



UMHLOBO WENENE FM ANNUAL COMPLIANCE REPORT

FEBRUARY 2017

2015/2016 ANNUAL COMPLIANCE REPORT

The SABC BROADCASTING AS UMHLOBO WENENE FM

Licence Period: 18 December 2008 - 17 December 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 broadcasting service licensees with the terms and conditions of their licence and any relevant legislation and/or regulations.

This report seeks to measure UMhlobo weNene FM's compliance with the terms and conditions, as set out in its license, in the financial year that ended March 2016. Aspects of compliance that are measured comprise of Geographic Coverage, Community Participation, Programming, Format, News and Information, Local Content Obligations, Language(s), South African Music Regulations, Regulations Regarding Standard Terms and Conditions and Universal Service and Access Fund (USAF).

2. BACKGROUND

UMhlobo weNene FM is a public Individual Sound Broadcasting Service Licensee⁵ of the SABC, providing a full spectrum service to the geographic areas of Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo.

The radio station'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 2 of the licence provides as follows:

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

The radio frequency spectrum licence⁶ prescribes that the radio station's coverage area shall include: Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence. There were no complaints received against the radio station during the period under review alleging that the Licensee is not adhering to its frequency spectrum licence. Based on this the Authority is satisfied **that the Licensee has complied with clause 2 above.**

3.2 Language(s)

Clause 3 of the licence stipulates that the Licensee's language of broadcast is as follows:

"Principal Language: isiXhosa".

The Authority's monitoring exercise revealed that the Licensee's predominant language of broadcast is isiXhosa. A few interviews, particularly during the Current Affairs shows, were done in English and the interviewer would then translate into isiXhosa after the interview.

The Licensee was found to be in compliance with clause 3 of its licence.

3.3 Format

Clause 4.1 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".

⁶ UMhlobo weNene's Frequency Spectrum Licence

According to clause 4.2, "The licensed service shall be a full-spectrum service".

UMhlobo wenene FM is categorised as a public radio station of the SABC and offers a full-spectrum service to its audience as outlined in the licence. This was confirmed during monitoring of the radio station's programming profile for the year ended 31 March 2016.

The Licensee was found to be in compliance with clause 4.1 and 4.2 of its licence.

3.4 Local Content Obligations

In terms of clause 5 of the schedule to the licence:

"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:

5.1 different genres; and

5.2 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 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 Licensee submitted its quarterly reports as prescribed by the Compliance Procedure Manual Regulations. The tables below show a breakdown of the Licensee's compliance with the quotas set out by the Authority and as extracted from their quarterly submissions. These figures were verified during the monitoring exercise and in some case, the Authority's calculations differ from what the Licensee recorded.

First Quarter April – June 2015 (Specifically the week starting 13 April until 19 April 2015)

Content/ Genre	ICASA Quota	LICENSEE'S Daily/Weekly PROVISION	LICENSEE'S Compliance in %
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News	60 min (Daily)	84 min (Week Days)	140%
		80 min (Saturdays)	133%
		75 min (Sundays)	125%
Current Affairs	60 min (Daily)	178 min(Week Days)	296%
		60 min (Saturdays)	100%
		60 min (Sundays)	100%
Informal Knowledge Building	180 min (Weekly)	895 min (Weekly)	497%
Education	300 min (Weekly)	380 min (Weekly)	126%
Children	60 min (Weekly)	310 min (Weekly)	516%
Drama	150 min (Weekly)	160 min (Weekly)	107%

Second Quarter July – September 2015 (Specifically the week starting 15 August until 21 August 2015)

Content/ Genre	ICASA Quota	LICENSEE'S Daily/Weekly PROVISION	LICENSEE'S Compliance in %
News	60 min (Daily)	84 min (Week Days)	140%
		80 min (Saturdays)	133%
		75 min (Sundays)	125%

Current Affairs	60 min (Daily)	168 min(Week Days) 60 min (Saturdays) 65 min (Sundays)	280% 100% 108%
IKB	180 min (Weekly)	895 min (Weekly)	497%
Education	300 min (Weekly)	380 min (Weekly)	127%
Children	60 min (Weekly)	310 min (Weekly)	517%
Drama	150 min (Weekly)	180 min (Weekly)	120%

