

# **TALK RADIO 702 ANNUAL COMPLIANCE REPORT**

**MARCH 2024**

## **2022/23 ANNUAL COMPLIANCE REPORT**

### **PRIMEDIA HOLDINGS (Pty) Ltd BROADCASTING AS TALK RADIO 702**

**LICENCE PERIOD: 17 December 2018 – 17 December 2028**

#### **1. PREFACE**

The Independent Communications Authority of South Africa (“Authority”) has a statutory mandate in terms of the Constitution, the Independent Communications Authority of South Africa Act<sup>1</sup> (ICASA Act) and the Electronic Communications Act<sup>2</sup> (“ECA”) to regulate broadcasting activities in South Africa in the public interest. One of the main tasks of the Authority is to ensure compliance by broadcasters with the terms and conditions of their licence and any relevant legislation and regulations.

The purpose of the report is to give an account of Talk Radio 702’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 Geographic Coverage, Broadcasting Languages, Format, General Programming Obligations, Training and Skills Development, Community-Related Obligations, Ownership and Control, South African Music Regulations, Regulations Regarding Standard Terms and Conditions and Universal Service and Access Fund (USAF) Regulations.

#### **2. BACKGROUND**

In December 2018, the Authority issued Primedia (Licensee) with an Individual Commercial Sound Broadcasting Service licence and a Radio Frequency Spectrum licence<sup>3</sup> in terms of the EC Act.

The Licensee broadcasts as Talk Radio 702 and provides a service in the Gauteng province. The radio station is broadcasting from the studios situated at 5 Gwen Lane, Sandown, Sandton. The signal distribution service is conducted by Sentech (Pty) Ltd.

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<sup>1</sup> The ICASA Act No, 13 of 2000,

<sup>2</sup> Act No, 36 of 2005

<sup>3</sup> IBSL and RFS Licences

### **3. COMPLIANCE ASSESSMENT**

#### **3.1. Control Structure**

##### **3.1.1. Ownership and Control**

Clause 1 of Talk Radio 702's licence provides that:

*"The licence is issued to:*

*1.1 Name of Company/Entity: Primedia (Pty) Ltd*

*1.2 Shareholders: Primedia Holdings III Limited*

*1.3 Ownership held by persons from historically disadvantaged groups: 49.1%"*

During the period under review, there were no changes reported by the Licensee to the entity's name, shareholding and HDG structure.

**The Licensee complies with clause 1 of its licence.**

#### **3.2. Contact Details**

Clause 2 of the licence provides that:

*2.1 "The contact person for the Licensee shall be:*

*2.1.1 Name: Ms Tholoana Ncheke*

*2.1.2 Tel: 011-506 3845*

*2.1.3 Fax: 086 262 3003*

*2.1.4 Cell: 083 464 2330*

*2.1.5 Email: [tholoanan@primedia.co.za](mailto:tholoanan@primedia.co.za) "*

#### **3.3. Notices and Addresses**

Clause 3 of the licence provides that:

*3.1 "The Licensee chooses the following addresses as its principal addresses:*

*3.1.1 Postal Address: PO Box 5572*

*Rivonia*

*2126*

*3.1.2 Physical Address: Primedia House*

*5 Gwen Lane*

*Sandown*

*Sandton, 2146*

The Licensee has not reported any changes to its contact persons and principal addresses during the period under review.

### **3.4. Name of Station**

Clause 1 of the schedule to the licence provides that:

*"Name of Station: Talk Radio 702".*

There were no changes reported by the Licensee to its name during the period under review.

**The Licensee complies with clause 1 of the schedule of its licence.**

### **3.5. Geographic Coverage Area**

Clause 2 of Talk Radio 702 frequency spectrum licence provides that Talk Radio 702's geographic coverage is as follows:

*"Gauteng, as defined in the coverage map attached to the Licensee's radio frequency spectrum licence".*

The Authority did not receive reports and or complaints alleging that the Licensee broadcasts outside the defined coverage area.

**The Licensee complies with clause 2 of the schedule of its licence.**

### **3.6 Broadcast Language (s)**

Clause 3 of the licence provides that the language of broadcast shall be:

*"Principal Language: English".*

Talk Radio 702 broadcasts its programmes primarily in English.

**The Licensee complies with clause 3 of its licence.**

### **3.7 Format**

Clause 4 of the licence provides that the Licensee is:

*"A talk-based service with a maximum of fifteen percent (15%) music programming".*

The Authority's monitoring exercise revealed that the Licensee's music does not exceed fifteen percent (15%) of its programme content.

