

**REPORT OF THE COMMITTEE ON INFORMATION AND BROADCASTING SERVICES FOR THE FOURTH SESSION OF THE ELEVENTH NATIONAL ASSEMBLY, APPOINTED ON THURSDAY 25<sup>TH</sup> SEPTEMBER 2014**

Consisting of:

Mr K J Pande, MP, (Chairperson); Mrs M C Mazoka, MP; Mr S Chungu, MP; Mr B Chitafu, MP; Dr E C Lungu, MP; Mr D Mwila, MP; Mr M J Z Katambo, MP; and Dr C K Kalila, MP.

The composition of your Committee changed following the nullification, by the courts of law, of the election results of the Masaiti Constituency seat held by Mr M Z Katambo, MP, and the appointment of Mr D Mwila, MP as Minister. Mr M Ndalamei, MP and Mr G B Mwamba, MP were subsequently appointed as Members.

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

Sir

Your Committee has the honour to present its Report for the Fourth Session of the Eleventh National Assembly.

**Functions of the Committee**

2.0 The functions of your Committee, as set out in the National Assembly Standing Order No. 157 (2) are as follows:

- a) study, report and make appropriate recommendations to the Government, through the House on the mandate, management and operations of the Ministry of Information and Broadcasting Services, departments and agencies under its portfolio;
- b) carry out detailed scrutiny of certain activities being undertaken by the Ministry of Information and Broadcasting Services, 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/or certain existing legislation relating to the Ministry of Information and Broadcasting Services;

- d) examine annual reports of the Ministry of Information and Broadcasting Services, departments and/or agencies 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; and
- e) consider any Bills that may be referred to it by the House.

### **Meetings of the Committee**

3.0 Your Committee held twelve meetings during the period under review. Your Committee's report is divided into three parts. Part I contains the topical issues on which your Committee undertook detailed studies; Part II is on the Foreign Tour; and Part III contains the outstanding issues from the Action-Taken Report on your Committee's Report for the Third Session of the Eleventh National Assembly.

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

4.0 Your Committee's programme of work was as set out below.

- a) Consideration of the Action-Taken Report for the Third Session of the Eleventh National Assembly.
- b) Consideration of the following three topical issues:
  - i) community radio stations in Zambia;
  - ii) the operations of the public print media in Zambia; and
  - iii) the accessibility to public media by persons living with disabilities vis-à-vis deaf persons.
- c) Foreign tour of Tanzania.

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

5.0 Your Committee sought both written and oral submissions from relevant Government ministries, public print media houses, training institutions, Unions for Journalists and Non-Governmental Organisations on the topics under study.

## PART I

### CONSIDERATION OF THE TOPICAL ISSUES

#### COMMUNITY RADIO STATIONS IN ZAMBIA

##### Background

6.0 Your Committee recognised that a community radio station is an empowering tool for many communities that are often ignored or insufficiently covered by the mainstream media. These local radio stations are providing disadvantaged minority communities with a voice to engage in public dialogue and debate on issues that affect them. Additionally, the use of local languages on community radio further enhances its potential to mobilise the population for growth, as it cuts through boundaries of literacy, education, economic status, gender and age.

In spite of community radio stations being popular in Zambia and being effective in communicating with marginalised and isolated poor communities, they do not exist in great numbers, and where they exist; they struggle to compete with commercial broadcasters and the Government media for market share and listenership. In addition, most of these radio stations operate in rural areas with limited resources; therefore, the lack of sustainable financing, impacts on the capacity of these stations to deliver.

It is for this reason that your Committee resolved to undertake a study on *Community Radio Stations in Zambia* with intent of appreciating their operations and identify challenges that affect their development.

In order to gain insight into the topic, your Committee invited the following witnesses:

- i. Ministry of Information and Broadcasting Services;
- ii. Independent Broadcasting Authority (IBA);
- iii. Zambia Information and Communications Technology Authority (ZICTA);
- iv. Non Governmental Organisations' Coordinating Council (NGOCC);
- v. Media Institute of Southern Africa (MISA);
- vi. BBC Media Action;
- vii. Panos Institute, Southern Africa;
- viii. Catholic Media Services (CMS);
- ix. University of Zambia, Department of Mass Communication; and
- x. Evelyn Hone College of Applied Arts and Commerce, Department of Media Studies.

## **CONSOLIDATED SUMMARY OF STAKEHOLDERS' SUBMISSIONS**

### **Defining Community Radio**

6.1 Your Committee was informed that community radio was a radio service offering a third model of radio broadcasting in addition to commercial and public broadcasting.

The United Nations Educational, Scientific Organisation (UNESCO) defined community broadcasting as a non-profit service that was owned and managed by a particular community, usually through a trust foundation or association. Its aim was to serve and benefit that community rather than the whole nation, as was the usual form for public service broadcasting.

Your Committee learnt that with regard to community radio stations, the community was actively involved in the initiation of the radio station, the running of the media house and the formulation of its programming. Programming was based on community access and participation and reflected the special interests and needs of the listenership it was licensed to serve.

Therefore, what distinguished community radio from the mainstream media was that its aim was not to make profit for private or corporate gain, but to advance social objectives especially of those who had no access to the mainstream media. In this regard, the existence of these radio stations was aimed at promoting and improving the social development of the community.

Your Committee was further informed that currently, there were thirty-two community radio stations which include religious radio stations (CRSs) in Zambia. These were present in all the ten provinces of the country and had managed to assert themselves as frontline sources of information and platforms of communication for the communities within their transmission radius.†

### **The Role of Community Radio Stations in National Development**

6.2 Your Committee was informed that community radio stations were good allies for community empowerment and development. This was because a well-managed community radio could be a community platform where policy makers, office bearers and ordinary citizens could meet to discuss, debate and unite towards achieving family, community and national development.

Your Committee was further informed that community radio stations played an indispensable role in the development of the various communities as detailed below.

### **a) Serving the Development Communication Needs of the Community**

A community radio served the development communication needs of a community by encouraging open dialogue and by providing an independent platform for interactive discussion about matters of importance to its community. It encouraged participation and sharing of information and provided a platform for debate, analysis and exchange of ideas and in many ways providing for a divergent view.

### **b) Providing a Platform for Community Self-Expression**

A community radio was a communication channel that offered a platform to members of a given community to advocate for their issues and to tell their story and by so doing, drove their own development agenda. It facilitated talk-back among community members and their leaders so that there was equal participation in governance and community development.

Community radio also allowed members of a community to gain access to information, education and entertainment with emphasis on local issues. The community members participated as planners, producers and performers and minority and marginalised groups were included on equal terms other than giving them an occasional voice.

### **c) Promoting Good Governance and Accountability**

Community radio stations played a watchdog role for the community by making politicians and local public authorities conscious of their responsibilities. They offered a platform for discussion between community members and local authorities about governance issues that affected them. Additionally, community radio stations were also used by the Government and its agents to explain government policies in far flung areas where state media such as the Zambia National Broadcasting Corporation (ZNBC), Zambia News and Information Services (ZANIS), Times of Zambia and Zambia Daily Mail, did not reach. Another technique used by community radio stations was to broadcast live, the discussions of local Government meetings or debates.

### **d) Providing a Social Service**

Community members used community radio stations to broadcast messages such as bereavements and agricultural marketing. The efficacy of Government services in a community was greatly improved by broadcasting their schedules on radio. For instance, an announcement of child health week and vaccination campaigns were announced on the various community radio stations. In addition, traditional tales/norms were also passed onto the public through head men/women and senior citizens thereby providing a social service to community members.

### **e) Facilitating Behavioural Change and Social Cohesion**

Community radio stations provide a platform to discuss specific problems affecting communities and possible actions for improvement. Anti-social behaviours in a community could be modified by exerting pressure through community radio programmes. Additionally, community radio also helped raise awareness on people's rights and responsibilities and facilitated behavioural awareness and change in areas such as HIV/AIDS among others.

### **f) Promoting and Sustaining the Cultural Heritage and Language of the Community**

Community radio stations were usually rooted in the local community and were a reflection of the local people's aspirations. Their music, drama and general programming largely constituted locally generated content. Hence, the radio stations' programming promoted a community's identity and cultural continuity.

Stakeholders submitted that in most communities, culture or tradition existed because it had been passed on from generation to generation through traditional means of communication. However, with the existence of community radio stations, the transfer and promotion of cultural heritage and values would continue to be shared. Further, the fact that community radio stations usually broadcast in local languages of the communities contributed to the preservation of language. Local communities were also able to understand and contribute to discussions and programming. In an area of very high illiteracy, this could ensure effective communication among communities on topics such as the rights of women and children, health education programmes such as those on malaria, Ebola and HIV/AIDS among others.

