

**SECOND REPORT OF THE COMMITTEE ON INFORMATION AND BROADCASTING SERVICES FOR THE FOURTH SESSION OF THE TENTH NATIONAL ASSEMBLY, APPOINTED ON 24<sup>TH</sup> SEPTEMBER, 2009**

*Consisting of:*

Mr M Kapeya, MP, (Chairperson); Mr R Muyanda, MP; Mr G M Beene, MP; Mr D Mwila, MP; Ms M M Mwape, MP; Dr G L Scott, MP; Mr C M Silavwe, MP and Mr L K Chibombamilimo, MP.

The Honourable Mr Speaker  
National Assembly of Zambia  
Parliament Buildings  
LUSAKA

Sir

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

**Functions of the Committee**

2.0 The duties of your Committee are to:

- (i) 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/or agencies under its portfolio;
- (ii) 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;
- (iii) 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;
- (iv) 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
- (v) consider any Bills that may be referred to it by the House.

## **Meetings of the Committee**

3.0 Your Committee held thirteen meetings during the period under review. Your Committee's Report is divided into three parts. Part One considers the topical issue on which your Committee undertook detailed study; Part Two is on the Local Tour; and Part Three considers the outstanding issues from the Action-Taken Report on your Committee's First Report.

## **Programme of Work**

4.0 Your Committee considered and adopted the following programme of work for the year 2010:

- (i) consideration of the Action-Taken Report on the Committee's First Report for the Fourth Session;
- (ii) consideration of a Topical Issue: *The Mandatory Migration from Analogue to Digital Television Broadcasting by 2015; How Ready is Zambia?*
- (iii) undertaking local and regional tours; and
- (iv) consideration and adoption of the Committee's Second Report for the Fourth Session.

## **Procedure Adopted**

5.0 To assist it in its inquiry, your Committee interfaced with the following stakeholders:

- (i) Ministry of Information and Broadcasting Services;
- (ii) Ministry of Communications and Transport;
- (iii) Zambia Information and Communications Technology Authority (ZICTA);
- (iv) Zambia National Broadcasting Corporation (ZNBC);
- (v) Zambia Telecommunications Corporation (ZAMTEL);
- (vi) Catholic Media Services;
- (vii) MISA- Zambia;
- (ix) University of Zambia-Department of Mass Communication;
- (x) Institute for Mass Communication Educational Trust (ZAMCOM);

- (xi) Multi-Choice Zambia;
- (xii) Zambia Consumer Association;
- (xiii) Zambia Bureau of Standards; and
- (xiv) CASAT Technologies.

## **PART ONE**

### **CONSIDERATION OF TOPICAL ISSUE**

#### **6.0 *The Mandatory Migration from Analogue to Digital Television Broadcasting by 2015; How Ready is Zambia?***

##### **Background and Objectives of the Study**

##### **7.0 Background**

The International Telecommunications Union (ITU) had set 15 June 2015, as the date by which broadcasters and other players in the sector were to migrate from analogue to digital transmission. In his keynote address in Singapore on 16 June, 2008, István BOZSÓKI, Senior Telecommunication Engineer, ITU/BDT, told the conference that:

*“120 countries in Europe, Middle East and Africa, made an important step towards the introduction of digital broadcasting when they signed a treaty agreement in June 2006, at the conclusion of ITU’s Regional Radio Communication Conference (RRC-06) in Geneva, heralding the development of ‘all-digital’ terrestrial broadcast services for sound and television. The digitalisation of broadcasting in Europe, Africa, Middle East and the Islamic Republic of Iran by 2015, represents a major landmark towards establishing a more equitable, just and people-centred information society. The digital switchover will leapfrog existing technologies to connect the unconnected in underserved and remote communities and close the digital divide. The GE06 Agreement, provides a flexible regulatory framework that makes possible the introduction of new broadcasting technology and also other services other than broadcasting in the GE06 frequency bands..... But there are also disadvantages of the digital terrestrial broadcasting. New equipment is required (transmitting and receiving), new antenna installation may be required, analogue television requires lower signal strength to get a watchable picture and in addition digital does not degrade as gracefully as analogue, so fringe reception is no longer possible etc”.*

The objectives of the study were therefore to:

- (i) assess the preparedness of Zambia in meeting the digital migration deadline;

- (ii) assess the social and economic ramifications of the switch from analogue to digital broadcasting;
- (iii) determine what needs to be done in order to:
  - (a) prepare Zambia to comply with the deadline;
  - (b) prepare the people and mitigate the negative effects of the migration;
- (iv) determine whether the rationale given by Government for the refusal to grant expansion licences to commercial operators, citing limited spectrum, is in tandem with the current worldwide media reform and the right-to-know or the freedom of information; and
- (v) suggest what should be done to help the situation.

