



**REPUBLIC OF ZAMBIA**

**REPORT**

**OF THE**

**COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION  
TECHNOLOGIES**

**FOR THE**

**SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY,  
APPOINTED ON THURSDAY, 21<sup>ST</sup> SEPTEMBER, 2017**

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**REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE SECOND SESSION OF THE TWELFTH NATIONAL ASSEMBLY, APPOINTED ON THURSDAY, 21<sup>ST</sup> SEPTEMBER, 2017**

*Consisting of:*

Mr G M Imbuwa, MP (Chairperson); Mrs P C Kucheka, MP; (Vice-Chairperson); Mr R Mwewa, MP; Mr D M Kundoti, MP; Mr M Mukumbuta, MP; Dr E I Chibanda, MP; Mr A Kasandwe, MP; Ms M Lubezhi MP; Mr M K Tembo, MP; and Mr F Ng'ambi, MP.

The Honourable Mr Speaker  
National Assembly  
Parliament Buildings  
**LUSAKA**

Sir,

Your Committee has the honour to present its report for the Second Session of the Twelfth National Assembly.

**Functions of the Committee**

**2.0** The functions of the Committee on Media, Information and Communication Technologies as provided under the Standing Order 157(2), are to:

- (a) study, report and make appropriate recommendations to the Government through the House on the mandate, management and operations of the Government ministries, departments and/or agencies under its portfolio;
- (b) carry out detailed scrutiny of certain activities being undertaken by the Government ministries, departments and/or agencies under its portfolio and make appropriate recommendations to the House for ultimate consideration by the Government;
- (c) make, if considered necessary, recommendations to the Government on the need to review certain policies and certain existing legislation;
- (d) examine annual reports of Government ministries and departments under its portfolio in the context of the autonomy and efficiency of Government ministries and departments and determine whether the affairs of the said bodies are being managed according to relevant Acts of Parliament, established regulations, rules and general orders;
- (e) consider any Bills that may be referred to it by the House;
- (f) consider international agreements and treaties in accordance with Article 63 of the Constitution;
- (g) consider special audit reports referred to it by the Speaker or an Order of the House;

- (h) where appropriate, hold public hearings on a matter under its consideration; and
- (i) consider any matter referred to it by the Speaker on an Order of the House.

### **Committee's Programme of Work**

**3.0** Your Committee's Programme of Work for the Second Session of the Twelfth National Assembly was as follows:

- (a) consideration of the topical issues: "*The Review of the Information and Media Policy*" and "*Update on the Digital Migration Programme*";
- (b) consideration of the Action-Taken Report; and
- (c) consideration and adoption of the Committee's draft Report for the Second Session of the Twelfth National Assembly.

### **Procedure adopted by the Committee**

**4.0** Your Committee held a total of twelve meetings to interact with the various stakeholders in line with its programme of work. Your Committee requested for detailed written memoranda on the topics under consideration from various stakeholders. The stakeholders also appeared before your Committee and made oral submissions.

### **Report of the Committee**

**5.0** Your Committee's Report is organised in two parts. Part I contains detailed studies on the two topical issues and also presents its findings from the long meetings and local tours. This part further outlines your Committee's observations and recommendations. Part II presents outstanding issues from the Action-Taken Report of your Committee's Report for the First Session of the Twelfth National Assembly.

## **PART I - CONSIDERATION OF THE TOPICAL ISSUES**

### **Topic One**

#### **REVIEW OF THE INFORMATION AND MEDIA POLICY IN ZAMBIA**

**6.0** The media in Zambia is guided by the Information and Media Policy which was formulated in 1996. The aim of the Information and Media Policy was to make the media more effective regarding gathering and dissemination of information to the public while at the same time providing a consultative mechanism for policy monitoring and evaluation in order to continuously give direction to the operations of the media.

The 1996 Information and Media Policy had two components: the Information Policy and Media Policy. The Information Policy focused on the provision of information to the public regarding all Government policies, programmes and achievements. It also provided for feedback mechanisms through which public views, opinions and suggestions could be channelled to the Government. One of its goals was to achieve countrywide coverage by radio and television by the year 2005, including the provision of community radio stations and also increase media outreach to the public.

The Media Policy on the other hand referred to the mainstream media, namely: newspapers, radio, television, magazines and periodicals. One of the goals of the Media Policy was to promote professionalism in the media.

Considering that the Information and Media Policy was formulated in 1996, at the time information dissemination was through the mainstream media, the focus for both the Information Policy and Media Policy was on the Government's ability to disseminate developmental information to the general public as well as being able to get feedback. It also focused on the promotion of professionalism in the media. However, the biggest impact on the media landscape in the 21<sup>st</sup> Century has been the emergence of new methods of news gathering and dissemination. Today, news and information can be disseminated through such media as Facebook, WhatsApp, Twitter, Blogs, newspaper organisation websites and many others. Your Committee recognising that the Information and Media Policy in its current form only focuses on the provision of information to the public and promotion of professionalism and does not provide guidelines on the utilisation of the new methods of information dissemination, resolved to undertake a review of the 1996 Information and Media Policy.

The objectives of the study were to:

- (a) assess the adequacy of the legal and policy framework on the Information and Media Policy regarding modern methods of information gathering and dissemination;
- (b) ascertain the availability of the guidelines regarding the use of the new media by:
  - (i) general public;
  - (ii) professionals; and
  - (iii) students in media studies; and
- (c) make recommendations on the way forward.

In order to acquaint itself with the topic under review, your Committee interacted with the stakeholders below.

- (a) Ministry of Information and Broadcasting Services.
- (b) Ministry of Justice.
- (c) Independent Broadcasting Authority (IBA).
- (d) Zambia Information and Communications Technology Authority (ZICTA).
- (e) Media Institute of Southern Africa – Zambia Chapter (MISA-ZAMBIA).
- (f) PANOS Institute, Southern Africa.
- (g) Zambia Union of Journalists (ZUJ).
- (h) Press Association of Zambia (PAZA).
- (i) Catholic Media Services.
- (j) University of Zambia (UNZA) – School of Mass Communications.
- (k) Evelyn Hone College of Applied Arts and Commerce – Department of Media Studies.
- (l) Zambia Institute for Mass Communications (ZAMCOM).
- (m) Zambia National Broadcasting Corporation (ZNBC).
- (n) Muvi TV.
- (o) Diamond TV.
- (p) Radio Phoenix.



- (q) Komboni Radio.
- (r) Times of Zambia.
- (s) Zambia Daily Mail.

### **Summary of Submissions by Stakeholders**

**6.1** Your Committee was informed that since 1964 when Zambia gained her independence, the media industry had operated without a clearly defined national communication policy. During the first twenty seven years after independence, the media was run by the State as a public media although it functioned as an arm of the State. At the time, the Government could not be held accountable because there was no policy to direct the operations of the media. Further, media executives were often hired and fired by the Head of State at press conferences. This stemmed from the fact that the Government then was eager to control the media without regard to the implications of such decisions. This was because:

- (a) for the Government, it was time to own media houses that until then were mostly owned, controlled and managed by the white settlers;
- (b) in the immediate post independence period, independent African states had embarked on a nationalisation policy, which was the trend in the 1960s. African governments also viewed the Soviet Union's state ownership of the media as more appealing than the Western capitalist idea of promoting a profitable media industry; and
- (c) at the time, Zambia was surrounded by hostile colonial and racist regimes in the south, east and west and by a fearful military regime of the Democratic Republic of Congo. As result, Zambia's immediate "policy" was that the public media should serve the interests of the Government by promoting national unity and advancing national development through messages on agriculture, health and education, among others.

### **The 1996 Information and Media Policy**

**6.2** Your Committee was informed that despite the 1996 Information and Media Policy formulation processes being found wanting by critics in some areas, it was worth appreciating that this was the first time efforts were made to create a policy. The policy also captured some ideals that could not be overlooked as Zambia looked for a new communication policy.

This initiative stemmed from the country's 1991 transition to plural politics which promised to liberalise the media. In the new dispensation, the role of the Ministry of Broadcasting Services (MIBS) was recast. Its new mission was to promote and facilitate the growth of a sustainable media industry capable of enhancing free flow of information and freedom of expression for national development.

Your Committee heard that a Media Reform Committee was formed to relook at the functions of the media. Consultative workshops, seminars and conferences were organised as part of the policy formulation process. Media training institutions, professional associations, faith-based organisations, political parties, and international organisations operating in the country were included in crafting the new role of the media industry. This effort culminated into Zambia's first articulated communication policy document entitled "*Information and Media Policy*".

During the first five years of the MMD Government, media policy efforts were in accordance with broader positive governance initiatives. The Policy outlined the importance of an

information and media policy which would set out a clear vision, goals, objectives and strategies. These were crucial because of the re-introduction of multiparty politics in Zambia and the expected liberalisation of the media. Hence the formulation and publication of the country's first *Information and Media Policy*.

Your Committee was further informed that in 1991, the MMD Government gave some hope regarding the formulation and implementation of the policy. The Government's promises brought about a feeling in the media fraternity that a policy to address issues relating to state ownership and interference would be introduced. However, a myriad of economic, political, social, professional, academic and legal issues entangled the process. A combative relationship between the Government and the emerging private media community ensued. In view of these challenges, it became difficult for the Government to draw a legitimate national media policy. That notwithstanding, in 1996, a first Information and Media Policy was published despite assertions that it did not meet the expectations of the people. By 2010, the MMD Government conceded that the 1996 policy goals, objectives and strategies had been overtaken by new developments in the media industry and decided to review the policy. Since then, Zambia had been groping for a new national communication policy.