Third Quarter October – December 2015 (specifically the week starting 12 October until 18 October 2015)

Content/ Genre	ICASA Quota	LICENSEE'S Daily/Weekly PROVISION	LICENSEE'S Compliance in %
News	60 min (Daily)	84 min (Week Days) 80 min (Saturdays) 75 min (Sundays)	164% 133% 125%

Current Affairs	60 min (Daily)	168 min(Week Days)	280%
		60 min (Saturday)	100%
		60 min (Sunday)	100%
IKB	180 min (Weekly)	895 min (Weekly)	497%
Education	300 min (Weekly)	380 min (Weekly)	126%
Children	60 min (Weekly)	310 min (Weekly)	517%
Drama	150 min (Weekly)	180 min (Weekly)	120%

Fourth Quarter January – March 2016 (*Specifically the week 3 of January 2016*)

Content/ Genre	ICASA Quota	LICENSEE'S Daily/Weekly PROVISION	LICENSEE'S Compliance in %
News	60 min (Daily)	84 min (Week Days)	140%
		80 min (Saturdays)	133%
		75 min (Sundays)	125%
Current Affairs	60 min (Daily)	168 min(Week Days)	280%
			100%
		60 min (Saturday)	108%
		65 min (Sunday)	

IKB	180 min (Weekly)	895 min (Weekly)	497%
Education	300 min (Weekly)	380 min (Weekly)	126%
Children	60 min (Weekly)	310 min (Weekly)	516%
Drama	150 min (Weekly)	180 min (Weekly)	120%

Here above; we have laid out that which was presented by UMhlobo weNene FM as an indication of their compliance with the quotas on the different genres in the year under review. The Authority's findings – to either confirm or refute the submissions are outlined in the next paragraphs.

3.5 General programming obligations

The following sections outline the findings on UMhlobo weNene FM's performance based on the monitored recordings for the period under review.

3.5.1 General

Clause 6.1.1 stipulates that:

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

The SABC's editorial 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 reflected the religions of the isiXhosa speaking communities of South Africa.

The monitoring exercise revealed that the following programmes contain religious content that is best suited for the isiXhosa speaking community 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 discussions and talks as well as gospel music were monitored during this programme;
- "Ukholo lweMveli" broadcast on Saturday morning between 05h00 and 06h00. The content of this programme is symbolised by the reference to Qamata and/or Mvel' ngqangi (God/High Power in the amaXhosa beliefs) and the ancestors. The amaXhosa beliefs, as monitored in this programme, have elements of Christianity;
- "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 targeted at Christian women and serves as a revival programme; and
- "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.

All of the above mentioned programmes demonstrate the Licensee's compliance with clause 6.1.1 of its licence.

Clause 6.1.2 of the licence reads as follows:

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

The Licensee's programming profile sufficiently reflects the cultures and traditions of the amaXhosa community. Primarily, the language used by the radio station bears testimony of the Licensee's compliance with this clause. Further, the following monitored programmes prove the fact that the Licensee's programming caters for the cultural and traditional needs of its audience:

- "Ukholo lweMveli" broadcast on Saturday morning between 05h00 and 06h00;
- Lavuth' iBhayi broadcast on Saturdays between 10h00 and 13h00.

The Licensee was found to be in compliance with clause 6.1.2 of its licence.

Clause 6.1.3 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 on its name in that it strives to make the woman shine in all aspects of life including parenting and business.
- "Nal' ibali" - a weekday offering targeted at children and produced in a language children understand;
- "Le likaYehova ihlabathi"- a Thursday offering catering for Christian women;
- "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 Rastafari movement or religion.

The Licensee was found to be in compliance with clause 6.1.3 of its licence.

3.5.2 News and Current Affairs

Clause 6.2.1 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 indicate that the Licensee broadcasts at least 82 minutes of news each day during the South African performance period.

