



LESEDI FM ANNUAL COMPLIANCE REPORT

MARCH 2024

2022/2023 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS LESEDI FM

Licence Period: 18 December 2018 – 17 December 2028

1. PREFACE

The Independent Communications Authority of South Africa (the Authority) has a statutory mandate in terms of the Constitution, the ICASA Act¹, the Electronic Communications Act² (ECA) and the Broadcasting Act³ 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 Lesedi FM's compliance with the terms and conditions as set out in its licence for the 2022/2023 financial year. Aspects of compliance that are measured comprise Format, Local Content Obligations, General Programming Obligations and Training and Skills Development.

Furthermore, 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 and the Code of Conduct.

2. BACKGROUND

Lesedi FM is an Individual Sound Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station forms part of the public service division of the SABC and is licensed to provide a full spectrum service to the following provinces: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Mpumalanga and North West.

¹ Act No. 13 of 2000, as amended.

² Act No. 36 of 2005

³ Act No. 4 of 1999

Lesedi FM broadcasts from studios situated at Radio Park, Henley Road, Auckland Park in Johannesburg and from the SABC studios in the Free State, (on Nelson Mandela Drive, Bloemfontein). Lesedi FM is accessible to its listeners on the frequencies specified in the frequency spectrum licence granted to it by the Authority.

Lesedi FM has Radio Data System (RDS) identification as Lesedi FM. The signal distribution service is provided by Sentech (Pty) Ltd.

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 shall hold one hundred (100%) percent of the shares of the Corporation*
- 1.3 Ownership by persons from historically disadvantaged groups: N/A*

There were no changes reported on the name and shareholding of the Licensee. Lesedi FM forms part of the public broadcasting service of the SABC and it is 100% owned by the State.

The Licensee complies with clause 1 of its licence.

3.2. Geographic Coverage Area

Clause 3 of the licence schedule states that:

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

According to the frequency spectrum licence, the radio station's coverage area is Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Mpumalanga and North West Provinces. The Licensee maintains that its coverage area is as defined in the frequency spectrum licence.

The Licensee complies with clause 3 of its licence.

3.3. Language(s)

Clause 4 of the licence schedule states that the language of broadcast is as follows:

"Principal Language: Sesotho".

The Authority's monitoring exercise confirmed that Lesedi FM's principal language of broadcast is Sesotho, with minimal use of English particularly during news and interviews.

The Licensee complies with clause 4 above.

3.4. Format

Clause 5.1 of the licence states that:

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

Clause 5.2 stipulates that:

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

Lesedi FM forms part of the public service stations of the SABC and offers a full-spectrum service to its audience as outlined in the licence. This was confirmed during the Authority's monitoring exercise which found that the radio station engages in different topical issues of national interest, across its programming offerings.

The Licensee complies with clauses 5.1 and 5.2 of its licence schedule.

3.5. 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”.

The SABC submitted Lesedi FM’s quarterly reports for the period under review in line with the Compliance Procedure Manual Regulations, indicating the different genres, the South African music content and programming material for the period under review. The information contained in the quarterly reports was compared to the findings of the monitoring exercise and the conclusions thereof are outlined below.

The Licensee complied with clause 6 of its licence schedule.

3.6. General programming obligations

3.6.1. General

Clause 7.1.1 of the licence stipulates that:

“The Licensee shall ensure that its programming adequately reflects the diversity of South Africa’s Religions”.

The SABC’s editorial policy⁴ stipulates that:

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

Lesedi FM broadcasts devotional slots on Thursdays during the lifestyle programme, *Itlhabolle*, where church services from different denominations that are based in different regions within the coverage area, are covered. A live devotional platform is also offered to these denominations.

Sekgutlwana sa ka se Kgethehileng is broadcast on Sunday mornings, and it offers a full sermon that includes devotion, scripture reading and preaching. Lesedi FM also broadcasts *Makgulong a Matala* from 09h00 to 12h00 on Sundays, it offers devotion, gospel music and preaching. There is also listener interaction where listeners call in to discuss issues that affect them, their relationships, families and communities.

The Licensee complies with clause 7.1.1 of the schedule to its licence.

⁴ 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 traditional needs of the audience".

The monitoring exercise confirmed that Lesedi FM offers programming that reflects the cultural and traditional needs of its audience. Some of the programmes that were identified include *Re mmoho*, which is broadcast at 20h00 on weekdays. This programme covers topics such as African customs, traditional affairs and religion. During *Sesiu* and *Lenaka la Motheo*, topics such as spiritual gifts, Sesotho food, dance and different ceremonies are discussed, and experts are invited for in-depth analysis of these topics.

Monyanyako is broadcast on Saturdays between 07h00 and 09h00 and covers traditional choral and celebratory music, including wedding songs. There is listener interaction where listeners call in to send dedications and to request their favourite celebration songs.

