week. All bulletins have a duration of at least five (5) minutes each. This amounts to a total of ninety (90) minutes of news each day, during the South African performance period.

Below are news excerpts were found during the monitoring:

- *Iqela iDemocratic Alliance, iDA ngamafutshane lithi lizakuthattha amanyathelo asemthethweni, likhalazela isigqibo esithathwe yiKomishini yoloNyulo iIEC, sokuphinda kuvulwe inkqubo yokubhalisa abagqatswa bamaqela opolitiko kulonyulo oluzayo looMaspala basemakhaya. Izo iIEC yazise amaJelo eeNdaba kwiSixeko saseRhawutini, ngoku zakuqhubeka kwinkqubo yokonyulwa kwabagqatswa, emva kokuba iNkundla yoMgaqo siSeko isikhabile isicelo sokokuba lumiselwe unyaka ozayo olonyulo. oMaspala. Kwinyanga ephelileyo, iqela lezoPolitiko iANC liwuphosile umda wokubhalisela abanye abagqatswa, liye lakrweca inkundla yezoNyulo icela*

okokuba wandiswe umda ephaka kodwa iye yaphinda yasirhoxisa esisicelo.

- *USihlalo wesiGqeba soLawulo kwiDA nguHelen Zille, [crossover to a pre-recorded interview with Hellen Zille], uthi okwenzeka ngoku yinto ebeyicingea kwasekuqaleni. Uthi iANC irhoxise isicele kwiNkundla yezoNyulo kuba ibinezinye iizincwangciso.*
- *IIEC yazise indlela yokusebenza yokqala nanjengoko kulungiselelwa uloNyulo looRhulumente baseMaKhaya olusemnyango. IIEC yenze izilungiso kwindlela yokusebenza emveni kokuba iNkundla yoMgaqo siseko iye ayavuma ukuba uloNyulo lumiselwe uFebruary wonyaka ozayo. Impela veki yobhaliso ibekelwe Phakathi komhla weShumi elinesibhozo noweSHumi elinesithoba kulenyanga. Igosa eliyiNtloko kuleKomishini, uSy Mamabolo, ugxininise okokuba lifutshane ixesha lokusebenza ngelilungiselela uloNyulo. Uthe sebenxibelelene noMphathiswa weSebe loRhulumente weNtsebenziswano, uNkosazana Dlamini Zuma, bemazisa okokuba banqwenela okokuba uloNyulo lubanjwe ngMhla wokuqala kuNovemberkazi. UMamabolo uthi kulindeleke ukuba, uMphathiswa uDlamini Zuma, abhengeze umhla woloNyulo kusuku emveni kokuvalwa kobhaliso. [Crossover to a pre-recorded interview with SY Mamabolo], uthi sele ikhona imihla abayiphawuleyo ukuba ngomhla weShumi elinesibhozo nomhla weshumi elineThoba kulenyanga kuzakubhaliswa, ze ngomhla wamashumi amabini kuvulelwe inkqubo yobhaliso olukhethekileyo de kuye kumhla wesine uOctober. Uthi izakuvalwa ngomhla wamashumi amabini ananye kule inyanga inkqubo yokubhaliswa kwabagqatswa.*
- *Inkokheli yeqela lezoPolitiko iNational People's Front, uBheki Gumbi, ibongoza iinkokheli zeqela iNational Freedom Party ukuba ziwugcine uphila umzila oshiywe nguZanele kaMagwaza Msibi. INPF yaqhekeka kwiNFP ze yasekwa ngokusemthethweni ngo2018. Ephawula ngokusweleka kukaMagwaza Msibi, uGumbi uthe, lo obeyinkokheli yeNFP, ekwanguSekele Mphathiswa weSebe leNZululwazi nobuChwephesha ebekuzondelele ukuphucula ubomi babantwana abanga mantombazana. [crossover to a pre-recorded interview with Bheki Gumbi]*

The Licensee complies with clause 6.2.1 of its licence.

Clause 7.2.2 provides as follows:

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

The Licensee's quarterly submissions demonstrate that UMhlobo Wenene broadcasts a daily average of one hundred and forty-five (145) minutes of Current Affairs programming during the South African Performance Period.

