

iba digest

MAGAZINE OF THE INDEPENDENT BROADCASTING AUTHORITY

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Unveiling the iba®

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Promoting a pluralistic broadcasting industry in Zambia through fair, transparent and effective regulation

A word from...

THE Independent Broadcasting Authority (IBA) is a statutory body established by an Act of Parliament No. 17 of 2002. The Principle Act was amended through the IBA (Amendment) Act, 2010.

The IBA was operationalised in July 2013. Clearly, it is a fairly new institution and we realise that we need to reach out to our licensees, would-be licensees and the public using all means of communication at our disposal.

Accordingly, I am pleased to present to you the first issue of the IBA newsletter called the **iba digest**, which will serve as an additional communication channel to our varied clients.

The iba digest will contain information of interest to our clients with a concise yet comprehensive picture of our functions and role in the broadcasting industry. It will also provide news about the IBA and broadcasting industry events among other things.

As you will learn from this inaugural edition, we are mandated to provide for the control and regulation of broadcasting services and to provide for matters connected with or incidental to the foregoing in Zambia.

Therefore, promoting ethical broadcasting through the various codes that clarify the expected conduct of radio and television stations is one key part of our responsibilities, as is formulating these codes.

Accordingly, since our operationalisation, we have formulated guidelines for broadcasters and launched our complaints procedure against radio and television stations. These codes could evolve as changes in the law, political context and technological innovations all impact their applicability.

For example, the 2015 Presidential elections period impelled significant review of our complaints procedure. Amendments were made in areas as diverse as fast tracking complaints. This initiative might work well too in 2016 in view of the general elections.

As per expectation, we remain watchful on behalf of consumers and where there appears to be a case to answer, we follow up on all complaints, even if only from an individual. Even so, the complaints handling is delivered without charge to consumers who want to ensure that they enjoy content that is ethical and respects human dignity. But not all consumers take advantage of the process as it is relatively new.

Definitely, radio and television stations are faced with new options and challenges every day and amidst all these transformations, IBA is here to help them get their content right and to ensure they remain accountable for their products and behaviour towards consumers.

Reconciling the above is demanding, but our Management and Staff achieve this with agility and commitment: I thank them all for their high quality work and having risen squarely to the challenge of this new duty in Zambia's history. The IBA Board, too, has had to work increasingly hard and is often faced with issues to resolve. Their know-how and insight continues to be helpful.

I need not elaborate more because in this edition, we largely recognise that IBA is here for you and orient you to our role as broadcast: ethics enforcers; content regulators; and licensors.

For certain, I know 2015 will be an exceptional year and we are all fervent about the tasks ahead.

God bless you and enjoy your reading.