## **Policy and Legal Framework for Community Radio in Zambia**

6.3 Stakeholders submitted that there was no clear policy for community media in Zambia. For instance, the 1996 Information and Media Policy was silent on the issue of community radio. Although it contained guidelines on how to apply for a radio station licence, there was no clear definition of what constituted a community radio station, nor analysis of the context within which it could operate, let alone any attempt to distinguish between 'community', 'commercial' and 'public' broadcasting. However, the Independent Broadcasting Authority Act of 2002 under Section 22 (3), gave the legal boundaries and space within which the community radio stations must operate-

*“The programming provided by a community broadcasting service shall reflect the needs of the people in the community, including the cultural language and demographic needs and shall-*

- a) *provide a community broadcasting service dealing specifically with issues that are not predominantly dealt with by the broadcasting service covering the same areas;*
- b) *be informative, educational and entertaining;*
- c) *focus on the provision of programmes that highlight grass root community issues including developmental issues and general educational affairs, environmental affairs, local, international and current affairs reflective of local culture; and*
- d) *promote the development of a sense of common purpose and improved quality of life.”*

Additionally, the Independent Broadcasting Authority (IBA), whose primary responsibility is to regulate the broadcasting industry in Zambia, issues community radio stations with operating licences. In this regard, the licence requirements, among other things, demand that a community radio station operate within a radius range of 150Km at the most, and dedicate 80 per cent of its broadcasting time to its core community development content.

Your Committee was further informed that the IBA also required community radio stations to submit the following:

- a) a project proposal;
- b) a certificate of registration from the Patents and Companies Registration Agency or the Registrar of Societies;
- c) a map of coverage;
- d) a list of fixed assets;
- e) a memorandum of understanding, if applicable;
- f) a letter confirming whether the community radio stations would be using their own buildings or renting buildings for the radio or television studios;
- g) a certificate from the civil aviation allowing them to put up a mast;
- h) a bank statement proving that they had not less than K60 000 in their account;
- i) an advertisement in two most widely read newspapers that they were applying to the Independent Broadcasting Authority to establish a radio or television station and name the town where the station would

be located and attach two cuttings of the adverts to the application form; and

j) a programming schedule.

In addition, the application fees are set out in the Table below required by the IBA to enable community radio stations operate.

Type of Fee	Amount (K)
a) Community radio application fee	K1,000.00
b) Processing fee	K50.00 per Board Member
c) Construction permit	K750.00
d) Extension Construction permit	K375.00
e) Full Broadcast Licence (Radio)	K2,000.00 Annually

In addition to the IBA's licensing framework, community radio stations are also required to pay a fee for spectrum allocation to the Zambia Information and Communications Authority (ZICTA) which regulates the technical aspects of community radio stations. In this regard, Frequency Modulation (FM) sound broadcasting per channel for Lusaka, Copperbelt and Livingstone was K3,333.40 per broadcasting area. The rest of the rural areas paid K1,111.20.

Your Committee was informed that these amounts were not inclusive of Value Added Tax (VAT) at 16 per cent.

### **Availability of Skills for Operating Community Radio Stations**

6.4 By nature of community radio stations being non-profit and located in poor and rural communities, your Committee was informed that community radio stations suffered from the effect of not having enough financial resources to recruit quality and well trained staff.

A 2014 draft research report on *Community Media in Zambia*; conducted by the Panos Institute Southern Africa (PSAf), confirmed that the majority of community radios were manned by volunteers and retirees who were chosen by their ability to read and write and speak English or the local language used within the area of operation. These volunteers were usually young school-leavers who had just completed their Grade twelve and/or Grade nine, while the retirees were teachers or any profession that volunteered or were appointed by radio boards or community members to manage the local radio. However, these community volunteers had never set a foot in a formal journalism class.

Your Committee was informed that the PSAf 2011 Baseline Study found that the majority of community radio staff were not professional journalists trained by reputable journalism and media institutions, therefore, they had limited editorial capacities in terms of editing, script writing, news gathering and failed to adhere to journalism ethics.

Additionally, the level of thematic skills in producing news and programmes was low. Community radio staff generally lacked the necessary skills to report development matters of local concern such as water and sanitation, forestry, community based natural resources management, extraction of natural resources and minerals, electoral processes, good governance, health, research, science and technology, among others. Furthermore, the radio staff lacked the analytical skills required to link various issues to good governance, democracy and accountability.

Stakeholders further informed your Committee that attracting trained journalists to work in rural areas was a challenge for most community radio stations. It was reported that the PSAf Baseline Study further found that most of the trained journalists who started off in rural areas tended to leave for greener pastures after gaining experience, or opted to work for more lucrative jobs in big companies such as mobile telephony or mines as public relations staff.

Your Committee was also informed that the journalism curriculum, offered in higher institutions of learning, had little emphasis on community journalism as a distinct course. The training that most community radio journalists and volunteers undertook were short courses and in-house training hosted by different organisations such as Panos Institute Southern Africa, Open Society Initiative of Southern Africa (OSISA), Plan (Z) and Save the Children, among others, in order to upgrade their skills. Therefore, most of the training offered by these organisations did not have media as their core business and hence tended to be biased towards the agenda of the sponsoring organisation, for instance, health. Stakeholders, however, submitted that this was not to suggest that thematic and issue-based training was not valuable. They lamented that such training did not necessarily focus on transferring technical skills to operate, repair and maintain equipment or offer managerial skills and impart the knowledge required to competently run a radio station.

### **Funding and Sustainability**

6.5 Your Committee learnt that, currently, community media had no defined source of funding. Most of them were given equipment by foreign organisations like UNESCO, Churches abroad and friends of the communities. This assistance was one off and it was expected that community members would help sustain the stations through donations.

Therefore, the self-sustainability of these stations had not been achieved or realised and the withdrawal of donor funding would mean the end of some of the radio stations as they depended on donor money most of the time for their operations.

The PSAf 2014 draft research report on '*Community Media in Zambia*' identifies sources of income as:

- i) advertising at a low scale due to their licence requirement;
- ii) annual membership fees;
- iii) donations from well-wishers;
- iv) small grants (including Constituency Development Funds for a lucky few); and
- v) sponsorship of programmes by NGOs, companies, and government departments just to mention, but a few.

However, most radio stations were struggling to establish steady sources of revenue for sustainance. Key factors that explained this scenario included:

- a) a largely unsupportive legal and policy environment;
- b) limited innovation and creativity on the part of the radio stations themselves;
- c) limited community support (financially) from usually deprived areas; and
- d) restrictions in licence provisions that did not allow commercial type fundraising activities and advertising.

Your Committee was informed that the limitation of advertising as a prime source of income by community radio stations worsened the financial challenges facing these radio stations. Multinational companies and even local businesses to a larger extent wanted to advertise or sponsor programmes on commercial radio stations where they expected retains. At the same time, some community radio stations were working in communities where the concept of advertising was not popular. Business people did not see the need to advertise as long as the community purchased goods in their shops.

## **Partnerships between the Government, Community Radio Stations and Non-State Actors**

6.6 Your Committee was informed that many community radio stations were working and networking with various media support actors either at individual, regional or national level.

Your Committee learnt that in the past, there was the Open Society for Information in Southern Africa (OSISA) which funded the establishment and financing of operations of community radio stations in Southern Africa. In Zambia, under the aegis of OSISA, two radio stations were set up, namely, Kariba FM in Siavonga and Petauke Association of Small and Medium Enterprise (PASME) Community Radio in Petauke. Further, the German International Technical Co-operation of Zambia (GITZ) under the Friedrich Ebert Stiftung Foundation had also been sponsoring community radio stations mainly in capacity building such as training.

The Swedish and Danish Governments through SIDA and DANIDA, had also sponsored some community radio stations under the umbrella body, Zambia Community Media Forum (ZaCoMeF), which was supervised by PANOS Southern Africa. Itezhi-tezhi and Kasempa Radio Stations were established under these auspices. Additionally, PANOS Southern Africa and BBC Media Action were also providing capacity building interventions and support at different levels.

In addition, religious bodies had also come on board to sponsor the establishment of radio stations especially in rural areas. These included, among others, the Catholic Church, the United Church of Zambia, the Seventh Day Adventist Church and the Salvation Army.

Stakeholders further submitted that the Government had also sponsored some community radio stations under RANET which fell under the Meteorological Department and the Ministry of Agriculture and Livestock for propagating agriculture information. They informed your Committee that the Government also conducted training from time to time at ZAMCOM for community radio stations.

## **Incentives for Operating Community Radio Stations**

6.7 Some stakeholders lamented that there were currently no incentives for operating community radio stations. They informed your Committee that the environment in Zambia was hostile and harsh to community media initiatives as could be seen by the scenario where half of the registered community radios were operating at a loss or on shoe-string budgets. Therefore, those that had started these local radios had done so either because of their love for radio or because they were approached by foreign donors to set them up.

However, other stakeholders submitted that one incentive for the community radio stations was that community radio stations paid a lower application fee for a radio licence compared to commercial radio stations. They informed your Committee that commercial radio stations were required to pay K2,000 application fees whereas community radio stations were required to pay K1,000 only. Further, the IBA guidelines provide that community radio stations can be excluded from the tendering process. However, this was done on a case by case basis. Furthermore, the Digital Migration Policy has provided for a Content Development Fund that would enhance local production, thereby helping create jobs and improve local productivity.

### **Challenges of Operating Community Radio Stations**

6.8 In spite of community radio stations being popular in Zambia and being effective in communicating to the marginalised and isolated poor communities, your Committee was informed that most community radio stations continued to face challenges as detailed below.

