



Ref: IBA/MBC/23/015

The Director General
Mauritius Broadcasting Corporation
Moka

13 February 2023

Dear Sir,

**Re: Potential breach of IBA Code of Ethics and Code of Conduct for
Broadcasting Services and direction under section 5(1)(a)
of the Independent Broadcasting Authority Act**

I am directed to inform you that the Authority is in the presence of two complaints from Mr. Mathew Coomber, received by email on 30 January 2023 (**Annex 1**) and by email on 08 February 2023 (**Annex 2**), against MBC Kool FM.

In **Complaint 1** (30 January 2023), the complainant avers, *inter alia*, that:

'I am disappointed to hear the continued playout of tracks with offensive lyrics on multiple radio stations in Mauritius as well as from local music sources for example, background music in public locations. With that said, earlier today I heard Kool FM play My Band by D12.

Ironically, it is an offense under ICTA regulations for me to send you the lyrics to this track but you should not hear this track on any radio station, let alone in the middle of the afternoon.

The lyrics of this track contain multiple swear words as well as referring in crude terms to sex acts.

I hope you will ensure this track is not played on public radio again'

In **Complaint 2** (08 February 2023), the complainant avers, *inter alia*, that:

"At around 17:24 today, Wednesday 8th February 2023, Kool FM played Woman by Doja Cat. Again, I cannot send you the lyrics as to do so would break ICT laws.

You have to wonder why society is failing when so many radio stations and in-store music outlets are playing such inappropriate tracks.

I hope the IBA will take firm and effective action to curtail this practice."

The song 'My Band' by D12 referred to in Complaint 1 was aired at around 14h32 on MBC Kool FM on 30 January 2023. A transcription of the song is provided at **Annex 3**. Below are some extracts of the song aired (*emphasis is ours*):

*And I think everybody's got a **fuckin'** problem with me, dude
"Becky, oh my **fucking** God, it's Eminem"
"I swear to **fucking** God, dude, you **fucking** rock"
"Please, Marshall, please let me **suck your cock**"
Look at Em little punk ass thinkin' he the **shit**
We ain't a band, **bitch**, we don't play instruments
Proof, carry my bag, **bitch**, carry your own
Who the **fuck** are you? Where's Obie and Dre?
Goddamn it, I'm sick of this group (**fuck** D12)
Fuck Marshall, ask us some questions
(But what about Eminem?) **Bitch**, are you retarded?
Big-ass stomach, **bitches** think I'm cute (hey sexy)
And it just **tears my ass** apart to know that you don't know my name
(man, **fuck this**)
But they're all on me like they wanna hold hands (**fuck** Marshall)*

The song 'Woman' by Doja Cat referred to in Complaint 2 was aired at around 17h19 on MBC Kool FM on 08 February 2023. A transcription of the song is provided at **Annex 4**. Below are some extracts of the song aired (*emphasis is ours*):

*I'm a **motherfucker** but they got a problem
Gotta prove it to myself that I'm on top of **shit**
As honest as **fuckin'** honest get*

The Authority is of the considered view that the above extracts breach, *inter alia*, paragraphs 2(a) and 2(c) of the Code of Conduct for Broadcasting Services set out in the Second Schedule of the Independent Broadcasting Authority Act and reads as follows:

'2. General

Broadcasting licensees shall –

- (a) **not broadcast any material which is indecent, obscene or offensive to public morals or offensive to the religious convictions or feelings of any section of the population or likely to prejudice the safety of the State or the public order or relations between sections of the population;**
- (c) **exercise due care and responsibility in the presentation of programmes where a large number of children are likely to be part of the audience."**

The Authority is also of the considered view that the scheduling of these songs potentially breaches paragraphs 1.4 (i) and (ii), 5.1, 5.3 and 5.4 of the Code of Ethics which provide as follows:

“1.4 Scheduling

There is an implied contract between the viewer/listener and the broadcaster about the terms of admission to the home. The broadcaster should therefore respect the expectations of the viewer / listener. The viewer/listener has the right about what sort of material should be broadcast at a certain time of day, on a particular channel and within a certain type of programme, or indeed whether it should be broadcast at all.

(i) Licencees have a clear duty to schedule programmes so as not to expose children or minors to disturbing or offensive material.

(ii) The time between 21.00 p.m and 5.30 a.m is a schedule marker (the Watershed) to distinguish clearly between adult viewing and family viewing. No material unsuitable for children should in general be shown before 21.00 p.m and after 5.30 a.m.

5.1 Licencees should be alert to the likely effects of all live broadcast materials of children. Children cover a wide age range. The capacity of children of different age groups to cope with the depiction and treatment of materials should be taken into consideration. Further, there should be a balanced mix of programmes to cater for the needs of children of different age groups.

