



QUARTER THREE FINANCIAL YEAR 2021/2022

(January – March 2022)

BROADCASTING SERVICE REPORT

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EXECUTIVE SUMMARY

This report provides highlights of the activities undertaken by the Authority within the broadcasting sector for the quarter ending March 2022. During this period, a total of 71 licenses were issued for radio and television broadcasting services during the quarter.

In Quarter 3, subscriptions to broadcasting services grew by 107,247 to a total of 6,007,010 subscribers from 5,899,763 at the end of the second quarter. This represented a growth of 1.8%.

The overall Digital Terrestrial Television (DTT) population coverage remained at 91.28%. However, there was progress in terms of DTT network rollout by broadcast signal distributors and the resulting impact on population coverage shall be determined during the DTT mapping planned to be carried out in fourth quarter. The target for this fiscal year is 92%.

The Authority assessed broadcasters' performance on the following standards outlined in the Programming Code. Priority was given to five standards namely local content, children's programming, and access to broadcasting content as they are of public interest and therefore have a higher magnitude to the public. Other standards like accuracy, impartiality and privacy are subjective in nature hence enforcing them is mostly based on the complaints received. Meanwhile compliance for copyright of programmes is assessed when carrying out inspections.

The Authority has classified television (TV) stations into eleven different categories in terms of their programming namely, Current affairs, Talk shows, Children, Reality, Music, Religious, Drama, Comedy, Documentary/Features, Sports and Magazine. A sample number of stations from each category is selected for monitoring. The sampling criteria is based on the number of stations that each category has.

During the third quarter, the Authority monitored a total of fifty-five (55) free to air (FTA) TV and fifteen (15) frequency modulation (FM) Radio stations and established that:

- a) The compliance to the 40% Local Content quota stood at 94.54%

- b) On accessibility to broadcasting services by Persons with Disabilities (PWDs), of the nineteen (19) TV stations that air news and programs of national importance, one (1) station was found to be non-compliant with this requirement.
- c) No TV station contravened advertisement and religious programming requirements
- d) Three stations (2TV and 1 FM Radio) contravened the appropriate content during the watershed period requirement and the associated regulatory action was taken against them.

I. INTRODUCTION

The ICT sector law mandates the Communications Authority of Kenya (CA) with promoting and facilitating the development of a diverse range of broadcasting services in Kenya. This mandate includes issuing licenses for various broadcasting services, facilitating the development of Kenyan programmes, administering the broadcasting content aspects of the ICT Law, developing media standards, and regulating and monitoring compliance with these standards. In addition, the Authority promotes the observance of public interest in broadcasting services and ensures that broadcasters provide internal mechanisms for addressing complaints related to broadcasting services.

This report gives an overview of the performance of the broadcasting services during the third quarter FY 2021/22.

II. STRATEGIC IMPLICATIONS

In the Corporate Strategic Plan 2018-23, the Authority has committed to achieve efficient ICT markets by fostering competition in the ICT sector through licensing of additional operators and service providers. Further, in advancing the strategic objective of ensuring compliance to regulatory requirements, the Authority monitors broadcasters' compliance with content standards as set out in the Programming Code and licence requirements as per the regulatory framework in force

III. THE BROADCASTING MARKET

1. Licenses Issued in Q3 2021-2022

Under the current strategic period, the Authority is expected to increase the number of licensees. Specifically, the targeted new broadcasting service licences is 100 in the FY 2021/22.

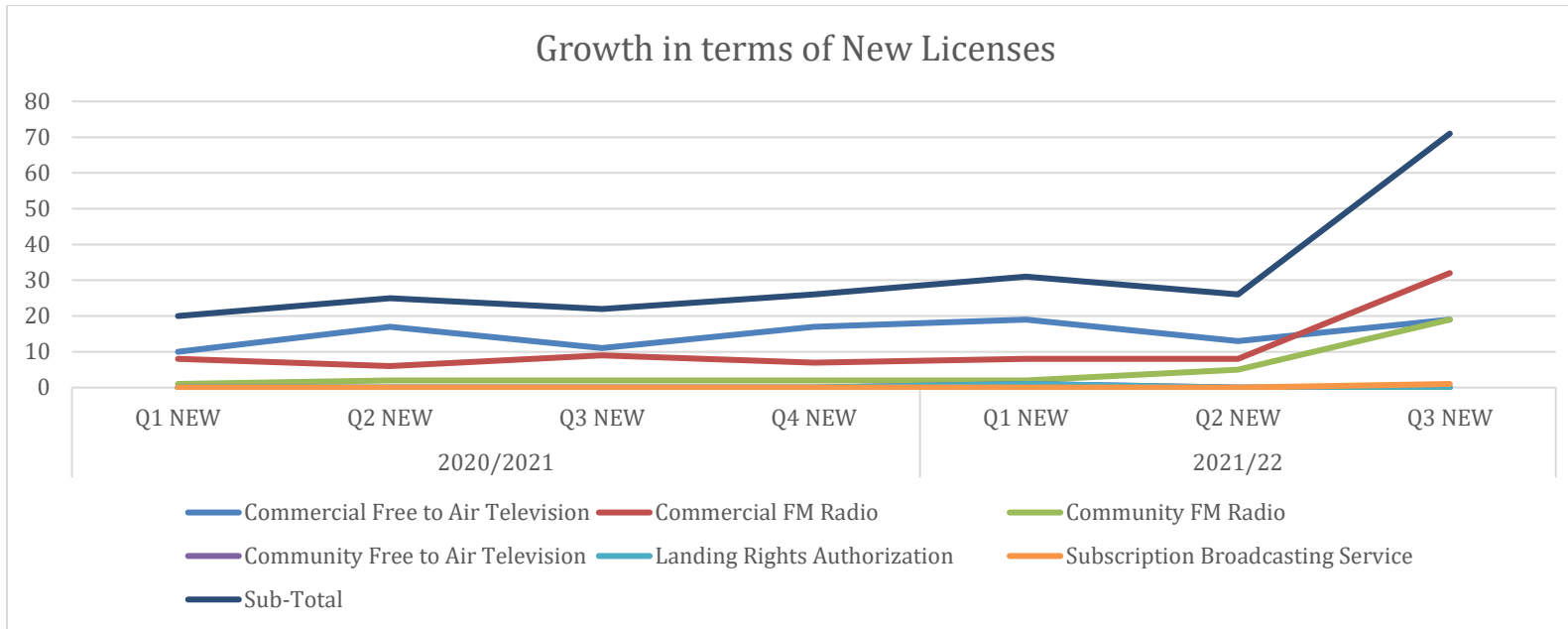
Consequently, the Authority has continued processing Broadcasting Service licence applications efficiently. Table 1 below gives a breakdown of licences issued by the end of the third quarter of 2021-2022.

