



UMHLOBO WENENE

FM

ANNUAL

COMPLIANCE REPORT

MARCH 2024

2022/2023 ANNUAL COMPLIANCE REPORT

SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS UMHLOBO WENENE 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 Independent Communications Authority of South Africa Act¹ (“ICASA Act”), 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 of ensuring 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 UMhlobo Wenene 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 include Format, Local Content Obligations, General Programming Obligations and Training and Skills Development. Additionally, 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, General Licence Fees, and the Code of Conduct for Broadcasters.

2. BACKGROUND

UMhlobo Wenene FM is part of the South African Broadcasting Corporation (“SABC”) and holds an Individual Sound Broadcasting Service licence⁴. 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,

¹ Act No. 13 of 2000, as amended

² Act No. 36 of 2000

³ Act No. 4 of 1999

⁴ UMhlobo Wenene’s Broadcasting Service Licence

KwaZulu Natal, Northern Cape and Limpopo. UMhlobo Wenene's language of broadcast is isiXhosa.

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 Licensee's coverage area includes: Gauteng, Eastern Cape, Western Cape, Free State, North West, KwaZulu Natal, Northern Cape and Limpopo. uMhlobo weNene continues to offer service to the coverage area is as defined in the frequency spectrum licence.

3.2 Language(s)

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

"Principal Language: isiXhosa".

The Authority's monitoring exercise confirmed that UMhlobo Wenene FM's principal language of broadcast is isiXhosa. All programmes monitored were found to be in isiXhosa. In instances where English was broadcast, particularly during news and current affairs programme, the present would translate into isiXhosa as soon as possible.

UMhlobo Wenene FM complies 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:

"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 characteristic was observed during a monitoring exercise carried out on the Licensee's programming profile for the year ended 31 March 2023.

The Licensee complies with clause 5.1 and 5.2 of its licence.

3.4 Local Content Obligations

Clause 6 of the licence provides as follows:

"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".

3.5 General programming obligations

The Authority will, herein further, give a narrative 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. The Licensee's programming profile has would – ordinarily – adopt a few changes at least every year. The changes usually range from changes in show presenters to show genre/orientation and would be almost unnoticeable to non-Umhlobo wenene FM Listeners.

The year under review has been no exception; all programmes found in the previous year's monitoring were found in this year's exercise. While the tone of the programme and sometimes the attitude because of changes to the Presenters of the shows may have been found to be different compared to the previous years', the Licensee was found to have kept to its licence obligations.

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 policy⁵ 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 past year's monitoring found that the following programmes contained religious content that is suited for the isiXhosa speaking community in particular Christian and Islam:

- *"Inkolo yeIslam"* a weekday offering broadcast between 05h00 and 05h30. This show's content focuses more on Islamic faith matters. Verses from the Quran are the basis of the teaching while religious recitals give it the true Islam identity.
- *"Ukholo lweMveli"* broadcast on Thursdays between 21h00 and 23h00 and Saturdays between 05h00 and 06h00 focuses on the essence of African Religion and how it recognised Melingqangi/Qamata as the supreme power.
- *"Ngenani emasangweni aKhe ngendumiso"* 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;

⁵ An extract from the Licensee's Editorial Policy

- "Ukholo neNgqiqo" broadcast on Sundays between 05h30 and 07h00. 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" is 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 22h00 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 traditional 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 bears 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:

- "Ukholo lwemveli" broadcast on Saturday morning between 05h00 and 06h00;
- *Lavuth' iBhayi* is broadcast on Saturdays between 10h00 and 13h00. This is a traditional music programme which plays hundred percent South African Music and featuring traditional Xhosa and Zulu music artists.

UMhlobo Wenene complies 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”.