Your Committee delved into the following specific issues:

- (i) digital as compared to analogue broadcasting;
- (ii) the purpose and benefits of the migration;
- (iii) the adverse effects of the migration on the consumer;
- (iv) impact of the migration on the broadcasters;
- (v) the role of the regulator: the Zambia Information and Communication Technology Authority (ZICTA) and/or the Independent Broadcasting Authority; (IBA)
- (vi) the effect of failure to migrate by 2015 on the broadcasting industry, the consumer, the economy and Zambia as a nation;
- (vii) steps taken so far towards the migration by the Government, broadcasters and the regulator;
- (viii) awareness created among the general public; and
- (ix) restrictions on the radius of coverage for private commercial broadcasters and what the way forward should be.

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

8.0 Your Committee received and considered written and oral submissions from stakeholders as outlined below.

(i) **Digital as Compared to Analogue Broadcasting**

Your Committee was informed that by definition, analogue terrestrial television broadcasting is a broadcasting system whereby the television pictures and sound are sent from broadcasting transmitters as analogue signals to viewers using analogue television sets and conventional antennas (aerials). Your Committee heard further, that the current terrestrial broadcasting system, as opposed to satellite broadcasting, in Zambia and indeed many other countries, is based on analogue technology. The main difference between analogue and digital broadcasting is that digital broadcasting uses discrete values (0s and 1s) to send sounds and images to an appropriate receiving device that translates it back into sound and images and may be likened to the quality of the picture and sound from a video tape as compared to a DVD.

(ii) **The Purpose and Benefits of the Migration**

Your Committee was informed that the benefits of the migration included the matters set out below.

- ***Spectral Efficiency***

Your Committee learnt that digital transmission economises on the use of the broadcast spectrum. This is achieved by the fact that in digital transmission, data carrying different information could be carried as one package and sorted at the receiver end without corruption. Using MPEG-2 compression, for example, enables up to six or eight standard definition TV channels to be carried on a single digital frequency which in analogue would carry only one TV channel. In addition, up to sixteen stereo audio services and a lot of text and graphic data, can be carried along. This is made possible by the process of multiplexing, which is almost impossible in analogue. Using other newly developed compression techniques such as MPEG-4, enables even more service-carrying capacity on the same bandwidth.

- ***High Quality Images and Sound***

Your Committee learnt that digital signals are immune to interferences that are normally detrimental to analogue signals. This was because in digital transmission, information is conveyed as binary numbers which means that as long as the correct number reaches the destination, then the correct information is delivered as clearly as it is packaged. The ability to deliver clear images and sound is further enhanced by a feature called Forward Error Correction (FEC), where the signal reaching the receiver is checked for consistency and corrected accordingly. Therefore, the information is received in excellent quality or it is never received at all when the signal falls below correctable level. Your Committee heard that for digital TV reception, there are no “showers” as the case is in analogue transmission when the received signal is not strong enough.

- ***Low Cost of Transmission by the Broadcaster***

For a broadcaster such as the Zambia National Broadcasting Corporation (ZNBC), the cost of transmitting six TV channels for instance, is reduced to that of transmitting only one analogue channel because one transmitter could carry all six channels. Your Committee learnt that one of the major reasons why it has taken ZNBC so many years of broadcasting without increasing the number of TV channels beyond one, is the cost of duplicating transmitters in all desired broadcast areas. With this technology, however, ZNBC and indeed other broadcasters, would be able to provide more TV channels much more cheaply and readily. Transmission of live parliamentary debates on an independent channel, for instance, would not require additional transmitters as the service could ride on the existing transmitters.

- ***Provision of Enhanced Television Services through Interactive Applications***

On the digital terrestrial platform, interactive services such as Video on Demand (VoD), T-Commerce, Click Stream Analysis (telegraphics) and other services are very feasible applications. Digital terrestrial makes it easier to launch High Definition Television (HDTV), which is very expensive in analogue due to high band-width demand from the transmission point of view and high cost of receiving apparatus from the consumer point of view.

- ***Multi-channel/Multi-content Public Television Possibility***

Digital terrestrial provides a platform where it is cheaper for the broadcaster to package and transmit several channels on free-to-air basis, thus availing a free variety of information to the public at no additional transmission cost.

(iii) **The Adverse effects of Migration on the Consumer**

Your Committee learnt that the likely economic, social and cultural adverse effects of the migration on the consumer and the community at large are that the consumer of television services will be required to upgrade or replace the receiving hardware in order to continue receiving the old services and be able to access new ones. Your Committee was informed that there are two options in this regard, the consumer could either obtain a converter (DVB-T Set-top Box [STB]) which converts digital transmission into analogue so that the old analogue television set could continue to be used; or buy a digital compatible television receiver that will receive the digital transmissions directly. Being a new technology, most consumers are not expected to have the know-how to enable them make correct decisions in buying the appropriate hardware and so are bound to make mistakes that could lead to loss of their monies and consequently result in resentment of the technology, especially during the migration.