Table 1: New Licenses issued in the period January to March 2022

LICENSE TYPE	2020/2021				2021/22		
	Q1 NEW	Q2 NEW	Q3 NEW	Q4 NEW	Q1 NEW	Q2 NEW	Q3 NEW
Commercial Free to Air Television	10	17	11	17	19	13	19
Commercial FM Radio	8	6	9	7	8	8	32
Community FM Radio	1	2	2	2	2	5	19
Community Free to Air Television	0	0	0	0	1	0	0
Landing Rights Authorization	0	0	0	0	1	0	0
Subscription Broadcasting Service	0	0	0	0	0	0	1
Sub-Total	20	25	22	26	31	26	71

During the quarter under review, the number of licensees increased by 71, giving a total of 128 licences issued by the end of Q3 period surpassing the target of the fiscal year. This growth can also be represented in the below line graph.

Figure 2: New Licenses from FY 2020/21 to FY 2021/22



The Table 2 below provides the details of the cumulative issued number of licensees in the broadcasting licence sector as at the end of the 3rd quarter of the current fiscal year:

Table 2: Licensees Under Broadcast License Framework

No.	Licence Category	Total Licenses issued as at the end of:			
		Q4(2020/21)	Q1 2021/22	Q2 2021/22	Q3 2021/22
1.	Broadcast Signal Distributor	2	2	2	2

2.	Self-Provisioning Broadcast Signal Distributor	3	3	3	3
3.	Commercial Free to Air TV	229	248	261	280
4.	Community Free to Air TV	8	9	9	9
5.	Commercial FM radio	106	114	122	154
6.	Community FM Radio	21	23	28	58
7.	Subscription Broadcasting Service	17	17	17	18
8.	Subscription Management Service	4	4	4	4
9.	Landing Rights Authorization	4	5	5	5
	Total	394	425	451	522

There are a number of FTA TV that are licensed but are not yet operational. This is further to the grace period given within the licence conditions for these licensees to commence the broadcast services upon being licensed. We also have a number of FM stations that are on air and whose applications are still undergoing the licensing process. This explains the difference between the stations licensed and those on air.

Table 3 below details the TV and FM Radio broadcasting that were on air in the various quarters.

Table 3: Comparative analysis of the Television and Radio stations on air by the end of Q3 2021/22 of FY 2020/21

FTA TV STATIONS				
Number of stations	Q4 2020/21	Q1 2021/22	Q2 2021/22	Q3 2021/22

Commercial FTA TV stations	130	130	142	151
Community FTA TV stations	4	3	3	3
Public FTA TV stations	3	3	3	3
Total	137	136	148	157
FM STATIONS				
Number of stations	Q4 2020/21	Q1 2021/22	Q2 2021/22	Q3 2021/22
Commercial FM Radio stations	131	131	131	164
Community FM Radio stations	42	42	42	51
Public FM Radio stations	13	13	13	13
Total	186	186	186	228

Analysis of Table 2 & 3 reveals that there's a significant growth in all the Broadcasting licence categories over the last fiscal year to the end of Q3 of the current fiscal year. This is largely attributed to the regulatory action undertaken by the Authority in end of quarter 2 of FY 2021/22 on unlicensed broadcasters.

Table 4 presents a comparative trend of the number of broadcasters who were on air for each of the above categories from fiscal year 2017/2018 to Q3 2021/2022.

Table 4: Comparison of on-air FTA broadcasting services from 2017/18 to Q3 2021/22.

Number of stations	2017/18	2018/19	2019/2020	2020/21	2021/22
FTA TV					

Number of stations	2017/18	2018/19	2019/2020	2020/21	2021/22
Commercial FTA TV stations	66	85	95	130	151
Community FTA TV stations	1	1	2	4	3
Public FTA TV stations	3	3	3	3	3
FM RADIO					
Commercial FM Radio stations	131	131	131	131	164
Community FM Radio stations	38	42	42	42	51
Public FM Radio stations	13	13	13	13	13

Figure 2 below presents a comparative trend of the number of broadcasters who were on air for each of the above categories as at the end 3rd quarter of FY 2021/22. The increase in number of On Air FTA Broadcasting service providers is due to a verification exercise undertaken in March and April by the Authority on the status of assigned frequencies.