### **New Developments in the Media Industry**

**6.3** Like elsewhere in the world, the media in Zambia had three functions: to inform, educate and entertain. Therefore, consumers of news required a free and diverse media that could keep them informed and also held those in leadership positions accountable. The media provided checks and balances on the three arms of Government: Executive, Judiciary and Legislature. It was a market place of ideas where the general public discussed as well as expressed their views on matters of public interest. The stakeholders submitted that the advent of information and communication technologies (ICTs) had brought about new methods of information gathering and dissemination turning the world into a more effective global village. These new methods had both positively and negatively impacted on both the print and electronic media. This impact was also being felt by the media fraternity in Zambia. The new media included the use of electronic media platforms to gather and disseminate news and information via YouTube, Facebook, Twitter, Instagram, Snapchat, and Google+.

Your Committee was further informed that in journalism terms, new media referred to websites, online publications, and computer multimedia such as digital television, digital radio, videos, and images. These could be uploaded on the worldwide web or digitally composed and disseminated through computers, tablets, smart phones, flash discs and CD-ROMs. Other new media tools were social media platforms and blogs hosted by individuals who might not be journalists.

The stakeholders explained that the ICTs made it possible to merge different media such as newspapers, television and radio stations into one platform on the internet. The traditional media (newspaper, radio and television), had created websites, electronic papers through which they shared news articles, videos, images and also provided a platform for clients to advertise online.

Your Committee was informed that non-journalists who had access to computers, internet and handheld devices also used new media platforms to disseminate news, advertise, sell products and conduct research. Apart from the traditional media, the new media had brought on board non-journalists also known as citizen journalists who disseminated news to consumers of different interest groups with varied needs.

The stakeholders observed that media convergence came with opportunities and challenges. Therefore, these positive developments were not without challenges. The opportunities included: easier gathering and sharing of content through viral dissemination forms on social networks. ICTs also enabled reporters and media houses to disseminate news to both local and international audiences. Further, ICTs enhanced interaction between information gatherers and their audiences.

The challenges included: cyberspace crime; infringement of privacy and threats on information protection. In addition, the new media era had brought on board disseminators of news of unknown identities and no known fixed abode who could, therefore, not be held accountable for abrogating journalism tenets by anyone.

In Zambia, the media landscape had been taken by storm by the explosion in digital technology or new technologies. This had affected the way journalists gathered and disseminated information on one hand and how the public consumed information, on the other. The power to communicate on a mass scale no longer rested solely in the hands of the elite who had the capacity to establish and operate electronic and print media houses, which had previously been a natural barrier to participation by the general public. Currently, anyone with access to the internet could create and share or edit theirs or another person's content. The advent of mobile phones, internet access, and digital cameras allowed citizens to engage in public debate at unprecedented levels.

It was against the backdrop of the advent of the new methods of information gathering and dissemination that your Committee sought to appreciate the adequacy of the policy and legal framework within which the media industry operated in Zambia.

### **Legal and Policy framework**

**6.4** Your Committee was informed that there was no clearly defined media policy and legal framework in Zambia to address the new methods of information gathering and dissemination. The legal framework had not been reviewed for a long time. The first official media policy was drafted in 1996 and was in effect until 1999 when the Ministry of Information and Broadcasting Services set out to review it. However, to date, the 1996 Media and Information Policy document had continued to be the official blue print regarding policy matters relating to the media. Thus, despite the remarkable growth recorded in the media industry, especially the broadcasting industry, there had been no corresponding growth in the legal framework to ensure regulation of the industry in line with the Constitution and national values.

Your Committee was, however, informed that the 1996 Media Policy was being revised to bring it in tandem with the political, economic, socio-cultural and legal changes that had taken place in the country since its inception. One of the key issues was that there was need to ensure that the Digital Migration Policy was put into a legal framework so as to enforce it. This could be done through amendments to the *Zambia National Broadcasting Corporation Act No. 20 of 2002*, *Independent Broadcasting Authority Act, No. 17 of 2003* and *Zambia Information and Communication Technologies Authority Act, No. 15 of 2009*.

The stakeholders submitted that in Zambia, the freedom of the press was anchored on Article 20 of the *Constitution of Zambia* which guaranteed citizens' freedom of expression. It stated that:

*“Except with his own consent, a person shall not be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference,*

*freedom to receive ideas and information without interference, freedom to impart and communicate ideas and information without interference, whether the communication be to the public generally or to any person or class of persons and freedom from interference with his correspondence”.*

Stakeholders, however, observed that there were enough laws in place for the media industry in Zambia such as the Penal Code which could also be applicable to modern methods of information gathering and dissemination. Among them were laws relating to:

- (a) prohibited publications;
- (b) seditious intentions;
- (c) publication of false news with intent to cause fear or alarm to the public;
- (d) contempt of court;
- (e) contempt of Parliament;
- (f) trafficking in obscene publications;
- (g) defamation;
- (h) blasphemy;
- (i) State Security; and
- (j) Theatre and Cinematography Exhibition.

However, there were some lacunas in these legal frameworks mainly because these pieces of legislation were drawn at the time when people accessed information through the traditional media. As a result, these laws were incompetent to deal with the sophistication and capacity of the social media.

In the same vein, the new technologies had also impacted on how Governments put in place legal and policy frameworks within which the media could operate. Issues of privacy and fake news, for instance, had resulted in fragmented reactive policies being formulated as isolated and disconnected projects and thus lacked firm backing and could not be sustained over time.

The stakeholders submitted that currently, journalists accessed information from websites and re-distributed information through their media houses at times without checking for authenticity, correctness, accuracy and for other qualities in line with the traditional determinants of news. As a result, regulatory bodies found themselves in a situation where the use of new technologies brought up new challenges at every turn. It had become increasingly difficult to achieve relative permanency in the legal and policy frameworks in the media industry. This was because the freedom to communicate, collect and disseminate information had undergone dramatic global changes. The convergence of the mass media, telecommunications, and computers had raised theoretical, conceptual, and methodological questions reflected in modern communications law, policy, and regulation.

Your Committee was further informed that the Zambia Information and Communications Technology Authority (ZICTA) was responsible for regulating the information and communication technologies (ICTs) sector in the country. The Authority fell under the Ministry of Transport and Communications and derived its mandate from three Acts; *the Postal Services Act, No. 22 of 2009, Electronic Communications and Transactions Act No. 21 of 2009* and the *Information and Communications Technologies (ICT) Act, No. 15 of 2009* to regulate ICTs, postal and courier services in Zambia. As a regulatory body, ZICTA regulated internet service providers (ISPs), postal and courier service providers; mobile network operators and electronic and communications equipment dealers in Zambia.

In addition, the *Independent Broadcasting Authority Act, No. 17 of 2002* established the Independent Broadcasting Authority (IBA), under the Ministry of Information and Broadcasting Services to regulate the broadcasting industry in the country. Its specific functions included:

- (a) promoting a pluralistic and diverse broadcasting industry;
- (b) establishing guidelines for the development of broadcasting through a public process to determine the needs of citizens and social groups;
- (c) providing guidance on the issuing of licences, giving regard to the need to discourage monopolies;
- (d) issuing advisory opinions on broadcasting standards and ethical conduct in broadcasting; and
- (e) ensuring broadcasters develop codes of practice.

The stakeholders noted that while ZICTA provided for measures to curb the abuse and misuse of ICT products, including social media platforms, the IBA advised on broadcasting standards and ethical conduct. They note that there was need to further review and strengthen legislation that touched on the practice of journalism vis-à-vis the use of new technologies. There was also need to recast the traditional problems inherent in freedom of expression including information seeking, creation, processing, flow and use in light of the special conditions presented by the new media.

Your Committee was further informed that Zambia had no cyber legislation in place to guarantee the use of modern methods of information gathering and dissemination on the internet. The use of cyberspace to distribute news, social networking, video sharing through WhatsApp, and YouTube, messaging, sale of products or digital advertising was done on the basis of the freedom of expression enshrined in Article 20(1) of the Constitution. *The Electronic Communication and Transactions Act, No. 21 of 2009* was designed to develop a safe, secure and effective environment for the consumer, business sector and Government to conduct and use electronic communications on cyberspace. However, your Committee was informed that the Government was in the process of drafting the ICT Bills that would regulate the use of cyberspace. The Bills included: the Information and Communications Technology Society of Zambia; Cyber Crime; Electronic Commerce; and Data Protection.

## **6.5 Guidelines for the Use of New Media**

### **General Public**

**6.5.1** Your Committee was informed that the advancement in technology had given the public access to a plural media that was competing to catch the attention of news consumers. The public also used the digital media for social networking, video sharing, messaging, online shopping, advertising, sale of products and commenting on community and national issues. Thus, in the absence of a cybercrime policy, there were no guidelines for the responsible use of social or commercial platforms by the public. For example, the *Electronic Communications and Transmission Act* forbids internet abuse and provides for fines and custodial sentences for certain crimes. The Act, however, does not specifically deal with the common media crimes such as plagiarism, dissemination of falsehoods, vulgar language and hate speech. However, people who committed crimes online such as fraud, copyright infringement, defamation of

character, libel, theft by public servant or dissemination of obscene materials, could be punished using other pieces of legislation. Nevertheless, it was, however, difficult, to track and prosecute such people because some of them used false identities.

### **Professionals**

**6.5.2** Your Committee was informed that professionals used the new media to conduct research, share expert information on platforms such as blogs and Google+. They also used it to network with their colleagues and market their curriculum vitae on LinkedIn. Professionals were guided on how to use the new media through their professional ethics. In their online interactions, they were also guided by existing pieces of legislation and professional ethics. Additionally, most organisations had their own internal communication policies on how to use the social media platforms. These policies sometimes worked well for organisations because employees branded the knowledge or amplified the voice of the organisation through media houses and social platforms. For instance, institutional guidelines prohibited media practitioners from accepting anything of less value from sources. As such, institutional guidelines limited activities which could pose conflicts of interest and stressed the responsibility of media practitioners to society and their obligation to be accurate, impartial and independent in their manner of reporting. This was because a journalist's obligation was to serve the public not a profession, particular newspaper, radio, television station or Government, but the public loyalty to facts.