Your Committee further learnt that most consumers, especially in Zambia and some other third world countries, were not aware of the impending transition and so may provide good ground for dumping of obsolete technology from developed countries, most of which had already started the migration process and had set their complete analogue switch-off dates much earlier than 2015. Due to the new technology, retailers of electronic goods might take commercial advantage of the unsuspecting and enthusiastic consumers to the extent where the consumers will end up being exploited. The fact that varied content

will be availed on the digital platform implies that the consumer of television services will be subjected to material which, if not properly regulated, might be harmful. Environmental pollution due to uncontrolled dumping of e-waste as a consequence of technological obsolescence is a threat to public health and of very important national concern.

(iv) **The Impact of the Migration on the Broadcasters**

On the question of the impact of migration on the broadcaster, your Committee heard that the broadcaster had a task of looking at the effect of migration from many angles. Apart from the varied technical environment, the marketing and programming would be greatly affected and so new strategies will need to be developed. The following were given as key issues that the broadcaster was bound to encounter.

- ***Technical Infrastructure Cost***

Your Committee heard that the first worry by the broadcaster is to replace the existing analogue transmitters with digital ones with suitable video format. This task sounds simplistic for broadcasters who are only in one broadcast area with one transmitter. For broadcasters like ZNBC, however, with a wide coverage area and a chain of old analogue transmitters, this issue is very cardinal, to the extent that the success of the migration is dependent on the financial ability to replace all incompatible transmitters before 2015.

- ***Reorientation of Programming and Marketing Strategies***

Digital broadcasting unveiled many programming ideas which are not possible on the analogue platform. This means a lot of competition among broadcasters, thus requiring a more creative and forward-looking approach to programming and marketing planning.

- ***Need for Early Migration to Avoid Adverse Effects of a late Riser'***

The broadcasters and the nation in general, need to migrate earlier than 2015 or by 2015, not only because the treaty is compelling, but also because there are associated consequences for continuing the use of analogue technology beyond the 2015 deadline.

- ***Staff Skills Upgrade***

The change of technology will require re-equipping technical personnel with new maintenance skills and techniques applicable in the digital environment. Most of the operations on the digital platform, including fault diagnostics, will be software- based, thus requiring increased training in ICT techniques. All test instruments for measuring of various operating parameters, will be very different from those used in analogue testing, demanding the need to train system operators on the effective use of such instruments. Training will not only be required in technical, but also in programmes, and marketing areas. In

programming, the new and wider playing field will bring in very tight competition, requiring ingenious and advanced production skills, befitting a highly competitive market. As for marketing, the new television products that are bound to arise on the digital arena will require the development of appropriate marketing skills so that broadcasters get maximum benefit from such products.

(v) **The Role of the Regulator**

Your Committee learnt that broadcasting in Zambia has two regulation levels, namely: content and spectrum, governed by two respective regulatory bodies. Spectrum regulation in Zambia, is a responsibility of the Zambia Information and Communications Technology Authority (ZICTA), whereas content regulation is a responsibility of the Independent Broadcasting Authority (IBA) which has not yet been operationalised and whose function continue to be performed by the Ministry of Information and Broadcasting Services. The Independent Broadcasting Authority (IBA), as the content and licensing regulator, will have to align and review the policies set out in the *IBA Act* of 2002, so that new technologies are taken on board and some barriers regarding the use of certain technologies in broadcasting are removed. The IBA will be required to set clear regulations pertaining to licensing of all broadcasters, as well as to critically look at the broadcasting coverage limitations since the technology would allow for broadcasting on different end users' devices including mobile handsets. The multiplicity of content, which varies from the traditional television viewing to internet content, tapping through varieties of interactive services such as games, Video on Demand, e-commerce and e-governance, will require that the regulatory framework is revised accordingly to take care of such new type of content.

The role of the regulator was summarised as set out below.

- (i) The regulator would provide an updated radio frequency plan which would, among other things, be used to determine whether the country could simultaneously offer analogue and digital terrestrial services during the migration period (dual illumination or simulcast). A frequency plan would also be critical in ensuring that the right frequency channels for new digital services were allocated and that existing analogue services were protected from interference.
- (ii) While the regulator should avoid dictating technological standards to be followed, the regulator should play the role of a facilitator and lead the discussions in this regard. The regulator will need to approve the type of Set Top Boxes (STBs) that enter the market to ensure that they conform to set minimum technical standards.
- (iii) The regulator would be required to develop Digital Television Transmission (DTT) regulations, together with a licensing regime that should provide clear guidelines on how the transition on existing licenses would be done and how new broadcasting service providers would enter the market.
- (iv) Since digital migration involves a complex and long process involving many variables and affecting more or less directly many parties, namely; consumers, industry and Government, the regulator should lead the public consultation process.
- (v) The regulator should lead an extensive public awareness campaign that will ensure that the public is informed of what is required of them during the migration process and avoid falling prey to unscrupulous suppliers.