Josephine Mapoma
IBA Director General

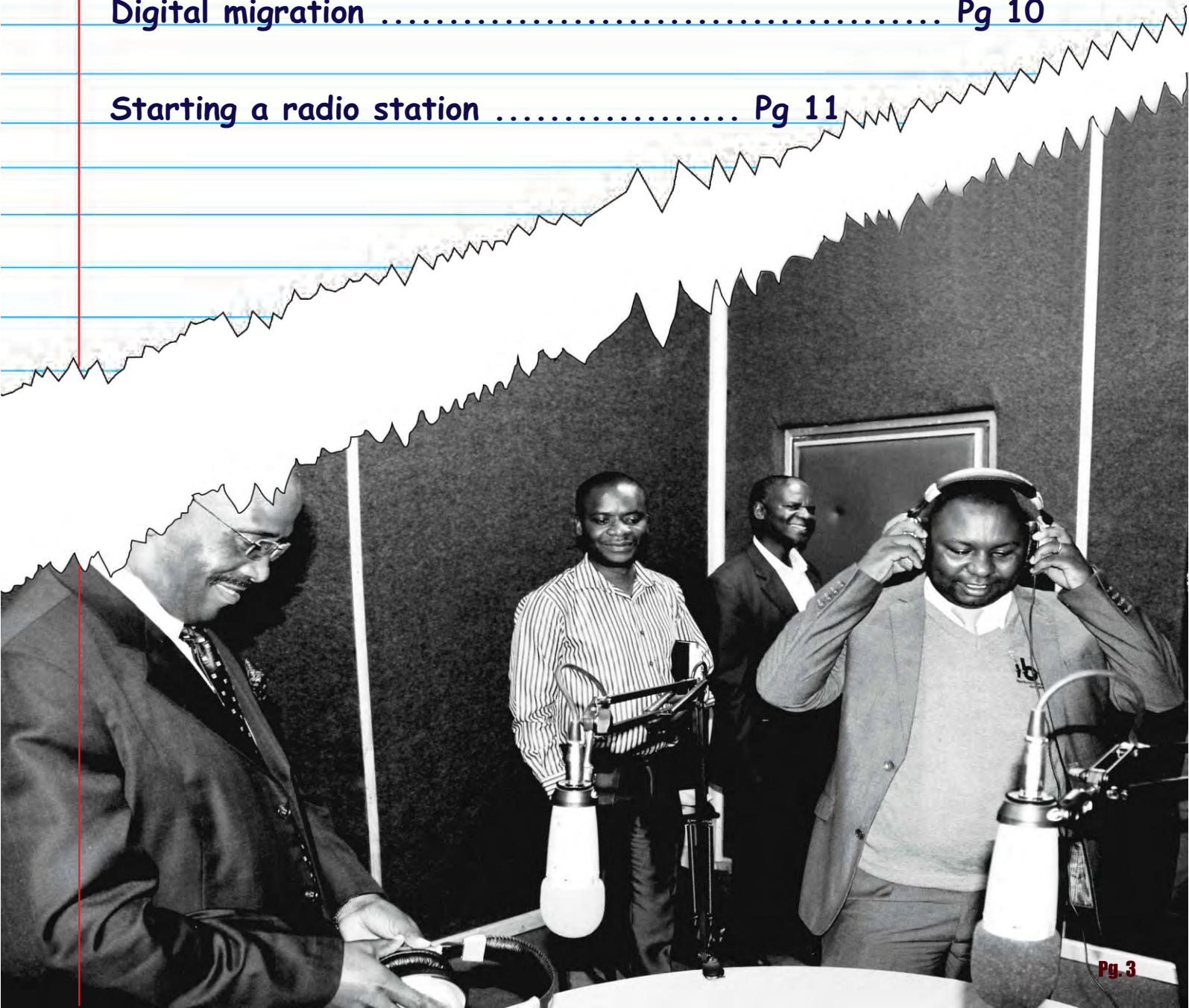


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IBA : Who are we ? What do we do ?

The Independent Broadcasting Authority (IBA) was established through an Act of Parliament No. 17 of 2002, which was amended through the IBA (Amendment) Act No. 26 of 2010.

The IBA became operational in July 2013, after the recruitment of the first Director General, Ms. Josephine Mapoma.

It is responsible for regulating the broadcasting industry in Zambia, by ensuring the promotion of a pluralistic and diverse broadcasting industry in the country.

The functions of the IBA include among others, to grant, renew, suspend and cancel radio and television broadcast licences.

Further, the IBA is also mandated to set standards to be followed by radio and television stations as well as monitor licensees to ensure that they are compliant.

In order to achieve this, the IBA has set up an Inspectorate as well as a Consumer Affairs unit that will receive all complaints that the public may have, concerning radio and television stations or content that the stations churn out.

The Authority is overseen by a Board consisting of nine non executive members and all decisions of the Board are executed by the Director General, who is supported by an executive team with expertise in law and enforcement, economics, technical and engineering, information technology, journalism and finance.

Our Mission

To be an effective and efficient regulator that ensures a pluralistic, diverse and ethical broadcasting industry in Zambia.

Our Vision

To promote a pluralistic broadcasting industry in

Zambia through fair, transparent and effective regulation.

Core Values

Our core values are essential in maintaining and supporting the desired organisational vision and mission. These are expected to permeate the entire organisation and influence our staff behavior, work culture, and deliver products and services to our clients. Our core values shall be:

Integrity: We shall enforce the provisions of the IBA Act in an impartial manner in order to instill public confidence

Objectivity: We shall be professional and honest in our conduct and execution of our duties in order to instill trust.

Transparency: We shall conduct all the licensing procedures through public tender and proactively disclose the outcome.

Accountability: We shall be responsive to our stakeholders by ensuring compliance with broadcasting standards.

Commitment: We shall be dedicated to the creation and upholding a qualitative, pluralistic and diverse broadcasting industry in Zambia

Open Door Policy: We shall be accessible by all stakeholders in order to address the concerns in the broadcasting industry.