The Authority's monitoring exercise found that the Licensee schedules three (3) current affairs programmes between Monday and Friday as follows:

- Laphum' ikhwezi: Current Affairs Morning between 05h30 and 06h30;
- Zibuzwa Kuthi: Current Affairs Midday between 12h00 and 13h00; and
- Apha naPhaya Evening: Current Affairs between 18h00 and 19h00.

The current affairs programming that were also monitored between Saturday and Sunday, are the following:

- Ziyawoyika umbethe: Current affairs programming on Saturday between 06h00 and 07h00;
- "Uphendlo 'gndaba zeveki: Current affairs programme on Sunday between 18h00 and 19h00.

The duration of all monitored current affairs programmes is sixty (60) minutes each. Accordingly, and as per the monitoring exercise, the Licensee broadcasts, an average total of at least one hundred and forty-five (145) minutes of current affairs programming each day during the South African Performance Period.

UMhlobo Wenene FM complies with clause 7.2.2 of its license document.

Clause 7.2.3 further provides as follows:

"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”.*

The SABC’s editorial policies echo the provisions of this clause. The Licensee’s policies also prescribe that the Licensee shall exercise full editorial control in respect of the contents of its programming. The editorial policies further indicate that the Licensee endeavours to meet the highest standards of journalistic professionalism. Furthermore, it provides fair, unbiased and impartial coverage independent from government, commercial or other interference.

During the period under review, the monitoring exercise found that Ukhlobo Wenene broadcasts matters of international national, regional and local significance.

In its current affairs offering, the radio station was found to provide an opportunity for the public to receive a variety of points of view on matters of public concern. The Licensee’s Editorial Policies form part of the SABC’s Charter and monitoring of the Licensee’s news and current affairs programmes during the year under review not only demonstrated compliance with clause 7.2.2 of its licence but also the Charter as contained in the Broadcasting Act of 1999.

The Licensee complies with clause 6.2.3 of 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”.

According to the Licensee's submission, UMhlobo Wenene FM has, in the year under review, broadcast an average of one hundred and fifty (150) minutes of children's programming per week.

The Authority's monitoring exercise found that the Licensee schedules programmes that are targeted at children. Examples of children's programming on UMhlobo Wenene FM were identified during the following programmes:

- "Nal' ibali" a 10-minute insertion on Khanya Gqiyazana for four days during weekdays. In calculations, this translates to forty (40) minutes of Nal' ibali weekly;
- "Abantwana kukholo neNgqiqo" an insert broadcast within a programme called Ukholo neNgqiqo on Sundays between 07h30 and 08h00 and lasts for thirty (30) minutes.

The monitoring exercise found that the Licensee broadcasts at least seventy minutes (70) of children's programming per week during the South African Performance Period.

UMhlobo Wenene FM complies with clause 6.3.1 of its licence.

Clause 7.3.2 provides as follows:

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

- (i) broadcast at the times of 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".*

The monitoring exercise observed that all programmes considered to be Children's Programming are produced and broadcast in the manner as prescribed in the clause. The use of narrators in child-like voices and characters associated with children was observed. Furthermore, the attitude of the presenter towards

children and the language (terminology) often used proved to be in the children's point of view.

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".

UMhlobo Wenene FM's quarterly submissions indicate that the Licensee scheduled at least seven (7) hours of educational programming averaged weekly.

The monitoring exercise found that UMhlobo Wenene FM's Educational programmes are two-fold in that they have an element of Informal Knowledge Building (IKB) in them. However, in an attempt to not count the same programmes twice and end up with an overall distorted programming output for Umhlobo Wenene; the monitoring exercise confirms that the following programmes were found to be strictly Educational:-

- Isikhokelo kwezemfundo broadcast on weekdays between 20h30 and 21h30. The content in this programme carries educational support to the classroom curriculum;
- Ezemfundo broadcast on Saturdays between 09h00 and 10h00. This programme carries educational content that is directed at children and is an initiative of SABC Education and Sanlam; and
- Amaziko Emfundo broadcast on Sundays between 21h00 and 22h00, deals with career guidance to high school-going learners.