#### **Absence of a Policy on Community Broadcasting**

Stakeholders submitted that currently, the country had no policy that governed the operation and running of this unique community media sector. Therefore, this sector had operated under the space created for other broadcast and national media. As a result, the affairs of running the community media were always fraught with a lot of interference from many Government departments and ministries.

#### **Community Ownership and Participation**

Your Committee was informed that community ownership was one of the important components of sustainable development. A strong community ownership was at the core of the community radio setups. When the community took ownership of the radio stations, they participated in the establishment, management and administration of the station.

However, very few community radio stations in Zambia had been initiated and created by the community themselves. The majority of them, especially church-led radio stations, were an idea of a few individuals or the church hierarchy who introduced the idea to the community. The community was then asked if they liked the idea.

#### **Financial Sustainability**

Your Committee was informed that inadequate financial capital was the major challenge facing community radio stations. Community radio stations by design were non-profit making and, therefore, had a very weak

financial base. Therefore, even if they had the initial capital, sustainability was not guaranteed because they operated mainly on volunteerism.

Your Committee further learnt that funding from entities such as donors was common, but created an environment of a temporary set-up within the recipient stations. This was because there was uncertainty regarding the frequency and duration of the funds being disbursed, therefore, making long term planning a challenge.

Additionally, other community radio stations existed in economically challenged areas where there were limited business activities and hence little or no opportunity for the radio stations to generate income.

### **Licensing Requirements**

Your Committee was informed that the licencing requirements limited these radio stations from receiving sponsored programmes and advertising as a source of revenue. Further, high licence fees, and requirements to have at least ZK60, 000 in the bank account before one was granted a licence, created an atmosphere that was prohibitive to set up a community radio station.

Additionally, there was duplicity in the channels of authority in the sense that community radio stations had to pay fees to both the Independent Broadcasting Authority (IBA) and the Zambia Information and Communications Technology Authority (ZICTA) which was at times cumbersome. Furthermore, the time it took to be issued with a licence was too long. In this regard, some community radio stations were kept on test transmission for long periods.

### **Lack of Adequate Qualified Professional and Technical Staff**

Your Committee was informed that one of the most prominent challenges that community radio stations faced was that most of their staff had not received any formal training in operations of a radio station. Therefore, the direct effect of this was low quality of programming which in turn resulted in low listenership and ultimately reduced advertisements. Most advertisers preferred to advertise on a radio station that had quality programming because this meant that they had a wide audience.

Furthermore, the lack of adequate financial capital contributed to the failure of these radio stations to pay journalists to run the stations. The radio stations also lacked the technical capacity to sustain equipment.

### **Lack of Equipment**

Stakeholders informed your Committee that the level of technology and equipment availability was a challenge to most community radio stations. This was because most community radio stations had inadequate

equipment such as recorders and computers to produce good programmes in a timely and efficient manner. In addition, the lack of adequate financial capital contributed to the failure of these radio stations to maintain the equipment they possessed. Further, most of these stations did not have backup equipment. This strained the studio in the event of a breakdown.

Furthermore, community radio stations found it difficult to acquire more equipment because all the broadcasting equipment and Information Technology (IT) products were imported. This disadvantaged the community radio stations when accessing new Information and Communications Technologies (ICTs) because of the huge costs involved. Your Committee was informed that the import duty on broadcasting equipment in Zambia had remained relatively high and most stations could not afford to pay this duty.

### **Limited Content**

Most of the community radio stations had limited content largely due to the financial implications associated with the generation of local content. Production of radio content required money and this was not readily available for community radio stations because of competing needs. Consequently, they spent most of their airtime playing music.

### **Lack of Knowledge, Attitudes and Skills of Fund-Raising and Marketing Strategies**

There was lack of knowledge and skills for fundraising and marketing at most community radio stations because the workers were volunteer school leavers who had no formal training in such ventures.

It was reported that a research conducted by Muzyamba Nyongo (2006) revealed that a number of community media organisations operated without a marketing manager or office. Marketing was a specialised field requiring people with specialised knowledge, attitudes and skills. Stakeholders submitted that there was potential for community media to be sustainable if only the marketing departments could hire qualified staff and strategically plan their activities.

### **Corporate Governance**

Board members of most of the community radio stations usually had challenges in running the stations due to lack of the much needed expertise and or experience in such capacity.

### **Political Interference**

Stakeholders lamented that whenever community radio stations broadcast programmes from the opposition or news items not supporting the Ruling

Party and the Government, cadres from the ruling party invaded their premises and destroyed property.

They informed your Committee that most radio station managers had been summoned by the provincial and district officers to explain why the radio stations had broadcast a news item or programme considered not to be in their interest. Examples were cited in Kasempa where the Station Manager was assaulted by the District Council Secretary and later locked up by the Police and was denied both police and medical reports in the District.

Additionally, most radio stations were forced to broadcast radio interviews and programmes from Government officials free of charge whenever there was a broadcast to make, yet these organisations receive funding intended to run such programmes. Stakeholders informed your Committee that the major culprits were local councils and local government officials in the vicinity of the community radio stations.

### **Poor Internet Connectivity**

Generally, community radio stations were in rural areas where there was no proper internet connectivity. This poses a challenge when it comes to research and networking with stakeholders.

However, online broadcasting has brought with it falsehood and misinformation for some community radio stations. Most community media workers rely on the information on the internet and websites to back up their research. Therefore, without having the technical and intellectual knowhow on which information was relevant, most community media were failing to remain vigilant on what to collect and not to collect from the websites. In this regard, they obtain information and relay it to their audience without the necessary verification.

### **Frequent Power Outages and Low Voltage**

Constant power outages and low voltage has resulted in the damage of the radio station equipment and most of the times the community radio stations were off-air. Additionally, most community radio stations also find it expensive to invest in standby generators.

### **Lack of Reliable Transport**

Many community radio stations operate on a shoe-string budget and the purchase of capital goods such as vehicles was not priority. Thus, the lack of transport makes it hard for them to collect news from far-flung areas, hence, their reliance on the same sources, mostly those that go to the studio and those in the immediate community.

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

6.9 After a detailed analysis of the written memoranda and careful consideration of oral submissions from the stakeholders, your Committee makes observations as stated hereunder.

- a) Zambia has no clear National Policy to guide the operations of community radio stations. This makes it difficult to facilitate the implementation of coordinated interventions to address the challenges affecting the development and operations of community radio stations.
- b) Community radio stations, by design are non-profit making and therefore, have a weak revenue base. The lack of sustainable financing impacts negatively on the capacity of these stations to deliver.
- c) The import duty charged on broadcasting equipment in Zambia has remained relatively high resulting in most community radio stations not being able to afford to pay the duty.
- d) The training curricula for journalists does not have a strong component of community radio management.
- e) While the establishment of the Zambia Community Media Forum is key to coordinating the operations of community media organisations, there is no legal backing for it to discharge its mandate.
- f) The licence fees for community radio stations are too high, thereby, posing as a deterrent for the establishment of community radio stations.
- g) Community radio stations have to pay fees to both the Independent Broadcasting Authority (IBA) and the Zambia Information and Communications Technology Authority (ZICTA) has proved to be prohibitive for the establishment of community radio stations.
- h) There is perceived interference in the operations of community radio stations by Government officials.

In view of the foregoing, your Committee recommends as set out below.

- a) The Government should formulate and implement a national community media policy that will recognise the unique role the sector is playing; additionally, the policy should, among its objectives, aim at making this sector sustainable.

- b) 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 in order to help them meet their operational costs. Further, the Government should also come up with a deliberate policy for public sector adverts to be channelled to community radio stations in order to support their financial base. Overall, the Government should encourage commercial, local and international agencies to support the development and operations of community radio stations through their corporate social responsibilities.
- c) The Government should, as a matter of urgency, zero rate duty on all equipment imported by community radio stations. This will help grow the sector and enable the radio stations purchase modern equipment that will respond to current media demands.
- d) The Government should revise the current journalism and mass communication curricula taking into account the concept of community radio in order to enhance the capacity of the radio stations.
- e) The Government must strengthen Zambia Community Media Forum by establishing it through an Act of Parliament to regulate community media organisations.
- f) The Government, through the IBA, should reduce the licence fees for community radio stations in order to allow them operate at minimal costs given the harsh administrative costs associated with community radio stations.
- g) The Government must harmonise laws such as the Independent Broadcasting Authority (IBA) Act and the Zambia Information and Communications Technology Authority (ZICTA) Act, that directly or indirectly affect the operations of community radio stations.
- h) The Government should put in place a deliberate policy to ensure that public officials refrain from interfering, even informally, in the operations of community radio stations. In particular, Government or political party officials, should not seek to influence the nature or content of broadcasts of community radio stations.

## **OPERATIONS OF PUBLIC PRINT MEDIA IN ZAMBIA**

### **Background**

7.0 The Times of Zambia and Zambia Daily Mail are state-owned newspaper companies whose mandate is to inform, educate and entertain the public through their broadsheet columns. It has been said in certain circles that these public print media houses are currently facing financial challenges that are affecting their operations. For instance, it has been reported in other media that the Times of Zambia has been operating under the weight of a heavy debt burden with workers going for months without pay, while the majority of the operations have been on a shoe-string budget. This has resulted in court bailiffs raiding the Times of Zambia offices and seizing various properties due to some debts owed by the company.