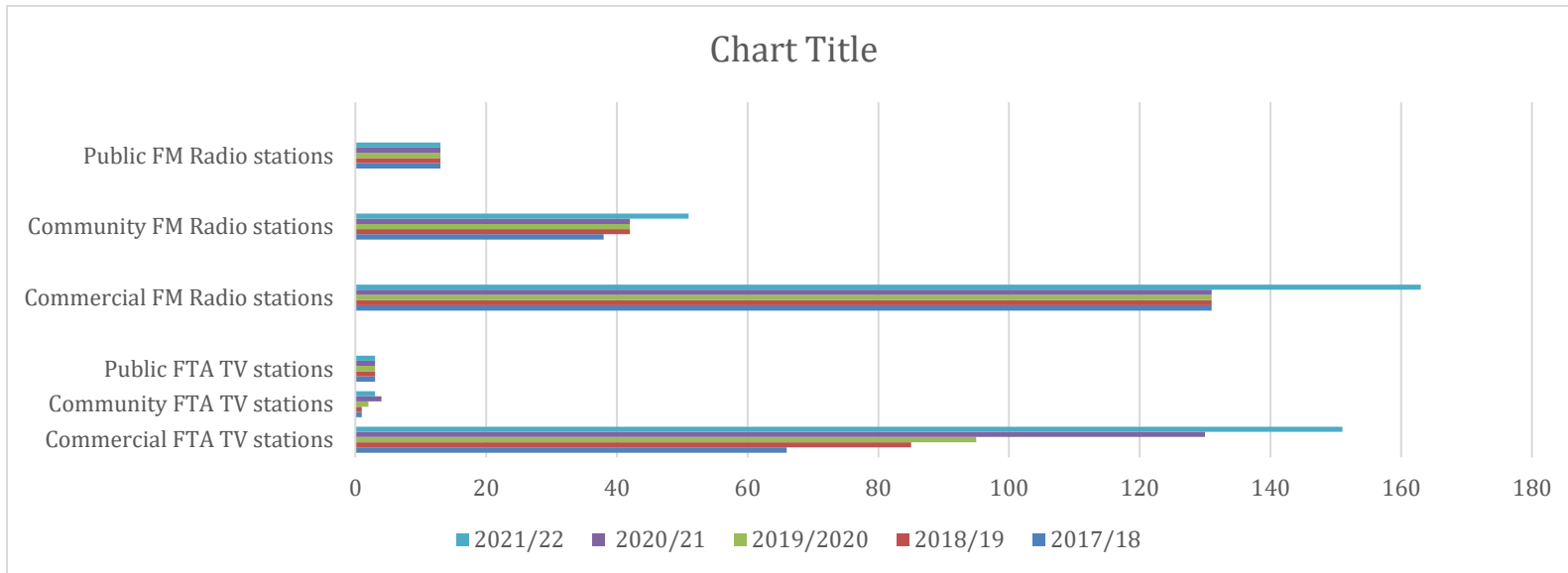


Figure 2: A comparative graphic analysis of the Television and Radio stations on air

2. Growth of Subscription to the Broadcasting Services

In quarter 3, subscriptions to broadcasting services grew by 107,247 to a total of 6,007,010 subscribers from 5,899,763 at the end of the second quarter. This represented a growth of 1.8%.

Figure 3 below illustrates the growth trend of the number of subscribers for broadcasting services for the four quarters to the end of Q3 of the FY 2021/22.

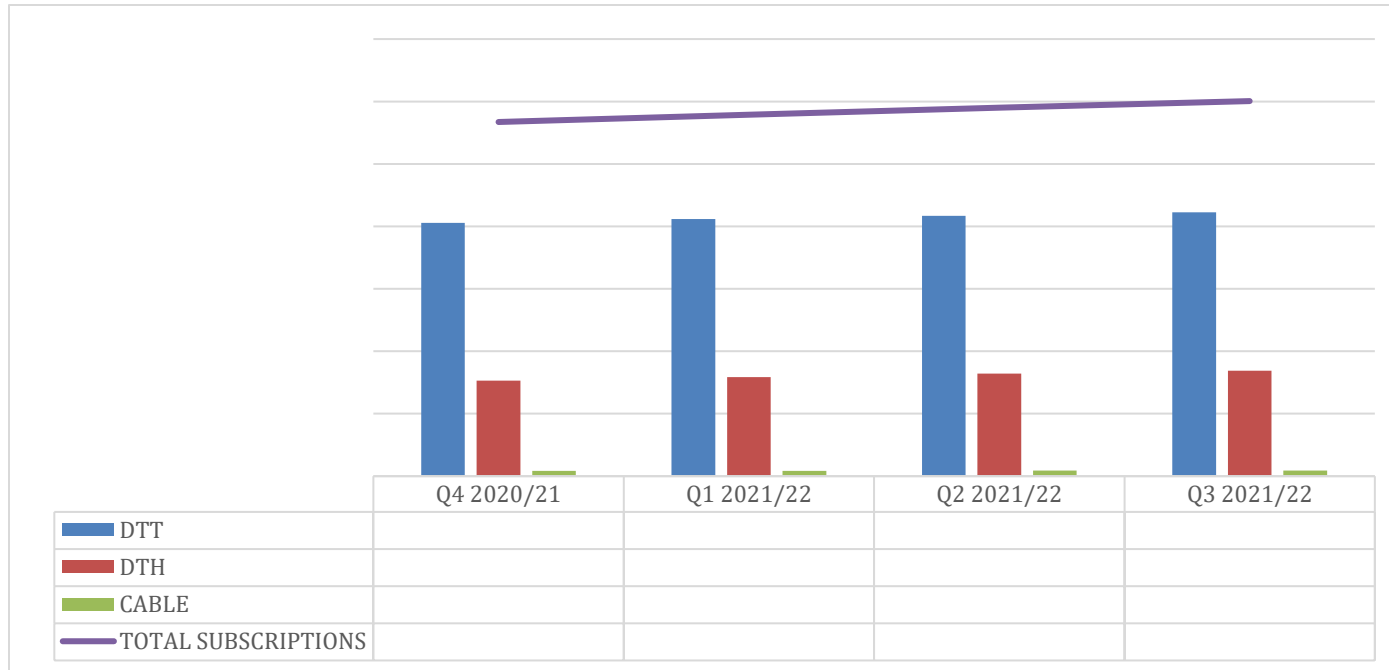


Figure 3: Broadcasting subscription from Q4 of 2020/21 to the end of Q3 of 2021/22

DTT broadcasting service remains the most common way of accessing television services with 70.4% receiving TV broadcasting services via DTT. This could be attributed to the affordability of services with the minimum bouquet costing just below Kes. 300 per month and the most expensive just below Kes. 2000. Television delivery through cable medium remained the least common with only 1.5% subscriptions being for cable television services. This could be attributed to the relatively cost of setting up the infrastructure which has resulted in small cable broadcasting services footprint in the country.