The Authority's monitoring exercise found at least seven hours of educational programming per week during the South African performance period was monitored.

UMhlobo Wenene complies with compliance with clause 7.4 of the licence document.

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".

UMhlobo Wenene's quarterly submissions indicate that the Licensee schedules at least four (4) hours of drama programming per week, during the South African performance period.

During the period under review, the monitoring exercise found that the Licensee broadcasts one drama programme twice daily between Monday and Friday during the South African performance period.

- *"Ithini na le nto: Leyo yimfihlelo yobomi"* broadcast between 13h30 and 13h45 and runs for fifteen minutes every day between Monday and Friday. This is a SABC Production scripted by Sonwabo Yawa and Bomkazi Ngcubhe for Umhlobo Wenene.
- *"Ithini na le nto: Leyo yimfihlelo yobomi"* a repeat of the midday offering broadcast between 21h40 and 21h55 between Monday and Friday.

At least one hundred and fifty (150) minutes of drama programming was monitored per week during the South African performance period.

UMhlobo Wenene FM 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 with[in] the South African performance period".

The Licensee's quarterly submissions indicate that UMhlobo Wenene broadcasts six (6) hours and thirty (30) minutes of Informal Knowledge Building programming per week within the South African Performance Period.

Apart from music-based programmes – which would feature at least 80% music in their makeup – the Authority found that all of Ukhlobo Wenene's programmes have an element of Informal Knowledge Building in them. The below-listed programmes are those found to have been produced entirely for the Licensee's Informal Knowledge Building obligation.

- "Khanya Gqiyazana" goes to air between 09h00 and 12h00 from Mondays to Wednesdays and then again on Fridays. Khanya Gqiyazana provides informal knowledge on issues relating to women in all aspects of a woman's life;
- "Sijik' ilanga" broadcast during weekdays, between 13h00 and 15h00 This is a high paced afternoon drive show that is targeted mostly at the youth. Subjects of discussion are always aimed at empowering the youth on business and provides a platform for the unemployed;
- "NdinguYehova iGqirha Lakho" an information based daily offering between Monday and Friday from 05h00 and 05h30. This show offers informal knowledge with regards to different topics e.g. Ezolimo – is a lifetime feature on the show that focuses on agricultural issues and information;
- "Ibuzwa kwaba phambili" a Saturday morning offering between 05h00 and 06h00. This programme was found to carry content that debates the origins of faith and the basis of the African beliefs.
- "Ukholo neNgqiqo" broadcast on Sundays between 05h00 and 09h00. This programme is a religious magazine programme which covers a variety of topics, mostly from a religious point of view regarding marriage, family lifestyles and how to raise children etc.
- "Ingxoxo" a 30-minute talk show on different topical issues. Ingxoxo airs in the evening between Monday and Thursday.

At least 2220 minutes of IKB programming was monitored per week. This translates to 37 hours of IKB programming per week, within the South African Performance Period.

The Licensee complies with clause 7.6 of the license document.

3.6 Training and Skills Development Obligations

Clause 8 of the schedule attached to the licence stipulates as follows:

8.1 "The licensee must adopt and implement equal opportunity employment practices

8.2 The licensee must ensure that its management and staff are representatives 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 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 with written information regarding its compliance with the above requirements".

The Licensee revised its Employment Equity and Transformation plan⁸ during the 2021/22 financial year and submitted the updated plan and its Training and Skills Development that provides a detailed breakdown of its compliance with the above requirements to the Authority for the period under review⁹ within 30 days of the end of the financial year.

These reports indicate that the Licensee has adopted and implemented equal opportunity employment Practices and showed that the Licensee has remained committed to diversity and inclusion in the workplace. The SABC employment

⁸ Appendix C: SABC Employment Equity and Transformation: Report to ICASA, Reporting period: 1 April 2021 – 31 March 2022.

⁹ Appendix D: Skills and Development Report.

equity profile remains healthy, and all groups are well represented in the organisation. The SABC's employment practices and non-discriminatory environment promote reasonable progress towards a fair and equitable representation from both a gender and race perspective at all occupational levels and in decision making positions. This is confirmed by the following statistics:

- Females represent 51.5% of the entire workforce and at Skilled level 53.18% of the workforce are females.
- At a Professional Qualified, Experience Specialist and Middle Management level, females represent 50.33%; and
- Employees living with disabilities represent 2.35% of the entire workforce. These employees are employed across the organisation on different occupational levels and in all SABC provinces.

