



# **MUNGHANA LONENE FM ANNUAL COMPLIANCE REPORT**

**MARCH 2024**

# **2022/23 ANNUAL COMPLIANCE REPORT**

## **SOUTH AFRICAN BROADCASTING CORPORATION (SABC) BROADCASTING AS MUNGHANA LONENE**

**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 Act<sup>1</sup> (ICASA Act), the Electronic Communications Act<sup>2</sup> (ECA) and the Broadcasting Act<sup>3</sup> 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 Munghana Lonene FM's compliance with the terms and conditions as set out in its licence for the 2022/23 financial year. Furthermore, the report will measure compliance with regulations including South African Music Content, Standard Terms and Conditions for Individual Licensees, Universal Service and Access Fund, General Licence Fees and Code of Conduct for Broadcasters.

### **2. BACKGROUND**

Munghana Lonene FM is an Individual Broadcasting Service Licensee of the South African Broadcasting Corporation (SABC). The radio station's mandate is to provide a full spectrum radio service to the Gauteng, Mpumalanga and Limpopo provinces<sup>4</sup>.

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<sup>1</sup> Act No. 13 of 2000, as amended.

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

<sup>3</sup> Act No. 4 of 1999.

<sup>4</sup> See Appendix A.

### **3. COMPLIANCE ASSESSMENT**

#### **3.1. Geographic Coverage**

Clause 3 of the licence provides that:

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

The coverage area is as per the coverage map on the frequency spectrum licence. The signal distribution is provided by Sentech.

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

#### **3.2 Language (s)**

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

*"Principal Language: XiTsonga".*

Munghana Lonene FM broadcasts its content in Xitsonga, there would however be some broadcast content in other languages such as English and other indigenous languages in news reports and interviews.

**The Licensee complies with its language obligations.**

#### **3.3 Format**

Clause 5.1 of the schedule to the licence provides that:

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

Clause 5.2 of the schedule to the service provides that:

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

Munghana Lonene FM forms part of the public service stations of the SABC and offers a full-spectrum service to its listeners as outlined in the service licence.

**The Licensee complies with its format.**

### **3.4 Local Content Obligations**

Clause 6 of the schedule to the licence provides that:

*"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:*

*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 submits its quarterly reports in accordance with the template and frequency provided in the Compliance Procedure Manual Regulations. It should be noted that the SABC applies for exemption to comply with certain obligations during the coverage of sporting events or any other event of national interest which might affect their compliance with certain obligations.

### **3. 5 GENERAL PROGRAMMING OBLIGATIONS**

#### **3.5.1 General**

Clause 7.1.1 of the schedule to the licence provides that:

*"The licensee shall ensure that it's programming adequately reflects the diversity of South Africa's Religion".*

Munghana Lonene FM broadcasts A programme called "Gongomela" with a segment on Thursdays wherein there is a topic of discussion with a perspective from Christian and Islamic faiths, also including traditional faith-based representatives.

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

Clause 7.1.2 of the schedule to the licence provides that:

*"The Licensee shall take responsible steps to provide programming that reflects the cultural and traditional needs of the audience."*

Munghana Lonene FM's broadcasts a special segment that addresses traditional faith and healing on "Gongomela" on different days of the week.

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

Clause 7.1.3 of the schedule to the licence provides 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".*

Munghana Lonene FM broadcasts "Swa Risima" on weekdays between 09H00 and 12H00 which focuses on lifestyle topics such as relationship-related matters, physical and mental health, and financial matters amongst others, and "Teen Zone" on Saturday afternoons for specific target age groups.

**The Licensee complies with clause 7.1.3 of the schedule to its licence.**

**3.5.2 News and Current Affairs**

Clause 7.2.1 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least sixty (60) minutes of news per day during the South African Performance Period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast an average of four hundred and twenty-five (425) minutes of news on weekdays and seventy-five (75) minutes on Saturday and Sunday. The monitoring exercise confirmed that they have news bulletins from 05h00 until 21h00 on weekdays and from 06H00 until 22H00 on weekends with each bulletin averaging five (5) minutes in duration for a total of more than eighty-five (85) minutes of news per day. The following are some of the news stories identified:

- *"Nwansati wa makhume nharhu wa malemba hi vukhale wa le Cape Town u khomiwele mayelana na swihehlo swa manyala ya vushisi bya khume ntlanu wa ma million yati rhandi ka company leyi a tirha eka yona*
- *MEC wa ndzawulo ya vutleketli exifundzeni nkulu xa Limpopo Florence Radzilani u vula leswaku va yimele xiviko xo hetelela xa mayelana na*

*ngozi leyi ku nga handza emisaveni Makumbe mbirhi n'we wa vanhu e handle ka Louis Trichadt hi musumbhunuko.*

- *Vandla leri fumaka ra ANC ri vula leswaku ri kunguhate ku va na mapfhumba ra madzhikidzisano na vha aka tiko ku kanerhisa hi xiyimo xa mitlhontlho yavu mpakelo bya gezi la ha tikweni”.*

Clause 7.2.2 of the schedule to the licence provides that:

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

Munghana Lonene FM submits on their quarterly submission that they broadcast an average of six hundred (600) minutes of news per week of current affairs programming and sixty (60) minutes broadcast on Saturday and Sunday respectively.

Munghana Lonene FM broadcasts their current affairs programming between 05H00 – 06H00 in the morning and another edition in the evening between 18H00 – 19H00. The current affairs programme *"Tiko a xi etleli"* also has an hour segment between 06H00 and 07H00 on Saturdays and between 18H00 and 19H00 on Sundays respectively.