Therefore, as part of its oversight function, Your Committee resolved to undertake a study on the *Operations of the Public Print Media Houses in Zambia* in order to establish the causes and magnitude of the operational problems the companies were facing with a view to suggest the way forward to the Executive.

In order to ensure that your Committee gathered enough information on this subject, it sought written memoranda and oral submissions from the following stakeholders:

- i) Ministry of Information and Broadcasting Services;
- ii) Zambia Daily Mail;
- iii) Times Printpark Zambia Limited;
- iv) Media Institute of Southern Africa (MISA);
- v) Zambia Union of Journalists (ZUJ); and
- vi) Press Association of Zambia (PAZA).

## **CONSOLIDATED SUMMARY OF SUBMISSIONS**

### **The Public Print Media in Zambia**

7.1 Your Committee was informed that the Zambia Daily Mail Limited and the Times Printpak Zambia Limited were the leading public publishers of daily newspapers in Zambia. The Zambia Daily Mail Limited produced the Zambia Daily Mail and the Sunday Mail Newspapers whereas Times Printpak Zambia Limited produced the Times of Zambia and the Sunday Times Newspapers.

Your Committee was informed that these two companies started as private companies, but were bought by the Government and consequently, had become wholly State-owned entities.

### **The Role of the State Owned Print Media in National Development**

7.2 Stakeholders informed your Committee that the media, in a democracy, with specific reference to the collective entity of newspapers, radio and television, was called the Fourth Estate in the Government pyramid after the Executive, Legislature and the Judiciary. The media's traditional role was to inform, educate, entertain and provide a catalyst for social change and cultural transmission. This meant that the media acted as a watchdog to oversee the excesses within the Executive, Legislature and the Judiciary.

The State-owned print media houses in Zambia also provided a medium for Government to disseminate its policies and programmes to the public and also receive feedback. This role was critical in national development because information was critical for people to make informed decisions and also to solicit their participation in national programmes. In this way, policy implementation, which anchored on national development, would be given a boost by people's participation as a buy-in and ownership.

Nonetheless, your Committee was informed that for the public print media to succeed in playing its critical role in economic development, the media had to be professional and objective. Therefore, factors such as media bias, sensationalism, propaganda and distortions, negatively affected the contribution of the media in national development. In addition, the control of the media by a few individuals, corporations or governments was inimical to the media's ability to effectively carry out their role.

### **The Policy and Legal Framework Guiding the Operations of the State Owned Print Media Houses**

7.3 Your Committee was informed that as limited companies, their operations are largely governed by the provisions of the *Company's Act, Chapter 388 of the Laws of Zambia*.

In addition, there are several other pieces of legislation which guide the operations of State-owned print media houses. These include:

- a) *the Printed Publications Act, Chapter 161 of the Laws of Zambia;*
- b) *the Penal Code, Chapter 87 of the Laws of Zambia;*
- c) *the State Security Act, Chapter 111 of the Laws of Zambia;*
- d) *the Defamation Act, Chapter 68 of the Laws of Zambia; and*

- e) *the National Assembly (Powers and Privileges) Act, Chapter 12 of the Laws of Zambia.*

Your Committee was further informed that the policy guiding the operations of the public print media is based on self regulation. This arose from the fact that the media had championed self regulation. To this effect, a self regulatory body called the Zambia Media Council had been established and became operational in June, 2013, to oversee, among other things, the enforcement of media ethics. However, some stakeholders were displeased by the conduct of members of the Board. They lamented that not a single meeting had been held since its formation. They informed your Committee that media practitioners would reappoint members of the Board in May, 2015.

In addition, your Committee was informed that the 1996 Draft Media Policy also outlined the Government's vision for the media and what was expected of it. However, the Policy was still a draft. Stakeholders lamented that it was unfortunate that since independence, the Country still did not have a clearly defined and nationally recognised Information and Media Policy.

### **Funding Mechanisms Devised by the State-Owned Print Media Houses**

7.4 Your Committee was informed that the State-owned print media houses sustained themselves through the profits that they generated. In this regard, these media houses had been given authority to develop and design survival, or business plans in tandem with their strategic plans. As a result, they generated revenue through advertisements followed by newspaper sales. Additionally, courier services and printing publications such as textbooks, books, novels, brochures and calendars, among others, also generated some income for them.

Stakeholders further informed your Committee that, from time to time, these printing companies also received some allocations or grants from the Government to use on specific classes of expenditure. However, the amounts received were not enough to support their operations.

Furthermore, the Zambia Daily Mail Limited and the Times Printpak Zambia Limited occasionally acquired long term loans to finance capital assets such as printing press and commercial printing machines.

Your Committee was, however, informed that the procurement of the printing press by Times Printpak Zambia Limited, through a loan from Finance Bank Zambia Limited, was exerting extreme pressure on the company especially that it was already struggling to meet its daily obligations against the inadequate revenue it was generating from sales and advertisements.

Your Committee was informed that a loan of about US\$ 8 million obligated the printing company to remit huge amounts of money every month to the Bank at an interest. Any delay would have meant that the interest would have increased. Against this background, the Newspaper had started feeling the pressure of having to raise money to double the amount it was traditionally raising each month. Therefore, in making sure that the loan obligation was met, a huge percentage of the money was being paid while its other obligations started suffering in the long-run.

Your Committee learnt that currently, Finance Bank was yet to be paid K1.7 million to clear the outstanding debt.

### **The Major Challenges Facing the State-Owned Print Media Houses**

7.5 Stakeholders submitted that there were a myriad of challenges that the State-owned print media faced as set out below.

#### **a) Editorial Independence**

It was also brought to the attention of your Committee that the State-owned media lacked editorial independence. This was because, the public media institutions in Zambia had regularly been forced to tow the Ruling Party line and, therefore, promoted the aspirations of that particular party. Regrettably, ruling parties and their supporters seemed to believe that the State-owned media were supposed to report positively about them because they were owned by the Government. Anything less than that warranted strong reprimands, dismissals and harassment.

The Stakeholders informed your Committee that this perception, either deliberate or not, was not the internationally recognised role of the media. However, because it existed, the State-owned media had been subjected to submitting stories before publishing them to the Permanent Secretary at the Ministry of Information and Broadcasting Services. Who may demand the removal of certain items. This inevitably has a bearing on the editorial independence of the public media institutions. This had compromised the State-owned media's ability to be attractive to the readers and to attract more advertisements in addition to having efficient operations, as managers were constantly in fear of reprimand, dismissals and constant Government control. Further, this resulted in lack of creativity and ownership, which translated in their inability to operate competently and effectively

#### **b) Appointment of the Boards**

As earlier alluded to, the public print media operated under a restrictive environment where they could not work without checking possible excesses from the Government. Their close link with the Government, therefore, meant that they lacked the authority to make independent decisions in their operations. Ordinarily, public print media were supposed to draw their

mandate from an independent board of directors, appointed in the same manner as was suggested for the Zambia National Broadcasting Corporation (ZNBC) Act prior to its amendment in 2010.

Therefore, the Board of Directors for the Zambia Daily Mail and Times of Zambia should have been appointed by an *ad hoc* special group, independent of the Government, as opposed to the current custom where the public media Boards were appointed by the Government through the Minister of Information and Broadcasting Services. The Boards then, had to appoint the management of the public media. Conversely, the Government at times appointed the managing directors of the public media directly without consulting the boards.

Therefore, this meant that the management of these public media houses could not make independent professional decisions, especially those that did not tag the line of the appointing authority. As such, they could not be used as vehicles for checking the accountability of the Government.

Your Committee was informed that these media houses had been reduced to being information disseminators for the public and the ruling parties. This has affected their volume of sales as trust has been eroded from a certain percentage of the readers.

### **c) Financial Challenges**

Inadequate financing was the major challenge facing the public print media in Zambia. The two companies had experienced serious financial challenges to the extent that the managements and boards alone could not salvage them. The financial challenges are highlighted below.

#### **i) Statutory Debt**

With respect to the Zambia Daily Mail, your Committee was informed that Company owed the following statutory debts as at 31<sup>st</sup> January, 2015:

- Zambia Revenue Authority (ZRA): K52,493.381.23
- National Pension Scheme Authority (NAPSA): Nil

Furthermore, as at 31<sup>st</sup> January 2015, the Company had also made provisions in its books of accounts for interest and penalties as follows:

- Zambia Revenue Authority (ZRA): K310,053.586.32
- National Pension Scheme Authority (NAPSA): K8,597,996.13

With regard to Times Printpak Zambia Limited, the following statutory obligations were owing:

- Zambia Revenue Authority (ZRA): K255,000,000
- National Pension Scheme Authority (NAPSA): K119,000,000

**ii) Poor Balance Sheets to pay Salaries and Pensions**

Your Committee was informed that Times Printpak Zambia Limited owed its employees millions in salary arrears, standing at four months for unionised employees amounting to K2,640,725 and six months for management staff amounting to K3,382,353. It was further reported that the Company's unpaid retirees' terminal benefits stood at K22,600,000. Further, the Zambia Daily Mail was currently running an unfunded defined benefit retirement scheme which was very costly to the Company as it adversely affected the Company's liquidity and profitability. Your Committee was informed that the trend worldwide was to have a defined contribution scheme. However, in the current scheme, costs kept increasing as the service period of employees grew and when salaries were adjusted upwards.

