



VILLAGE FM COMMUNITY RADIO STATION ANNUAL COMPLIANCE REPORT

MARCH 2023

2021/2022 ANNUAL COMPLIANCE REPORT

VILLAGE COMMUNITY RADIO

LICENCE PERIOD: 12 DECEMBER 2021 – 11 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 purpose of the report is to give an account of Village FM Community Radio Station’s compliance performance with the terms and conditions as set out in its licence for the 2021/2022 financial year. Aspects of compliance that are measured comprise of the Licence Area, Community, Programming, South African Music Content Regulations and Regulations regarding Standard Terms and Conditions for Class Licensees.

2. BACKGROUND

Village FM Community Radio Station is a class broadcasting service licensee serving the geographic community of Moses Kotane Local Municipality and other surrounding

¹ The Constitution of the Republic no. 108, 1996

² ICASA Act no. 13, 2000, as amended

³ Electronic Communications Act no. 36, 2005

⁴ The Broadcasting Act no. 4 of 1999

areas situated within the Bojanala Platinum District Municipality in the North West Province. According to the Broadcast Research Council of South Africa, the listenership figures for the last quarter of the period under review was, 11 000⁵.

3. COMPLIANCE ASSESSMENT

3.1 Licensee Details

Clause 1 of the schedule to the licence stipulates that:

- 1.1 Name of Entity: Village FM Community Radio Station*
- 1.2 Name of the Station: Village FM Community Radio Station*
- 1.3 Control of Licensee: Control shall vest in the governing body of Village FM Community Radio Station.*

There were no changes reported by the Licensee regarding the name of the radio station and the controlling structure of the organization. Village FM forms part of the community broadcasting service and continues to be fully owned by a non-profit entity. Further, the radio station identifies itself at regular intervals, with frequency number and areas of coverage.

The licensee complies with clause 1 of the licence.

3.2 Licence Period

Clause 2 of the schedule to the licence stipulates that:

- 2.1 The effective date of the Licence is 12 December 2021*
- 2.2 The Licence shall expire on 11 December 2028.*

⁵ <https://brcsa.org.za/rams-amplify-radio-listenership-report-oct21-sep22/>

Village FM is in possession of a valid licence which is valid until 11 December 2028 as stated on the licence.

The Licensee complies with clause 2 of the licence.

3.3 Licence Area

Clause 3 of the schedule to the licence provides that the Licensee's coverage area is as outlined below:

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

The radio frequency spectrum licence outlines the radio station's coverage area to be one of a local municipal footprint. During the period under review, there were no complaints escalated to the Authority regarding its coverage area. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

The Licensee complies with clause 3 of the schedule to the licence.

3.2 Community

Clause 4.1 of the schedule to the licence stipulates that:

"The Licensee shall provide services to a geographic community residing within the geographic coverage area as specified herein."

The Licensee provides broadcasting services to the areas under Moses Kotane Municipality, which falls under the Bojanala Platinum District Municipality in the North West Province. These include Mmakau, which is where the radio station is located, Pella, Madikwe, Ramokokstad and surrounding areas. For the period under review, there were no complaints that were lodged against the Licensee regarding its geographic community.

The Licensee complies with clause 4.1 of the schedule to the licence.

Clause 4.2 of the schedule to the licence provides as follows:

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

"4.2.1 The Licensee shall hold at least 2 (two) meetings annually with its community 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".

For the period under review, the Authority did not receive proof of any meetings held by the licensee.

The Licensee did not comply with clause 4.2 of the schedule to the licence.

Clause 4.2.3 The Licensee shall to hold Annual General Meetings (AGM) for the following purposes:

4.2.3.1 To provide feedback on the Licensee's compliance with license 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".

During the period under review, the licensee did not hold any AGM.

The Licensee did not comply with clause 4.3 of the schedule to the licence.

3.3 Programming

Clause 5.1.1 of the schedule to the licence provides for the radio station's programming as follows:

" Local News and Information: *The licensee shall broadcast a total of one hundred and ninety-five (195) minutes of news per week, and eighty (80) minutes on weekends. Fifty (50) minutes shall be local and provincial news, forty (40) minutes shall be national news and ten (10) minutes shall be international news."*

The following extracts of news was found during the monitoring exercise:

- *"Batho ba babedi, Makhosazana Felicity Mfuphi wa mengwaga ye 30 le Sinethemba Klaas wa mengwaga ye 28 ba tšweletše pele ga kgorotsheko ya bomaseterata ya Vrede ka ditatofatšo tša polao le go thuba ka dibetša, morago ga polao ye sehlogo ya leloko la sehlopha sa bosenyi sa bosenyi sa SAPS seo*

setopo sa gagwe se utolotšwego bekeng ya go feta ka dintho tše mmalwa tša go thunywa hlogong. "Ka Labohlano, la 22 Diphlane 2021, setopo sa mohu, Constable Itumeleng Tladi (26), yo a bego a dutše Crime Intelligence yeo e lego Vrede, se hweditšwe se rapaletše ka thoko ga tsela polaseng yeo e lego kgauswi le Vrede. O hweditšwe a na le dintho tše mmalwa tša go thunywa hlogong. Kolo ya gagwe ya praebe e hweditšwe e tlogetšwe dikhilomithara tše hlano go tloga moo setopo se hweditšwego gona," go boletše mmoleledi wa profense ya Hawks Free State Mokapotene Christopher Singo.