During the third quarter, subscriptions to DTT, Direct To Home (DTH) and cable TV grew by 58,057, 47,673, and 1,517 respectively. Figures 4 show the growth of DTT subscription growth for the last four quarters.

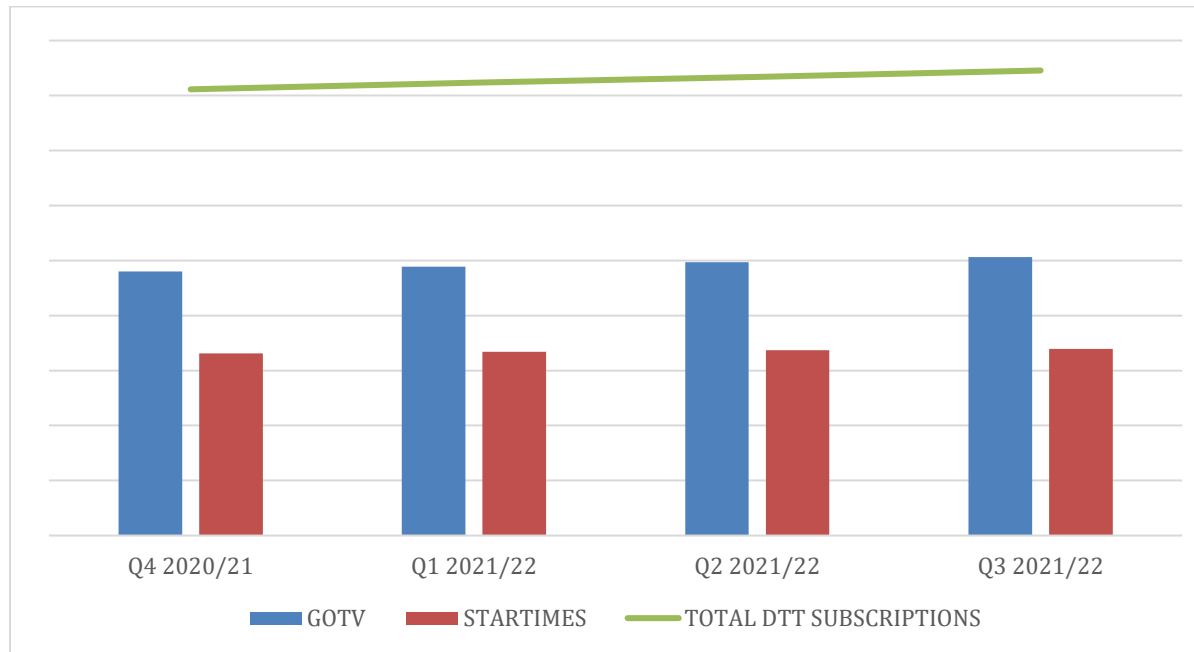


Figure 4: DTT subscription growth over the last four quarters to Q3 2021/22

3. Digital Terrestrial TV population coverage

In its 4th Strategic Plan cycle running for the period 2018-2023, under KRA 1 on Access and Market Development, the Authority aims to achieve universal access to ICT services. Therefore, the Authority committed to increase the percentage population covered by digital broadcasting networks (DTT) from 85% in 2018 to 90% by 2023. The Authority's strategy was to achieve this goal by enforcing DTT network rollout obligations on common-carrier broadcasting signal distributors (BSDs) who are licensed to roll out DTT infrastructure. This target was achieved in the last fiscal year.

In the current fiscal year, the Authority aimed to achieve 92.0% DTT population coverage by the end of June 2022. During quarter 2, the Authority had carried out mapping in Kabarnet and Tana River County where Signet Signal Distributors Ltd commissioned a new 200W transmitter in Kabarnet and upgraded power to 500W in Hola. This resulted in a paltry increase of 0.07% in DTT population coverage. On the other hand, GOTV rolled out new sites in Busia and Kilifi while PANG continued with site preparations for rollout in Bomet and Nyambene.

During quarter 3, the Authority carried out data verification DTT mapping in Laikipia County with exception of the northern parts of the county due to security concerns in the area. To the extent of the measurement, the coverage of the county was found to be consistent with the data held by the Authority. However, there was thus no changes in DTT population coverage as shown in Table 5 below.

Table 5: DTT population coverage as at the end of Q3 of the FY 2021/22

	PANG	Signet	ADNL	Lancia	GoTV	Total
Q3 2021/22	63.10	76.41	83.27	43.27	80.39	91.28
Q2 2021/22	63.10	76.41	83.27	43.27	80.39	91.28
Q1 2021/22	63.10	76.36	83.26	43.27	80.39	91.21
Q4 2020/21	63.10	76.36	83.26	43.27	80.39	91.21

The Authority will continue to carry out DTT coverage mapping in new sites to ascertain the change in population coverage during the fourth quarter. In the recent past, the following emerging exogenous factors are likely to negatively affect the BSDs DTT rollout projections and hence the targeted DTT population coverage:

- (i) PANG has already reported that the new wave of COVID-19 in China and the lockdown containment measures thereof have delayed their DTT equipment procurement process. This, coupled with the long-running shipping delays, is likely to result in delay in meeting the target of June 2022 to commission their DTT transmitters in Bomet and Meru.
- (ii) SIGNET has also experienced delays in the commissioning of its DTT sites in Moyale and Mandera.
- (iii) SIGNET's transmitter in Lamu Island went faulty and off-air creating a coverage gap in Lamu Island. The process of installing a new transmitter on the island has been slow due to procurement delays.