The Authority’s monitoring exercise confirmed that the radio station caters for the interests of all sectors of South Africa. The diversity in the scheduled content echoes the Licensee’s attempts to cater for all genders and different age groups. The following programmes, among others, were monitored and content was found to be targeted at the different sectors within the IsiXhosa-speaking community:

- *“Khanyisa kukhanye Mhlobo”* a programme following on 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.
- *“Phuhla Mntwana”* is an insert within *“Khanyisa kukhanye Mhlobo”* every weekday targeted at children and produced in a language children understand;
- *“Disability 360”* – a lifestyle-orientated insert with *“Khanyisa kukhanye Mhlobo”* on Wednesday with emphasis on challenges facing people with disabilities.
- *“Inkolo yeIslam”* a daily feature between 05h00 and 05h30 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 – between Monday and Thursday – targeted at the school-going listener. This show features the classroom curriculum.

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-three (63) minutes of news each day during the South African performance period.

The Authority's monitoring exercise found that UMhlobo Wenene FM schedules at least 15 full news bulletins on each day of the week. All bulletins have a duration of at least 4 minutes each. This amounts to a total of 75 minutes of news each day, during the South African performance period.

The following News excerpts were found during monitoring:

- Kubanjwe abemi bangaphandle ababini kunye nowasetyhini weli loMzantsi Afrika emveni kokufunyanwa beqhuba iziko lokuvelisa iziyobisi kwindawo ehlahisa iindwendwe, iLodge ngelasemzini. Abarhanelwa babanjwe liCandelo elijongene neziYobisi KwaZulu Natal ngethuba lePhulo lalo eliCwangcisiweyo. Othethela amaPolisa okwaZulu Natal nguRobert Nitshiunda [crossover to KZN Police Spokesperson Robert Nitshiunda]. UNithisunda uthi, kufunyenwe iziyobisi ezinexabiso eliqikelelwa kwiR500 000. Abarhanelwa bazakavela kwiNkundla kaMantyi eThekiwini.
- Iqela iPatriotic Alliance lithi uCeba weAl-Jama-ah, uThapelo Amad, kuvunyelwene ukuba ibe nguye othatha amagunya okuba nguSodolophu wesiXeko saseRhawutini. Oku kuvele emva kokukhiqwa kukaSodolophu weDA, uMpho Phalatse, njengoSodolophu kwivoti yokungamthembi izolo. IDA ithi izophinda iliphakamise kwakhona igama likaPhalatse njengongqatswa kwisikhundla sobuSodolophu. Noxa kunjalo uKenny Kunene wePatritoc Alliance uthi, iANC, iEFF kwakunye namanye amaqela amancinci axhasa isigqibo sokokuba uAmad ibe nguye othatha iintambo zolawulo kwesisiXeko. [Crossover to a pre-recorded interview with Kenny Kunene of the Patriotic Alliance] uthi kubekho isivumelwano phakathi kweANC, EFF kunye namanye amaqela amancinci esithi ukuze amaqela asebenzisane makungabekwa Sodolophu kwiANC koko kubekwe ophuma

kumaqela amancinci. UDada Morero weANC ucacise ukuba kwenzeka kanjani ukuba uAmad abe ngumgqatswa kwesisikhundla [Crossover to a pre-recorded interview with Dada Morero] uthi ziye zaqhuba iingxoxo kwaza kwavunyelwana ukuba uSodolophu makaphume kwiqela elincinane, kungoko ingu Thapelo Amad ophakanyisiweyo.