The monitoring exercise revealed that the Licensee schedules at least 15 news bulletins from 7h00 until 21h00 on weekdays. All bulletins are approximately 6 minutes in duration, totalling at least 90 minutes of daily news during the South African performance period.

On weekends, the Licensee broadcast at least 12 full news bulletins. Each bulletin was approximately 6 minutes long totalling of 72 minutes of news per day during the weekends.

From the monitoring conducted, the Authority concluded that the Licensee broadcasts a daily average of 84 minutes of news **thus in compliance with clause 6.2.1 of its licence.**

Clause 6.2.2 stipulates that:

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

The Licensee's quarterly submissions demonstrate that UMHlobo weNene broadcasts a daily average of 137 minutes of Current Affairs programming during the South African Performance Period.

The monitoring exercise confirmed the Licensee's submissions in that it found that the Licensee broadcasts 2 current affairs programmes – each with a duration of 60 minutes – between Mondays and Fridays as follows:

- Iindaba ngobunjalo bazo: Current Affairs Midday between 12h00 and 13h00; and
- Apha naPhaya: Current Affairs between 18h00 and 19h00.

The following current affairs programming was identified between Saturday and Sunday during monitoring:

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

Accordingly, the Licensee was found to broadcast, an average of at least 102 minutes of current affairs programming on each day during the South African Performance Period.

The Licensee was found to be in compliance with clause 6.2.2 of its licence document.

Clause 6.2.3 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”.*

The Licensee’s editorial policy also prescribes that the Licensee shall exercise full editorial control in respect of contents of its programming. The editorial policy further indicates 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 revealed that the Licensee broadcasts matters of international, national, regional and local significance.

In its current affairs broadcast, the radio station provides an opportunity for the public to receive a variety of points of view on matters of public concern. The Licensee’s Editorial Policy 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 6.2.2 of its licence but the Charter as contained in the Broadcasting Act of 1999.

The Licensee was found to be in compliance with clause 6.2.3 of its licence.

3.5.3 Programming targeted at Children

Clause 6.3.1 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 310 minutes of children’s programming per week.

The monitoring exercise confirmed that the Licensee does have programmes that are targeted at children. Examples of children’s programming on UMhlobo weNene FM were identified during the following programmes:

- “Nal’ ibali” broadcast on weekdays between 09h30 and 09h40. Which translates to fifty (50) minutes, weekly;
- “Ezemfundo/State Your Mind” broadcast on Saturdays between 09h00 and 10h00; and
- “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 Authority’s monitoring exercise found that the Licensee broadcasts at least 140 minutes of children’s programming per week during the South African Performance Period.

The Licensee was found to be in compliance with clause 6.3.1 of its licence.

Clause 6.3.2 provides as follows:

“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”.*

The monitoring exercise revealed that all the programmes broadcast by the radio station are compliant with clause 6.3.2 of the licence. Below are examples in this regard:

- “Nal’ ibali”;
- “Ezemfundo/State Your Mind”; and
- “Abantwana kukholo neNgqiqo”.

All programmes monitored were produced and broadcast from a child’s point of view and catered for the age groups. The programmes were broadcast around the times when children are expected to be home as contemplated in clause 6.3.2.

The Licensee was found to be in compliance with clause 6.3.2 of its licence.

3.5.4 Educational Programming

Clause 6.4 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”.

The Licensee’s quarterly submissions indicate that UMhlobo weNene scheduled at least 6 hours and 20 minutes of educational programming averaged weekly.

The Authority found that, the Licensee’s Educational Programming carries elements of Informal Knowledge Building (IKB). The following programmes were found to contain Educational content:-

- “Isikhokelo kwezemfundo” broadcast on weekdays between 20h30 and 21h30. The content in this programme carries educational support to the classroom curriculum; and
- “Izimvo zabantwana” 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.

- “Inzululwazi nobuChwephesha” broadcast on Sundays between 21h30 and 22h00.

In total, 6.5 hours of educational programming per week was monitored during the South African performance period.