4. Broadcast Content Performance

The Authority assessed broadcasters' performance on the following standards outlined in the Programming Code:

- Watershed period programming
- Local content including genre performance
- Local Children's programming
- Accessibility to broadcasting services by PWDs
- Religious programmes
- Occultism and superstition
- Advertisement
- Hate speech

Priority was given to five standards namely local content, children's programming, and access to broadcasting content as they are of public interest and therefore have a higher magnitude to the public. Other standards like accuracy, impartiality and privacy are subjective in nature. Enforcing them is mostly based on the complaints received. Other standards are monitored when they occur or on need basis. They include elections and electioneering period, crime and crisis situations. Meanwhile compliance for copyright of programmes is assessed when carrying out inspections.

The Authority has classified TV stations into eleven different categories in terms of their programming namely, Current affairs, Talk shows, Children, Reality, Music, Religious, Drama, Comedy, Documentary/Features, Sports and Magazine. A sample number of stations from each category is selected for monitoring. The sampling criteria is based on the number of stations that each category has.

During the third quarter, the Authority monitored a total of fifty-five (55) FTA TV and fifteen (15) FM Radio stations.

In selecting the 55 FTA TV stations, the Authority maintained the fifty (50) FTA TV stations monitored in the first and second quarters, for statistical consistency with exception of Switch TV which discontinued providing broadcasting services due to financial constraints and an additional three stations for rotational routine monitoring.

For FM stations, the Authority randomly selected fifteen (15) FM Radio stations. The radio stations monitored are Radio Maisha, Capital FM, Spice FM, Milele FM, Radio 316, Radio Jambo, Smooth FM, Radio Ramogi, NRG, Hot 96, Homeboyz Radio, Vybez FM, Jesus is Lord, KBC Idhaa Ya Taifa and Trace FM.

a) Performance of FTA TV stations

The broadcast monitoring findings for the sampled FTA TV Stations in the third quarter, are summarized in Table 6 below:

Table 6: Q3 FTA TV Broadcasting Monitoring Findings

Requirement	Compliant TV stations	Non-Compliant TV Station	% Compliance Quarter 3 2021/22	% Compliance Quarter 2 2021/22	% Compliance Quarter 1 2021/22	% Compliance Quarter 4 2020/21
Local content quota requirement of 40%	52	3	94.54	92.6	84.6	90

PWDs sign language insert requirement	18	1	94.7	94.7	94.7	100
Advertisement (maximum limit of 10 minutes in every 30 minutes of TV programming)	55	0	100	100	100	100
Local Children's programming requirement of at least 5hrs per week	8	47	15.54	15	25	15
Appropriate content requirement during the watershed period	52	3	94.5	94.4	98	98

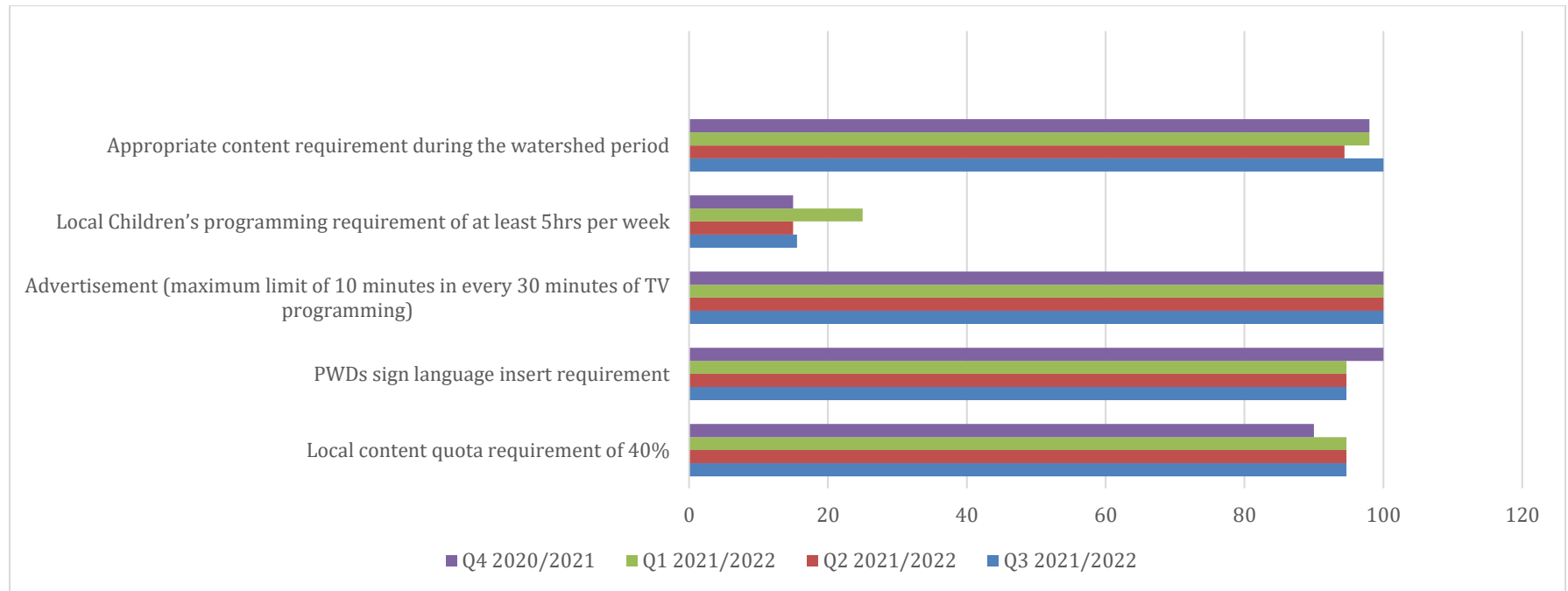


Figure 5: Q3 FTA TV Broadcasting Monitoring Findings

Analysis of the Findings

1. Compliance to the Local Content Quota

During the monitoring exercise in Quarter 3, fifty-two (52) of the fifty-five (55) TV stations monitored met the 40% local content quota threshold. This means that, 94.54% of the stations monitored were compliant with the 40% quota requirement. The stations that did not comply with the 40% local content threshold were three (3), similar to the previous quarter. The non-compliant stations were KTN Home, Akili TV, and Star Africa. The Authority has taken the necessary regulatory actions against the non-compliant stations to ensure compliance with this requirement.