**d) Unsettled Debt by Government Ministries**

Regrettably, Government ministries had been advertising through these Companies while not paying them, and thereby, contributing to the state in which they were. For instance, the Zambia Daily Mail Limited was owed K3,102,123.50 by various Government ministries and departments as at 12<sup>th</sup> February, 2015.

**e) Printing Presses**

Stakeholders submitted that printing presses were very expensive and could not be easily replaced. This resulted in the companies relying on old equipment which was unreliable.

**f) Poor Fleet of Transport**

Stakeholders informed your Committee that the public printing companies had poor fleet of transport for news gathering and sales distribution.

**g) Equipment**

Your Committee was informed that computers, cameras, recorders and pre-press equipment had to be regularly replaced to keep up with technology or to ensure that they were usable. This was usually costly.

**h) Office Accommodation**

The general objective to be a nationwide-distributed newspaper entailed having reporters in key towns of the country. However, the cost of accommodation and maintaining such staff outweighed the revenue of these Companies.

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

Having carefully considered the views of all stakeholders on the topic, your Committee observes that:

- a) the Boards of Directors and ultimately the State-owned print media companies do not enjoy operational independence which has disadvantaged them to exercise their business acumen which is required to run them as viable entities;
- b) the Government as the sole shareholder of these companies, has not recapitalised the Zambia Daily Mail and Times Printpak Zambia Limited for a very long time;
- c) public print media houses generate their revenue through sales and advertisements, unfortunately, Government ministries and departments are owing these media houses huge sums of money in advertising services provided;
- d) the price of newsprint has kept increasing, thereby, cutting the profit margins of the public printing companies;
- e) the Zambia Daily Mail and Times Printpak Limited are owing the Zambia Revenue Authority (ZRA) and the National Pension Scheme Authority (NAPSA) substantial amounts of money in statutory obligations;
- f) the Times Printpak Zambia Limited has suffered low worker morale as both unionised workers and management staff have gone for months without being remunerated; further, the Company owes retirees terminal benefits of up to K22.6 million;
- g) the Zambia Daily Mail is currently running an unfunded defined benefit retirement scheme which is very costly to the Company as it hits the Company in both liquidity and profitability; and
- h) the Media Policy outlining the Governments vision for the Media is still in a draft form.

In view of the foregoing, your Committee recommends as set out hereunder.

- a) The Government should ensure that the public print media draw their mandate from an independent Board of Directors. In this regard, the Government must reinstate the Appointments Committee as was provided for in the Zambia National Broadcasting Authority Act prior to its amendment in 2010. The Appointments Committee will handle the appointment of the Board of Directors from a cross section of society, independent of the Government, thereby, diffusing

Government control over the public print media as the Board will act as a shield against Government interference, while serving as a mechanism of accountability to the public.

- b) The Government, as the sole shareholder, should recapitalise the Zambia Daily Mail and Times Printpak Zambia Limited. In this regard, the Government must allocate substantial amounts of money in the National Budget towards the recapitalisation of the two public media companies and ensure the timely release of funds to enable the companies, among other things, diversify and move away from reliance on newspaper sales and advertising as sources of revenue for their operations.
- c) The Government, through the Minister of Finance, must recover the money owed to the public print media houses by Government ministries and departments by deducting what is owed to the media houses at source before the money is disbursed to the recipient institutions. Furthermore, in an effort to avoid future debts, the Government must put in place a deliberate policy that bars Government ministries and departments from placing advertisements in the two companies' publications on credit. Additionally, the Government must allocate adequate funds intended for advertisements in the National Budget for Government ministries and departments. This money should be deducted at source every time an advert is placed by Government ministries and departments.
- d) The Government is urged to consider subsidising the production cost of newspapers in order to cushion the Zambia Daily Mail and Times Printpak Zambia Limited from the ever rising cost of newsprint.
- e) The Government should convert the two institutions' statutory debt into share capital.
- f) The terminal benefits of K22.6 million affecting the operations at Times Printpak need to be offset by the Government in a form of recapitalisation;
- g) Upon liquidation of the accrued benefits, the Government should change the current pension scheme from benefit-defined to contribution-defined specifically for new entrants. This measure will, among other benefits, reduce the huge financial burden that the institution is currently facing.
- h) The Government must "walk the talk" on the implementation of the Media Policy considering that this issue has been raised on several occasions.

- i) Once the toxic debt of the two institutions is offset by the Government, the Government must completely privatise one of the two companies and maintain the other because the Zambia Daily Mail and Times Printpak Limited are both Government printing Companies performing the same function, but reduce its shareholding in order to guarantee impartiality.

## **THE ACCESSIBILITY TO PUBLIC MEDIA BY PERSONS LIVING WITH DISABILITIES VIS-À-VIS DEAF PERSONS**

### **Background**

8.0 Concerns have been raised on the infringement of deaf citizens' right to access information principally by the Zambia National Broadcasting Corporation (ZNBC) and other private television stations. Stakeholders from among the Deaf associations have lamented that despite paying the Television Levy and having the *Persons with Disabilities Act No 6 of 2012* in place, the Public Service Broadcaster and other private television stations have continued to contravene *Section 49* of the *Persons with Disabilities Act No 6 of 2012*.

Your Committee was informed that *Section 49* of the Act provides that, “*all television stations shall provide a Sign Language inset or sub-title in all newscasts and educational programmes, and in all programmes covering events of national significance.*”

However, ZNBC and other private television stations were not providing for sign language inserts as well as sub-titles in local newscasts and during important national events, among others, the presentation of the National Budget to Parliament by the Minister of Finance, and during interviews, documentaries and educational programmes where critical issues of national significance were discussed.

Therefore, as part of its oversight function, your Committee resolved to undertake a special study on the *Accessibility to Public Media by Persons Living with Disabilities vis-à-vis Deaf Persons* in order to address the concerns raised, with a view of suggesting the way forward to the Executive.

To further assist your Committee appreciate the subject matter, the following stakeholders were invited to provide both written and oral submissions:

- i) Ministry of Community Development, Mother and Child Health;
- ii) Ministry of Information and Broadcasting Services;
- iii) Zambia National Broadcasting Corporation (ZNBC);
- iv) Zambia Agency for Persons with Disabilities;
- v) Zambia Deaf Youth and Women; and
- vi) Zambia National Association of Sign Language Interpreters.

Your Committee's findings are as set out below.

### **The Policy and Legal Framework Guiding the Access to Information for Persons with Disabilities with Particular reference to Deaf People**

8.1 Your Committee was informed that the Ministry of Community Development, Mother and Child Health had a National Policy on Disability with a specific provision on access to information and communication for persons with disabilities including hearing-impaired persons.

The Policy in its specific objectives of accessibility and equity aimed to:

- i) enable persons with disabilities live independently and participate fully in all aspects of life whose corresponding measures were to;
- ii) promote access for persons with disabilities to new information and communications technologies and systems, including the internet; and
- iii) ensure equitable access to opportunities by persons with disabilities.

In addition, the corresponding measures to this objective were to:

- i) recognise sign language as an eighth (8<sup>th</sup>) national local language;
- ii) enforce the use of sign language in public and private institutions to increase access to information literature by persons with disabilities; and
- iii) encourage people to learn sign language.

Stakeholders also informed your Committee that the Ministry of Information and Broadcasting Services was currently reviewing its Media and Information Policy where issues to do with accessibility to public media by persons with disabilities vis-a-vis deaf persons were being considered. In particular, the Draft Policy had introduced a policy measure which would *“ensure that published information was provided to the public upon request in multiple formats to accommodate persons with disabilities.”*

Furthermore, *the Persons with Disabilities Act Number 6 of 2012* also provided for accessibility to information by deaf persons. Your Committee was informed that *Section 49* of the Act placed certain obligations on the television stations to provide a sign language inset or sub-titles in all newscasts and educational programmes, and in all programmes covering events of national significance.

Your Committee was further informed that the Government had domesticated the United Nations Convention on the Rights of Persons with

Disabilities (UNCRC) and the Convention's rights were included in the *Persons with Disabilities Act Number 6 of 2012*.

In addition, Sign Language had been recognised as the 8<sup>th</sup> language of medium for education and information dissemination in the draft National Constitution.

### **Adherence to Section 49 of the Persons with Disabilities Act No 6 of 2012 by both, the Private and Public Television Stations**

8.2 Some stakeholders were of the view that both the private and public television stations were making efforts to adhere to *Section 49* of the *Persons with Disabilities Act No 6 of 2012*. For instance, the Zambia National Broadcasting Corporation (ZNBC) news broadcast provides for Sign Language interpretation inserts. Further, where it was technically possible, sign translators have been included during important national addresses, such as Independence Day and Budget addresses, just to mention a few. The stakeholders informed your Committee that it was not always technically possible to include translators in each broadcast.