### **Students in Media Studies**

**6.5.3** The stakeholders submitted that students used the new media to research. The advancement in technology allowed them to access electronic books and online libraries which made studying easier. However, the diversity of literature online had given leeway to some students, among others, to plagiarise other people's work. Respective institutions of learning generally provided guidelines on how students should use information obtained through the new media. In this regard, some higher learning institutions that offered journalism courses had embarked on a programme to review their curricula.

For instance, your Committee was informed that the University of Zambia (UNZA) had revised its curriculum and submitted its proposed curriculum to the UNZA Senate and the Higher Education Authority for approval. It was explained that some of the new courses would deal with the best social media practices and media literacy in order to prepare students for potential careers as digital strategists. Ultimately, these courses would equip students with knowledge on how best to use social media platforms. The acquired knowledge would bind journalists to evidence and reasonable assumptions. Students would acquire reverence for shared values, rules, codes, laws and arrangements which could give them a sense of belonging to a community; willingness to hold belief in suspense in order to doubt until evidence was obtained and to go where the evidence pointed instead of advancing a personally preferred conclusion.

### **Challenges being faced Regarding Modern Methods of Information Gathering and Dissemination**

**6.6** Your Committee was informed about the challenges set out below.

- (a) While the Government had intentions of moving forward and embracing modern methods of information gathering and dissemination, there were some laws such as the Penal Code that inhibited these intentions.

- (b) Lack of access to information was contributing to abuse of social media platforms because some news makers and the general public resorted to using social media platforms to circulate information and also comment on issues of public interest.
- (c) A number of online publications had emerged which were being hosted in other countries. Stakeholders felt that there was need to regulate the new media as it was being used in some cases to advance hate speech, falsehoods, divisions and disunity.
- (d) Most of the equipment at public media houses was obsolete and could not be used effectively to gather and disseminate information.
- (e) It was difficult to tell whether the information was being circulated by a journalist or not as anybody could use the medium at their disposal to send a message.
- (f) It had become increasingly difficult for people to tell which information was trustworthy and reliable because of the disparity of information being presented on some or similar items.
- (g) Youths became addicted to social media platforms for "fear of missing out," also known as "FOMO" by students.
- (h) Some people lost their jobs because of posting inappropriate content on social platforms. The Facebook platform, for instance, was used by many to update their statuses and expressed their opinions on issues of public interest. This was controversial because some employees were judged based on their social behaviour.
- (i) Usage of social media platforms came with cyber-bullying, online sexual predators and decreased face-to-face interactions. Social media also exposed children to images of alcohol, tobacco, and various sexual behaviours.
- (j) Users in economically challenged nations spent high percentages of their annual income to pay for devices and services to participate in the social media lifestyle. This was expensive for people in developing nations like Zambia.
- (k) There was an increased information disparity between those who actively participated on social media and those who were unfamiliar with modern technologies. Generally, Zambians had a poor reading culture. Thus, the use of online platforms belonged to few people which increased the digital divide.
- (l) Some media scholars observed that social platforms chipped the capacity for concentration and contemplation making news content shallow. Some articles circulated on social media platforms were not well researched and lacked depth and quality.
- (m) Raw news was often presented on social media platforms that were not factual creating unnecessary alarm.
- (n) It was difficult to trace people who circulated vulgar language and hate speech which could destroy the moral fibre of any society.

## **TOUR REPORT**

To consolidate its findings during its long meetings, your Committee embarked on a fact finding mission to Luapula and Northern provinces. Your Committee held public hearings in Samfya and Kasama districts in relation to the new methods of information gathering and dissemination vis-a-vis the 1996 Information and Media Policy.

### **Submissions made by Stakeholders during the Public Hearings**

**7.0** The public hearings in Kasama and Samfya districts had an attendance of fifty-six and eighty-four, respectively. During the public hearings, the stakeholders submitted that:

- (a) the absence of access to information legislation had forced people to turn to social media platforms to disseminate unverified stories or information;
- (b) the Independent Broadcasting Authority (IBA) as content regulator and Zambia Information and Communication Technology Authority (ZICTA), the frequency regulator, did not have the capacity to effectively curb social media abuse;
- (c) the Government needed to devise a mechanism that would regulate social media platforms;
- (d) the existing pieces of legislation that govern the operations of the media industry and the ICT sector should be revised to bring them in tandem with the current media trends;
- (e) administrators of social media platforms should be held accountable for what was circulated on their platforms as they were required to provide terms of reference to guide their members;
- (f) there was no policy in place to provide for standards and quality regarding online reporting;
- (g) the Government should step up sensitisation programmes regarding the proper use of social media platforms instead of closing them down; and
- (h) some social media platforms were being used to advance hate speech, divisions, vulgar language and pornography.

### **Committee's Observations and Recommendations**

**8.0** Arising from its interactions with various stakeholders both during the long meetings and local tour, your Committee makes the observations and recommendations as outlined below.

- (a) Your Committee observes that the absence of the access to information legislation has caused people to turn to the social media platforms to circulate information or speculations. Your Committee notes that access to information legislation will not only facilitate the work of the media fraternity, but also enable the general public to have access to information of public interest.

Your Committee, therefore, recommends that the Government should speed up the process of enacting the access to information legislation to enable people have



access to information rather than circulating or speculating on social media platforms.

- (b) Your Committee, while commending the Government for commencing the review of the 1996 Information and Media Policy in order to bring it in line with new technological developments, is concerned that the process has taken too long to conclude.

In view of the foregoing, your Committee strongly urges the Government to finalise and operationalise the Information and Media Policy as a matter of urgency and ensure that modern methods of information gathering and dissemination are incorporated into the policy.

- (c) While noting that the country has enough laws to regulate the usage of online space regarding freedom of expression, association and assembly, your Committee observes that these laws are fragmented and outdated. Further, while the legal and regulatory framework requires review, work to review it remains unconcluded.

Your Committee strongly implores the Government to review and harmonise the pieces of legislation to bring them in tandem with current developments in the media industry. In short, the Government should develop a legislative framework that will guarantee safety and security in the use of social media platforms and review those laws that impinge on media freedom.

- (d) Your Committee notes that the Government's intention to promulgate ICT legislation will help to regulate the abuse of social media platforms.

Your Committee urges the Government to quickly develop the proposed ICT legislation in order to guide the effective use of new media.

- (e) Your Committee notes that there is no capacity building in online training to provide for standards and quality regarding online reporting.

Your Committee recommends that, as the Government has embarked on a process to review the Information and Media Policy, there is need to introduce an online capacity building programme for journalists working on the online social media platforms. In this regard, the Government is urged to partner with media training institutions and associations when drawing up these online courses for online media journalism training.

- (f) Your Committee notes with concern that training institutions in the country have not been revising their curricula to match with the developments that are taking place in the media industry, thereby compromising education standards.

Your Committee therefore, urges the Government to put measures in place to ensure that training institutions regularly revise their curricula to bring them in line with current developments in the media in order to equip students with adequate knowledge regarding responsible use of social media platforms.

- (g) Your Committee expresses concern at the rise in unethical reporting by some journalists in the country.

In this regard, your Committee urges the Government to work with stakeholders to ensure that an effective training programme in basic journalism ethics and principles for journalists using modern methods of information gathering and dissemination is put in place. Your Committee notes also the need for all media broadcasting stations to employ at least one professionally trained station manager in order to ensure ethical reporting.

- (h) Your Committee observes with concern that some journalists or citizen journalists are creating websites and using social media to circulate news which is often false and sensationalised, insults and stories containing vulgar language against other citizens.

Your Committee therefore, urges the Government to put measures in place to curb such illegal use of the social media by some journalists.

- (i) Your Committee notes with concern that some media houses and training institutions are not aware or familiar with the 1996 Information and Media Policy, but are aware about the revised draft information policy in line with the media policy.

Your Committee implores the Government, through the Ministry of Information and Broadcasting Services, to ensure that all broadcasting stations and training institutions have a copy the National Information and Media Policy in addition to the existing institutional guidelines in order to guide their journalists adequately. Media houses should also be encouraged to develop in-house ICT as well as social media policies.

- (j) Your Committee notes with great concern that there are no deliberate sensitisation programmes by the Government regarding the responsible use of social media platforms by journalists and the general public.

Your Committee recommends that the Ministry of Transport and Communications, through ZICTA and other stakeholders, should step up awareness campaigns regarding responsible use of social media platforms. Sensitisation programmes will enable people to understand the implications of posting undesirable videos or information on social media platforms in order to check some of its negative consequences.

- (k) Your Committee observes that regulatory bodies such as the IBA and ZICTA do not have the capacity to adequately regulate the use of social media and other platforms in the country.

Your Committee urges regulatory agencies such as the IBA and ZICTA to devise means of regulating and censoring undesirable content on social media platforms. Your Committee urges the government to formulate legislation that will facilitate the establishment of a media self regulatory body.

- (l) Your Committee notes that there is no mechanism in place to continuously monitor changes taking place in the media industry, thereby making regular review difficult.

Your Committee urges the Government, through the Ministry of Information and Broadcasting Services, to institute measures to facilitate the monitoring of developments in the media.

## **TOPIC TWO**

### **UPDATE ON THE COUNTRYWIDE DIGITAL MIGRATION PROGRAMME**

**9.0** On 2<sup>nd</sup> March, 2017, the Minister of Information and Broadcasting Services briefed your previous Committee on Media, Information and Communication Technologies on the progress made on the Digital Migration Project. The Minister explained that migration from analogue to digital television broadcasting was inevitable as it provided for efficient utilisation of frequency spectrum, improved quality of service and allowed the broadcaster to reach more people. In order to have a smooth transition, the Ministry had put in place a Digital Migration Policy which set out guidelines of migrating Zambia's broadcasting sector from analogue to digital terrestrial broadcasting as the country was working towards switching off analogue broadcasting television transmission by the end of September, 2017.