Jazz is a show that is dedicated to jazz music on Sunday evenings from 18h00 to 20h00. It also features interviews with jazz musicians such as De Makhotla and Kabelo "El Chen" Mogale. This is followed by *Ditswere* from 20h00, which offers choral music. Upcoming choral events are announced during the show; choirs and music groups from different backgrounds are also profiled.

The Licensee complies with clause 7.1.2 of the schedule its licence.

Clause 7.1.3 of the licence 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".

Lesedi FM offers its audience a variety of programmes that cater for the interests of all South Africans and cover a wide range of social, economic and political issues.

The monitoring exercise identified programmes where various issues of interest to society were discussed.

Thabang Le Rona is a lifestyle show that is broadcast on Saturday and Sunday mornings. It has an educational feature on Saturdays that is presented by children and discusses issues that affect mostly children such as bullying, obesity and other health matters. On Sundays, it has an interactive feature for the elderly, where they are given an opportunity to discuss interesting topics. One of the topics that were monitored was a discussion on the qualities of lasting marriages, where the elderly were given an opportunity to call in and provide inputs on the topic.

Itlhabolle is a lifestyle and magazine show that is broadcast on weekdays from 09h05 to 12h00. It also focuses on interesting topics that affect people of all age groups. The show discusses topics such as relationships, health matters, disability matters, women empowerment, and financial and family matters among others. Some of the topics that were identified during the monitoring exercise include an interview with a Business Coach and an interview with a Marriage Counsellor. There was also a discussion about the importance of home languages on International Home Language Day. There is also an early childhood development insert meant for children.

The Licensee complies with clause 7.1.3 of its licence schedule.

3.6.2. 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 quarterly reports submitted by the SABC show that Lesedi FM broadcasts an average of seventy (70) minutes of news per day. The monitoring exercise revealed that the Licensee broadcasts an average of eighty (80) minutes of news per day.

The following were among the news stories that were covered:

- *COPE e ipileditse ho moPresidente Cyril Ramaphosa ho hatisa Cele kosene. Mokga ona o re o arabela ka mora phatlalatso ya palopalo tsa morao-rao tsa ditlolo tsa molao. Mmuelli wa COPE, Dennis Bloem, o re sena se hloabaetsa boroko. Bloem o re bath oba bolawa jwalo ka ha eka Afrika Borwa ke lepatlelo la ntwā, mme batho ha bay a bolokeha le ha ba le*

malapeng a bona. O re mapolesa, baruti, dibini le baahi kwano lapeng ba tlasa tlhaselo ya dinokwane tsena. O re ba dumela ho re tharollo twantshong ya ditlolo tsena tsa molao ke ya ho re ho lelekwe Letona la Naha la Sepolesa, Bheki Cele.

- Dithuto di sitisehile yunivesithing ya Cape Town, UCT ka ha baetapele ba baithuti ba batla ho re baithuti ba nang le bothata ba mekitlane ya nako e fetileng le yunivesithi, ba kgone ho ingodisa. Ba boetse ba batla ho re bodulo bo fumanehe dihosteleng tsa yunivesithi bakeng sa baithuti bohle ba amohetsweng. Mopresidente wa lekgotla la kemedi ya baithuti SRC, UCT, Hlengiwe Dube le motlatsi wa mopresidente, Swazi Hlophe, ba re mekitlane ena e thibelletse baithuti ba bangata ho ingodisetsa dithuto tsa bona.*
- Baahi ba Westbury ka Bophirima ho Johannesburg ba bolela ho re ba nyahame ka lebaka la ditlolo tsa molao tse etswang ke maqulwana tikolohong ya bona, ka mora polao ya monna e oho belaelwang ho re ke moetapele wa lequlwana le leng la ditlolo tsa molao ka Labone. Dipuisano dipakeng tsa sepolesa le maqulwana a ditlolo tsa molao mmoho le baahi ho tliša kgutso Westbury di ntse di tswela pele mothating ona. Ntwa e ntse e kupa e mabapi le ho tsekwa ha dibaka Westbury, Eldorado Park ha mmoho le Riverlea. Morao-rao moshanyana e mong le yena o ile a bolawa ka mora ho re a thunngwe Nakong eo maqulwana a neng a thunyana.*
- AfriForum e phatlaladitse tlaleho ya yona ya selemo le selemo ya dipolao tsa borapolasi bakeng sa 2022. E bontsha ho re diketsahalo di fokotsehile ho tloha ho ditlhaselo tse makgolo a mane leshome le metso e mehlano (415), le dipolao tse mashome a mahlano le metso e mehlano (55) ka 2021, ho ya ho ditlhaselo tse makgolo a mararo, mashome a mararo le metso e meraro (333), e ka sitana le dipolao tse mashome a mahlano e leng 50 ka selemo seo sa 2022.”*

The Licensee complies with its news obligation.