The Licensee was found to be in compliance with clause 6.4 of the licence document.

3.5.5 Drama

Clause 6.5 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”.

The SABC’s quarterly submissions indicate that UMhlobo weNene schedules at least 2 hours and 55 minutes of drama programming per week, during the South African performance period.

In the year under review, the Authority found that UMhlobo weNene FM schedules one drama programme twice daily between Monday and Friday during the South African performance period.

- “*Ithini na le nto: Leyo yimfihlelo yobomi*” broadcast between 13h15 and 13h30. This radio production is originally written by Sonwabo Yawa and Bomikazi Ngcubhe and is produced by the SABC for broadcast on UMhlobo weNene; and
- “*Ithini na le nto: Leyo yimfihlelo yobomi*” a repeat of the midday offering broadcast between 21h30 and 21h45 between Monday and Friday.

In total, at least 150 minutes of drama programming was monitored per week during the South African performance period.

The Licensee was found to be in compliance with clause 6.5 of its licence.

3.5.6 Informal Knowledge Building Programmes

Clause 6.6 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's quarterly submissions report that UMhlobo wenene FM broadcast at least 14 hours and 55 minutes of Informal Knowledge Building programming per week during the South African Performance Period.

The monitoring exercise found the following IKB programmes on UMhlobo weNene FM's programming profile:

- "NdinguYehova iGqirha Lakho" a daily offering between Monday and Friday from 05h00 and 05h30. This show offers informal knowledge with regards to different topics e.g. Ezolimo – an everyday feature on the show – speaks mostly about issues of agriculture and the concerns in this sector;
- "Khanya Gqiyazana" broadcast 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 show is targeted mostly at the youth and the topics are always aimed at empowering the youth on business and technology amongst other things;
- "Ukholo Lwemveli" 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 points of view regarding marriage, family lifestyles and how to raise children, etc.

At least 35 hours of IKB programming per week was monitored during the South African Performance Period.

The Licensee was found to be in compliance with clause 6.6 of the license document.

3.6 Training and Skills Development Obligations

Clause 7 of schedule attached to the licence stipulates as follows:

- 7.1 "The licensee must adopt and implement equal opportunity employment practices;
- 7.2 The licensee must ensure that its management and staff are representative of South African society and that its human resource policies takes into account the development of managerial, production, technical and other skills and expertise, particularly with regard to the historically disadvantaged persons;
- 7.3 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
- 7.4 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".

At the end of the 2015/16 Financial Year; the SABC's employment equity statistics were showing a positive in terms of the Licensee's recognition and practise. The SABC employed at least 85% black people in its staff complement in the year that is being reviewed while 48% in that number were female employees. Black people dominate the Licensee's employment statistics in the management echelon at 77%, while females at management level are at 43.5%.

In addition, 2% of the overall staff complement within the Licensee are people with disabilities and a bulk of that percentage is employed in the Eastern Cape.

The SABC boasts of an award received from the Department of Labour in recognition of its Employment Equity practices.

In terms of training; the Licensee reports of having trained at least 1933 employees in the year that ended 2016. The statistical breakdown of these training interventions show that at least 88% of SABC's trained personnel were people from previously disadvantaged backgrounds.

The Licensee was found to be in compliance with clause 7 of its 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 four (4) 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 Financial Statements for the 2015/2016 financial year within the stipulated timeframe. The AFS indicate that the Licensee generated revenue of R7 978 841 000. Of this amount, some of the expenses were on broadcast costs, signal distribution and linking costs, marketing costs, professional and consulting fees. The Licensee incurred a loss of R411 605 000.

The Licensee was found to be in compliance with clause 8 of its licence.

4. REGULATIONS

4.1 Code on People with Disabilities

Clause 3.1 (a) of the Code for People with Disability of 2007 provides as follows:

"Broadcasting service Licensees must ensure that their services are made available and accessible to people with disability."