Excellence: We shall effectively and efficiently execute our duties in order to promote good broadcasting practices in Zambia

Team Work: We shall operate in a co - ordinated manner in order to enhance cohesion in the work of the authority.

Innovation: We shall proactively find creative ways of responding to opportunities and challenges.



IBA gets members of the board

On October 15, 2014, the then Minister for Information and Broadcasting Services (MIBS), Dr. Joseph Katema, unveiled the first board of directors for the Independent Broadcasting Authority (IBA). The Minister said he was satisfied with the team in terms of quality, professionalism and gender. IBA Standards and Consumer Affairs Officer, **Thomas Sakala** profiles in brief.

The Board is responsible for policy formulation and guidance to management of the Independent Broadcasting Authority (IBA).

It consists of nine part time members appointed by the Minister and serve for a period of three years from date of appointment and may be re-appointed for one further term.

The Board is led by a Chairperson who is deputised by a Vice-Chairperson and they are both elected from among the members. The Secretary of the Board is the IBA Director General.

Firstly, the Board, does in consultation with the Zambia Information and Communication Technologies Authority (ZICTA), where it determines that there is need for provision of additional broadcasting services, publish a notice in the Gazette and in a daily newspaper of general circulation in Zambia inviting applications to provide the broadcasting service specified in the notice.

Secondly, the Board puts the frequencies assigned to various broadcasting services up for public tender as soon as they become available and specify the deadline for receiving applications.

Thirdly, the Board may also conduct a public inquiry to determine priorities within the broadcasting industry.

Therefore, in view of the above, all applications for licences are made to the Board through the IBA Director General.

Similarly, the Act empowers the Board to suspend and or cancel a broadcasting licence as provided for in Section 29 of the IBA (Amendment) Act No. 26 of 2010.



Brig. Gen. Justin Mutale (Rtd).
Service Personnel



Ms Patricia Emma Mwase,
Entrepreneur



Ms Josephine Mapoma,
Media Specialist



Mr Godfrey Malama
Media Specialist



Ms Hilda Sililo Akekelwa
Journalist



Mr Hillary Overton Banda
Accountant



Ms Enita Hamatumbika
Educationist



Ms Brenda Tambatamba Liswaniso
Human Resource




Mr Alphonso Mubanga Kashulwe
Broadcaster



Mr Evans Muhanga
Marketer

 **Chairperson**

 **Board Secretary**

 **Vice Chairperson**

 **Member**

EXHIBITION



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IBA PHOTO

FAMILIARISATION



COMMEMORATIONS



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1. IBA Standards and Consumer Affairs Officer, Katendi Wandu [L] speaking to Ministry of Information Permanent Secretary, Godfrey Mwaanga during the familiarisation tour of ZNBC. 3. IBA Director General, Josephine Mapoma (Middle) poses for picture with Office Assistant, Mrs. Chiswick Mwaanga during the familiarisation tour of ZNBC. 4. IBA staff members participating in the commemoration of International Women's Day, International Labour Day and World Press Freedom Day respectively. 7. IBA Director General, Josephine Mapoma (Middle) speaking during the familiarisation tour of ZNBC. 8. IBA Director of Standards, Licencing and Compliance, Mr. Eustace Nkandu speaking during the Radio Maranatha's 10th Anniversary in Kabwe. 9. IBA Director of Standards, Licencing and Compliance, Mr. Eustace Nkandu (L) and IBA Director of Standards, Licencing and Compliance [R] and IBA Inspector, Mr. Stephen Chileshe during the familiarisation tour of ZNBC.

TO FOCUS



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ey Malama at the IBA stand during the World Press Freedom Day Exhibition at Arcades. 2. IBA Board Members and Management (L-T) Nsingu MufalaLi, Sharon Mulenga, Meldrine Chungu and Mwape Musonda at the IBA offices. 4, 5, & 6. IBA Staff during the Director General, Josephine Mapoma (seated 2nd from left) poses for picture with Management (seated) and Staff. 8. Director for IBA Director General and ECZ Director General, Priscilla Isaacs after a familiarisation meeting. 10. IBA Board Chairman Brig. Gen. inspection of radio stations on the Copperbelt.

Complaint against a radio or TV station

By Staff Reporter

THE Independent Broadcasting Authority (IBA) has many functions, among them is helping to resolve complaints against radio and television stations - this is what we mean when we say, "IBA, here for the public".

In this article, we walk you through the IBA complaints procedure and outline what you can expect from us.