- Abangcwabi baseNelson Mandela Bay Metro bathi iziganeko zokucima-cima kombane zichana kakubi amashishini abo kwaye bayaluva ulwamvila ngokwasemalini. Abanye abangcwabi bacebisa okokuba iintsapho zingcwabe izizalwana kwisithuba seentsuku ezine. Umnikazi weshishini lokungcwaba uJohannes Vortein uyacacisa [crossover to one Funeral Business Owner Johannes Vortein] uthi ukuqala kweLoadshedding, ingakumbi xa kungekho mntu uphangeleyo, uye ubuyele kwimeko apho ukucima kombane ungakuboni impela-veki yonke ukubone ngoMvulo sele konakele.
- UMphathiswa wezaMandla, uGwede Mantashe uthi kungenzeka zikhawuleziswe izicwangciso ezijongene nokuqubisana nengxaki yezamandla kweli lizwe. Iqumrhu uEskom liphawule okokuba inkqubo yonkinkisho lombane izakutsho njalo de ibeyile minyaka emibini ezayo. Ngethuba ethetha kwintlanganiso ebibanjelwe kwiUniversity yesiXeko saseRhawutini izolo, uMphathiswa uMantashe ubhengenze amanyathelo amane azakuthathwa, nakuquka ukusetyenziswa kwe[audio unclear] ukutsala umbane ngaphandle. Uthi ukulungiswakokushokoxeka kwezakhono kwaEskom kunganceda ukuqubisana nombhodamo wokucinywa kombane ungatsali ixesha elide [crossover to Minister Gwede Mantashe].

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 SABC's quarterly reports record that UMhlobo Wenene broadcasts an average daily output 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 05h00 and 06h00;
- Zibuzwa Kuthi: Current Affairs Midday between 12h00 and 13h00; and
- Apha naPhaya Evening: Current Affairs between 18h00 and 19h00.

The following current affairs programming was also monitored between Saturday and Sunday:

- 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 current affairs programmes found was 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 on 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 resonate with the provisions of clause 7.2.3. The policies also prescribe that the Licensee shall exercise full editorial control in respect of contents of its programming. In addition, the SABC’s editorial policies indicate that the Licensee endeavours to meet the highest standards of journalistic professionalism. Based on these documents, the Licensee is encouraged to provide fair, unbiased and impartial coverage of news and current affairs, independent from government, commercial or other interference. The Authority’s monitoring exercise found that Ukhlobo Wenene broadcasts matters of international national, regional and local significance.

The monitoring exercise also found that; the Licensee’s current affairs 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”.

The Licensee’s submissions indicate that Ukhlobo 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 does schedule programmes that are targeted at children. The following programmes on Ukhlobo Wenene meet the definition of Children’s Programming:

- “Phuhla Mntwana” a 10-minute insertion on on Khanyisa kukhanye Mhlobo during weekdays. In calculations, this translates to fifty (50) minutes of “Phuhla Mntwana” weekly.
- “Ezemfundo” an hour-long programme focusing on education for children. “Ezemfundo” airs between 09h00 and 10h00 on Saturdays.
- “Sakha abantwana” An hour-long children’s programme on Sundays.

The Authority found that the Licensee broadcasts at least one hundred and seventy minutes (170) 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 by this 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".

The Licensee's quarterly submissions present that the Licensee scheduled at least seven (7) hours of educational programming averaged weekly.

The Authority's monitoring exercise found that UMhlobo Wenene FM's Educational programmes is represented in the following shows:

- Isikhokelo kwezemfundo is broadcast Monday to Thursday in the hour between 20h00 and 21h00. The show features educational support to the classroom curriculum;
- Ezemfundo is 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

The Authority's monitoring exercise found at least five (5) hours of educational programming per week during the South African performance period was monitored.

UMhlobo Wenene complies with clause 7.4 of their 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 claim that the Licensee schedules at least three and a half (3½) hours of drama programming per week, during the South African performance period.

During the period under review, the monitoring exercise found that UMhlobo Wenene broadcasts one drama programme twice daily between Monday and Friday during the South African performance period. The duration of the drama programme is at least 15 minutes per offering.

- *"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 21h30 and 21h45 between Monday and Friday.

At least one hundred and fifty (150) minutes of drama per week were monitored. This translates to two and half hours (2½) of drama programming per week during the 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 SABC's quarterly submissions show that UMhlobo Wenene broadcasts at seven (7) hours of Informal Knowledge Building programming per week within the South African Performance Period.