- (vi) In consultation with other stakeholders, the regulator should constitute a national Task Force on Migration, which should do the following:
- (a) formulate an appropriate switchover strategy;
  - (b) oversee the switchover program within a specified time-table;
  - (c) identify likely tailbacks to the uptake of digital terrestrial television (DTT) broadcast;
  - (d) make necessary recommendations relating to financing of the subsidy of Set Top Boxes (STBs), among others;
  - (e) formulate appropriate consumer awareness strategies;
  - (f) monitor and evaluate the awareness, take-up and use of the new services, and adjust the campaign accordingly;
  - (g) address consumer complaints during and after switchover;
  - (h) formulate/adopt standard(s) for Set Top Boxes (STBs) and digital (ready) TVs, and all related equipment/systems pertaining to DTT; and
  - (i) recommend licensing policy/regime in relation to Network (technical) and Service (content) licensing.
- (iv) **The effect of failure to Migrate by 2015 on the Broadcasting Industry, the Consumer, the Economy and Zambia as a Nation**

Your Committee was informed that analogue transmissions were bound to cause interference to digital transmissions and vice versa because digital plans would have been implemented within the same frequency bands being utilized for analogue transmissions. This interference could become even more complicated in cases where transmitters were located near territorial borders in the likelihood that neighbouring countries migrated by the deadline. Further, beyond the deadline, the International Telecommunications Union (ITU), would not protect any analogue transmissions that would be interfered with by the planned digital emissions. As such, local administrations would be compelled to enforce the switching off of such illegal analogue transmissions.

Your Committee further heard that delayed switchover was bound to encourage the dumping of obsolete technologies into the country, especially television receivers being rejected in countries that would have migrated. This would increase the amount of electronic waste in the country when it was time to dispose of these outdated receivers. Your Committee heard that electronic components contained toxic substances, the disposal of which, if not properly managed, could result into very serious environmental contamination with unprecedented plant and animal health risks. Your Committee was informed that digital migration brought with it many business opportunities and delayed implementation by Zambian broadcasters, would result in loss of such business opportunities, to their own detriment. In addition, digital migration was an international treaty to which Zambia, as a nation, had subscribed by appending its signature during the Geneva Regional Radio-Communications Conference of 2006 (RRC-06) and to

renege on the treaty, by not observing the 2015 deadline, would result into the application of sanctions on Zambia by the ITU.

Additionally, if the broadcasters did not function as a result of failure to migrate, there would be loss of employment, which would in turn lead to loss of revenue in the form of taxes by Government. The consumers would also be denied the right of access to information. Economically, it would minimize investments in the broadcasting sector as the needs of population segments and markets would not be satisfied, considering the role that television plays in society.

**(v) Steps Taken so Far Towards the Migration by the Government, Broadcasters and the Regulator**

As regards what steps had been taken so far towards the migration by Government, the broadcaster and the regulator, your Committee heard that, realizing both the benefits and potential pitfalls (if not handled systematically) of Digital Migration, a National Steering Committee had been established, but was not operational. The Committee would develop a roadmap including the established of a Task Force, whose task would be to assist Government formulate necessary policies and regulation for the migration.

Further, your Committee was informed that Government had begun to sensitise key ministries that would directly be involved with the migration. These were the Ministries of Justice, Commerce, Communications and Transport, Finance and National Planning and Information and Broadcasting Services.

With regard to broadcasters, your Committee heard that the Zambia National Broadcasting Corporation, being the major broadcaster in the country, had worked out an action-plan which outlined the major tasks to be performed between now and the 2015 deadline. ZNBC was also part of the National Steering Committee and was involved in the establishment of the National Task Force. Your Committee heard that the Zambia National Broadcasting Corporation had generated a Position Paper in June, 2009, that brought out all that needed to be known about digital migration. The Paper also brought out issues surrounding various stakeholders in the TV Broadcast industry in relation to the migration process.

Your Committee was told that following the board approval in June, 2009, the ZNBC Digital Migration Position Paper, was officially presented to the Ministry of Information and Broadcasting Services (MIBS) for the purpose of arousing Government intervention into this important global technological transition. In this paper, ZNBC underscored the need for the Government to develop a national agenda towards the migration process by creating a National Task Force or Working Group on Digital Migration. It was this Task Force to be commissioned by the Government that would come up with a National Position Paper that would draw a roadmap as to how Zambia, as a nation would approach the migration, in relation to the Regional grouping (SADC). It was not clear, however, what private broadcasters had done in this regard.