**The Licensee complies with clause 4 of its licence.**

### **3.8 General Programming Obligations**

Clause 5.1 of the licence provides that:

*"Should the Licensee source its news material from a source other than itself the source(s) thereof shall be disclosed during the news broadcast".*

The monitoring exercise revealed that most of Talk Radio 702 news bulletins are sourced from Eyewitness News, a subsidiary of Primedia (Pty) Ltd. The licensee submits that where it reports on news from elsewhere other than from their journalists and sources, the Licensee confirms that it discloses those sources.

#### **The Licensee complies with clause 5.1 of its licence.**

Clause 5.2 of the schedule to Talk Radio 702's licence provides that:

*"The Licensee shall broadcast news every hour daily".*

The monitoring exercise revealed that Talk Radio 702 broadcasts news at the top of every hour during the performance period, daily. Each news bulletin lasts for approximately five (5) minutes. The following were among the news excerpts heard during the period under review:

- *"New faces are expected to feature in President Cyril Ramaphosa's soon-to-be-announced new members cabinet this evening. ANC Deputy President Paul Mashatile is likely to be announced as the country's second-in-command, with Sihle Zikalala and ANC deputy Secretary-General, Maropene Ramokgopa, set to make it to cabinet as ministers as well."*
- *"Newly appointed minister new of electricity has hit the ground, not running at Eskom. Dr. Kgosientsho Ramokgopa has completed his second day of visits to Eskom's 14 power stations across the Republic."*
- *"The City of Tshwane is hunting for a new mayor following the disqualification of Murunwa Makwarela on Tuesday morning. Makwarela, who was elected in the position last week, was disqualified as a PR councillor for Cope, which affected his mayoral position after being accused of dishonesty."*
- *Health Minister, Joe Phaahla will give an update on the COVID-19 situation in South Africa later on Tuesday after the detection of a new Omicron sub-variant, called XBB 1.5 in the country."*

- The ministry in recent days made a renewed call to the public to wear masks, get vaccinated and receive booster shots as well as to keep social distance.

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

### **3.9 Training and Skills Development Obligations**

Clause 6 of the licence provides that:

*"The Licensee shall over its licence period, allocate R400 000.00 (four hundred thousand Rand) per annum toward staff training with particular emphasis on women and Blacks".*

The Licensee submits that a total of R900,684,20 (nine hundred thousand six hundred and eighty-four rand twenty cents) was on training historically disadvantaged individuals (HDIs). The two tables below show a breakdown of the total amounts spent for females and males, respectively.

**Table 1: Total spend on Training HDIs: Females**

<b>FEMALE</b>	<b>TRAINING SPEND</b>
AFRICAN	R443,842.10
INDIAN	R91,368.42
COLOURED	0
WHITE	0
<b>TOTAL</b>	<b>R535,210.52</b>

**Table 2: Total spend on Training HDIs: Males**

<b>MALE</b>	<b>TRAINING SPEND</b>
AFRICAN	R365,473.68
INDIAN	0
COLOURED	0
WHITE	0
<b>TOTAL</b>	<b>R365,473.68</b>
<b>GRAND TOTAL</b>	<b>R900,684,20</b>

**The Licensee complies with clause 6.1 of its licence.**

### 3.10 Community-related Obligations

Clause 7.1 provides that:

*"The Licensee shall:*

*7.1.1 raise at least R250 000 (two hundred and fifty thousand Rand) in cash and goods annually".*

The Licensee submits that R621,000 (six hundred and twenty-one thousand rand). The goods and cash were raised to assist causes which support the youth, homeless women and children as well as the deaf.

Below is a table that reflects the licensee's performance in relation to clause 7.1.1 of the schedule to its licence.

**Table 3: Fundraising for Charity**

<b>Charity</b>	<b>Execution</b>	<b>Amount</b>
Norma's Daycare Centre	On 11 July 2022 as we got closer and closer to Mandela Day the breakfast show identified an old age daycare centre that is doing incredible work for the elderly— Norma's Daycare Centre which is situated in Pretoria and takes care of over 130 elderly folks. The NPO care centre which was founded in 2006 is run under the Department of Social Development and operates from two centres in Ga-Rankuwa. The Centre's Caretaker and nurse Sister Margaret Sefolo spoke candidly about some of the challenges the centre faces and its most pressing needs such as beds, mattresses, proper roofing and food supplies.	Donation value: R80 000