In 2014, Cabinet approved the Digital Migration Policy which provided measures to guide the process. In particular, the policy provided for the separation of broadcasting content from signal distribution, review of the Zambia National Broadcasting Corporation (ZNBC) operations and the establishment of a public signal distributor. In addition, the policy provided for the means to build capacity for local content development and standards to be used in the migration process. The main purpose of the migration process was to ensure that all broadcasting services that were delivered through analogue technology were fully replicated on the digital broadcasting technology platform so that the analogue broadcasting service could be switched off at a specific point in time. At the time of the meeting, the Ministry was implementing Phases II and III of the Digital Migration Project. Some of the key activities to be undertaken to ensure a successful migration included, among others, the following:

- (a) survey of all six sites where provincial broadcasting stations were to be erected;
- (b) importation of equipment required for the project;
- (c) construction of six provincial broadcasting stations in Kabwe, Mongu, Mansa, Chinsali, Kasama and Chipata;
- (d) construction, installation and commissioning of sixty-three transmission sites throughout the country covering the areas not covered in Phase I;
- (e) supply, installation and commissioning of equipment in eight provincial broadcasting stations (six of these as mentioned in (a) above and Solwezi and Choma which were under construction at the time of the briefing;
- (f) supply, installation and commissioning of studio equipment for ZANIS and all ZNBC existing studios;

- (g) rehabilitation of ZANIS and all ZNBC existing studios;
- (h) construction of a national control centre to house the offices of the public signal distributor, call centre, repairs centre, and customer services centre; and
- (i) construction, supply, installation and commissioning of equipment for disaster recovery and a backup centre in Kitwe.

Pursuant to this brief to your previous Committee, your Committee resolved that a detailed progress report should be submitted by the Ministry of Information and Broadcasting on the development of infrastructure vis-à-vis the transition from analogue to digital broadcasting. The purpose of the progress report would be to update the Committee on the process so as to appreciate the challenges being faced in order to recommend the way forward. Your Committee also resolved to engage various stakeholders as regards the progress made on the transition from analogue to digital broadcasting.

In this regard, your Committee interacted with the following:

- (a) Ministry of Information and Broadcasting Services (MIBS);
- (b) Zambia National Broadcasting Corporation (ZNBC);
- (c) TOPSTAR; and
- (d) Zambia Independent Broadcasters' Association.

### **Summary of Submissions by Stakeholders**

**9.1** A synopsis of the submissions made by the various stakeholders during their interactions with the Committee is presented below.

### **Overview of the Digital Migration Project**

**9.2** Your Committee was informed that the International Telecommunications Union (ITU) Resolutions during the Geneva 2006 (GE-06) meeting recommended that all television broadcasters utilising terrestrial Bands II, IV and V should cease using analogue and adopt digital technology by 17<sup>th</sup> June, 2015. It was anticipated that broadcasters would benefit from the advantages that were availed by the digital technology. Most significant was the efficient utilisation of the limited frequency spectrum which was used for sending different telecommunication signals.

To adhere to the ITU directive, the Zambian Government, through the Ministry of Information and Broadcasting Services, established an eleven-member Digital Migration Task Force in August, 2010. The team's assignment was to develop a roadmap and make recommendations to the Government on the Digital Migration Programme. Three phases were required to rollout the programme and effectively migrate countrywide as set out below.

- (a) Phase I involved installation of digital transmitters along the line of rail.
- (b) Phase II included provision of digital transmitters at provincial centres as well as rehabilitation of the Zambia National Broadcasting Corporation (ZNBC) Lusaka, Kitwe and Zambia News and Information Service (ZANIS) studios.
- (c) Phase III included installation of digital transmitters in remote parts of the country with intent to cover the whole country with digital signal.

These phases were to be implemented concurrently as advertised in the print media in October, 2012.

In February, 2013, another Digital Migration Task Force was constituted to replace the previous committee. The task of the new Task Force was to develop, among others, the Digital Migration Policy.

In line with the observations made by the private sector players in the broadcasting sector over the advertised tender in October, 2012, the three phases could not run as a single lot because it would disadvantage genuine solution providers. As a result, the tender was cancelled in September, 2013, by the Ministry of Information and Broadcasting Services in accordance with the advice from the Zambia Public Procurement Authority (ZPPA). Your Committee was informed that when the single lot tender was cancelled, the subsequent digital terrestrial television (DTT) project tender was split and the first segment focused on Phase I which involved installation of digital transmitters along the line of rail. As a result, the tender for Phase I was advertised in January, 2014, through an international competitive tender bidding process.

In March, 2014, the Digital Migration Policy was approved by Cabinet with the main objective of:

- (a) developing a digital broadcasting market structure and licensing framework; and
- (b) developing and providing guidelines for the establishment and operation of signal distributors.

Your Committee heard that the tender for Phase I was awarded to Star Software Technology Company Limited of China on 10<sup>th</sup> July, 2014, after the company emerged winner among several international competitors. The contract value of Phase I of the project was US\$9,554,124.49 which was to be paid by the Zambian Government. This phase saw the installation of ten digital transmitters along the line of rail. The project was successfully completed by 17<sup>th</sup> June, 2015. As at 30<sup>th</sup> October, 2017, only US \$2,000,000.00 had been paid by the Government. This meant that the major funding of the Phase I project came from Star Software Technology Company Limited.

The stakeholders further submitted that following the successful completion of Phase I of the project by Star Software Technology Company Limited, the Government opted to directly bid Star Software Technology Company Limited to implement Phase II and III of the Digital Migration Project. Consequently, on 18<sup>th</sup> September, 2015, a contract was signed between the Government, through the Ministry of Information and Broadcasting Services, and Star Software Technology Company Limited for Phase II and III at a contract sum of US \$273,154,281.00.

On 11<sup>th</sup> January, 2016, a project management team was constituted by the Ministry of Information and Broadcasting Services, to ensure the successful implementation of Phases II and III of the project.

Your Committee was informed that Phase II and III of project involved the following:

- (a) rehabilitation of the ZNBC TV studios at Mass Media Complex, Kitwe as well as ZANIS television studio;
- (b) provision of the three Outside Broadcasting (OB) vans;
- (c) construction of six provincial studios and the Network Operation Centre to be located at Mass Media Complex;
- (d) rehabilitation of the Chiller System at Mass Media and Kitwe studios;
- (e) installation of digital transmitters at sixty-three transmission sites across the country;
- (f) provision of 1,250,000 decoders; and
- (g) training of staff in China.

Your Committee was informed that in May, 2016, Cabinet approved the establishment of a public signal distributor so that the provision by the Digital Migration Policy that no single entity would be allowed to play the dual role of signal distribution and content service provider was complied with. In approving the establishment of public signal distributor, the Government allowed ZNBC and Star Times to establish a Joint Venture called TopStar Communication Company Limited to be a public signal distributor.

Subsequently, TopStar was given the license to operate as a public signal distributor by the Zambia Information and Communications Authority (ZICTA) on 5<sup>th</sup> April, 2017. This meant that between 17<sup>th</sup> April, 2015 and June, 2017, ZNBC was, as a transition measure, responsible for public signal distribution. During this period, ZNBC carried several local content providers, some of which included: ZNBC TV1; ZNBC TV2; ZNBC TV 3; Revelation Television; Prime TV; TBN; QTV; City TV; and ABN.

In addition, following a Memorandum of Understanding that was signed between ZNBC and France24, in February, 2016, ZNBC incorporated France24 on the digital terrestrial platform.

### **Phase I**

**9.3** Your Committee was informed that Phase I of the project was specifically for the installation of high power digital transmitters in Lusaka, Chilanga, Kafue, Pemba, Kalomo, Senkobo, Kapiri-Mposhi, Ndola, Kitwe; and Chingola. As at 17<sup>th</sup> June, 2015, all the transmitters were successfully deployed at all the ten sites.

### **Phase II and III**

**9.4** Your Committee was informed that the preliminary works for Phase II were to expand Phase I before the installation of transmitters designated for Phase II. The expansion involved installation of backup transmitters in Lusaka, Kitwe, Kapiri-Mposhi, Chingola, Ndola, Kafue and Chilanga.

### **Pre-shipment Inspections**

**9.5** The stakeholders submitted that before equipment could be delivered into Zambia, a team of experts from the employer required undertaking pre-shipment inspection of the

equipment to ensure that it was in conformity with the specifications in the contract. As such, all the equipment listed below was to be subjected to pre-shipment inspection except for the Outside Broadcasting Vans, and ENG Cameras that were yet to be inspected at the time of the report:

- (a) generator sets;
- (b) solar system;
- (c) uninterruptible power supply;
- (d) automatic voltage regulators;
- (e) isolation transformers;
- (f) head end: encoders, multiplexers;
- (g) network management system;
- (h) transmitters;
- (i) antennas;
- (j) combiners;
- (k) satellite receiving antennas;
- (l) outside broadcasting vans;
- (m) digital satellite news gathering;
- (n) flyaway kits;
- (o) microwave links;
- (p) ENG cameras and studio cameras; and
- (q) video wall.

Each pre-shipment inspection assignment involved engineering staff from ZNBC and MIBS staff in Planning and Procurement Units.

### **Digital Transmitter Installations**

**9.6** Your Committee was informed that preliminary works for Phase II and III projects focused on installation of digital transmitters across the country. The installation works had progressed countrywide with thirty-three transmission sites having been completed as at 24<sup>th</sup> November, 2017.

### **Progress on Transmission Sites**

**9.7** Your Committee was informed that with regard to the 1.15 kilo watt sites, seven were completed before the end of 2017. These sites included: Choma, Mazabuka, Kasama, Chinsali, Livingstone, Solwezi and Mansa. For the 300 watt sites, forty-seven sites were projected to be completed by the end of 2017.

### **Progress on Television Studios**

**9.8** Your Committee was informed that works on the ZNBC and ZANIS studios in Lusaka had been completed while works on the Kitwe studios were still going on. Preliminary tests were being conducted at ZNBC TV1 Studios.