The Authority's monitoring exercise found that a majority of Umhlobo Wenene's shows carry some element of Informal Knowledge Building in them. Here below are some of the Informal Knowledge Building programmes found during the monitoring exercise.

- *"Khanyisa kukhanye Mhlobo"* goes to air between 09h00 and 12h00 from Mondays to Wednesdays and then again on Fridays. The show provides informal knowledge on issues relating to women in all aspects of a woman's life.
- *"123 Pholas"* is 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, health matters and educational advice.

- “Ukholo lwemveli” an information-based Thursdays between 21h00 and 23h00 and for one hour on Saturdays between 05h00-06h00. The shows focus on the essence of indigenous religious beliefs and how they link to modern day religions.
- “Iqonga Labatsha” is a youth lifestyle and entertainment show between 18h00 and 20h00 on Saturdays.

At least six hundred and sixty (660) minutes of IKB programming was monitored per week. This translates to eleven (11) hours of IKB programming per week during 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 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 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 with written information regarding its compliance with the above requirements”.

The SABC's Employment Equity and Transformation report for the year ended February 2023 zooms in on the licensee's efforts to comply with clause 8 and the subclauses. Notably, 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 the 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 SABC complies with its training and skills development obligations per the 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 12A⁶ 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. According to the Licensee's latest reports, the SABC handled no complaints relating to UMhlobo Wenene.

4.3 ICASA South African Music Content Regulations

Regulation 3 of the ICASA South African Music Content Regulations 2016⁷ 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 submission indicates that UMhlobo Wenene FM schedules at least 85% South African Music Content in its music diary. The Authority's findings were that UMhlobo Wenene's South African Music Content was at around 89%. The Licensee's music play list is dominated by works of South African musicians.

Some of the artists featured on UMhlobo Wenene FM: Focallistic, Nomfundo, Kabza deSmall, Malibongwe Gcwabe, Dumi Mkokstaad, Sifiso Ncwane, Benjamin Dube, Hlengiwe Mhlaba, Sibongile Khumalo, Solly Makhabane Mirriam Makheba, Stevie Wonder, Nomcebo Zikode, Casper Nyovest, Sjava, Master KG, Nandi Mngoma, Proverb, AKA, Ricky Rick, Thandiswa Mazwai, Amadodana aseWesile, Nomuzi Mabhena, Phinda Matlala, Bucie, Lira, Busiswa, Phuz' eKhemisi, Ihash' elimhlophe, Shwi noMntekhala, uThwalufu namaNketshane, Chwane LeBhaca and many other artists whose music meets the "South African Music" definition.

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

⁶ SABC Form 12A

⁷ ICASA South African Music Content Regulations

4.4 Standard Terms and Conditions for individual broadcasting licences

Regulation 11 (3) of the standard terms and conditions⁸ stipulates that:

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

UMhlobo Wenene FM's identity jingles/announcements were heard frequently during the period under review and these broadcasts were at intervals of not more than ten (10) minutes apart. The jingles/announcements always carried the name and frequency location of the Licensee.

Furthermore, no non-compliance was detected by the Authority with the standard terms and conditions for individual licences.

UMhlobo Wenene FM complies with the regulations regarding the Standard Terms and Conditions for Individual Licensees.

4.5 Universal Service and Access Fund Regulations

Regulation 3 of the USAF Regulations⁹ 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 SABC made the prescribed payment and submitted proof thereof to the Authority.

The Licensee complies with Regulation 3 of the USAF Regulations.

⁸ Regulations regarding the Standard Terms and Conditions for Individual Licensee's

⁹ Universal Service and Access Fund Regulations

5. CONCLUSION

The Licensee sufficiently complied with all specific terms and conditions and all regulations applicable to its existence as a public broadcaster.

6. TERMS OF REFERENCE

Appendix A: UMhlobo Wenene FM's Broadcasting Service Licence

Appendix B: UMhlobo Weneene 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