As for the regulator, your Committee was informed that the Zambia Information Communication and Technology Authority (ZICTA) and the Independent Broadcasting Authority (IBA) would ensure that the interests of the nation were protected in the new TV broadcasting plan, the GE06 digital plan. Your Committee heard that ZICTA had managed to undertake its tasks to which effect Zambia now had a

minimum of eight planned frequencies per broadcasting area, from four representing 100% increase in planned frequencies per area. Zambia, through ZICTA, had also managed to register at the International Telecommunications Union (ITU) and 444 acquired digital channels for Zambia which would be adequate for some years to come. In implementing the digital migration, ZICTA would be expected to play a critical role in drafting the National Digital Migration Strategy and plan, as a direct result of the technical expertise the regulator currently possessed in the sector. This would be achieved by working in collaboration with the national working group on digital migration, to which ZICTA was a member. ZICTA would also be expected to make appropriate DTT frequencies available to the designated carrier(s). It would also be expected to set clear guidelines and regulations on the use of the spectrum that would be freed as a result of the migration. Your Committee heard that it was the responsibility of ZICTA to ensure that the technical aspects of the migration, especially those relating to the use of DTT frequencies, were smoothly undertaken before, during and after the migration.

Your Committee heard that in response to the ZNBC position paper and to calls by ZICTA, the Ministry of Information and Broadcasting Services had constituted a Digital Migration National Steering Committee, whose terms of reference related to formulation of the National Task Force on Digital Migration. The Steering Committee, which comprised representation from three institutions, namely, ZICTA, ZNBC and MIBS, produced a draft work plan for the National Task Force on Digital Migration in September, 2009. This paper essentially brings out key elements in the building up of the National Task Force with regard to the governance structure, work plan, agenda of first meeting, composition, terms of reference, working procedures, membership nomination procedures and working groups with associated terms of reference. Your Committee was informed that the process of forming the National Task Force was now with Ministry of Information and Broadcasting Services.

(vi) **Awareness Created Among the General Public**

Your Committee learnt that although some awareness programmes had started from the ZICTA's stand point, a lot needed to be done. The public were in the dark regarding digital migration and implementation. Your Committee was told that one of the deliverables of the National Working Group is to come up with the communication strategy and plan that will address the issue of awareness.

(vii) **Restrictions on the Radius of Coverage for Private Commercial Broadcasters and the way forward**

Your Committee was informed that restrictions imposed on the radius of coverage for private commercial broadcasters, might be compatible with Digital Television Transmission (DTT), but called for enhanced engineering. This is because it is technically challenging to allow and restrict specified signals to given areas. In the digital environment, it is possible to broadcast on the internet which is even available on mobile phones with the coming of 3G. Therefore, imposing restrictions on coverage would prove to be challenging to monitor and would only be hindering technology and development. Your Committee was informed that what is critical, are clear regulations on content other than limitations on coverage. Besides, communication is a right under the United Nations Charter and everyone has the right to information. Only self limiting stations such as community radios, which are run by a community with their intended mission, content and values, should not broadcast beyond that community.

As regards the way forward on the radius of coverage for commercial broadcasters, your Committee heard that given the technical challenges of restrictions on the radius in the DTT environment, it would be desirable that no signal coverage restrictions were placed on it. However, this would be better handled by the Broadcasting Policy that had to be formulated before the transition to digital broadcasting.

## **Observations and Recommendations**

9.0 Your Committee observes that the impact of migration from analogue to digital television broadcasting would be as follows:

- (i) consumers will be required to upgrade or replace their receiving hardware (television sets) by the use of a set-top box or to buy digital compatible television sets;
- (ii) due to lack of information on the subject, the migration might be a recipe for dumping obsolete technology from countries that will have already migrated;
- (iii) the new technology might result in rural areas being deprived of even the little information they are presently getting through analogue transmission, if set-top boxes become too expensive and therefore inaccessible;
- (iv) since the digital platform will make it possible to provide varied content, consumers are likely to be subjected to materials, which if not properly regulated, might prove harmful;
- (v) uncontrolled dumping of electronics waste resulting from the migration, which will render some technology obsolete, will result in environmental degradation;
- (vi) if there is no carrier of carriers, broadcasters, particularly those who have been long in the industry, will have to make huge capital investments to upgrade their infrastructure and might want to pass on the cost to the consumer, making their service expensive and out of reach of ordinary Zambians ;
- (vii) the competition among broadcasters, arising from the availability of band width, which will in turn require more content ,will mean more creativity on the part of broadcasters;
- (viii) the new technology will require new skills in both operations and maintenance as well as marketing; and
- (ix) failure to migrate by 2015, will result in interference in the digital broadcasting of neighbouring countries which will have migrated by then and this will attract sanctions from the International Telecommunications Union (ITU).