### **Progress on Supply of Decoders (STB)**

**9.9** Your Committee was informed that the Ministry had received 665,158 set top boxes and which had since been delivered to TopStar for sale and more than 500,000 had been sold at the time of the presentation.

## **Progress on Civil Works**

**9.10** Your Committee was informed that the Government's target was to build six provincial broadcasting stations, a Disaster Recovery Centre (DRC) and one National Operations Centre. However, no significant progress had been made on this component apart from the Disaster Recovery Centre. The building for the DRC was completed and the equipment had been delivered and was being installed.

## **Tower Installations**

### **Mongu and Chipata Towers**

**9.10.1** Your Committee was informed that after assessment of the status of towers where the television antennas were supposed to be mounted, it was discovered that Mongu and Chipata television towers had irreparable defects and that the only way out was to replace the two towers with new ones. Subsequently, it was resolved that separate towers be constructed for the two sites. It was, therefore, expected that by the first quarter of 2018, the Mongu and Chipata towers would be constructed.

### **Kasama**

**9.10.2** The stakeholders submitted that the existing tower at the ZNBC site in Kasama was not tall enough to provide for wider signal coverage. As such, a new 70 metres tower would be constructed by the first quarter of 2018.

### **Solwezi, Mansa and Livingstone**

**9.10.3** Your Committee was informed that the existing towers in the three sites, namely: Solwezi, Mansa and Livingstone, were found to be incapable of supporting 1000 kilogramme weight for panel antennas. As such, through a change proposal, a different type of antenna was approved whose weight was about 100 kilogrammes but with the same capability of signal reach as the panel antennas. Therefore, the three sites would use integrated antennas to allow for the existing capacity of the towers.

### **Choma and Chinsali**

**9.10.4** Your Committee was informed that other sites where 70-metre towers would be constructed were Choma and Chinsali. The rest of the sites countrywide were either on ZAMTEL, AIRTEL or ZNBC existing towers.

## **Establishment of TopStar**

**9.11** Your Committee was informed that in line with the Digital Migration Policy, the Ministry of Information and Broadcasting Services embarked on the process of establishing a public signal distributor. According to the policy, ZNBC could not hold both signal distribution license and content service provider license. Thus, through Cabinet approval, ZNBC was allowed to partner with Star Times to establish a public signal distributor. On 5<sup>th</sup> April 2017, TopStar was awarded a public signal distribution license, taking over from ZNBC the role of terrestrial television signal distribution. However, ZNBC remained responsible for the signal distribution for radio services across the country.

As part of the role of signal distribution by TopStar, effective 1<sup>st</sup> October 2017, when the Minister of Information and Broadcasting Services announced the analogue switch off, it meant that households were expected to pay a subscription of K30.00 to watch the digital signals on the TopStar bouquet. However, as per Digital Migration Policy, if any household could not pay a subscription in a particular month, they could still watch the free- to air channels which included: ZNBC TV1 and Parliament TV.



### **France24 MOU with ZNBC**

**9.12** On 8<sup>th</sup> February 2016, the Chief Executives of ZNBC and France24 signed a Memorandum of Understanding for ZNBC to carry the English Channel of France 24 on the Digital Terrestrial platform for Zambia. As a result, France24 became the only International Channel on the public bouquet then.

Following the MOU, ZNBC as a public signal distributor then, was able to carry France 24 as part of the ZNBC bouquet especially that the undertaking was on a government to government level between Zambia and France, through the Heads of State for the two countries. It was, therefore, hoped that because TopStar Communications Company Limited was now the public signal distributor, it would continuously provide the platform for France24 on its bouquet.

### **Direct to Home Platform**

**9.13** As part of a solution to provide digital television services to areas where the digital transmitters did not adequately cover some places, a satellite solution was provided under the Digital Migration Project. In this vein, satellite uplink-equipment was installed at Mass Media Complex to be used for signal distribution as well as for use under the Direct to Home platform. This meant that with the Direct to Home solution, any household anywhere in the country was able to watch, via a dish antenna, the digital television services provided by TopStar.

### **Business Service Centres**

**9.14** Your Committee was informed that as part of the process of accelerating easy access to set top boxes (STBs) for TopStar, twelve business centres would be established under the project. So far, six business centres had been established: two in Lusaka and one each in Kitwe, Ndola, Kabwe and Chipata, respectively.

### **Tariff Status**

**9.15** Following the successful deployment of ten digital transmitters along the line of rail on 17<sup>th</sup> June 2015, the content service providers (private broadcasters) were given a window period to be carried by ZNBC as a public signal distributor free of charge for six months until 31<sup>st</sup> December 2015. By 1<sup>st</sup> January, 2016, content service providers were to begin paying for their content distribution along the line of rail.

On 22<sup>nd</sup> October 2015, ZNBC constituted a multi-disciplinary Digital Terrestrial Transmission Tariff Planning Committee to develop tariffs for the content service providers on the basis of ensuring, among others things that:

- (a) normal profits were derived from the investment; and
- (b) a non-discriminatory price structure was developed.

Consequently, the tariffs were developed and approved by the Zambia Information and Communications Technology Authority (ZICTA). Unfortunately, these tariffs had not been honoured by all the content service providers (CSPs) who alleged that they were prohibitive.

The implications of the reluctance by the CSPs to pay for the tariffs was that it would be difficult to pay back the US \$273,154,281.00 loan acquired by the Government for the Digital Migration Programme. This was because instead of the loan self-liquidating through the tariffs collected, the Government would need to use other revenue streams to pay back the loan. As

such, there was need for concerted efforts to ensure that CSPs paid for the service being provided by the signal distributor.

### **Training**

**9.16** Your Committee was informed that the Digital Migration Programme incorporated adequate training for the engineering and programmes staff in order to ensure optimum utilisation of the features for the systems installed. It was anticipated that about 241 members of staff would be trained by the end of the programme distributed as follows:

- (a) ZNBC – 211;
- (b) ZANIS – 25; and
- (c) Public Infrastructure – 5.

### **Challenges**

**9.17** Your Committee was informed that some of the challenges faced during the implementation of the Digital Migration Policy were as outlined below.

- (a) Land acquisition for the transmitter sites delayed project implementation. For instance, it took over two months for land issues in Senanga, Kaoma, Lukulu and Mongu to be resolved.
- (b) Frequency acquisition was a challenge to a point where project timelines was almost at the verge of being derailed because ZICTA was insisting on payment for the frequencies. It was only after the ZNBC Director General engaged the regulator and a payment of K980, 000.00 was made to ZICTA by ZNBC that frequencies were released.
- (c) Language barrier with the contractor at times made communication difficult between the contractor and the employees from the Ministry.
- (d) Despite the high power transmitter in Senkobo, not all parts of Livingstone were being covered hence the need to install a transmitter in Livingstone.
- (e) Fibre link failure was causing service interruption hence the need to engage ZAMTEL to resolve the problem. Alternatively a backup provider could be a solution.
- (f) Some roads were impassable in some areas. For example, some areas in Chadiza were inaccessible until the Zambia National Service (ZNS) was hired to help with road works.
- (g) the contractor had consistently lamented that the loan had taken long to be released causing the contractor to fund:
  - (i) rehabilitation of the TV1, Studio 3, ZANIS and Kitwe studios;
  - (ii) all the thirty-three digital transmitters;
  - (iii) training of the members of staff in China; and
  - (iv) works on the OB Vans in China.

- (h) Under Phase I of the project, only US \$2,000,000.00 had been paid by the Government out of the US \$9,554,124.49.
- (i) Some private broadcasters were producing poor quality content.
- (j) Erratic disbursement of funds had delayed the commencement of construction of provincial studios.

#### **Concerns raised by stakeholders**

**9.18** The stakeholders who interacted with your Committee raised concerns regarding the manner in which the Digital Migration Policy was being implemented. The stakeholders highlighted their concerns as set out hereunder.

- (a) According to the market structure and licensing framework of the Digital Migration Process, the current broadcasting licensing framework was transformed into two broad licensing categories namely: content service provider license and signal distributor license. In addition, the policy also directed that no single entity shall hold both types of licenses at the same time. According to the Digital Migration Policy, a company holding a distribution license could not have a content provision license as well, but indirectly TopStar was performing both functions by virtue of its ownership structure.
- (b) The Policy further directed that the signal distributors shall be responsible for carriage of the signals received from the content service provider, distribution of the signal to designated transmission sites, broadcast the signal in line with the content service providers' license. All private broadcasters' licenses were free-to-air (FTA) but as at 1<sup>st</sup> October, 2017 all their channels were encrypted without any agreement with the Pay TV service provider. According to the Digital Migration Policy, the Government was supposed to ensure protection of the consumer and guarantee access to information. To implement this measure, the Government was to ensure that free-to-air program channels were accessible but this had not been the case.
- (c) The Policy further directed that signal distributors would be required to provide up to five free-to-air program channels for public service content provision. This meant that even channels for private broadcasters by default private content providers who had free-to-air licenses were supposed to be accessed free-of-charge unless it was agreed with the Pay TV provider to encrypt it and pay for the content.
- (d) The Policy stated that channels would be carried without any discrimination, as such, the failure by the signal carrier and the encryptor, Topstar, to allow the channels broadcast as free-to-air was tantamount to discrimination.
- (e) The carriage fees proposed by TopStar for different zones were very high for private broadcasters. Zone I which included Lusaka, Kafue and Chilanga were scheduled to be paying K16,000 per site. Zone II included ten provincial headquarters and were expected to pay K11,000 per site per month. Zone III included fifty-six districts located outside the line of rail and were expected to pay about K9,500 per site per month.