The TV stations with the highest local content during the watershed period were Faith TV, Mwangaza TV and Sasa TV registering 89.74%, 83.97% and 83.12% respectively. The stations with the lowest local content during the watershed period were Akili Kids, KTN Home and Star Africa registering 29.87.6%, 29.36% and 30.3% respectively.

Appendix 1: Performance of the TV stations on monitored parameters for Quarter 3, 2021/2022.

Table 7: Local Content Performance

	Q2 2021/22		Q3 2021/22	
	Stations	Highest to lowest local content %age	Stations	Highest to lowest local content %age
1.	Kiss TV	97.7%	Faith TV	89.74
2.	Faith TV	92.5%	Mwangaza TV	83.97%
3.	PPP TV	82.7%	Sasa TV	83.12%
4.	Akili	18.6%	Akili	29.87%
5.	KTN Home	26.7%	KTN Home	28.36%
6.	Star Africa	30.3%	Star Africa	30.3%

Details of local content quota performance for all monitored TV stations are provided in Appendix 3.

Table 8: The comparison of the performance in terms of local content for the last four quarters

Local Content Quota (%)	Number of broadcasters (4 th Quarter 2020/2021)	Number of broadcasters (1 st Quarter 2021/2022)	Number of broadcasters (2 nd Quarter 2021/2022)	Number of broadcasters (3 rd Quarter 2021/2022)
≥ 40	46	44	50	52
30 to < 40	4	5	2	1
20 to < 30	1	3	1	2
10 to < 20	1	0	1	0
<10	0	0	0	0

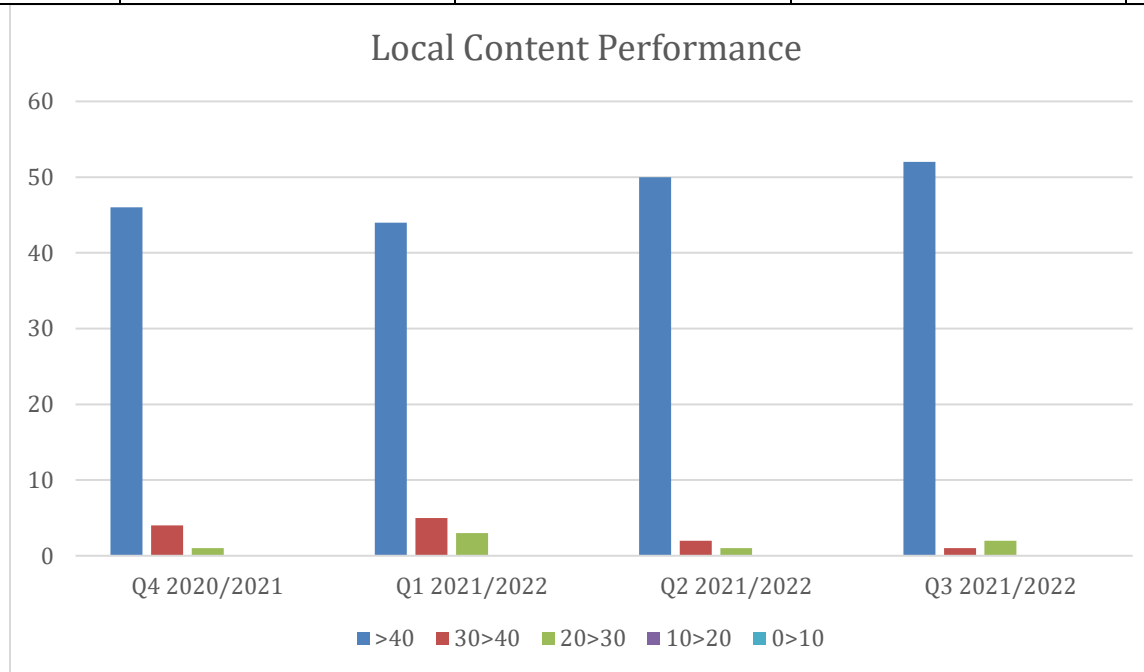


Figure 6: Local Content Performance

2. Performance of various genres of local content during watershed

The performance of the various genre of local content is summarized in the table below:

Table 9: Performance of the various genres of local content

Genre	3rd Quarter 2021/2022	2nd Quarter 2021/2022	1st Quarter 2021/2022	4th Quarter 2020/2021
Music	31.26	31.4	31.8	21.9
Religious	37.68	36.8	36.5	40
Talk shows	6.31	6.9	8.9	9.1
Children	3.4	4	3.8	4.6
Reality	1.02	1.2	3.3	3.4
Drama	2.13	1.9	1.4	1.7
Comedy	0.71	0.7	0.2	0.2
Docs/Features	9.51	9.6	5.7	9.3
Sports	1.03	1	0.7	0.9
Current affairs	3.63	3.5	3.9	2.9
Magazine	3.28	3	3.3	6.1

