



GOVERNMENT GAZETTE

OF THE

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Government Notice

MINISTRY OF INFORMATION AND BROADCASTING

No. 25

1994

REGULATIONS UNDER THE NAMIBIAN COMMUNICATIONS COMMISSION ACT, 1992 (ACT 4 OF 1992)

The Minister has, on the recommendation of the Commission, under section 27 of the Namibian Communications Commission Act, 1992 (Act 4 of 1992) made the regulations contained in this schedule.

SCHEDULE

Definitions.

1. In these regulations any expression to which a meaning has been assigned in the Namibian Communications Commission Act, 1992 bears that meaning.

Application for a broadcasting licence.

2. (1) An application for a broadcasting licence shall be -
- (a) in the form as set out in the annexure hereto;
 - (b) accompanied by an application fee of N\$200; and
 - (c) addressed to the Secretary of the Commission.

Conditions of a broadcasting licence.

3. (a) The nature of the proposed service and the content of the service as defined in the application shall form part of the conditions of the broadcasting licence.
- (b) Notwithstanding 2(1a + b) the Commission may stipulate such further conditions of the licence as it may deem fit.

Annual fee.

4. (1) A licence holder shall pay a licence fee determined by the Commission on a sliding scale:

- (a) N\$500 for a Community-based radio broadcasting station;
- (b) N\$1 500 for a Commercial radio broadcasting station;
- (c) N\$2 500 for a Community-based television broadcasting station;
- (d) N\$5 000 for a Commercial television broadcasting station.

(2) The said licence fee shall be payable within thirty days after the broadcasting licence has been issued and thereafter before the commencement of each subsequent year of licensing.

Obligation to transmit.

5. (1) Subject to sub-regulation (2) the holder shall commence with the transmission of programmes within a period of six months after a broadcasting licence has been issued.

(2) The Commission may grant an extension to the above-mentioned period if special circumstances exist and upon submission of reasons by the licence holder.

(3) If a licence holder ceases to transmit programmes for a period exceeding a total of thirty days in any period of twelve months that holder's broadcasting licence shall lapse unless an exemption is granted by the Commission.

News and Commentaries

6. A licence holder shall cause commentaries on news events to be broadcasted separately from news items and identified as such.

Political Broadcasts.

7. (1) Subject to the provisions of sub-regulation (2) a licence holder may grant broadcasting time to political parties during a period of six weeks before the first polling day of any local, regional, national or presidential election, as the case may be.

(2) If a licence holder decides to grant broadcasting time -

(a) in the case of local, regional or national elections as the case may be, to political parties during the period contemplated in sub-regulation (1), it shall determine the total broadcasting time available to political parties for such broadcasts and shall grant -

(i) in respect of 40% (forty percent) of the total available broadcasting time to each political party an equal broadcasting time; and

(ii) in respect of the remainder of the total available broadcasting time to each political party an additional broadcasting time which shall be equal to such percentage of broadcasting time as is equal to the percentage of the number of votes which that political party received during the previous local, regional or national elections, as the case may be.

(b) in the case of a Presidential election, to candidates contemplated in sub-regulation (1) it shall determine the total broadcasting time available to those candidates for such broadcasts and shall grant equal broadcasting time to all candidates.

Advertising.

8. (1) Subject to sub-regulation (2) the broadcasting of advertisements by any licence holder shall be readily recognizable as such and kept separate from other parts of the programme service by visual and/or acoustic means.

(2) No advertisement of alcoholic beverages or tobacco products shall be transmitted in connection with any programmes intended for reception by persons under the age of 18 (eighteen) years.

Sponsored programmes

9. A sponsored broadcast programme shall meet the following requirements:

- (a) The licence holder shall be responsible and accountable to the Commission for the content and scheduling of the sponsor programme; and
- (b) It shall be clearly identified as such by the name and logo of the sponsor at the commencement and end of the programme.

BEN AMATHILA
MINISTER OF
INFORMATION AND
BROADCASTING