5.3 Children must also be protected from materials that is unsuitable for them by appropriate scheduling as

defined in the present Code of Ethics(Chapter 1: sub section 1.4).

5.4 Radio broadcasters must have particular regard to times when children are particularly likely to be listening.”

In light of the above, the MBC is hereby directed, by the Authority, pursuant to section 5(1)(a), to **reschedule the broadcast of these 2 songs with immediate effect**. These songs ought to be broadcast only between 2100 and 0530.

A failure to comply with this direction constitutes a criminal offence under section 5(1)(b) of the Independent Broadcasting Authority Act coupled with section 37(1)(g) and 37(2) of the Independent Broadcasting Authority Act which read as follows:

“5(1)(b) Any licensee who fails to comply with paragraph (a) shall commit an offence.

37. Offences

(1) Any person who—

(...)

(g) otherwise contravenes any provision of this Act,

shall commit an offence.

(2) Any person who commits an offence shall, on conviction, be liable to a fine not exceeding 500,000 rupees and to imprisonment for a term not exceeding 5 years.”

Thank you for your kind consideration.

Yours faithfully,



**K. Ramphul
Acting Director**

Kool FM

Mathew <justmathew@gmail.com>

Mon 1/30/2023 4:52 PM

To: iba@intnet.mu <iba@intnet.mu>

Hi,

I am disappointed to hear the continued playout of tracks with offensive lyrics on multiple radio stations in Mauritius as well as from local music sources for example, background music in public locations. With that said, earlier today I heard Kool FM play My Band by D12.

Ironically, it is an offense under ICTA regulations for me to send you the lyrics to this track but you should not hear this track on any radio station, let alone in the middle of the afternoon.

The lyrics of this track contain multiple swear words as well as referring in crude terms to sex acts.

I hope you will ensure this track is not played on public radio again.

Regards,

Mathew Coomber
54998947

Kool FM - More offensive tracks

Mathew <justmathew@gmail.com>

Wed 2/8/2023 8:31 PM

To: iba@intnet.mu <iba@intnet.mu>

Hi,

At around 17:24 today, Wednesday 8th February 2023, Kool FM played Woman by Doja Cat. Again, I cannot send you the lyrics as to do so would break ICT laws.

You have to wonder why society is failing when so many radio stations and in-store music outlets are playing such inappropriate tracks.

I hope the IBA will take firm and effective action to curtail this practice.

Regards,

Mathew Coomber
54998947

Broadcaster: Kool FM
Date: Monday 30 January 2023
Time: 14h32

Track: D12 - My Band

I don't know dude
I think everybody's all jealous and shit
'Cause I'm like, the lead singer of the band, dude
And I think everybody's got a fuckin' problem with me, dude
And they need to take it up with me after the show
Because
These chicks don't even know the name of my band
But they're all on me like they wanna hold hands
'Cause once I blow, they know that I'll be the man
All because I'm the lead singer of my band
So I get off stage, right, drop the mic
Walk up to these hot chicks, and I'm all like
"Sup ladies, my name's Slim Shady
I'm the lead singer of D12, baby"
They're all like, "Oh my God, it's him"
"Becky, oh my fucking God, it's Eminem"
"I swear to fucking God, dude, you fucking rock"
"Please, Marshall, please let me suck your cock"
Now by now, the rest of the fellas get jealous
Especially when I drop the beat and do my acapellas
All the chicks start yellin', all the hot babes
Throw their bras and their shirts and their panties on stage
So like every single night they pick a fight with me
But when we fight it's kinda like sibling rivalry
'Cause they're back on stage the next night with me
Dude, I just think you're tryna steal the light from me
Yesterday Kuniva tried to pull a knife on me
'Cause I told him Jessica Alba's my wife-to-be
This rock star shit, it's the life for me
And all the other guys just despise me because these
These chicks don't even know the name of my band
But they're all on me like they wanna hold hands
'Cause once I blow, they know that I'll be the man
All because I'm the lead singer of my band
My band, my band, my band, my band
My band, my band, my band, my band
My band
Alright, okay, alright
Give me the mic, man