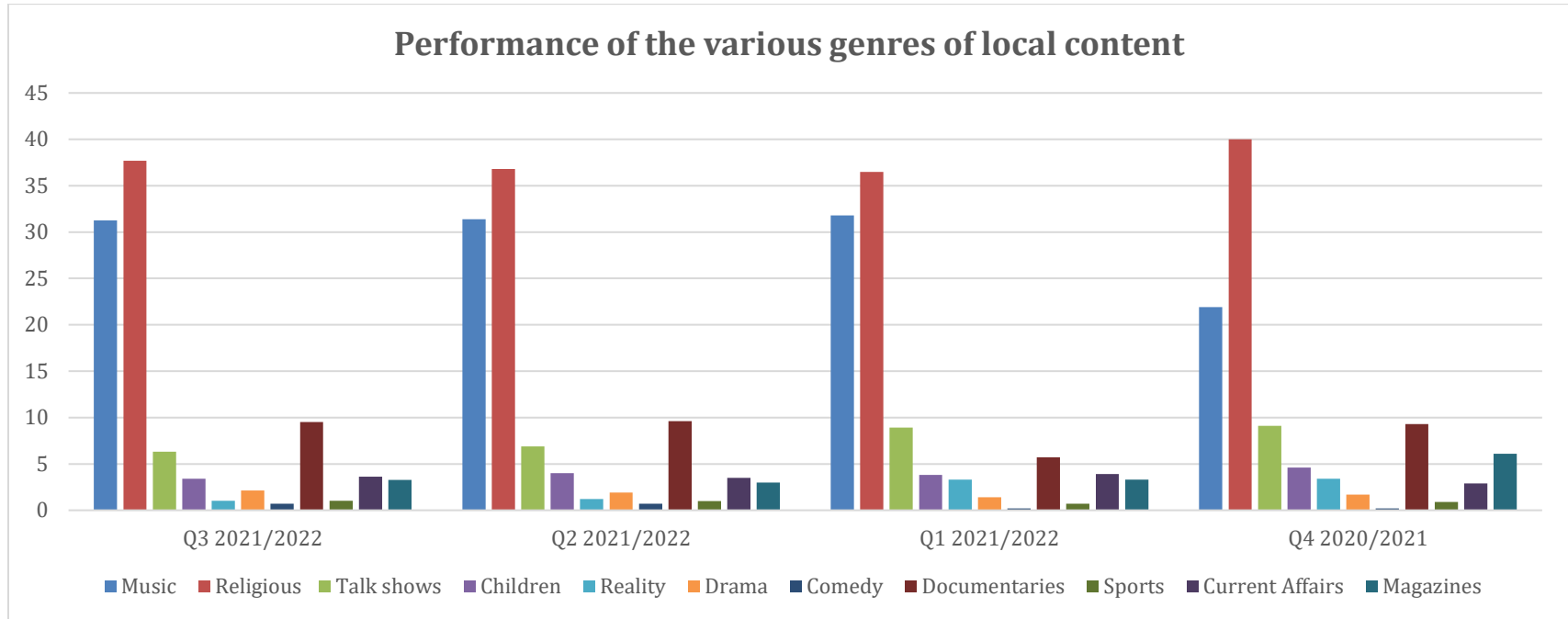


Figure 7: Performance of the various genres of local content

The results in this quarter show that religious content had the highest weekly average of 37.68% while music programming was rated second with a weekly average of 31.26%, features came in third at 9.51% and talk shows came at fourth at 6.31%. Comedy, sports and reality had the lowest local content across most of the stations monitored during the review period registering 0.71%, 1.03% and 1.02% respectively.

3. Performance of the various genres during prime time

The results in this quarter show that religious programmes had the highest weekly average of 43.7%, music shows came in second at 21.14% and features came in third at 12.92%. Comedy, sports and children had the lowest local content across most of the stations

monitored during the period under review registering 0.75%, 0.11% and 0.66% respectively. Appendix 4 provides details of the genre performance.

Table 10: Performance of the various genres during prime time

Genre	4th Quarter 2020/2021	1st Quarter 2021/2022	2nd Quarter 2021/2022	3rd Quarter 2021/2022
Music	19	20.3	20.8	21.14
Religious	47	46	41.4	43.77
Talk shows	11.3	11.8	12	11.4
Children	1.3	1	1	0.66
Reality	4	3.6	2	1.39
Drama	2.7	3.8	4.4	3.69
Comedy	0.4	0.2	0.6	0.75
Docs/Features	12	10	12.4	12.92
Sports	0.6	0.5	0.9	0.11
Current affairs	0.9	1.9	2.8	2.72
Magazine	0.8	0.3	1.7	1.14