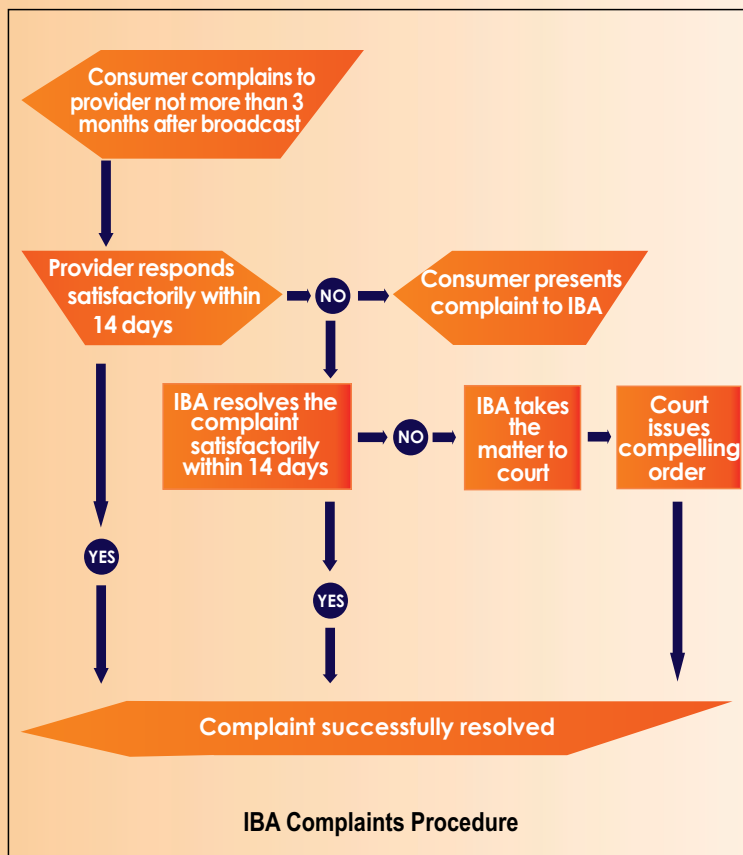
Reasonably, when you have a complaint against a station that has breached

programme standards, you must first write to the station via post, email or fax stating clearly your grievances against the broadcast and when the broadcast took place.

Similarly, state who the broadcaster was and include your names and contact details for further communication by the broadcaster.

Upon communicating with the station, it is expected that the station will respond to your complaint within fourteen days.

In the first instance, you should contact the radio or television station.



If not satisfied...

Where you have not received a response or have received a response within fourteen days, but consider the response to be inadequate; you may forward the complaint to the IBA.

When the complaint reaches the IBA through email, post or fax, the IBA will institute an investigation. However, the IBA shall not investigate the complaint if it is satisfied that the complaint is frivolous or vexatious or was not made in good faith; if the complaint is not relevant to the code of practice developed by the broadcasting station; and if the complaint is brought more than three months after the broadcast in question was made.

On the other hand, if having investigated the complaint, IBA is satisfied that the complaint is justified, it should take action to obligate the broadcasting station to comply with the relevant code of practice.

The other action that the IBA may take may include compelling the licensee to broadcast or otherwise publish an apology or retraction.

In any case, the IBA shall notify the complainant of the results of such an investigation.

And if the IBA has made a recommendation to a broadcasting station to remedy the complaint, and the station does not do so in fourteen days, the IBA, may by notice in writing, require the station to make good of the default within a specified time.

However, if the radio or television station fails to comply with the notice referred to above, the IBA shall apply to the High Court for an order compelling the radio or television station to remedy the default.

To make sure we affirm this procedure, IBA has developed a Service Charter, which you can anticipate in our next edition of IBA Digest.

Complaints should be addressed to the IBA Director General, through post, fax or email to complaints@iba.org.zm.



Visitors interacting at the IBA stand during the WRD Commemorations at Arcades Shopping Mall in Lusaka

Radio station inspection

■ Copperbelt, Central, Northern and Southern provinces

By Jane Kabayo

IN an effort to ensure compliance to ethical guidelines in the broadcasting industry, the Independent Broadcasting Authority (IBA) undertakes inspections for radio and television stations in various parts of the country.

This year, the Authority has so far been to four of the ten provinces in Zambia, namely, Southern, Northern, Central and Copperbelt provinces to inspect licenced stations. The inspectorate has also inspected stations at test transmission stage as well as stations seeking expansion and those with construction permits.