- (f) Currently, the Government collected TV Levy every month-end and also Topstar charged monthly subscription on each given bouquet, which disadvantaged the private television stations (content providers) as they were paying to acquire content, and also had to meet operational costs. This took away the much needed revenue required to sustain the operations of the private television stations in Zambia.
- (g) Private television stations had no say in so far as the revenue collection and sharing was concerned and this was discrimination of the highest order as it was also against the international standard of revenue sharing on TV digital platforms. The stakeholders insisted that nowhere in the world except Zambia was this the case.
- (h) Despite private stations providing content to the carrier, they had to pay to access their own channels. This was a clear impediment to ownership.
- (i) The stakeholders noted that all platforms carrying private TV stations were required to pay for encrypting content, which was supposed to be free. The world standard was that any content that was encrypted must be paid for by the pay TV provider.

### **Tour Report**

To further appreciate the progress made on the Digital Migration Project, your Committee also toured broadcasting transmission sites in Mwense, Samfya and Luwingu districts and provincial broadcasting studio sites in Mansa and Kasama districts.

### **Submission Made by Stakeholders**

**10.0** During the tour, the stakeholders submitted that:

- (a) transmitters in Mwense, Samfya and Luwingu districts were installed by December, 2017, and covered a radius of 30 kilometres with about 300-400 watts power output. The transmission equipment in the three districts was identical to all other district transmitters countrywide;
- (b) Samfya had over 2000 subscribers, Mwense had over 1400 subscribers and Luwingu had over 1500 subscribers;
- (c) the Kasama transmitter had a 1.15 kilowatts capacity power output with radius coverage of about 60 kilometres and over 6,000 subscribers. This kind of transmitter was identical to other transmitters in the provincial sites which included: Mansa, Chinsali, Chipata, Mongu, Solwezi and Choma districts other than those dotted along the line of rail which had a bigger capacity power output and a wider coverage radius;
- (d) signal accessibility was a challenge in all the districts because of poor terrain which made it difficult for some areas to receive the television signal. The officials from the Ministry of Information and Broadcasting Services informed your Committee that gap filler transmitters would be installed in areas where the people could not access the signal because of the poor terrain while in other areas people would be advised to purchase direct to home decoders (DTH);

- (e) engineers to look after the transmitters in districts were all based at provincial centres;
- (f) at Mansa District, the excavation works at the Provincial Broadcasting Studio Site had been completed and the contractor was at footing level;
- (g) the works at the Provincial Broadcasting Site in Kasama District were at execution level and that some soil samples had been taken to Lusaka for testing;
- (h) attention had been focused on the television migration while little had been done, if any, to engage radio owners in interpreting the meaning of radio digital migration;
- (i) radio owners had scanty knowledge on the requirements such as the equipment and cost implications for radio migration;
- (j) no much sensitisation programmes regarding radio migration by 2020 had been done countrywide;
- (k) ordinary Zambians knew very little on the fact that radio was also required to migrate by 2020 as opposed to the sensitisation programmes conducted on the Television Digital Migration Project;
- (l) stakeholders could not comment effectively on the Digital Migration Programme because they did not fully understand it;
- (m) lack of information had the potential of undermining the ability of the country to migrate in 2020 as preparedness by both radio owners and ordinary citizens was inadequate; and
- (n) the Government should consider renaming the TV Levy so that it was clearly understood and appreciated by the stakeholders.

### **Committee's Observations and Recommendations**

**11.0** Following its engagements with various stakeholders on the Digital Migration Process, your Committee makes observations and recommendations as outlined below.

- (a) While noting that the Digital Migration Policy provides for the current broadcasting licensing framework to be transformed into two broadcasting licensing categories, namely: content service provider license and signal distributor license, so that no single entity shall hold both types of licenses at the same time, your Committee observes with concern that TopStar is not operating within the parameters of the Policy because it is operating as a signal carrier, content distributor as well as a pay TV.

Your Committee, therefore, urges the Government to put measures in place to ensure that the operations of TopStar are within the parameters of the Digital Migration Policy which provides that the public signal carrier will only hold one license for signal distribution. Your Committee is of the view that TopStar should forthwith cease being a content and Pay TV provider.

- (b) Your Committee notes that under paragraph 7.1(f) of the Digital Migration Policy, the regulator should develop and implement tariffs and universal access guidelines by switch off date. Your Committee is concerned that contrary to the Policy, TopStar proposes carriage fees to be paid by private broadcasters in different zones. Particularly, TopStar is proposing that for Zone I which includes Lusaka, Kafue and Chilanga, content providers be required to pay K16,000 per site per month. Zone II which includes ten provincial headquarters, will be required to pay K11,000 per site per month. In Zone III which includes fifty-six districts outside the line of rail, they require to pay K9,500 per site per month. Your Committee is in agreement with the private broadcasters that the proposed tariffs are too high and should be reviewed accordingly.

Your Committee is alive to the fact the regulator has been empowered through the Policy to set tariffs. However, it is of the view that TopStar, as the public signal distributor; Independent Broadcasting Authority as content regulator; Zambia Information Communications Technology Authority, frequency regulator; Ministry of Information and Broadcasting Services; Consumer Competition Protector Commission (CCPC), consumer competition regulator; and Ministry of Finance, the financier of the project through the loan, should have a consultative engagement with the Zambia Independent Broadcasters' Association in order to find a lasting solution that will be acceptable and beneficial to all stakeholders.

- (c) Your Committee notes that although under 7.3.1(b) (i) of the Policy, free-to-air television broadcasting services should be received even without the payment of subscription fee, most of the private broadcasting stations' content or channels have been encrypted by TopStar and cannot be accessed as long as a subscription fee has not been paid.

Your Committee strongly urges the Ministry of Information and Broadcasting services to ensure that TopStar unscrambles local television stations' contents in line with their licenses and the Policy.

- (d) Your Committee observes with concern that the Policy provides for two signal distributors, namely: public signal distributor and private signal distributor. A public signal distributor whose license has since been given to TopStar has already been identified. However, a private signal distributor is yet to be identified.

Your Committee urges the Government to expeditiously identify a private signal carrier as provided for in the Policy.

- (e) Your Committee notes with concern that most content provided by private broadcasters is of poor quality, mainly as a result of using obsolete equipment in their work.

Your Committee strongly urges the Government to consider waiving duty on imported broadcasting equipment in order to reduce the cost of acquiring modern equipment so as to promote improved content quality.

- (f) Your Committee notes with great concern that erratic funding by the Government has contributed to failure by the contractor to complete the works on time.

Your Committee, therefore, recommends that the Government should expedite the release of funding to the projects in order for the project to be completed without undue delay.

- (g) Your Committee notes that engineers responsible for the operations of the transmitters are based at provincial centres and in the event that a fault developed at the transmission site, it would be very difficult for the engineers to rectify the problem.

In this regard, your Committee recommends that the engineers manning the transmission sites should be based in the districts in order for them to attend to transmission faults efficiently.

- (h) Your Committee observes that there is inadequate sensitisation programme on the Digital Migration Programme. For instance, most people did not clearly understand the programme and therefore, did not appreciate why they were paying the TV Levy. Your Committee, further, notes that sensitisation programmes are skewed towards television migration and nothing much has been done regarding radio migration which is expected to happen by 2020.

Your Committee, therefore, recommends that the Government should put in place sensitisation programmes for both television and radio migration so as to carry all the stakeholders on board.

## **PART II**

### **CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE REPORT OF THE COMMITTEE ON MEDIA, INFORMATION AND COMMUNICATION TECHNOLOGIES FOR THE FIRST SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

#### **12.0 The Role of the Zambian Film Industry in the Promotion and Preservation of the Cultural Heritage**

##### **Launch of the Film Policy**

**12.1** Your previous Committee had recommended that the Government should urgently launch the National Film Policy which should provide clear policy guidelines in the development and growth of the sector. This was essential because once a policy was developed and implemented, it would boost investment in the sector.

##### **Executive's Response**

It was reported in the Action-Taken Report that the Government was committed to ensuring that the film industry was developed and performed its role as a catalyst in the social and economic transformation process embarked upon by the PF Government since assuming office in September, 2011. To that effect, Cabinet had approved the National Film Policy and its launch was scheduled to take place before 30<sup>th</sup> August, 2017. The Policy provided for the development of the film industry, the improvement of coordination among different Government agencies and other stakeholders involved in the film industry in order to ensure the preservation of Zambian culture as well as the development of the film industry.

### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report on the launch of the National Film Policy.

### **Training Institute**

**12.2** Your previous Committee had recommended that the Government should establish a film institute which would offer courses related to film production and cultural preservation.

### **Executive's Response**

In the Action-Taken Report, the Government stated that it had reviewed the mandate of the Zambia Institute of Mass Communications (ZAMCOM). This was in line with the rationale of the National Film Policy which aimed at addressing the challenges and opportunities in the sector aimed at transforming the film industry into a significant player in national development. ZAMCOM would soon start offering skills training relevant to the industry as a way of addressing challenges in the film industry in terms of development due to the non existence of skills necessary for film industry operations. Further, the Government had allocated K2 million in the 2017 budget to support this transformation process.

### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report because there is need for the Government to establish a fully-fledged institute in order to grow the industry.

### **Creation of Faculties in Cultural Preservation and Film Production at Higher Institutions of Learning**

**12.3** Your previous Committee had recommended that the Government should ensure that universities created faculties in film and cultural studies. It should also make it mandatory for universities to introduce faculties in cultural preservation and film production.

### **Executive's Response**

In the Action-Taken Report, the Government stated that the Ministry of Higher Education acknowledged the recommendation by your Committee and had already commenced steps to encourage the teaching and learning of culture and film in Technical Education, Vocational and Entrepreneurship Training Authority (TEVETA) institutions. In addition, the Ministry intended to construct a University College of Commerce and Arts in Katete which would provide training in culture and film, among other courses. This University College would complement the efforts of Evelyn Hone College of Applied Arts and Commerce which was currently training learners in these fields. Further, the Ministry intended to review best practices from countries like Ghana and Nigeria as it commenced to develop curricula in film and culture.