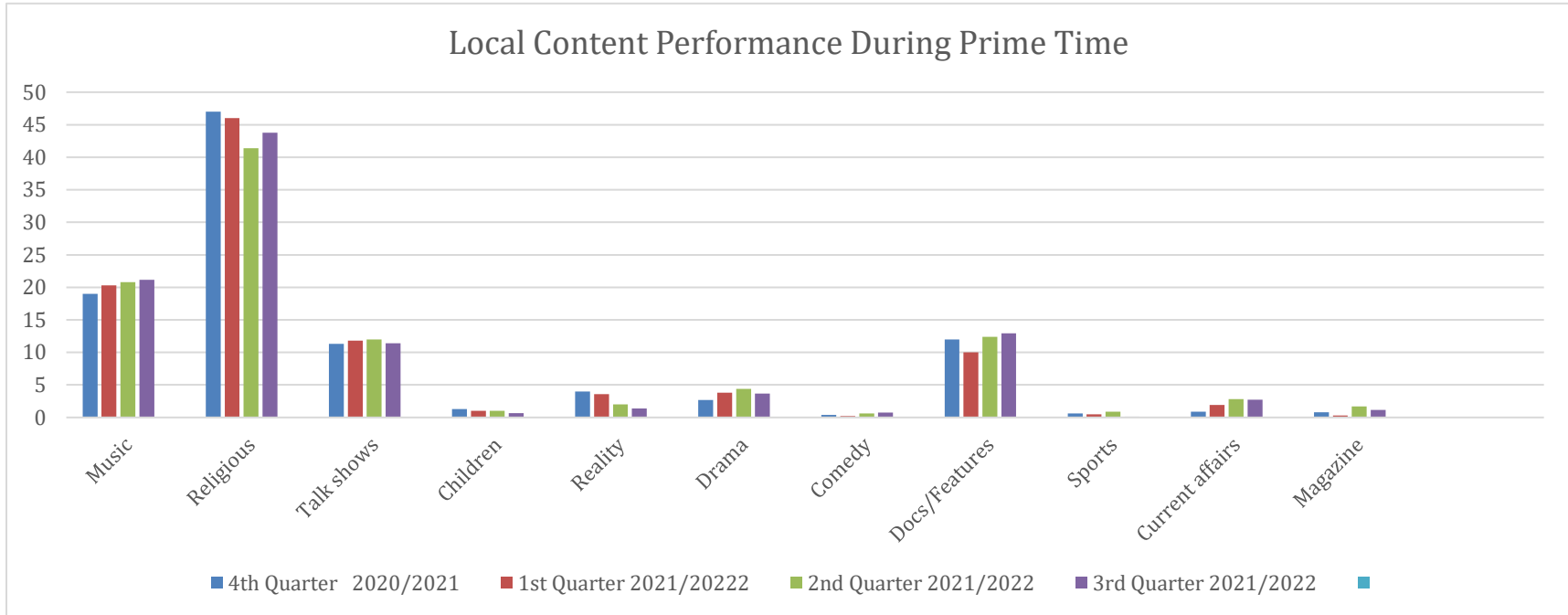


Figure 8: Performance of the various genres of local content during prime time

4. Advertisement requirements

During the quarter under review, no TV station contravened this requirement.

5. Accessibility to broadcasting services by Persons with Disabilities (PWDs)

On accessibility to broadcasting services by PWDs, of the nineteen (19) TV stations that air news and programs of national importance, one (1) station was found to be non-compliant with this requirement.

6. Religious programming guidelines

During the period under review, no station was found to be in contravention with this requirement.

7. Appropriate content during watershed period requirement

During the period under review, two TV stations monitored were found to be in contravention with this requirement. The Authority took appropriate regulatory action against the two stations.

8. Children programming performance

The TV stations that were compliant with the 5 hours of children's programming this quarter were eleven (11) namely NTV, Ebru TV, Family TV, GBS TV, KUTV, K24, Deliverance TV, Edu TV, TV 47, Noor Al Huddah and Akili TV. This is an increase from the previous quarter, which registered eight (8) stations that complied with the requirement.

Table 11: Children's Programming Performance

Duration of Children Programming (Minutes)	Number of broadcasters (4th Quarter 2020/2021)	Number of broadcasters (1st Quarter 2021/2022)	Number of broadcaster (2nd Quarter 2021/2022)	Number of broadcaster (3rd Quarter 2021/2022)
<100	25	28	27	27
≥100 and <300	14	16	16	20
≥300	13	8	11	8

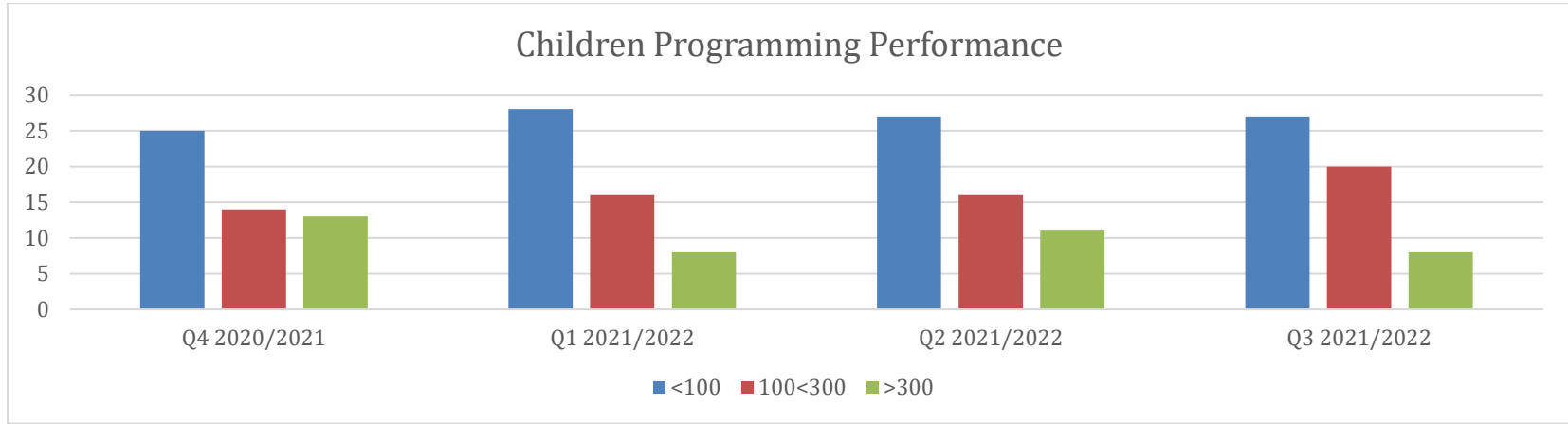


Figure 11: Children programming performance

a. Performance of FM Radio Stations in Q3

During the period under review, fifteen (15) radio stations were monitored. Of these stations, one station (Milele FM) aired inappropriate content during the watershed period and appropriate regulatory actions was taken against it.

IV. Regulatory Actions undertaken

The Authority continued implementing regulatory actions against broadcasters who were found to be in violation of various requirements.