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 quarterly reports submitted by the SABC indicated that, Lesedi FM broadcasts one hundred and sixty (160) minutes of current affairs programming per day on weekdays and sixty (60) minutes daily on weekends. The monitoring exercise confirmed that the Licensee broadcasts the following current affairs programmes: *Makumane* on weekday mornings, *Imatlafatshe* during lunchtime and *Matshohlo* in the evenings. *Mathumisa* is broadcast on weekends.

The Licensee complies with its current affairs obligation.

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".*

The Licensee's editorial policies indicate that the Licensee exercises 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. Further, the policy provides for fair, unbiased and impartial coverage independent from government, commercial or other interference.

The Licensee complies with clause 7.2.3 of its licence.

3.6.3. 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 of programming targeted at children (as contemplated in section 10(1)(g) of the Broadcasting Act) per week during the South African performance period".

Clause 7.3.2 of the licence stipulated that:

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

- i) broadcast at times of the day when children are available to listen;*
- ii) targeted 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 made from children's point of view.*

The monitoring exercise confirmed that Lesedi FM broadcasts approximately one hundred and twenty (120) minutes of programming targeted at children per week.

Nal'ibali and *Tsohang* are broadcast on weekdays for approximately twenty (20) minutes each day. These programmes use storytelling to educate children about topics that are relevant to them. The Licensee also broadcasts an interactive show called *State Your Mind* during *Thabang le Rona* on Saturdays. Important topics that affect children are discussed and the presenter of programme is also a young person. Some of the topics that were discussed include an interview with a general practitioner about child obesity and a discussion on Juvenile Glaucoma where an Ophthalmologist gave insight on the condition.

Kgothala on Sundays offers an interactive platform for children, that includes book reading where each week a primary school child is invited to come and read and review a story or poem. child is invited t.

The Licensee complies with clause 7.3.1 of the schedule to the licence.

3.6.4. 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."

The SABC's quarterly submissions state that Lesedi FM broadcasts five (5) hours of educational programmes per week during the South African performance period.

The monitoring exercise confirmed that Lesedi FM broadcasts approximately five (5) hours of Educational Programming per week. Educational programmes are offered on different shows during the week and on weekends and they provide education on matters related to the environment and climate change, technology, politics, law, finance and health. Most of the shows that are offered through the SABC Education platform are targeted at young children and the youth.

The Licensee complies with clause 7.4 of the schedule to its licence.

3.6.5. Drama

Clause 7.5 of the licence stipulates that:

"The Licensee shall broadcast at least two and a half (2½) hours of drama per week within the South African performance period".

According to quarterly reports submitted by the SABC, Lesedi FM broadcasts approximately two and a half (2½) hours of drama per week during the performance period.

The monitoring exercise revealed that the Licensee still broadcasts the long-running drama, *Monyaka*, twice on weekdays at 13h40 to 13h55 and at 20h00 to 20h15.

The Licensee complies with clause 7.5 of the schedule to its licence.

3.6.6. Informal Knowledge Building (IKB)

Clause 7.6 of the schedule to 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 SABC's quarterly reports indicate that Lesedi FM broadcasts more than seven hundred (720) minutes (12 hours) of informal knowledge-building programming per week.

The monitoring exercise confirmed that Lesedi FM broadcasts at least (5) hours of informal knowledge building programming throughout the day.

Programmes such as *Thakgotha Breakfast*, *Itlhabolle*, *Jwale Ke Nako*, *Re a Thella Afternoon Drive Show* and *Re Mmoho* offer informal knowledge building content where a diverse range of informative and educational topics are discussed. Experts on different fields and topics are invited to these shows. Topics related to matters such as, entrepreneurship, literacy, labour matters, career guidance and finances, among others, are discussed. Listeners are also given an opportunity to interact with experts on different topics and ask questions on these matters.

Some of the matters that were identified include discussions on custody battles, estate planning, education on unemployment benefits, and a review of the budget speech. There was also an interview with an Economist on the importance of a diverse economy and how South Africa being grey listed will affect the country and its citizens.

The Licensee complies with clause 7.6 of the schedule to its licence.

3.7 Training and Skills Development Obligations

Clause 8 of the Schedule to Good Hope 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 SABC's Employment Equity and Transformation report for the year that ended February 2023 outlines the Licensee's efforts to comply with clause 8 and the subclauses. The Licensee continues to maximise its employment of people from historically disadvantaged backgrounds. In the year that ended February 2023, the SABC absorbed into its workforce, one hundred and twenty six (126) interns out of one hundred and sixty-three (163) that completed the 2022/2023 internship programme with the Licensee.