Further, the SABC is well represented in the Black Executive Managers and Black Senior Managers as well as Female Black Middle Managers.

In terms of training and skills development, the SABC delivered 967 training interventions for 810 employees during the reporting period. This is despite challenges resulting from its section 189 process, procuring suitable service providers and COVID-19. Statistically, the 810 employees who received training were 84.44% African, 6.81% Coloured, 4.24% Indian and 4.51% were White employees. Further, 56% of the employees who were trained were women and 2% were employees living with disabilities.

The Licensee complies with the entirety of clause 8 of the Schedule of its Licence.

3.7 Provision of Audited Financial statements to the Authority

Clause 9 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 submitted its audited annual financial statements within the stipulated timeframe.

The Licensee complies with clause 9 of the schedule to its licence.

4. REGULATIONS

4.1 Compliance Procedure Manual – Form 12A

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A¹⁰ which reports on all complaints received in the course of each financial year. The SABC submitted its complaints report in accordance with the Compliance Procedure Manual Regulations.

In July 2021, the Licensee received a complaint about UMhlobo Wenene's Breakfast show. The complainant alleged that the presenter's comments encouraged gender-based violence.

4.3 ICASA South African Music Content Regulations

Regulation 3 of the ICASA South African Music Content Regulations 2016¹¹ give the following obligation:

"A holder of a public sound broadcasting 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 such South African music is spread evenly throughout the performance period."

The Licensee's music playlist is dominated by works of South African musicians. UMhlobo Wenene FM's music content is made up of approximately 90% South African Music.

The here below listed music artists enjoy airplay on UMhlobo Wenene FM: Benjamin Dube, Solly Makhabane, Hlengiwe Mhlaba, Sibongile Khumalo, Mirriam Makeba, Stevie Wonder, Nomcebo Zikode, Sjava, Master KG, Nandi Mngoma, Casper Nyovest, Proverb, AKA, Ricky Rick, Thandiswa Mazwai, Amadodana aseWesile, Malibongwe Gcwabe, Dumi Mkokstad, Sifiso Ncwane, Nomuzi Mabhena, Phinda Matlala, Bucie, Lira, Busiswa, Phuz' eKhemisi, Ihash' elimhlophe, Shwi noMntekhala, uThwalufu namaNketshane, Chwane LeBhaca

¹⁰ SABC Form 12A

¹¹ ICASA South African Music Content Regulations

and many other artists whose music ticks the "South African Music" box requirements.

UMhlobo Wenene FM complies with regulation 3.2 of the South African Music Content Regulations.

4.4 Standard Terms and Conditions for individual broadcasting licences.

The monitoring exercise as undertaken during the period under review, found that the Licensee satisfied the Authority regarding its compliance with the regulations regarding the Standard Terms and Conditions for Individual Broadcasting Licensees.

The Licensee complies with the Standard Terms and Conditions for Individual Broadcasting Licensees.

4.5 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations¹² 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 made the prescribed payment and submitted proof thereof to the Authority.

The Licensee complied with Regulation 3 of the USAF Regulations.

5. CONCLUSION

¹² Universal Service and Access Fund Regulations

UMhlobo Wenene FM complied with the terms and conditions of its licence and all regulations that apply to the SABC as a public broadcaster.

6. TERMS OF REFERENCE

Appendix A : UMhlobo Wenene FM's Broadcasting Service Licence

Appendix B : UMhlobo Wenene FM's Frequency Spectrum Licence

Appendix C : SABC Editorial Policy (An extract)

Appendix D : SABC's Employment Equity and Transformation Report

Appendix E : SABC's Skills and Development Report

Appendix F : SABC's Form 7C on Code on People with Disabilities

Appendix G : SABC's Form 12A Biannual Complaints Report

Appendix H : The ICASA Local Content Regulations

Appendix I : Standard Terms and Conditions Regulations

Appendix J : Universal Service and Access Fund Regulations