With regards to the private television stations, your Committee was informed that MUVI Television also provides for Sign Language inserts for some special programmes and national commemorations. Additionally, ZNBC and private television stations such as MUVI TV, MOBI TV and Prime TV offered fixed bar and scroll facilities. The stakeholders informed your Committee that on fixed bar facilities, fixed subtitles or text news were printed. In this regard, news headlines were flushed on the bar in repeated sequence. Furthermore, the scroll facility presented subtitles or text news on a running scroll at the bottom of the television screen.

However, regardless of the efforts made, the stakeholders submitted that these services should be provided for on other important and educational programmes and adverts.

In contrast, other stakeholders were of the view that the adherence to *Section 49* of the *Persons with Disabilities Act No 6 of 2012* by both the public and private television stations was below the required standard. This was evidenced by the fact that Sign Language Interpretation inserts were restricted to the Main News Hour, consequently disadvantaging the deaf community from accessing other important information during other programmes and events of national significance. The stakeholders further lamented that Sign Language was not given prominence as evidenced by the unclear inserts provided for during the broadcasting of news and other programmes. Additionally, some subtitles, or text fonts were tiny, blurred and illegible.

## **Efforts made by the Government to ensure Adherence to Section 49 of the Persons with Disabilities Act No 6 of 2012**

8.3 Your Committee was informed that the Ministry of Community Development, Mother and Child Health, in collaboration with the Ministry of Education, Science, Vocational Training and Early Education and other Non-Government Organisations, concerned about matters affecting the hearing impaired persons, were working together to standardise the curricular for Sign Language and also come up with a certifying body for Sign Language interpreters.

Your Committee further learnt that the responsibility to oversee on the work of the electronic media rested in the Independent Broadcasting Authority (IBA). In this regard, the IBA was developing regulations that would guide the format and presentation of content to the public. These regulations would compel television and radio stations to ensure that information of national importance was presented in multiple formats within the capacity and mandate of the stations.

Furthermore, the Zambia Agency for Persons with Disabilities was yet to appoint inspectors who under Section 58 of the *Persons with Disabilities Act* would have the power to inspect any institution to ensure that the provisions of the Act were complied, with including access to information.

## **Challenges faced by both Private and Public Television Stations with regard to the adherence to Section 49 of the Persons with Disabilities Act No 6 of 2012**

8.4 The following challenges were highlighted:

- a) television stations had no budget line to employ full time Sign Language interpreters; in this regard, the sign language interpreters offering the interpreting services at both public and some private television stations were volunteers;
- b) television stations had difficulties identifying the authentic sign language as there was no standardised or recognised Zambian Sign Language;
- c) there was no standardised or recognised Zambia Sign Language interpretation as well as a certifying body; therefore, this made it difficult for the media houses to identify trained Sign Language interpreters that could provide quality and standard interpreting services;
- d) most private television stations contravened the provisions of Section 49 under the Act because they were not aware of such provisions;

- e) the cost of presenting information in multiple formats was costly for the television stations; and
- f) associations of Sign Language interpreters were disjointed; this disorganisation, therefore, delayed the recruitment of a Sign Language interpreter at ZNBC. Your Committee was informed that the Ministry of Community Development, Mother and Child Health had authorised the recruitment of a Sign Language Interpreter at ZNBC and the public service broadcaster advertised the position. However, various associations of Sign Language interpreters objected this recruitment each stating that their interpreters were better trained to be employed at ZNBC.

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

Your Committee notes the challenges faced by both private and public television stations with regard to the adherence to Section 49 of the *Persons with Disabilities Act No 6 of 2012*. In view of the foregoing, your Committee makes recommendations as out below.

- a) The Government, through the Ministry of Community Development, Mother and Child Health, must ensure that both public and private television visual media institutions include, in their staff establishment, full time and part-time Sign Language Interpreters.
- b) The Government should recognise and develop one official Sign Language. Furthermore, the Government must ensure that the decision on the official Zambian Sign Language must be done in consultation with the deaf community and other relevant stakeholders.
- c) The Ministry of Community Development, Mother and Child Health, in collaboration with the Ministry of Education, Science, Technology and Early Education, is urged to develop a standardised curriculum for Sign Language Interpretation and identify a certifying body that will 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.
- d) The Government, through the Ministry of Community Development, Mother and Child Health, should sensitise the Boards and management of both the public and private television stations on the need to adhere to the provisions under Section 49 of the *Persons with Disabilities Act No. 6 of 2012*.

- e) The Government must 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.
- f) The Independent Broadcasting Authority (IBA) is urged to expedite the development of relevant guidelines on content regulations that will ensure all television stations adhere to Section 49 of the *Persons with Disabilities Act No. 6 of 2012*. Additionally, the guidelines should make it mandatory for both the public and private television stations to provide Sign Language interpretation inserts, captions or subtitles during the local news and when broadcasting important national events as well as televising documentaries and programmes containing critical issues of national importance.
- g) The Zambia Agency for Persons with Disabilities should expedite the appointment of inspectors as provided for under Section 58 of the *Persons with Disabilities Act No. 6 of 2012* to ensure that the provisions of the Act are complied with including access to information.

## **PART II**

### **FOREIGN TOUR OF THE UNITED REPUBLIC OF TANZANIA**

9.0 Your Committee undertook a foreign tour of the United Republic of Tanzania. The objective of the tour was for your Committee to share experiences with regard to the promotion and development of community radio stations as a tool for national development.

In line with the objective of the tour, your Committee paid a courtesy call on Zambia's High Commissioner to Tanzania and had a working session with the Permanent Secretary and staff from the Tanzanian Ministry of Information, Culture, Youth, and Sports. Your Committee also interacted with Members of the Parliamentary Committee on Community Development of the Parliament of Tanzania and had a meeting with Management at the Tanzania Communication Regulatory Authority (TCRA) and the Managing Director at Azam Media. Your Committee toured the Tanzania Broadcasting Corporation Headquarters (TBC) and Azam Media and had an opportunity to tour Bagamoyo, a historical town.

#### **Committee's Findings**

9.1 The findings of your Committee from its interaction with the stakeholders in Tanzania are detailed below.

### **a) Media Registration**

Tanzania has a four-tier broadcasting system divided into Public Service Broadcasting, Commercial Services, Non-Commercial Services and Community Services. These services are allowed to operate in national, regional, district and community market segments. Further, Media Registration and Licensing is governed by three main pieces of legislations namely:

- i) the Newspaper Act of 1976;*
- ii) the Tanzania Communication Regulatory Authority Act of 2003; and*
- iii) the Electronic and Postal Telecommunication Act of 2010.*

### **b) Requirements for Licensing Community Broadcasting**

Your Committee was informed that community radio in Tanzania was owned and managed by the people it served through registered trustees or non governmental organisations. Therefore, individuals were not allowed to set up these radio stations on behalf of the community.

These radio stations were not for profit making and broadcast within a 50km radius. They were not allowed to broadcast in tribal languages, therefore, promoting national unity and security by broadcasting only in Swahili and English. However, your Committee was informed that if any broadcaster by reason or another intended to broadcast in another tribal language, approval had to be sought by the regulator who was the Tanzania Communication Regulatory Authority (TCRA).

Currently, there were six licensed community radio stations namely; Orkonerei radio, Radio Sengerema, Fadeco FM, Radio Wananchi Newala Community, Kagara Community Radio and Kilosa Community Radio.

These radio stations had the obligation to facilitate communication and information exchange on matters of communal interest. Therefore, priority in their broadcasting was based on the needs and concerns of the community they served and the community, participated as planners, producers and supporters.

Your Committee was informed that community radio stations in Tanzania were independent in their programming, editorial and management decisions. Their sponsors were known publicly and ensured that their programming was not influenced by their sponsors or any vested interest. In addition, political programming was strictly not allowed in their nature of broadcasting.

### **c) Policy Guiding the Operations of Community Radio Stations**

Your Committee was informed that the Information and Media Policy mandated the Tanzania Communication Regulatory Authority (TCRA) to stipulate the conditions governing the operations of the radio stations and what was stipulated in the Policy was translated into the law. Hence, the *Tanzania Communication Regulatory Authority Act of 2003* also provides guidelines on how the radio stations should operate.

### **d) Licensing of Community Radio Stations**

Your Committee was informed that members of a community who fulfilled the licensing requirements could apply for a community radio licence. However, the licensing of a community broadcaster was on a first come first serve basis and the process of licensing involved:

- i. receiving of applications by the Tanzania Communication Regulatory Authority which is a quasi-independent Government body established under the Tanzania Communication Regulatory Authority Act of 2003; its mandate is to regulate telecommunication operators and take care of the initial process of licensing television, radio, courier operators and content service providers;
- ii. the Authority evaluates the application to check if it fulfills the requirement;
- iii. the Authority publishes the application in the local newspapers for public comments;
- iv. the applicant was then invited to make a presentation of the business and technical plans;
- v. the Authority then sought for “No Objection” from the Minister responsible for broadcasting matters;
- vi. after receipt of a “No Objection” response from the Minister, the applicant was then required to pay the required initial fees;
- vii. the applicant was thereafter issued with a one year construction permit (CP); and
- viii. after fulfilling conditions of the CP, the applicant was granted a licence.