<b>Charity</b>	<b>Execution</b>	<b>Amount</b>
	Following the interview the day care centre received new beds, new mattresses, new roofing and painting, food, as well as assistance with plumbing.	
Mandela Children's Hospital	In July 2023, a mini radiothon was hosted to raise funds for the Mandela Children's Hospital. Callers donated a total amount of R496 000	Donation value: R496 000
Sipho (pseudonym)	On 26 September 2022, a listener called the Clement Manyathela show and shared his unfortunate encounter with the Gauteng Crime Prevention wardens' during which he sustained injuries. After the call, the station was contacted by the Urology Hospital at Hatfield which offered Sipho a surgery and the R30,000 cost would be waived.	Donation value: R30 000
SASSA recipients	In September 2022, after broadcasts regarding non-payment of SASSA old age pension and grant recipient, listeners donated R5000 and R10,000 respectively after a SASSA pension fund recipient and a SASSA grant called in to express their challenges in light of the non-payments by SASSA.	Donation value: R5 000
	<b>Total donation value</b>	<b>R621 000</b>

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

7.1.2 provide airtime worth R250 000 (two hundred and fifty thousand Rand) annually, towards supporting community organisations such as those benefiting:

- a) people infected or affected by HIV & AIDS;
- b) the terminally ill and/or the elderly;
- c) schools;
- d) women;
- e) children;
- f) animal welfare; and or
- g) natural/environmental disasters such as fires and floods”.

The Licensee submits that for the period under review, it provided to the value of R1 253 599.48 (one million two hundred and fifty-three thousand five hundred and ninety-nine rand and forty-seven cents). Below is the detailed breakdown.

**Table 4: Fundraising for Charity - Community Organisations**

<b>Community Organisations</b>	<b>Amount raised</b>
Adopt A School Foundation NPC	R15.217.00
Ashraful Aid	R181.034.28
LADIES OF LOVE	R37.935.00
Missing Children SA	R61.240.50
Mustadafin Foundation	R48.917.70
PROSTATE CANCER FOUNDATION	R11.573.00
SAVE OUR SCHOOLS	R95.638.00
SHE POWHER FOUNDATION	R26.633.00
Sports Trust	R15.217.00
TEARS OF FOUNDATION	R35.387.00
The Exceptional Nurse Campaign NPC	R74.552.00
FOODBANK SOUTH AFRICA	R51.540.00
PROSTATE CANCER FOUNDATION	R15.935.00
THE Sunflower Fund NPC	R28.305.00
LADIES OF LOVE	R34.735.00
Reach for a Dream	R33.910.00
LADIES OF LOVE	R28.305.00
Quegal Restoration & Refuge Centre	R28.305.00
The Children's Hospital Trust	R27.300.00
The Rotary Club of Riverside	R28.305.00
CANCER ASSOCIATION OF SOUTH AFRICA (link)	R35.755.00
CHOC Childhood Cancer Foundation SA	R28.305.00
Rare Diseases South Africa NPC	R29.945.00
THE BOUCHER RHINO LEGACY NPC	R64.425.00
LADIES OF LOVE	R33.200.00
Little Eden	R32.165.00
THE BOUCHER RHINO LEGACY NPC	R36.685.00
Ebenezer Psychiatric Home	R21.125.00
Reach for a Dream	R28.305.00

Ebenezer Psychiatric Home	R12.075.00
The Lunchbox Fund South Africa(NPC)	R51.630.00
<b>Total amount raised</b>	<b>R1 253 599.48</b>

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

Clause 7.2 of the licence provides that:

*"The Licensee shall train staff from community sound broadcasting services in its geographic coverage area in the areas of: programme presenting and production, news, sales, marketing and sound engineering through mentoring and on-the-job training that is, having such staff "shadow" Radio 702 presenters, producers, news reporters, sales representatives, marketing staff and sound engineers while at work".*

The licensee submits that it hosted a Community Radio Conference on wherein presenters engaged the community broadcasters on inter alia the changing role of a radio presenter in a multi-sensory media world for audiences and advertisers, the future of news production and insights on how community broadcasters can develop innovative client campaigns. The conference was attended by representatives from Alex FM, UJ FM, TUT FM, Radio Veritas, Theta FM and Voice of Wits.

Furthermore, the Licensee submits that it hosted a job shadowing programme which focused on programme presenting and production, news, sales, marketing and sound engineering.

**The Licensee complies with clause 7.2 of the schedule to its licence.**

**4. REGULATIONS**

**4.1 Complaints**

The Licensee is required, in terms of the Compliance Procedure Manual Regulations, to submit a Form 12A which reports on all complaints received during the period under review.

The Licensee is a member of the National Association of Broadcasters (NAB). Complaints related to the code of conduct are administered by the Broadcasting Complaints Commission of South Africa (BCCSA).

The Licensee has not reported having any complaints for the period under review.