Women continue to get into high positions within the Licensee and people from previously disadvantaged groups make up the majority at an executive level. The Licensee's five-year target is to have at least 51.7% women making up the entire workforce by September 2025. The SABC has already reached the 2025 target; currently, women make up 52% of the Licensee's employees, and they are represented at all occupational levels. The SABC's Employment Equity report shows that the Licensee's employment practices strive to promote a fair and equitable representation of race and gender at all levels.

Table 1: SABC's 2025 Employment Equity Targets (Control/Management Echelon) against 2023 Actuals

Employment Category	September 2025 Target	February 2023 Actual
Black Board of Directors with Voting Rights	50%	85.72%
Female Board of Directors with Voting Rights	25%	33%
Black Executive Directors (GCEO, COO, CFO)	50%	66.67%

Black Female Executive Directors (GCEO, COO, CFO)	25%	0%
Black Executive Managers / Senior Management	60%	88 %
Black Female Executive Managers/Senior Management	30%	32%
Black Middle Management	75%	83%
Black Female Middle Management	38%	42%
Black Junior Managers	88%	93%
Black Female Junior Managers	44%	49%
Black People with Disabilities	2%	2%

Towards its obligation as laid out in clause 8.3 (b) and its Workplace Skills Plan, the SABC delivered one thousand three hundred and sixty-eight (1368) training interventions in the past reporting year. Eight hundred and seventy-six (876) employees took part in the training interventions and 96.5% of the participants were persons from historically disadvantaged groups.

The SABC's reports on employment equity and skills development were received within the time frame specified in the License, thus complying with clause 8.4.

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

3.8. Provision of audited financial statements to the Authority:

Clause 9 of the service licence provides 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 an extension."

The Licensee submitted its audited annual financial statements to the Authority within the prescribed time.

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

4. REGULATIONS

4.1. ICASA South African Music Content Regulations, 2016

On 23 March 2016, the Authority published the ICASA South African Music Content Regulations which repealed ICASA South African Music Content regulations published on 31 January 2006.

Regulation 3 (1) of the South African Music Content⁵ Regulations 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."

The monitoring conducted by the Authority confirmed that the radio station broadcasts approximately 70% South African music content during the performance period.

Some of the artists featured during the monitoring exercise were: *Malaika, AKA, Teboho Moloi, Q Twins, Patience Afrika, Mike Bakamela, Judith Sephuma, De Makgotla, Mobi Dixon, Samthing Soweto, Simphiwe Dana, Mi Casa and Ihashi Elimhlophe.*

The Licensee complies with the ICASA South African Music Content Regulations.

⁵ ICASA South African Music Content Regulations, 2016 as published in *Government Gazette* No.39844 dated, 23 March 2016.

4.2 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Service Licensees, 2010⁶ as amended.

During the period under review, the Authority could not find any non-compliance by Lesedi FM with the standard terms and conditions for individual Licensees.

4.3 Universal Service and Access Fund Regulations, 2011

Regulation 3(1) of the Regulations in respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund ("USAF") as published in the *Government Gazette* No. 34010 on 10 February 2011, stipulates that:

"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".

Further, Regulation 3(2) provides that:

"A BS Licensee who has paid an annual contribution to the Media Development and Diversity Agency (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 directly to the MDDA and submitted proof thereof to the Authority.

The Licensee complies with Regulations 3(1) and 3(2) of the USAF Regulations.

4.4 Complaints

Form 12A⁷: 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.

⁶ Standard Terms and Conditions for Individual Broadcasting Services, 2010 No. 33294 dated, 14 June 2010 as amended.

⁷ ICASA Compliance Procedure Manual Regulations, 2011 as published in *Government Gazette* No. 34863 dated, 15 December 2011.

The SABC submitted its complaints report in accordance with the Regulations regarding the Code of Conduct for Broadcasting Service Licensees, 2009⁸.

5. CONCLUSION

The monitoring exercise found that during the period under review, the Licensee complied with its licence terms and conditions and related regulations.

6. TERMS OF REFERENCE

Annexure A: Lesedi FM's Broadcasting Service Licence;

Annexure B: Lesedi FM's Frequency Spectrum Licence;

Annexure C: Training & Skills Development Report;

Annexure D: Standard Terms and Conditions for Individual Broadcasting Services, 2010 No. 33294 dated, 14 June 2010 as amended;

Annexure E: USAF Regulations, 2011 as published in *Government Gazette* No. 34010 dated, 10 February 2011;

Annexure F: Code of Conduct for Broadcasting Service Licensees, 2009 as published in *Government Gazette* No. 32381 dated, 06 July 2009; and

Annexure G: Proof of SABC's Contribution to USAF.

END

⁸ Code of Conduct for Broadcasting Service Licensees, 2009 as published in *Government Gazette* No. 32381 dated, 06 July 2009.