Your Committee learnt that under the *Tanzania Communication Regulatory Authority Act of 2003*, Section 6 (3) provides for the Minister to be consulted on the issuance and cancellation of licences. Additionally, the Act also

provides for the Minister to give directions to the Authority on issues of a non-regulatory nature. However, in the event that the Minister issues directives on issues of a regulatory manner, the directives have to be gazetted. This entrenches a “hands-off” approach in the operations of the Authority by the Government.

### **e) Sources of Funding for Community Radio Stations**

Your Committee learnt that most of the funding for community radio stations was derived from the communities themselves. Local government authorities who also owned community radio stations, philanthropists, advertisements and other non-governmental organisations such as UNESCO who in some instances, provided initial capital for equipment and training.

### **f) Challenges**

Like in Zambia and many other African countries, challenges facing the growth and development of community radio stations in the United Republic of Tanzania are highlighted below.

- i) Most of Community Radios were donor dependant. Therefore, dependency on donors might lead to compromising professional standards.
- ii) Most of the local personnel employed were not well trained.
- iii) Most of the community radio stations were cash-strapped.

Whilst in Tanzania, your Committee also appreciated the noticeable strides the country undertook in the digital migration process from analogue to digital terrestrial television broadcasting in order to meet the global June 2015, International Telecommunication Union (ITU) deadline. The Country boasted of having the first phase of migrating from analogue broadcasting on December 31<sup>st</sup>, 2012 in Dar-es-Salaam to meet the deadline set by the East African Community (EAC) member states and ahead of the SADC deadline of December 31<sup>st</sup>, 2013.

Your Committee was informed that the major cities in the United Republic of Tanzania were broadcasting in Digital Terrestrial Television (DTT) whilst the rest of the country was covered with Direct-To-Home (DTH) via satellite. They learnt that the successful migration was as a result of Government commitment and the Tanzania Communication Regulatory Authority venturing into wider public education. The Authority emphasised that digital broadcasting had a lot of advantages compared to the analogue systems in terms of improved picture quality, more choice of content and other value added and quality services. The Authority advised the citizenry to purchase decoders from registered agents.

Your Committee was further informed that the International Telecommunication Union (ITU) deadline for radio terrestrial broadcasting from analogue to digital broadcasting was 17<sup>th</sup> June, 2020. In this regard, the Government was in the process of compiling a consultation document on digital radio.

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

Based on these findings, your Committee observes that:

- a) the conditions associated with establishing a community radio station in Tanzania, where community broadcasting stations should be owned and managed through a registered board of trustees or non governmental organisation, has contributed to the actualisation of community ownership of the radio stations;
- b) the active participation of the public in the registration process of community radio stations has contributed to the objectivity being exhibited by community radio stations in Tanzania;
- c) the process of registering community radio stations in Tanzania is favourable given that only one institution is responsible for regulating the broadcasting industry as well as the management of the national frequency spectrum;
- d) the approach used by the Tanzanian Government in achieving the International Telecommunications Union (ITU) deadline of migrating from analogue to digital terrestrial television broadcasting, by generating a clearly defined roadmap and total political will in allocating resources for the programme is very progressive; further, the plan by the Government of Tanzania to use the same approach in the 2020 radio migration deadline has potential to yield similar results as the case is for the Television Digital Migration;
- e) the level of sensitisation on the digital migration programme by the Government of Tanzania is worth appreciating; in addition, the Government of Tanzania has translated the information in Kiswahili which is the main local language of use in rural communities; and
- f) the enactment of the Newspapers Act of 1976 in Tanzania has contributed to, among other things, the registration of all sorts of publications, the accreditation of journalists, penalties and remedies for offences committed as well as deregistration of the publications.

In view of the foregoing, your Committee strongly recommends that:

- a) the Government, through the IBA, should ensure that community radio licences are not granted to individuals but to a board of trustees or a cooperative registered with a legal institution such as the Registrar of Societies in order for the community to share ownership of the radio station;
- b) the Government, through the IBA, should initiate and implement modalities of public participation in the registration process; this may be by way of public hearings in the proposed places of establishment;
- c) the Government should rationalise the functions of the IBA and ZICTA in order to have a single regulator responsible for regulating the broadcasting industry as well as the management of the national frequency spectrum among other things;
- d) the Government should, as a matter of urgency, establish a roadmap for the migration of radio terrestrial broadcasting from analogue to digital broadcasting in order to allocate the much needed resources; further, the Government must zero-rate duty on digital equipment to allow community radio stations access the much needed equipment and partner with the private sector in the migration of the community radio stations from analogue to digital broadcasting;
- e) ZICTA and other relevant stakeholders should venture into wider public sensitisation on the benefits of migrating from analogue to digital radio broadcasting and its ramifications; further, the information about the migration must be translated in the seven major local languages for the rural communities to understand; and
- f) the Government must initiate the enactment of legislation on newspapers whose objects, among others is to, register all sorts of publications, accredit journalists, and provide for penalties and remedies for offences committed under the proposed law.

## **PART III**

Part Three reviews the outstanding issues from the reports of your previous Committees.

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

#### **MEDIA ETHICS IN ZAMBIA**

##### **Establishment of ZAMEC through an Act of Parliament**

10.0 Your previous Committee had recommended that the Government must strengthen ZAMEC by establishing it through an Act of Parliament compelling all media bodies and independent journalists to subscribe to it. Further, all subscribers to the regulatory body must be compelled to make financial contributions to sustain its operations.

It was reported in the Action-Taken Report that the proposal to establish a media regulatory mechanism, through an Act of Parliament, was strongly rejected by media practitioners and various stakeholders in 2009/2010, including cooperating partners. The Government would, however, enquire into this matter to find out if the position had changed. Should it be established that the media fraternity and other stakeholders changed their position; the Government would have no objection and would facilitate the enactment of a law to that effect.

##### **Committee's Observation and Recommendation**

Your Committee resolves to await an update on the media fraternity's position on the establishment of ZAMEC through legislation.

##### **Media Policy**

10.1 Your previous Committee had recommended that the Government should immediately formulate the media policy which would guide the operations of the media.

It was reported in the Action-Taken Report that the Government was in the process of formulating the Information and Media Policy. A questionnaire aimed at collecting views on policy measures, from stakeholders, had been circulated countrywide. Further, the Ministry of Information and Broadcasting Services would hold a stakeholders forum in order to consolidate the stakeholder's views and recommendations. Upon receiving feedback from stakeholders, the Policy would be drafted and subjected to the necessary processes, including Cabinet approval.

## **Committee's Observations and Recommendation**

Your Committee requests an update on the current status of the Policy.

### **Repealing of Media Laws**

10.2 Your previous Committee had recommended that the Government must ensure that Zambian media laws that impede on media freedom are repealed in order to bring them in line with current media trends to facilitate for media freedom.

It was reported in the Action-Taken Report that the Government requested the media fraternity to submit pieces of legislation that were felt to impede media freedom. The media fraternity, through the Media Institute of Southern Africa (MISA) had since submitted a list of laws. The Government was currently reviewing the said laws and would recommend to the Ministry of Justice the next course of action.

### **Committee's Observation Recommendation**

Your Committee requests a progress report on the matter.

### **Reinstating the Appointments Committee**

10.3. Your previous Committee had recommended that the Government must present amendment bills to Parliament which should reinstate the Appointments Committee that was repealed in the 2010 ZNBC and IBA Acts, as the absence of the Committee had given a lot of power to the Minister to nominate the names of people to sit on the ZNBC and IBA Boards. This, in your Committee's, view had eluded the principle of diffusing Government control over ZNBC and the need for private broadcast media houses to be regulated by an independent body. Additionally, the IBA Board should be ratified by Parliament bearing in mind that the ZNBC Board was ratified by Parliament. Furthermore, the Government and private media owners were strongly being urged to refrain from interfering in their newsroom.

It was reported in the Action-Taken Report that the Government had no plans of reinstating the Appointments Committee in the *Zambia National Broadcasting Corporation Act and Independent Broadcasting Authority Act* because this was not a common practice across other statutory bodies. The Appointments Committee, whose purpose was only to recommend people to the Minister so that he/she submits the names to Parliament for ratification, did not promote efficiency in appointing boards.

The Government was, however, proposing amendments to the IBA to provide for Parliamentary ratification of Board members and to address matters incidental to the forth coming Digital Migration of Terrestrial Television Broadcasting.

Further, the Government, through the Media Policy that was being drafted, was providing for a requirement of media houses to develop editorial policies that discouraged media owners, both public and private, from interfering in newsroom matters.

### **Committee's Observation and Recommendation**

Your Committee resolves to await a progress report on the proposed amendments to the *Independent Broadcasting Authority Act* to provide for Parliamentary ratification of Board members and urges the Executive to reconsider reinstating the Appointments Committee in the *Zambia National Broadcasting Corporation Act and Independent Broadcasting Authority Act* as it validates good corporate governance.