### **Committee's Observations and Recommendations**

Your Committee awaits a progress report on the actualisation of the construction of the University College of Governance and Arts in Katete.

### **Absence of Formal Training Syllabus for Cultural Preservation and Theatre in Schools**

**12.4** Your previous Committee had recommended that colleges and universities should develop and adopt standard well-researched national syllabi from certificate to full degree level with a strong emphasis on low budget production techniques and entrepreneurship. The standardisation of the syllabi should be extended to primary schools so that drama and cultural studies could be made examinable.



### **Executive's Response**

In the Action-Taken Report, the Government stated that the Ministry acknowledged your previous Committee's observations and recommendations. The Government recognised the efforts that were already in place in primary and secondary schools after the revision of the curriculum. Further, the Government recently introduced a degree programme in culture and traditional ceremonies and intended to strengthen this initiative by standardising the curriculum and introducing similar programmes in universities and TEVETA institutions.

### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on the standardisation of curriculum in universities and TEVETA institutions.

### **Loss of Content Stored on Reels Captured by ZNBC**

**12.5** Your previous Committee had recommended that the Government should compel ZNBC to transfer all the content on reels into digital formats. The process would result in the preservation of Zambian content produced and stored on film reels.

### **Executive's Response**

In the Action-Taken Report, the Government stated that most of the content was stored on tapes as that was the only appropriate technology previously. The Government had already requested ZNBC to find means of converting the contents from analogue to digital format. ZNBC was trying to find ways of converting the contents which was stored on tapes into digital format by engaging companies with facilities to convert such. However, machines which converted contents from analogue to digital formats were scarce globally because they were considered obsolete.

### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on the conversion of content from analogue to digital by ZNBC.

### **Careers Related to Film**

**12.6** Your previous Committee had recommended that the Government should put in place infrastructure such as a film training institute, modern studios for film production and modern theatre halls that would boost the industry.

### **Executive's Response**

In the Action-Taken Report, the Government noted the recommendation and submitted that measures would be put in place to improve training facilities for developing various skills for film production. While the Government would continue to improve facilities in public training institutions, the Government called upon investors to build private training institutions for the film industry. Such investors would enjoy similar incentives as other investors in other sectors of the economy. Using the National Film Policy, the Government would promote both foreign and local direct investments in the film industry.

### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report regarding improvement of training facilities that would encourage people to take up careers in the film industry.

### **Pieces of Legislation to Govern the Film Industry**

**12.7** Your previous Committee had recommended that there was a need for the Government to harmonise the pieces of legislation that were lying in different ministries to provide for smooth administration of the creative industry.

#### **Executive's Response**

In the Action-Taken Report, the Government had noted that in order to address legal framework challenges in the industry, the recently approved National Film Policy had provided for the Government to among others things:

- (a) review, repeal and/or enact relevant laws to address the development of the film industry;
- (b) sign, ratify and domesticate relevant international conventions and treaties to promote the film industry;
- (c) enhance enforcement of piracy laws, and strengthen implementation of holograms on audio and video products;
- (d) provide guidelines on location shooting;
- (e) strengthen the regulatory framework regarding the use of existing infrastructures in the communities;
- (f) create and enforce local and international rates for location filming;
- (g) facilitate signing and domestication of bilateral and multilateral treaties to encourage co-productions; and
- (h) enhance the performance of the royalty collecting societies.

#### **Committee's Observations and Recommendations**

Your Committee awaits a progress report on the launch of the policy.

### **Single Entity that Encompass Multiple Film Aspects**

**12.8** Your previous Committee had recommended that the Government should establish a single entity that would encompass the multiple aspects related to the film and cultural sectors.

#### **Executive's Response**

In the Action-Taken Report, the Government submitted that in order to facilitate implementation of the National Film Policy, the Government would consider reviewing the mandates of existing regulatory institutions so as to include the regulatory function for the film industry. This was in order to avoid the establishment of a completely new entity as a cost saving measure. The National Film Policy would be implemented and then after five years, there would be a review. If deemed necessary, the Government would consider establishing a Film Commission at that time.

#### **Committee's Observations and Recommendations**

Your Committee awaits a progress report on the matter.

### **Lack of Proper Documentation of Cultural Ceremonies**

**12.9** Your previous Committee had recommended that the Ministry of Tourism and Arts, Ministry of Chiefs and Traditional Affairs and Zambia Tourism Agency should play a leading role in documenting the major traditional ceremonies in the country. A deliberate policy should also be put in place to empower cultural associations with the necessary skills to enable them document cultural heritage ceremonies even in the absence of the other stakeholders.

### **Executive's Response**

In the Action-Taken Report, the Government stated that the National Heritage Conservation Commission (NHCC) had done a lot of work to document the major traditional ceremonies. However, the major challenges being experienced in the effective marketing preserving and positioning of the traditional ceremonies to achieve optimum economic impact, arose from other interests that were commercialising the ceremonies to attain financial gains. The Zambia Tourism Agency (ZTA) had been working to try and position the traditional ceremonies in a more optimum way to achieve higher touristic visibility and enhance economic benefits for the regions in which the ceremonies were held.

To achieve this, ZTA had been working to intervene in the areas as listed below.

(a) **The Commercialisation of Traditional Ceremonies by the Corporate World**

The trend where the corporate world had taken over the traditional ceremonies through excessive commercialisation to achieve their business interest had diluted the purity of the traditional ceremonies. The ZTA had been working with the Ministry of Tourism and Arts to find a way of reversing this trend, by dialoguing with the organising committees. Little success had, however, been achieved due to strong vested interests and the huge donations that businesses made to traditional ceremonies.

(b) **The Lack of Longevity on the Impact of the Traditional Ceremonies**

Traditional ceremonies were amongst the most important cultural heritage products that the country had. However, currently, their impact lasted only for a period of two or three days. The ZTA was working with partners to find ways and means of creating additional programmes and structures around the traditional ceremonies such as outdoor museums, emporiums (store or shops) and cultural activities which could be located at the venues of the traditional ceremonies. The intention was to have these programmes and activities continued throughout the year to highlight the traditional ceremonies and continue to bring touristic economic benefits. This was hoped to be achieved through collaboration between the ZTA and its partners, which included National Museums Board (NMB), NHCC, Ministry of Tourism and Arts and the traditional establishments.

(c) **Predictability of the Dates of Traditional Ceremonies**

The ZTA had been advocating for traditional ceremonies to have predictable dates to facility ease of marketing and planning. Currently, there were low arrivals from international tourists to Zambian traditional ceremonies due to lack of precise dates which could be advertised at least a year in advance on the ZTA promotional platforms.

**(d) Adequate Facilities**

To increase the economic benefits of traditional ceremonies on the people in the communities where they were held, it was important for adequate good quality facilities to be established. These included: accommodation, restaurants, camping sites and toilets. This would make it easier for ZTA to promote the traditional ceremonies to international markets and also enhance the economic benefits realised by the community in the host destinations.

To deal with some of the above mentioned, the ZTA, through the Ministry of Tourism and Arts, made a request to the House of Chiefs for an audience to discuss these matters with a view to drawing up a common course of action to which all stakeholders would be bound. This meeting was yet to be held. Efforts to hold the meeting would be stepped up.

Your Committee also heard that the low tourism marketing promotional budget had been the largest constraint for the ZTA to undertake programmes as proposed above. This needed to be resolved in order to facilitate effective actions. Although the portfolio of traditional ceremonies fell under the Ministry of Chiefs and Traditional Affairs, the Ministry of Tourism and Arts, through the Documentation Unit under the Department of Arts and Culture, documented the ceremonies through the production of DVDs, photo albums and booklets for distribution to learning institutions, embassies and other stakeholders.

Due to inadequate funding, the printing of the above publicity materials was being done at a very minimal scale.

**Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on the matter.

**Film Commission**

**12.10** Your Committee had recommended that a film commission should be established which would regulate the conduct of stakeholders in the creative industry.

**Executive's Response**

In the Action-Taken Report, the Government stated that the legal and regulatory framework of the film policy had provided for various mechanisms to be employed in the regulation of film industry. The Government was reviewing various pieces of legislation which would compel the Independent Broadcasting Authority to discharge a wider function of content regulation, including the regulation of film content. It may thus be not prudent to establish a film commission to regulate the conduct of the stakeholders in the creative industry.

**Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on the launch of the Film Policy so as to ensure that a legal and regulatory framework to be employed is put in place to enhance the sector of the industry was formally instituted.

**Zambia Consolidated Copper Mines (ZCCM) Infrastructure**

**12.11** Your previous Committee had recommended that the Government should compel mining companies such as Luanshya Copper Mine and Mopani Copper Mine in Mufulira to

rehabilitate the theatre halls in their locality as part of their social responsibility. If not, they should surrender them to the Government.

### **Executive's Response**

In the Action-Taken Report, the Government through the Ministry of Local Government had taken note of your Committee's recommendation. Therefore, in order to urgently curb the continued neglect and dilapidation of the theatre halls in question, the Ministry had since directed the two local authorities in Luanshya and Mufulira to engage the two mining companies respectively in their districts to rehabilitate the theatre halls as part of their social responsibility to enhance public health safety.

### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report on the rehabilitation of the two theatre halls.

### **Management of Theatre Halls**

**12.12** Your previous Committee had recommended that the Government should seriously consider employing managers for the theatre facilities or compel mining companies to employ managers to manage them.

### **Executive's Response**

In the Action-Taken Report, the Government, through the Ministry of Local Government, had taken note of the Committee's recommendation. Therefore, in order to redress the poor management of theatre halls in the country, the Ministry had since directed all those local authorities in the country with theatre halls to assign an officer to supervise the operations of all theatre halls in the respective districts. Further, the councils would also be required to assign an officer to manage and be stationed at each respective individual theatre hall. In addition, in districts where mining companies owned theatre halls, the respective councils had been directed to engage and compel mines to employ managers to manage their theatre halls. Further, the officer appointed by the council to supervise the theatre halls for the respective districts would also be charged with the responsibility of liaising with the mining companies on matters relating to management of theatre halls in the respective districts.