It is through such routine inspections that the Authority gains an in-depth understanding of a particular station's operations and is able to counsel the licensees on the need to

adhere to set Broadcasting Standards and Ethical Guidelines to ensure compliance.

The inspections are normally undertaken by the IBA's Inspectorate and Licencing Unit managed by Muchemwa Sinkala.

For example, inspections conducted at Falls FM, Zambezi FM, and Mosi-O-Tunya Radio in Livingstone, Voice of Kalomo and Namwianga FM in Kalomo, Young Generation in Choma, Yar FM in Kitwe, Sun FM in Ndola, Walamo in Mpulungu, Chimwemwe in Chingola, and KNC radio in Kabwe indicated a satisfactory level of compliance.

Aspects of compliance monitoring include; office location, studio equipment and ventilation, studio lighting and acoustics, fire extinguishers, trained personnel (Station Manager), program content, record keeping and remittance of licence fees.

Inspection checklist

■ Main and production studio...

AMONG the many areas of inspection, IBA scrutinises the Main Studio as well as the production studio of radio and television stations.

Particularly for the main studios, IBA demands that the studio size be at least 3.5 metres by 3.5 metres and that a radio station has a control console, a computer, two microphones and two head phones at minimum.

And for TV, the minimum

equipment required is an audio -visual mixer (console), three studio cameras, studio lights, three microphones and three TV monitors.

Further, the studio should be sound proof by ensuring it has air secure doors and a sound proof wall and ceiling.

The studio should also have a carbon dioxide fire extinguisher and a modern air conditioner matching the

studio size. Lastly, the station should be secured by armed security personnel.

Regarding production studios, the only distinguishing item is that the radio production studio should have at least two studio cameras and two TV monitors

Above all, studios must be of habitable standards with regards to cleanliness.

Digital migration

■ What is the role of the IBA in the new age?

ZAMBIA like other countries in Africa and the rest of the world will be moving from analogue broadcasting to digital broadcasting.

Digital migration refers to the switch from an analogue broadcasting system to a digital broadcasting system. This has been a world-wide move for some time now and has been driven by the International Telecommunications Union (ITU).

Currently, the digital migration process is being undertaken in two phases with the first phase involving the installation of equipment along the line of rail, from Chililabombwe to Livingstone.

The other phase is for Provincial Centres, including the purchase of studio equipment for Lusaka, Kitwe and Livingstone and the installation of transmission sites in the rest of the country.

Digital migration involves a change in the broadcasting system, therefore the Independent Broadcasting Authority (IBA) has a role to play in transforming the current broadcasting licences and broadcasting regulation to suit the new platform.

This means that the current situation; where a television station is both a signal carrier as well as a content provider will change.

Further, during the transition, all current broadcasters with valid licences shall be issued with Content Service Provider licences up to the expiry date of their current licences subject to appropriate fees.

Therefore, the following types of licences will be provided: Public Content Service Provider; Private Commercial Content Service Provider and; Private Non-commercial Content Service Provider.

Furthermore, the Digital Migration Policy requires the IBA to regulate content for the three licensing categories and as a result the IBA has since developed regulations to deal with: Program Presentations, News and current affairs, live programs; Program classification and labels or warnings and children's programs among others.

Because the digital broadcast signal can be compressed, spectrum can be freed up and broadcasters will be able to offer several channels of programming for instance, 20 programme channels, in spectrum that previously was only able to transmit a single analogue channel.

Further, television viewers will get improved picture and sound quality. Digital transmission provides the opportunity to extend the signal coverage area within a country so that more people can share the same television programmes.

Digital migration brings an immense opportunity for Zambians to produce programs in order to meet the 35% local content threshold.

According to the digital migration policy, this will create opportunities for the development, use and wide dissemination of local content and advance the knowledge and experiences of all communities and the country as a whole.

The development of digital local content will spur the development of the creative industries and promote job creation.

Member countries of the United Nation's ITU, Zambia included, set June 17, 2015 as the deadline by which all member states should migrate from analogue to digital terrestrial television broadcasting.



IBA Manager – Licensing and Compliance Mr. Muchemwa Sinkala speaking during a digital migration sensitisation tour

IBA appears before parliamentary committee

COMMUNITY radio stations continue to face a number of challenges despite an increase in the number of community radio stations being established countrywide says IBA Director General, Josephine Mapoma.