## **The Licensee complies with the Compliance Procedure Manual Regulations.**

### **4.2 SA Music Content Regulations**

The Authority on 23 March 2016 published ICASA South African Music Contents Regulations which repealed ICASA South African Music Content regulations published on 31 January 2006. The regulations were to be effective eighteen (18) months after publication i.e. 23 September 2017 which falls within the period under review. The quotas were revised from 25% to 35% for commercial sound broadcasting services.

Regulation 3 (2) of the ICASA South African Music Contents Regulations stipulates that:

*"Every holder of a commercial sound broadcasting licence must ensure that after eighteen (18) months from the date of gazetting of these Regulations, a minimum of 35% 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 year under review, the monitoring exercise revealed that 94.7 Highveld Stereo played an average of 35% (thirty five percent) of South African Music spread reasonably evenly throughout the Performance Period. The South African artists featured included Sjava, DJ Black Coffee, Oskido, Selaelo Selota, Thandisa Mazwai, Amanda Black.

**The Licensee complies with regulation 3.2 above.**

### **4.3 Standard Terms and Conditions**

During the year under review, there were no instances of non-compliance by the Licensee with the Regulations regarding Standard Terms and Conditions for Individual Licences<sup>4</sup>.

**The Licensee complies with the above regulations.**

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<sup>4</sup> Regulations Regarding Standard Terms and Conditions for Individual Licences Standard Terms and Conditions for Individual & Electronic Communications Network Services, 2010 as published in *Government Gazette* No. 33296 dated, 14 June 2010, as amended.

#### 4.4 **Regulations in Respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund<sup>5</sup>**

Regulation 3 (1) of the Regulations in respect of Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund (USAF)<sup>6</sup>, as published in the Government Gazette, No. 31499 of April 2009, stipulates that:

*"Every holder of a Licence granted in terms of Chapter 3 or converted in terms of chapter 15 of the Act, must pay an annual contribution of 0.2% of the annual turnover, derived from the licensee's licence activity, to the Fund (the Fund)".*

Further, Regulation 3 (3) stipulates that:

*"A broadcasting service licensee who has paid an annual contribution to the Media Development and Diversity Agency (MDDA) must set off that contribution against its prescribed annual contribution to the Fund."*

Talk 702 's financial year ends on, 30 June. The Licensee's evidence demonstrates that the payment was made to the MDDA in September 2023.

**The Licensee complies with the above regulations.**

#### 4.5 **General Licence Fees Regulations**

Regulation 3 (1) of the General Licence Fees Regulations<sup>7</sup> provides that:

*"The annual Licence fees prescribed in these regulations and as set out in schedule 2 apply to holders of individual and class ECS Licences, individual and class ECNS Licences and individual commercial Broadcasting Licences".*

Schedule 2 of the Annual Licences Fees regulations provides for Licensees to pay an annual licence fee in accordance with their licensed revenue and to be calculated using the set formula, read with the applicable percentages.

Regulation 7(a), 7(b) and 7(c) of Schedule 3 provides that:

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<sup>5</sup> The Universal Service and Access Fund (USAF) Regulations, 2011 as published in Government Gazette No. 34010 dated, 10 February 2011.

<sup>6</sup> USAF Regulations, 2011 as published in *Government Gazette* No. 34010 dated, 10 February 2011.

<sup>7</sup> General Licence Fees Regulations, 2012 as published in *Government Gazette* No. 36323 dated, 28 March 2013, as amended.

- a) *Are due annually based on the licensee financial year;*
- b) *Are due and payable within 6 months from the end of the end of the licensee's financial year;*
- c) *May only be paid by way of an electronic transfer or via direct deposit into the Authority's bank account".*

Talk 702's financial year ends on 30 June. The Licensee has paid its licence fees in September 2023 and submitted proof of payment<sup>8</sup> thereof as per the Regulations.

**The Licensee complies with the above regulations.**

## 5. **CONCLUSION**

The Licensee has fully complied with its licence terms and conditions, for the period under review.

## 6. **TERMS OF REFERENCE**

Annexure A : Talk Radio 702's Service and Spectrum Licences;

Annexure B : Regulations on Standard Terms and Conditions for Individual Broadcasting & Individual Electronic Communications Services, 2010 as published in *Government Gazette* No. 33294 dated, 14 June 2010, as amended;

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

Annexure D : Processes and Procedures Regulations for Individual licences published in *Government Gazette* No. 33293 dated, 14 June 2010, as amended;

Annexure E : ICASA South African Music Content Regulations, 2016 as published in *Government Gazette* No.39844 dated, 23 March 2016; and

Annexure F : Proof of payment for Talk Radio 702's Licence Fee and Contribution to USAF.

**END**

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<sup>8</sup> Proof Licence Fees Payment for Talk 702 2021-2022