**The Licensee complies with its news and current affairs programming obligations.**

### **3.5.3 Programming Targeted at Children.**

Clause 7.3.1 of the schedule to the licence provides that:

*"The Licensee shall in the provision of 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 schedule to the licence provides 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 at and appropriate for children between the ages of nought (0) to six (6) years and seven (7) to twelve*

*(12) years respectively; (iii) Educational and is made from children's point of view".*

Munghana Lonene FM submits on their quarterly submission that they broadcast one hundred and thirty-five (135) minutes of children's programming on a weekly basis.

The Authority's monitoring found that the Licensee broadcasts a programme called "*Pfukani and Nalibali*" for an average of ten (10) minutes from 09H40 weekdays and "*Endlela Mabonele a wena*" on Saturdays between 09H00 and 09H30. The Licensee also broadcast religious content aimed at kids of the target age group between 07H15 until 07H30 on Sundays.

The total minutes of the children's programming monitored was over an hour on a weekly basis.

**The Licensee complies with its programming targeted at children's obligations.**

#### **3.5.4 Educational Programming**

Clause 7.4 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least five (5) hours of educational programming as contemplated in section 10 (1) of the Broadcasting Act per week within the South African performance period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast three and thirty (330) minutes of educational programming on a weekly basis.

Munghana Lonene FM broadcasts their educational programme called "*Tidyondzo*" on weekdays between 21h00 and 22h00 which covers topics such as health, civic education, financial education, science and technology amongst others under the SABC Education banner.

The Licensee broadcasts five (5) hours of educational programming per week.

**The Licensee complies with its educational programming obligations.**

### **3.5.5 Drama**

Clause 7.5 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least two and a half (2 1/2) hours of drama per week within the South African performance period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast two hundred and five (205) minutes of drama on a weekly basis.

The Licensee broadcasts its weekly daily drama series "*Mhina hi mhina*" between 09H15 and 09H30, with a repeat in the evening after the 20H00 news, and an omnibus on Saturdays between 05H00 and 06H00.

The overall total for local drama content comes to a weekly average of one hundred and fifty (150) minutes.

**The Licensee complies with its local drama programming obligations.**

### **3.5.6 Informal Knowledge Building**

Clause 7.6 of the schedule to the licence provides that:

*"The Licensee shall broadcast at least three (3) hours of informal knowledge-building programming per week within the South African Performance Period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast one thousand two hundred and ninety (1290) minutes of informal knowledge-building programming on a weekly basis<sup>5</sup>.

The Licensee meet their IKB obligations through programmes such as *Swa Risima*" broadcast on weekdays between 09H00 and 12H00 including religious programmes broadcast on Sundays from 06H00 until 09H00 for a total weekly output of over four (4) hours of IKB programming.

**The Licensee complies with its informal knowledge-building quota.**

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<sup>5</sup> *Ibid*



### **3.5.7 Training Skills Development Obligations**

Clause 8 of the schedule to the service licence provides that:

- 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 March 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 Licensee complies with clause 8 of the Schedule of its Licence.**

### **3.6 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 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 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 service licence.**

## **4. REGULATIONS**

### **4.1 Code of Conduct for Broadcasters**

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).

### **4.2 Regulations regarding Standard Terms and Conditions for Individual Broadcasting Licences**

During the period under review, the Authority did not find any non-compliance with the Standard Terms and Conditions for Individual Licences as amended.

### **4.3 Regulations in respect of the Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund**

Regulation 3 of the Regulations in respect of Prescribed Annual Contributions of Licensees to the Universal Service and Access Fund (USAF), published in Government Gazette, No. 34010 of 10 February 2011, 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 made the prescribed payment and submitted proof thereof to the Authority.

### **The Licensee complies with Regulation 3 of the USAF Regulations.**

#### **4.4 General Licence Fees Regulations**

Regulation 4 (b) of General Licence Fees Regulations provides for the exemption of Individual Licences for Public Broadcasting Services. Munghana Lonene FM is part of the SABC's Public Broadcasting Services and is exempt from paying licence fees.

#### **4.5 South African Music Content**

Regulation 3 (1) of the ICASA South African Music Contents Regulations published on 23 March 2016 stipulates that:

*"Every 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 such South African music is spread reasonably evenly throughout the said period".*

Munghana Lonene FM submits on their quarterly submission that they broadcast seventy-two (72%) of local music during the South African performance period. Some of the artists that were monitored include *Fusion Tone - Wa Tswamaya Boti Ready - Mhala Mhala*, *DJ Mufundhisi - Xititwa Mindzilo*, *Prince Rhangani - Chayela* amongst others and a programme called *Tsimutsu ta Xitsonga*

broadcast Saturdays between 13H00 and 15H00 which plays exclusively XiTsonga music and interview of artists such as Voice of Kings, Gospel Silinda amongst others which contributes to the local music output.

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

## **5. CONCLUSION**

During the period under review Munghana Lonene FM complied with the service licence terms and conditions as well as the applicable Regulations.

## **6. TERMS OF REFERENCE**

- 6.1 Appendix A: Munghana Lonene FM 's Service licence
- 6.2 Appendix B: Munghana Lonene FM's Quarterly Reports
- 6.3 Appendix C: Training and Skills Development Report
- 6.4 Appendix D: MDDA Payment

**END**