Okay, come on, man
You need to give me this mic (ah, yeah)
You just wanna see a nigga backwards, don't you?
ADAT? How come we don't rap on Pro Tools
Smash these vocals and do a performance
But we in the van and he in a tour bus
You don't want my autograph, you's a liar
And no, I'm Swift (oh, I thought you were Kuniva)
And what the hell is wrong with our dressing room?
'Cause our shit is lookin' smaller than a decimal
See I know how to rap, see it's simple but
All I did was read a Russell Simmons book
So I'm more intact, tryna get on the map
Doin' jumpin jacks whilin' get whipped on my back
Look at Em little punk ass thinkin' he the shit
Yeah, I know, man, by himself, taking all the flicks
Hey, I thought we had an interview with DJ Clue?
No, I had an interview not you two
You gon' be late for soundcheck, man, I ain't going to soundcheck
And our mics are screwed up, and his always sound best
You know what, man? I'ma say somethin'
Ayo Em, you got somethin' to say? Man, nothin'
I thought you was about to tell him off, man, what's up?
Man, I'ma tell him when I feel like it, man, shut up
And you ain't even back me up, and we supposed to be crew
Man, I was about to talk right after you, I swear
Aw, man, whatever, I swear, man
These chicks don't even know the name of my band
But they're all on me like they wanna hold hands
'Cause once I blow, they know that I'll be the man
All because I'm the lead singer of my band
They say the lead singers rock, but the group does not
Went from sold out arenas to amusement parks
How I'm gon' let the world know that Proof is hot?
I should cut his mic off when the music starts
(Ayo it's-) ready to snap on a dumbass fan
Every time I hear, "Hey, dude, I love your band"
We ain't a band, bitch, we don't play instruments
So why he gettin' ninety and we only get ten percent?
And these guys acting funny every area code
Proof, carry my bag, bitch, carry your own
Can't make it to the stage, security in my way
Who the fuck are you? Where's Obie and Dre?

Goddamn it, I'm sick of this group (fuck D12)
Time for me to go solo and make some loot (yeah)
I told you I made the beats and wrote all the raps
'Til Kon Artis slipped me some crack (take this)
"Lose Yourself" video, I was in the back
"Superman" video, uh, I was in the back
For the media, I got some suggestions
Fuck Marshall, ask us some questions
Like, "Who is D12?" "How we get started?"
(But what about Eminem?) Bitch, are you retarded?
Anyway, I'm the popularest guy in the group
Big-ass stomach, bitches think I'm cute (hey sexy)
50 told me to do sit-ups to get buff
Did two and a half and couldn't get up (uh)
Fuck D12, I'm outta this band
I'm 'bout to start a group with The Real Roxanne
Girl, why can't you see you're the only one for me?
And it just tears my ass apart to know that you don't know my name (man, fuck this)
These chicks don't even know the name of my band
But they're all on me like they wanna hold hands (fuck Marshall)
'Cause once I blow, I know that I'll be the man (yeah)
All because I'm the new lead-
My band, my band (your band)
My band, my band (our band, your band)
My band, my band (you man, you man)
My band, my band, my band (Roxanne Shante, you lesbian)
Yeah, hey y'all, the hardest boy band in the world, D12

Broadcaster: Kool FM
Date: Wednesday 08 February 2023
Time: 17h19

Track: Doja Cat - Woman

Hey, woman
 Hey, woman
 Hey, woman
 Let me be your woman
 Woman, woman, woman (ayy)
 I can be your woman
 Woman, woman, woman (ayy)
 Let me be your woman
 Woman, woman, woman (ayy)
 I can be your woman
 Woman, woman, woman (ayy)
 What you need?
 She give tenfold, come here, papa, plant your seed
 She can grow it from her womb, a family
 Provide lovin' overlooked and unappreciated, you see (yeah)
 You can reciprocate
 I got delicious taste
 You need a woman's touch in your place
 Just protect her and keep her safe
 Baby, worship my hips and waist
 So feminine with grace
 I touch your soul when you hear me say
 "Boy, let me be your woman"
 Let me be your woman
 Woman, woman, woman (ayy)
 I can be your woman
 Woman, woman, woman (ayy)
 Let me be your woman
 Woman, woman, woman (ayy)
 I can be your woman
 Woman, woman, woman (ayy)
 I can be your lady, I'm a woman
 I'm a motherfucker but they got a problem
 Put some babies in your life and take away the drama
 Put that paper in a picture like a diorama
 Gotta face a lot people that are opposite
 'Cause the world told me, "We ain't got that common sense"
 Gotta prove it to myself that I'm on top of shit
 And you will never know a God without a Goddess

As honest as fuckin' honest get
And I could be on everything
I mean I could be the leader, head of all the states
I could smile and jiggle it 'til his pockets empty
I could be the CEO, just look at Robyn Fenty
And I'ma be there for you 'cause you on my team, girl
Don't ever think you ain't hella these niggas dream girl
They wanna pit us against each other when we succeedin' for no reasons
They wanna see us end up like we Regina on Mean Girls
Princess or queen, tomboy or king (yeah)
You've heard a lot, you've never seen (nah)
Mother Earth, Mother Mary rise to the top
Divine feminine, I'm feminine (why?)
Woman (daddy)
Let me be your woman (let me be your)
Woman, woman, woman (I need to be your) (daddy)
I can be your woman (I know)
Woman, woman, woman (daddy)
Let me be your woman (I know)
Woman, woman, woman (daddy)
I can be your woman (I know)
Woman, woman, woman
Mm-mm
(Hey, woman) Mm-mm, mm
(Hey, woman)