The Committee further observes that:

- (a) as the Task Force is not yet operational to spearhead the process, there is no deliberate national agenda to enable the Government gather the necessary information and to make informed decisions on matters of how, when and how much the migration will cost;

- (b) the non-operationalisation of the Independent Broadcasting Authority (IBA), which should have been handling the issues of content, has created a serious gap in the migration process;
- (c) the current regulatory framework will not sufficiently deal with the multiplicity of content such as Video Games-on-Demand, and other interactive services that will arise as a result of the migration;
- (d) there is no clear stand by Government yet, on whether each service provider will carry their own signal or whether there will be a carrier-of-carriers and who this will be; and
- (e) four years down the line to the migration deadline, there is no budget line in the National Budget on the matter.

In view of the foregoing, your Committee recommends that:

- (i) considering the requirement of the Set-Top Box as an interim measure to enable television viewers access the signal, Government should consider measures such as subsidy or waiving of import duty on these gadgets to make them accessible to rural communities;
- (ii) public awareness campaigns must start immediately so that adequate and timely information is given to the public;
- (iii) rural communities, in particular, must be assisted to acquire the Set-Top Boxes in order for them to continue accessing information;
- (iv) in order to protect consumers, laws relating to broadcasting must be revised to bring them in tandem with the new technological challenges, but this should not be used as a political tool for censorship, thereby stifling the media;
- (v) to keep the cost of the new technology low and to protect consumers from exploitation, the Government should strengthen the Consumer Protective Association and Zambia Bureau of Standards;
- (vi) the Ministries of Information, Communications and Transport and Tourism, Environment and Natural Resources, working with the Environmental Council of Zambia, must work out modalities of handling the electronic waste that will eventually result from the migration;
- (vii) broadcasters should begin to strategise on how they are going to fill the spectrum which will suddenly be available, as a result of the migration and also begin to retrain their staff in the new technology, otherwise it will be under-utilised;
- (viii) to avoid sanctions from the ITU, the Government must do whatever is in its powers to migrate before or by 2015;
- (ix) the National Task Force on the migration, which is just there on paper, should be instituted and capacitated, as without it, no budgets, time frame and general direction will be known;

- (x) the Government, through the Zambia Information and Communications Technology Authority (ZICTA), should make its position clear on whether there will be one carrier of carriers and who that will be and ensure that the resultant monopoly does not increase the cost of doing business;
- (xi) until the carrier of carriers is identified, the Government should not pump money in the infrastructure upgrading of Zambia National Broadcasting Corporation(ZNBC), which is just a player in the industry, lest it is assumed that it will be the national carrier of carriers;
- (xii) the Government should not insist on restrictions on the area of coverage for commercial broadcasters, as this will be incompatible with the new technological era and the world practice on information dissemination;
- (xiii) the Independent Broadcasting Authority (IBA), which should be dealing with the issue of broadcasting should be operationalised as a matter of urgency;
- (xiii) the Government should consider purchasing satellite space to reduce the cost of radio and television transmission, in a similar manner as MUVI TV has done;
- (xiv) the Government should begin to include the migration programme in the National Budget; and
- (xv) a decision should be made as to whether simulcast, (which will offer both analogue and digital services during the migration period) will be used or not.

## **PART TWO**

### **TOURS**

#### **LOCAL TOUR: EASTERN PROVINCE**

10.0 Your Committee undertook local tours to selected districts in Eastern Province, namely; Petauke, Katete, Chipata and Lundazi. The objective of the tour was to conduct public sittings in order to ascertain to what extent information about the migration had been disseminated to the public. Eastern Province was one such province where the Zambia Information and Communication Technologies (ZICTA) had conducted sensitisation meetings.

Attendance at the sittings was as follows:

Petauke:	37
Katete:	20
Chipata:	33
Lundazi:	51

## **Summary of Concerns from Stakeholders**

Your Committee was informed that information on the mandatory migration was very scanty and slow. The stakeholders added that if it was so with urban areas such as Petauke, Katete, Chipata and Lundazi Bomas, they wondered how it was with rural parts of the districts. They suggested that in order for the people in rural areas to appreciate the technology and its benefits and ramifications, the information should be translated into the seven major vernacular languages, as was the case with information about the National Constitutional Conference (NCC). They suggested that local business associations should be engaged in the exercise of information dissemination.

Your Committee was also informed that in order for the technology to benefit rural communities, manufacturers should be advised to produce equipment that could run on solar power and batteries.

Concern was raised on why communities were being subjected to paying television levies even when they did not receive the ZNBC television signal. They felt they were paying for a service they were not getting. They contended that the people of Lundazi, like their counterparts on the borders with Zambia's neighbours, were relying on Radio Malawi for information. They further contended that owing to the poor signal of ZNBC, many people had resorted to acquiring free-to-air decoders and dishes, thereby paying twice for the same service.