The above mentioned measures were envisaged to ascertain prudent management of the theatre halls for the benefit of the residents in the respective districts across the country.

### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on the appointment of officers to manage the theatre halls.

## **CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FIFTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

The Importance of Access to Information in a Democracy: the Zambian Situation.

### **DRAFT ACCESS TO INFORMATION BILL**

**13.0** Your previous Committee had urged the Executive to publicise the revised version of the draft Access to Information Bill in order to create awareness and scrutiny and comments from members for the public, civil society and other stakeholders in order to build consensus. Further, the draft Bill should also be published in the seven official vernacular languages.

### **Executive's Response**

In the Action-taken Report, the Government noted your Committee's resolution regarding the Access to Information Bill. However, the Government reiterated its commitment to bringing the Access to Information Bill to Parliament at an appropriate time.

### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on when the Access to Information Bill will be tabled in Parliament. However, your Committee notes the issue has been hanging for a long time.

## **CONSIDERATION OF OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

### **Community Radio Stations in Zambia**

**14.0** Your previous Committee made recommendations as stated hereunder.

#### **National Community Media Policy**

**14.1** Your previous Committee had recommended that the Government should formulate and implement a national community media policy that would recognise the unique role the sector was playing. Additionally, the policy should, among its objectives, aim at making the sector sustainable.

### **Executive's Response**

In the Action-taken Report, the Government reiterated its position that access to information was a fundamental human right and not necessarily a media issue. In that regard, the Government had included the Access to Information in the Bill of Rights which was rejected in the Referendum of 2016. The Government had stated that the issue of the expanded Bill of Rights would not be raised soon. Therefore, at an appropriate time, the matter of the Access to Information Bill would be presented to Parliament for enactment.

### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report on the matter.

#### **Community Media Fund**

**14.2** Your previous Committee had recommended that the Government should expand the mandate of the Independent Broadcasting Authority (IBA) by creating a Community Media Fund, meant to support community radio stations. Additionally, the Government, through the local authorities, should come up with a deliberate policy to allocate an annual grant, possibly a percentage of the Constituency Development Fund (CDF) to progressive community radio stations to be channelled to community radio stations in order to support their financial base. Overall, the Government should encourage local and international commercial agencies to support the development and operations of community radio stations through their corporate social responsibility.

### **Executive's Response**

In the Action-Taken Report, the Government stated that the National Information and Media Policy was submitted to Cabinet for approval. However, the Policy was withdrawn to allow for review taking into account the advancements in technology and the rise of new media as a

means of disseminating information. The review was underway and before the end of the year, the Policy would be taken back to Cabinet for approval.

#### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress on the creation of a Community Media Fund and other initiatives to support community radio station.

#### **Independent Broadcasting Authority Mandate**

**14.3** Your previous Committee had urged the Government to provide a timeframe within which the IBA's mandate would be broadened to encompass new trends in broadcasting.

#### **Executive's Response**

In the Action-Taken Report, the Government stated that it had commenced reviewing the IBA Act, taking into account the Digital Migration Policy, the National Film Policy and developments in broadcasting and the rise of new media. Once this review was completed, the mandate of the IBA would be changed and expanded. In the meantime, to guide the broadcasting sector, the IBA had published Standard Operating Code for Broadcasting. All licensees were required to abide by the Standard Operating Code. The Code had been circulated to all media houses and other stakeholders.

#### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report on the matter.

#### **Terminal Benefits**

**14.4** Your previous Committee had recommended that the terminal benefits of K22.6 million affecting the operations at the Times Printpark needed to be offset by the Government in a form of recapitalisation.

#### **Executive's Response**

In the Action-Taken Report, the Government stated that its position had not changed on the matter. The company acquired new equipment and the Government released K3.5 million to pay the debt the company had with Finance Bank. Times Printpak still faced challenges which the company had already started resolving. The Industrial Development Corporation (IDC) had been tasked to prepare a turnaround strategy which, once approved, should be implemented to improve the operations at the company.

#### **Committee's Observations and Recommendations**

Your Committee awaits a progress report on the matter as the Government has maintained its position.

#### **Pension Scheme**

**14.5** Your previous Committee had recommended that upon liquidation of the accrued benefits, the Government should change the current pension scheme from benefits-defined to contribution-defined specifically for new entrants. This measure would, among other benefits, reduce the huge financial burden that the institutions were currently facing.

#### **Executive's Response**

In the Action-Taken Report, the Government stated that the processes of putting all employees on Pension Schemes by the two companies (Times of Zambia and the Zambia Daily Mail) had

been completed except ZNBC which was still facing liquidity problems but had a payment plan to settle the accrued terminal benefits for its employees.

### **Committee's Observations and Recommendations**

Your Committee urges the Government to put ZNBC employees on the schemes without further delay and provide a progress report on the matter.

### **Certifying Body for sign Language Interpretation**

**14.6** The Ministry of Community Development, Mother and Child Health, in collaboration with the Ministry of Education, Science, Technology and Early Education, was urged to develop a standardised curriculum for Sign Language Interpretation and identify a certifying body that would oversee the certification and licensing of Sign Language Interpreters. Furthermore, the Ministry of Community Development, Mother and Child Health should provide a list of accredited Sign Language Interpreters in order to provide guidance to both the public and private institutions.

### **Executive's Response**

In the Action-Taken Report, the Government stated that the Zambia Institute of Special Education (ZAMISE) had now put in place a curriculum for sign language interpretation. It had also started offering a short course in Sign Language Interpretation since September, 2016. ZAMISE was also in the process of affiliating to the Zambia Qualifications Authority to become a certifying body for sign language interpretation. ZAMISE management was yet to consult with the Board of Directors on the matter and undertake a competence assessment of its staff prior to affiliation.

### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report as ZAMISE is still in the process of affiliating to the Zambia Qualifications Authority to become a certifying body for sign language interpretation.

### **Tax Incentives on subtitles and Text Decoding Equipment**

**14.7** Your previous Committee had recommended that the Government should provide tax incentives on subtitle and text decoding equipment for both public and private television stations in order to promote sign language in the country.

### **Executive's Response**

In the Action-Taken Report, the Government, through the Ministry of Community Development, Mother and Child Health wrote to the Ministry of Finance to consider tax exemption of subtitle and text decoding equipment to promote sign language in the country. The consultations had continued to ensure such measures did not negatively affect Government revenue. The Government stated that the Ministry of Finance had continued with the consultations and went further to engage the Zambia National Broadcasting Corporation in order to get the actual specifications of the equipment that needed to be considered for tax exemption.

As earlier alluded to, the Government issued Statutory Instruments (SI) No. 82 of 2015 and the Customs and Excise (Suspension) (Transmission Apparatus) Regulations of 2015. These regulations suspended Customs Duty to zero percent on transmission apparatus that was at rates of 15 percent and 5 percent.



These equipment included transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and video cameras. This was intended to reduce the cost of importing and upgrading of transmission infrastructure. The Treasury would continue to engage stakeholders with a view to promote film production.

#### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report on the tax incentives on subtitles and text decoding equipment as the matter is still under consultation.

### **CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE SECOND SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

#### **Regulation to Manage E-Waste**

**15.0** Your previous Committee had requested the Government to indicate whether regulations to protect the environment and avoid technological dumping had been developed and whether the recycling of e-waste had been promoted.

#### **Executive's Response**

In the Action-Taken Report, the Government stated that in order to avoid technological dumping, ZICTA had developed regulations that required every piece of ICT equipment to be type-approved before it was sold on the Zambian market. In that regard, all television sets and decoders were type-approved by ZICTA as a measure to avoid technological dumping. As regards promotion of recycling of e-waste, the Government had continued to consult stakeholders to promote investments in recycling of all kinds of waste.

#### **Committee's Observations and Recommendations**

Your Committee resolves to await a progress report on how the Government would recycle e-waste.

### **CONSIDERATION OF THE ACTION-TAKEN REPORT ON THE COMMITTEE'S REPORT FOR THE FIRST SESSION OF THE ELEVENTH NATIONAL ASSEMBLY**

#### **Decentralising the Electoral Commission of Zambia**

**16.0** Your previous Committee had recommended that a progress report on the decentralisation of ECZ should be addressed adequately.

#### **Executive's Response**

In the Action-Taken Report, the Government had stated that the Electoral Commission of Zambia had not yet been funded by the Government to implement the decentralisation process. As provided for under Article 229 (1) of the *Constitution of Zambia (Amendment) No 2 of 2016*, the Electoral Commission of Zambia shall have offices in provinces and progressively in districts.

#### **Committee's Observations and Recommendations**

Your Committee resolves to wait for a progress report because the decentralisation process was still underway.

## **CONCLUSION**

**17.0** Your Committee is hopeful that the observations and recommendations contained in this Report will be favourably considered by the Government for implementation by the concerned ministries and departments in the interest of the development of the media industry.

Your Committee is indebted to you, Mr Speaker, for the guidance rendered to it throughout the Session. Your Committee further wish to express its gratitude to the office of the Clerk of the National Assembly for the services rendered during the Session.

G M Imbuwa, MP  
**CHAIRPERSON**

June, 2018  
**LUSAKA**

## **APPENDIX**

### **LIST OF NATIONAL ASSEMBLY OFFICIALS**

Ms C Musonda, Principal Clerk of Committees  
Mr F Nabulyato, Deputy Principal Clerk of Committees (SC)  
Mr S Chiwota, Senior Committee Clerk (SC)  
Ms C R Mulenga, Committee Clerk  
Mrs M K Kilembe, Stenographer  
Ms A Maluwa, Typist  
Mr M Chikome, Committee Assistant  
Mr D Lupiya, Parliamentary Messenger