Ms. Mapoma was speaking when IBA made a submission, in February 2015, on the state of community radio in Zambia to the Parliamentary Committee on Information and Broadcasting Services which was chaired by Kasempa Member of Parliament, Hon. Kabinga Pande.

She noted that operations of community radio stations in Zambia were mostly slowed down by inadequate financial capital.

Ms. Mapoma further cited other challenges faced by community radio stations as failure to maintain equipment, lack of qualified professionals and technical staff, high staff turnover, lack of transport and poor internet connectivity among others.

Accordingly, Ms. Mapoma recommended for a clear policy on community radio, one that defines it and addresses the specific issues related to the community radio sector in order to make the sector more sustainable.

Further, she emphasised that community radio stations were an important tool for community and grassroots development because of their responsiveness to the communication and information needs of the communities in which they operate and exist to serve adding that community radio promoted governance and accountability by making political and local authorities conscious of their responsibilities.

Starting a radio station

What are the requirements?

THE IBA is mandated to develop a licencing framework which shall stipulate the procedure for obtaining a broadcasting licence. Below are the requirements for starting a radio station.

■ The IBA Board shall, in consultation with the Zambia Information and Communications Technology Authority (ZICTA) where it determines that there is need for the provision of additional broadcasting services, publish a notice in the Gazette and in a daily newspaper of general circulation in Zambia inviting applications to provide the broadcasting services specified in the notice.

■ The Board shall put the frequencies assigned to the various broadcasting services up for public tender as soon as they became available and specify the deadline for receiving the applications.

■ The Board may conduct a public inquiry to determine priorities within the broadcasting industry.

■ Successful applicants shall submit an application for a broadcasting licence to the Board and pay an application fee.

■ For community stations, the applicant shall have no less than five (5) Board Members of which not more than two should be related. The names and contact details of the Board of trustees in the case of Religious, or Community Radio, or the Board of Directors in the case of Commercial Radio, shall be subjected to security clearance and determination of credit Worthiness. The applicants should pay a processing fee.

■ The applicant shall have a business proposal.

■ Applicants for Community Radio Stations should be registered with the Registrar of Societies or Patents and Companies Registration Agency

(PACRA). Applicants for Commercial Stations should be body Corporate.

Other requirements

- A project proposal that shows how the radio station shall be run and how it shall sustain itself
- A Certificate of Registration i.e. PACRA or Registrar of Societies;
- A memorandum of understanding for rent of building or space on a tower if applicable
- A certificate from the Civil Aviation allowing you to put up a mast
- The programming schedule



Where necessary, the Board may exempt applicants for Community Radio stations from the tendering process. Unsolicited applications may be considered on the need or case by case basis.



FUNCTIONS OF IBA

Section 5 of the Independent Broadcasting Authority Act, 2002 stipulates that the functions of the Authority shall be --

- (a) to promote a pluralistic and diverse broadcasting industry in Zambia**
- (b) to establish guidelines –**
 - (i) for the development of broadcasting in Zambia through a public process which shall determine the needs of citizens and social groups in regard to broadcasting;**
 - (ii) for the issuing of licences, giving due regard to the need to discourage monopolies in the industry in accordance with the Competition and Fair Trading**
 - (iii) on the required levels of local content and other issues that are relevant for the pluralistic and diverse broadcasting industry**
- (c) to safeguard the rational and efficient use of the frequencies allocated to broadcasters by developing a frequency plan for broadcasting, which shall be a public document, in compliance with international conventions;**
- (d) to grant, renew, suspend and cancel licences and frequencies for broadcasting and diffusion services in an open and transparent manner;**
- (e) to enforce the compliance of broadcasting and diffusion services with the conditions of the licences issued under this Act;**
- (f) to issue to any or all broadcasters, advisory opinions relating to broadcasting standards and ethical conduct in broadcasting;**
- (g) to oblige broadcasters to develop codes of practice and monitor compliance with those codes;**
- (h) to develop program standards relating to broadcasting in Zambia and to monitor and enforce compliance with those standards;**
- (i) to receive, investigate and decide on complaints concerning broadcasting services including public broadcasting services;**
- (j) to develop regulations in regard to advertising, sponsorship, local content, and media diversity and ownership;**
- (k) to perform such other functions as may be conferred on it by this or any other Act; and**
- (l) to do all such other acts and things as are connected with or incidental to the functions of the Authority under this Act.**

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