Your Committee heard that the new technology being introduced would require money for households to upgrade their television sets or be able to buy Set-Top Boxes before completely discarding their analogue ones. It was, therefore, important that measures were put in place to assist rural households, who needed information as much as their urban counterparts, to acquire new television sets and STBs as an interim measure. They suggested that as the case was with the transport sector in the 1990s, import duty should be waived on digital related equipment so that people could access them cheaply. They cautioned, however, that it must be ensured that suppliers, who purchase these sets cheaply, as a result of the waiver, pass the benefits to the consumers; otherwise businessmen would just cash -in on the import duty waiver.

Stakeholders also expressed concern at whether communities would be protected from being subjected to sub-standard television sets and STBs that were likely to flood the market as a result of the new technology and the migration.

## **Observations**

From the public sittings, your Committee observes that:

- (i) in spite of ZICTA having visited the province, little was known about the migration and its ramifications and the same was likely to be the case in other parts of the country and probably worse in places where ZICTA had not yet been; and
- (ii) many people thought that High Definition (HD) and plasma television sets were already digital ready.

In view of the above findings, your Committee recommends that:

- (i) ZICTA and other stakeholders, should do more to disseminate information about the migration and its ramifications;
- (ii) ZICTA should train trainers of trainers consisting of teachers, local business associations, Resident Development Communities RDCs, Wards and Constituency Development Committees (CDCs), who should in turn speak to communities about the migration;
- (iii) the information about the migration should be translated in the seven major local languages for rural communities to understand;
- (iv) Government should waive import duty on digital related equipment to allow Zambians to access it cheaply, as the case was with public transport in the 1990s;
- (v) Government should put measures in place to ensure that only genuine digital equipment is imported in the country;
- (vi) ZANIS should be adequately funded to enable it go in rural places to educate the masses about the migration;
- (vii) local manufacture of Set-Top Boxes and related gadgets should be facilitated to reduce costs;
- (ix) ZICTA should engage community radio stations; where they exist, to broadcast issues to do with the migration; and
- (x) television dealers should be compelled to display tags showing whether the sets they are selling were analogue or not.

**Public Sittings in Pictures**



*Part of the sitting in Petauke*



*Members of your Committee being introduced by Petauke District Commissioner*



*Part of the sitting in Katete Council Chamber*



*Your Committee being introduced by the Chipata District Commissioner*



*Part of the sitting in the Lundazi Council Chamber*

### **PART THREE**

#### **OUTSTANDING ISSUES FROM THE ACTION-TAKEN REPORT ON THE COMMITTEE'S FIRST REPORT FOR 2010**

##### **The Role of the Media in National Stability and the Efficacy of the Media Council of Zambia in Protecting the Media and Promoting Media Ethics.**

11.0 Your previous Committee had observed that:

- (i) there existed laws that were an impediment of the freedom of the press and at variance with the current political dispensation and worldwide media reforms;
- (ii) the media in general, public and private, had not done enough to contribute to the political stability and economic development of the nation due to lack of training and appreciation of the political and economic landscape;

- (iii) the media had been greatly polarized before, during and after elections, with the public media being overly pro-Government and the private against Government;
- (iv) the Electoral Code of Conduct was violated with impunity by both the private and public media;
- (v) whereas the media was not the initiator of strife and only reported the events as they occurred, thereby reflecting society to itself, a media placed in careless and unprofessional hands, was a very dangerous entity and could lead to bloodshed as had transpired in some countries in the region;
- (vi) the media in general had their editorial policies and content influenced by ownership and shareholder's interests rather than national ones, thereby limiting their contribution to national stability and economic development;
- (vii) the constitutional mandate, structure, representation and lack of accountability by the Media Council of Zambia had made it difficult for it to gain credence among media houses and practitioners and could, therefore, not promote professionalism by enforcing media ethics;
- (viii) due to limited financial and professional capacity, MECOZ had failed to acquire permanent offices, market itself and promote understanding between the media and the public; and
- (ix) MECOZ was not accountable to any organisation.

In view of the foregoing observations, your Committee had recommended that;

- (i) the Government should enhance and /or improve the existing media laws to ensure they conform to the current political climate and media reforms;

In the Action-Taken Report the Permanent Secretary responded that Media Law Reforms were an on going process, hence the two Acts (*IBA Act* and *ZNBC Amendments Act*) were part of the media reforms. What remained to be done was to consult stakeholders in order to identify existing laws that were an impediment to media freedom.

### **Observations and Recommendations**

Your Committee questions Government's commitment to media reforms, considering the amendments to the *Zambia National Broadcasting Corporation (Amendment) Act* No. 20 of 2007 brought to the House even before it has been tried.