### **Funding Public Training Institutions**

10.4 Your previous Committee had recommended that the Government should adequately fund public training institutions and ensure the timely release of funds to enable them purchase modern equipment that would respond to current media trends.

It was reported in the Action-Taken Report that the Government was steadily increasing funding to training institutions, as the revenue base grew. The Government was further encouraging public private partnership in running training institutions.

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

Your Committee requests for detailed information on the comparative analysis of the 2014 and 2015 funding to training institutions in the National Budget in order to confirm that there has been increased funding. Your Committee further requests the Executive to provide information on which training institutions are currently being run through public private partnerships.

### **Upgrading Journalism Training**

10.5 Your previous Committee had recommended that the Government should ensure that training institutions incorporate a thorough course on media ethics in their curricula. Furthermore Journalism training should be upgraded from diploma to degree level by upgrading existing media training colleges such as the Evelyn Hone College and ZAMCOM into universities.

It was reported in the Action-Taken Report that currently, a number of Universities such as the University of Zambia were offering degree programmes in Mass Communication. Further, the Government, through the Ministry of Education, Science, Vocational Training and Early Education, was establishing new public universities. Some of the new

universities would introduce courses in journalism should the market demand.

### **Committee's Observation and Recommendation**

Your Committee requests the Executive to clearly state when training institutions will incorporate a course dedicated solely to media ethics in their curriculum.

### **Revision of the Journalism and Mass Communication Curriculum**

10.6 Your previous Committee had recommended that the Government should revise the current Journalism and mass communication curriculum taking into account the concept of the online media in order to address the emerging demands of the profession and tackle issues of unethical online publications.

It was reported in the Action-Taken Report that the Government through TEVETA had started the process of revising curriculum at all levels and the journalism curriculum was one of those earmarked for revision. It was expected that by the end of 2015, the revision of the diploma level curriculum would be completed.

### **Committee's Observation and Recommendation**

Your Committee requests an update on whether the revision of the diploma level curriculum has been completed and whether the concept of the online media has been taken into account. Your Committee further requests an update on when the other stages of the curriculum will be earmarked for revision.

### **In-House Office of the Ombudsman**

10.7 Your previous Committee had recommended that the Government must ensure that all media houses established an in-house Office of the Ombudsman to handle complaints from the readers and the public. Ombudsmen should, among other responsibilities, make sure that the media houses adhere to their code of ethics as they execute their work.

It was reported in the Action-Taken Report that the Government had established the Independent Broadcasting Authority to, among other responsibilities, handle complaints from the public about the conduct and operations of the electronic broadcasting media. To this end, the IBA was developing a code of ethics which would guide the operations of the electronic media.

### **Committee's Observation and Recommendation**

Your Committee requests an update on whether the code of ethics has been developed.

### **Domestication of the Regional and International Commitments**

10.8 Your previous Committee had recommended that Zambia should domesticate the regional and international commitments relating to the media that it was a signatory to.

It was reported in the Action-Taken Report that the Government was committed to domesticating all international commitments that it was signatory to. Media related commitments were being domesticated through the on-going review of the Media Policy.

### **Committee's Observation and Recommendation**

Your Committee requests the Executive to specify which international commitments relating to the media have since been domesticated and which commitments are yet to be domesticated.

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

### **SADC REGIONAL DIGITAL SWITCHOVER**

#### **Digital Terrestrial Television Policy**

11.0 Your Previous Committee had awaited a progress report on the implementation of the Policy and whether the Policy had been harmonised with existing laws such as the *Zambia National Broadcasting Corporation Act*, *Information and Communication Technology Act*, *Independent Broadcasting Authority Act* and *Consumer Protection and Competition Act*.

It was reported in the Action-Taken Report that the Digital Migration Policy which was approved by Cabinet in March 2014, recognised that in order to provide for the smooth implementation of the Policy, *the Zambia National Broadcasting Corporation Act*, *Independent Broadcasting Authority Act*, *Information and Communication Technology Act* and *the Electronic Communications and Transactions Act* should be reviewed. Following the approval of the Policy, the Ministry, in consultation with the Ministry of Justice, would proceed with the process of reviewing the identified pieces of legislation.

## **Committee's Observation and Recommendation**

Your Committee resolves to await an update on whether the identified pieces of legislation have been reviewed.

### **Affordability of Digital Television Sets**

11.1 Your previous Committee had awaited a progress report on whether a waiver of duty on digital television sets and Set-Top-Boxes (STBs) had been put in place and the procurement of the 200,000 STBs for the vulnerable people.

It was reported in the Action-Taken Report that in order to ensure that Digital TVs and STBs were affordable to the Zambian people, the Ministry of Information and Broadcasting Services would engage the Ministry of Finance to provide fiscal incentives on the importation and manufacture of STBs and integrated digital TVs. Further, the Ministry would engage the Ministry of Community Development, Mother and Child on the possibility of providing STBs to the vulnerable people. These proposed measures were subject to Cabinet approval and may only be effected using the 2015 Budget depending on availability of funds to implement this measure.

## **Committee's Observation and Recommendation**

Your Committee resolves to await an update on the Ministry's engagement with the Ministry of Finance and Ministry of Community Development, Mother and Child Health and whether the proposed measures have been effected in the 2015 National Budget.

### **Management of E-waste**

11.2 Your previous Committee had awaited a progress report on the matter as it had not been adequately addressed.

It was reported in the Action-Taken Report that the Government would ensure that the environment was protected during and after the transition period. The DTT Policy had a provision to require all activities during the migration process to adhere to the provisions of the Zambia Environmental Management Agency (ZEMA) Act. In this regard, ZEMA would be responsible for environmental protection including management of e-waste.

In particular the following measures would be implemented:

- i) the Ministry would engage ZEMA to develop regulations to protect the environment and avoid technological dumping; and
- ii) promote recycling of e-waste.

### **Committee's Observation and Recommendation**

Your Committee resolves to await a progress report on whether regulations to protect the environment and avoid technological dumping have been developed and whether the recycling of e-waste has been promoted.

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

#### **MEDIA COVERAGE OF ELECTIONS IN ZAMBIA**

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

12.0 Your previous Committee had awaited a progress report on the decentralisation of Electoral Commission of Zambia (ECZ).

It was reported in the Action-Taken Report that the response would be provided by the ECZ.

##### **Committee's Recommendation**

Your Committee resolves to await a progress report on the decentralisation of ECZ as the concern has not been adequately addressed.

### **LOCAL TOUR OF LUSAKA, CENTRAL, COPPERBELT AND NORTH-WESTERN PROVINCES AND A PUBLIC HEARING IN KASEMPA DISTRICT**

#### **Legislation that Supports Journalists**

12.1 Your previous Committee had awaited a progress report until the Bill was enacted.

It was reported in the Action-Taken Report that the Government was in the final stages of making the Access to Information Bill ready for presentation to Parliament for enactment. The Bill was currently going through Cabinet procedural processes which were expected to be concluded in the shortest possible time.

##### **Committee's Recommendation**

Your Committee stands by its previous recommendation of awaiting a progress report until the Access to Information Bill is enacted.

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

### **Provision of Information Islands**

13.0 Your previous Committee had resolved to await a progress report on the procurement of the marine boats.

It was reported in the Action-Taken Report that this activity could not be implemented in 2014 due to inadequate funds. However, the Government was still committed to procuring marine boats for use in providing information on islands. It was expected that subject to availability of funds, this activity would be included in the 2015 budget.

### **Committee's Recommendation**

Your Committee awaits for an update on the procurement of the marine boats.

### **Monitoring of Broadcasting Equipment**

13.1 Your previous Committee had awaited for a progress report on when the procurement of monitoring equipment would be extended to other provinces of the country.

It was reported in the Action-Taken Report that the Government would procure broadcasting equipment as part of the DTT Project. It was expected that following the implementation of the Project, more than 99 per cent of the country would be covered with television signal.

### **Committee's Observation Recommendation**

Your Committee requests for an update on which parts of the country have been covered.

## **CONCLUSION**

14.0 Your Committee is grateful to you, Mr Speaker, for the support rendered to it throughout the year. It is indebted to all the stakeholders who appeared before it for their co-operation in providing the necessary memoranda and briefs. Your Committee is very hopeful that the observations and recommendations contained in this report will go a long way in promoting the development of community radio stations in Zambia as well as improving the operations of the public print media and access to information by persons living with disabilities. Finally Sir, your Committee wishes to express its appreciation to the Office of the Clerk of the National Assembly for the invaluable and tireless assistance rendered throughout its deliberations.

Mr K J Pande, MP  
**(CHAIRPERSON)**

June, 2015  
**LUSAKA**

## **APPENDIX I**

### **List of Officials**

#### **National Assembly**

Mr S C Kawimbe, Principal Clerk of Committees  
Ms M K Sampa, Deputy Principal Clerk of Committees  
Mr F Nabulyato, Committee Clerk (SC)  
Mrs C T M Kasonde, Assistant Committee Clerk  
Ms F Hamakalu, Typist  
Mr R Mumba, Committee Assistant  
Mr M Chikome, Parliamentary Messenger