- *Banna ba bahlano bao ba latofatswago ka go bolaya sebakadi sa kgwele ya maoto sa dinaledi Senzo Meyiwa ba tla tšwelela kgorong ya tsheko ya godimo ya Palm Ridge ka Mošupologo go theeletša pele ga tsheko. Theeletšo ya banna ba bahlano bao ba latofaditšwego ka polao ya 2014 ya Orlando Pirates le mokapotene wa Bafana Bafana Senzo Meyiwa go na le kgonagalo ya go lebiša tlhokomelo go bea letšatšikgwedi la semmušo la go thoma tsheko, go boletše Chanté Kelder, mmoleledi wa AfriForum yeo e emelago lapa la Meyiwa dinyakišišo le tsheko."*
- *Kgoro ya Thuto ya Free State e re e na le tshepo ya gore ditokišetšo ka moka tšeo e di dirilego pele ga ditlhahlobo tša mafelelo tša mphato wa marematlou di tla dira gape gore kgoro ye e be le lefelo la nomoro ya pele dipoelong tša mphato wa marematlou tša naga. Bonkgetheng ba dikete tše masometharotshela ba nako ka moka le bonkgetheng ba nakwana ba 7100 ba tla ngwala ditlhahlobo go hwetša setifikeiti sa bona sa bosetšhaba sa bagolo ka profenseng. Free State e nepišetše tekanyo ya go phasa ya mphato wa marematlou ya 90% ngwageng wo, go tloga go 85.1% ya ngwagola .*

Clause 5.1.2 of the schedule to the license provides that:

"South African Music Content: 80%"

The monitoring exercise found over 80% of South African music content.

The Licensee complies with its South African Music Content obligation.

Clause 5.1.3 Local Content:

"Talk vs Music: 60% Talk and 40% Music."

The monitoring exercise found that the Licensee adheres to its format factor, in which the majority of its programming constitutes Talk content, and the rest is dedicated to music content. The weekday breakfast show called *Rise 'n Shine* is an example of a programme that deals with topical issues of the day in much more detail, and has high engagement with listeners.

3.4 Language(s) of broadcast

Clause 5.1.4 of the schedule to the licence provides that the languages of broadcast are as follows:

5.1.4.1 Setswana – 80%;

5.1.4.2 English – 10%

5.1.4.3 isiZulu – 2%

5.1.4.4 isiXhosa – 2%; and

5.1.4.4 Afrikaans – 1%

The monitoring exercise found Setswana to be the principal language of broadcast with some English segments found in between other programming such as news and other shows. Other languages could not be found during the monitoring exercise.

The licensee partially complies with its language quotas.

Clause 5.2 of the schedule to 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 pro-forma of the log to be kept will be supplied by the Authority"

The licensee submits its logs of programmes on a monthly basis in accordance with the Compliance Procedure Manual.

The licensee complies with clause 5.2 of the schedule to its licence.

3.5 Notices and Addresses

Clause 7 of the schedule to the licence stipulates that:

"The licensee chooses the following as its principal address"

7.1 Physical Address: Stand No: 613

Ralefoka Section

Modimosana

2736

7.2 Postal Address: Same as above

For the period under review, there were no changes in the addresses of the licensee.

The Licensee complies with clause 7 of its licence.

4. REGULATIONS

4.1 South African Music Content

Regulation 3 (3) of the Regulations on South African Music Content as published on 23 March 2016 stipulates that:

"A holder of a community sound broadcasting licence must ensure that after eighteen (18) months of the gazetting of these regulations, a minimum of 60%, increasing by 10% annually to reach 80% of the musical works broadcast in the performance period, consist of South African music and that such South African music is spread reasonably evenly throughout the said period".

During the period under review, Village FM's music content reflects at least 80% of South African Music. Artists featured on Village FM's music line-up include DJ *Obza*; *Saint Evo*; *Mobi Dixon*; *Sdala B and Paige*; *TNS*; *Lindough*; *Madumane* and many others.

The Licensee complies with South African Music Content Regulations.

4.2 Regulations regarding Standard Terms and Conditions for Class Licenses

For the period under review, the Authority did not find any area of non-compliance with the standard terms and conditions for class licences.

The Licensee complies with the regulations on Standard Terms and Conditions for Class Licenses.

5. CONCLUSION

The Licensee did not comply with certain of its licence terms and conditions which include, not holding community meetings to discuss programming and programming policies. The Licensee did not convene its annual general meeting and it did not utilise all its languages of broadcast as per the licence.

The Licensing and Compliance Division will advise the Licensee of all the areas of non-compliance and endeavour to assist the Licensee to comply. However, should the Licensee not improve and rectify its compliance, it will be advised of the Authority's intention to refer them to the Complaints and Compliance Committee (CCC), for hearing and adjudication.

5. TERMS OF REFERENCE

6.1 Annexure A : Village FM Community Radio Class broadcasting service and spectrum licence

6.2 Annexure B : Regulations on South African Music Content

6.3 Annexure C : Regulations on Standard Terms and Conditions for Class Licences