- (ii) in order for the Media Council of Zambia (MECOZ) to attain an all embracing character, the following should be done:
  - (a) **Structure:** this should be reviewed so that MECOZ is not only representative of the whole media fraternity but also reflective of the present media, political and economical landscape in Zambia

- (b) **Membership:** To guarantee independence, impartiality and effectiveness and inspire confidence in the public, individuals with proven media expertise and integrity should be taken on board;
- (c) **Clear Mandate and Powers:** These should not only be clearly spelt out but also agreed upon by all members;
- (d) **Accountability:** MECOZ was not accountable to any other body. However independent MECOZ may claim to be, the process required that it was also held accountable because it was only through this requirement, that it would become more impartial, independent and, therefore, efficient.

In the Action Taken Report, the Permanent Secretary submitted that the whole issue about the Media Council of Zambia, revolved around the media regulating body that was respected by all and had powers to sanction erring practitioners. The Government had requested all media organisations to organise themselves and come up with proposals to that effect. He added that the Government was, therefore, waiting for the media body, self or statutory, which would clearly spell out the matters raised above.

### **Observations and Recommendations**

In noting the submission, your Committee urges the Government to be more committed to media self regulation other than statutory, as are the indications currently.

- (iii) in order to acquire permanent offices, recruit qualified staff and develop capacity to popularize itself, the Government should consider giving initial funding to MECOZ or allow it to source funding from cooperating partners, who had already expressed willingness to help;

In the Action-Taken Report, the Permanent Secretary responded that this matter would be dealt with fully in the proposed Media Bill.

### **Observations and Recommendations**

In noting this response, your Committee wishes to urge Government to move quickly on this matter, considering the speed at which media reforms are moving in the country.

- (iii) membership to MECOZ should not be forced on the media fraternity and practitioners. Instead, MECOZ must work at showing the benefits that would accrue to institutions and individuals subscribing to it.

In the Action-Taken Report, the Permanent Secretary submitted that this matter would be dealt with fully in the proposed Media Bill. He added that the Government's wish was to see one body set up, respected

by all media in the country and one with powers to deal with erring journalists as well as to foster improvements in professional standards. If membership to such a body was voluntary, how erring media practitioners would be dealt with was something to be seriously considered.

### **Observations and Recommendations**

As your Committee notes this submission it wishes to urge the Government to move quickly on issues related to media reforms so that Zambia does not lag behind.

### **FOREIGN TOUR: KENYA**

12.0 After the tour of community radio stations in Kenya, your Committee made the following observations and recommendations:

- (i) whereas the Zambian Government owned and controlled the Times of Zambia, the Zambia Daily Mail and the Zambia National Broadcasting Corporation, (the public media), the Kenyan Government only owned and controlled the Kenya Broadcasting Corporation (KBC);
- (ii) whereas the Zambian Government had not divested the Ministry of Information and Broadcasting Services of the authority to process broadcasting licenses, the Kenyan Government had created an independent body, the Communications Commission of Kenya (CCK), which had provided the legal framework within which radios operated; and
- (iii) community radio stations in Kenya, being very specific in content, had indeed filled the gap left by the national broadcaster, which could not cater for all the ethnic and regional differences and needs.

In light of the above observations, your Committee had recommended that:

- (i) the Government should reduce its share holding in, or completely privatise, the Times of Zambia, the Zambia Daily Mail and the Zambia National Broadcasting Corporation, in order to guarantee neutrality;

In the Action-Taken Report, the Permanent secretary submitted that Government was considering a policy shift which would allow for the privatisation of some of the public media.

### **Observations and Recommendations**

Your Committee wishes to urge Government to 'walk the talk' on this matter, considering that it has been talked about for a very long time.

- (ii) for purposes of standardisation, the Government should provide a clear legal framework within which community radio stations must operate, as opposed to the current situation where each applicant prescribes what they are going to do with the radio stations.

The Permanent Secretary, in the Action-Taken Report submitted that Community radio stations served and covered local content and were required to devote most of their time to local issues. He added that these were some of the issues to be dealt with by the IBA Board. Government was working tirelessly to ensure that the IBA came into effect soon. He informed the Committee that an *ad hoc* committee to recommend people to be considered by the Minister and ratification by Parliament had been appointed and was expected to complete its work within the first quarter of 2010.

### **Observations and Recommendations**

In noting the submission, your Committee laments the long period it has taken Government to operationalise an Act that was passed eight years ago. It, therefore, urges Government to move quickly on this matter and put it to rest.

### **Conclusion**

13.0 Your Committee wishes to express its indebtedness to you Mr Speaker, for the guidance rendered to it during the Session. It further wishes to express its gratitude to the Permanent Secretaries and other Executives for the cooperation and input into the deliberations.

Lastly, your Committee wishes to extend its appreciation to the Clerk of the National Assembly and her staff for the services rendered to the Committee during the Session.