UMhlobo weNene FM's services do not discriminate against people with disabilities. The radio station was found to cater for people with disabilities in that interviews with representatives from organisations that represent people with disabilities were found during monitoring. Furthermore, UMhlobo weNene FM's Form 7C⁷ – a report on the Licensee's compliance with the Code on People with disabilities – submits to actively engage people with disabilities in a 15 minute interview slot weekly and gives a list of all organisations with which the Licensee has established relationships.

UMhlobo weNene FM prides itself in that it also employs the services of disabled News Writer. In an overview, 2% of the Licensee's overall staff complement is made up of persons with disabilities.

The Licensee was found to be in compliance with the above mentioned regulation.

4.2 Compliance Procedure Manual – Form 12A

UMhlobo weNene FM is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A⁸ which reports on all complaints received in the course of each financial year. In April 2015, the SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees.

According to the Licensee's Form 12A, only one complaint was received regarding UMhlobo weNene's programming in the year that is currently under review. According to the Listener concerned, the remarks made by the presenters regarding the liturgy of the Anglicans were hate speech. The Listener reports that the presenters – in their remarks – made fun of the Anglican Christians. The Licensee's report goes on to mention that this complaint was dismissed.

The Licensee does not divulge as to the grounds within which this complaint was dismissed.

⁷ UMhlobo weNene FM's Form 7c

⁸ SABC Form 12A

4.3 ICASA South African Music Content Regulations

Regulation 3.1 of the South African Music Content⁹ as published on 31 January 2006 stipulates that:

"Every holder of a public 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."

The Licensee's play list is dominated by South African musicians. UMhlobo weNene FM's music content constitutes at least 80% of South African Music. The following music artists enjoy airtime on UMhlobo weNene FM's music play list: Amanda Mankayi, Nathi Mankayi, Arthur Mofokate, Emtee, K.O and Nandi Mngoma, Casper Nyovest, Hiphop Pantsula, Proverb, AKA, Ricky Rick, Thandiswa Mazwai, Sifiso Ncwane, Nomuzi Mabhena, Phinda Matlala, Bucie, Lira, Busiswa, Phuz' eKhemisi, Ihash' elimhlophe, Tumi Mkokstaad, uThwalufu namaNketshane, Chwane LeBhaca, Amadodana aseWesile, Phum' evenini, Big Nuz, The Soil, Jamali, Mafikizolo, Boom Shakka, Teargas and many others.

The Licensee was found to be in compliance with regulation 3.2 of the South African Music Content Regulations.

4.4 Regulations regarding Standard Terms and Conditions for individual broadcasting licences

Regulation 11 (3) of the standard terms and conditions¹⁰ stipulates that:

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

The Licensee's jingles/announcement were identified frequently during the period under review and these broadcasts were at intervals of not more than ten (10) minutes apart. The jingles/announcement always carried the name and frequency location of the Licensee. Furthermore, no non-compliance was

⁹ South African Music Content Regulations

¹⁰ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

detected by the Authority with the standard terms and conditions for individual licences.

The Licensee was found to be in compliance with the regulations on standard terms and conditions for individual licensees.

4.5 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations¹¹ 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 paid its annual contribution to the MDDA, equivalent to 0,2% of its annual turnover and proof of payment duly submitted to the Authority.

The Licensee was found to be in compliance with the regulations in respect of Universal Service and Access Fund.

5. CONCLUSION

Umhlobo weNene FM sufficiently complied with all licence terms and conditions and all regulations that apply to the public broadcaster.

¹¹ Universal Service and Access Fund Regulations

6. TERMS OF REFERENCE

- 6.1 Appendix A : UMhlobo weNene's Broadcasting Service Licence;
- 6.2 Appendix B : UMhlobo weNene's Frequency Spectrum Licence;
- 6.3 Appendix C : An extract from the Licensee's Editorial Policy;
- 6.4 Appendix D : SABC's Form 7c;
- 6.5 Appendix E : SABC's Form 12a
- 6.6 Appendix F: South African Music Content Regulations;
- 6.7 Appendix G : Regulations regarding the Standard Terms and Conditions for Individual Licensee's; and
- 6.8 Appendix H : Universal Service and Access Fund Regulations.