

GOVERNMENT OF THE REPUBLIC OF ZAMBIA



# MEDIA DEVELOPMENT POLICY

MINISTRY OF INFORMATION AND  
BROADCASTING SERVICES

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## FOREWORD

I am proud to present the first ever Media Development Policy. This is the first time in the history of the country that Government has come up with a policy that sets out its vision and mission to promote freedom of expression by guaranteeing press freedom.

The Policy is anchored on four main pillars namely: media freedom, media pluralism, media independence and safety of journalists. In this regard, the policy seeks to achieve the internationally agreed media development indicators namely: a system of regulation conducive to freedom of expression, pluralism and diversity of the media, professional and infrastructural capacity building and support institutions that underpin freedom of expression and media as a platform for democratic discourse.

In resonance with the foregoing, it is Government's resolve to minimise legal restrictions on the right to impart information and ideas by providing legal guarantees to seek and receive

information, as well as widening public access to information by promoting the growth of a vibrant, plural and diverse media landscape in the country.

Further, Government intends to address the weakening professional standards in the media industry by promoting media self-regulation as the main vehicle to the realisation of a free, independent and professional media that plays its full and rightful role in national development.

Through this policy, Government has also placed high premium on the physical, psychological and safety of journalists, in accordance with international standards laid down in the United Nations Plan of Action on the Safety of Journalists.

Finally, I reaffirm government's unwavering commitment to a free, independent and pluralistic media and further urge all stakeholders in the media industry to play their role in the successful implementation of this policy.



Hon. Dora Siliya, MP,  
**MINISTER OF INFORMATION AND BROADCASTING SERVICES  
& CHIEF GOVERNMENT SPOKESPERSON**

## ACKNOWLEDGMENTS

I wish to thank all stakeholders for their valuable input in the development of this Policy. In particular, I wish to thank members of staff in the Ministry of Information and Broadcasting Services for their dedication and tireless efforts in developing the Policy.

I also wish to express my deep-felt gratitude to the Policy Analysis and Coordination Division at Cabinet Office for the guidance and support in the formulation of this Policy.

Further appreciation goes to cooperating partners for their support in the development of the Policy. We look forward to continued collaboration with all stakeholders for the successful implementation of the Policy.



Amos Malupenga

**PERMANENT SECRETARY**

**MINISTRY OF INFORMATION AND BROADCASTING SERVICES**

## WORKING DEFINITIONS

In this Policy, unless the context otherwise requires:

**Blog** means a website, usually maintained by an individual, with regular entries of commentary, descriptions of events, or other material such as graphics or video.

**Broadcasting** means distribution of audio and/or video signal which transmits programmes to an audience.

**Children** means persons that are below the age of eighteen years.

**Cinematography exhibition** means any exhibition of pictures or other optical effects presented by means of cinematograph or other similar apparatus.

**Clandestine filming or recording** includes the use of long lenses or recording devices, as well as leaving an unattended camera or recording device on private property without the full and informed consent of the occupiers or their agent. It may also include recording telephone conversations without the knowledge of the other party, or deliberately continuing a recording when the other party thinks that it has come to an end.

**Copyright** means a right granted for the protection of literary, dramatic, musical and artistic works and other works resulting from the author's own intellectual creation.

**Cross-ownership** means owning a combination of media channels.

**Defamation** means publication of a statement which reflects on a person's reputation and tends to lower him in the estimation of right thinking members of society generally or tends to make them shun or avoid him.

**Editor** includes a person actually and finally responsible for the collation or inclusion in any newspaper of the contents thereof, whether such person is expressly employed for such purposes or not.

**Information** means data that has been collected, processed and packaged for public access and consumption

**Internet** means the system of interconnected *computer networks*, linked by copper wires, fibre-optic cables, wireless connections etc.

**Journalist** means a person who collects, analyses, verifies and presents information regarding current events, issues and people.

**Journalism** means a discipline of collecting, analysing, verifying and presenting information regarding current events, issues and people.

**Libel** means printed or graphic defamation or defamation in permanent form.

**Magazine** means periodical publication containing a variety of articles, generally financed by advertising and/or purchase by readers.

**Mass communication** means communication to an undefined audience using a mass media channel including radio, television, print medium and internet.

**Media** means various channels through which information is conveyed and accessed, including newspapers, radio, television, and the internet

**Media channel** means print or electronic media

**Media practitioner** means all information and news disseminators, including those in the mainstream media, freelance, online and other publications.

**Newspaper** means publication containing news and information and advertising, usually printed on low-cost paper called newsprint

**Offensive material** means vulgar, indecent, obscene material  
Online publications include social media platforms accessible by undefined audiences.

**Pornographic material** means audio or visual material containing explicit descriptions

and/or displays of sexual behaviour intended to trigger sexual excitement.

**Public interest** includes matters related to revealing or detecting crime, protecting public health or safety, exposing misleading claims made by individuals or organisations or disclosing incompetence that affects the public.

**Public Relations** means the art and science of managing communication between an organisation and its key publics to build, manage and sustain its positive image.

**Religious programme** means a programme which deals with matters of religion as the central subject or as a significant part of it.

**Schedule** means sequencing of content in a broadcast.

**Slander** means false oral statement that defames or damages the name of the person to whom it refers.

**Stage play** includes any tragedy, comedy, farce, opera, burletta, interlude, melodrama, pantomime, dialogue, prologue, concert or other dramatic or musical entertainment or any part thereof.

**Theatre** means any building, tent or other erection open to the public, gratuitously or otherwise, where a stage play or cinematograph exhibition is performed or presented.

**Traditional media** means radio, television and newspaper.

**Web** means the contents, or the interconnected *documents*, linked by hyperlinks and URLs.



## ACRONYMS

<b>CSOs:</b>	Civil Society Organisations
<b>IBA:</b>	Independent Broadcasting Authority
<b>ICCPR:</b>	International Covenant on Civil and Political Rights (ICCPR)
<b>ICTs:</b>	Information and Communication Technologies
<b>IDC:</b>	Industrial Development Corporation
<b>IT:</b>	Information Technology
<b>FM:</b>	Frequency Modulation
<b>MDD:</b>	Management Development Division
<b>MIBS:</b>	Ministry of Information and Broadcasting Services
<b>M&amp;E:</b>	Monitoring and Evaluation
<b>TV1:</b>	ZNBC Television channel 1
<b>TV2:</b>	ZNBC Television channel 2
<b>TV3:</b>	ZNBC Television channel 3
<b>ZANA:</b>	Zambia News Agency
<b>ZANIS:</b>	Zambia News and Information Services
<b>ZICTA:</b>	Zambia Information and Communications Technology Authority
<b>ZIS:</b>	Zambia Information Services
<b>ZNBC:</b>	Zambia National Broadcasting Corporation

## CHAPTER ONE

# INTRODUCTION

This policy document is made up of seven Chapters covering the Introduction, Situation Analysis, Vision, Rationale, Guiding Principles, Objectives, Policy Measures, Implementation Framework, Resource Mobilisation and Monitoring and Evaluation.

The document is premised on the fact that media development is central to the promotion of freedom of expression - a fundamental human right in itself - as well as an enabler of all other rights. As stated in Article 19 of the Universal Declaration of Human Rights, freedom of expression encompasses the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers. The universality of this has been reinforced in Article 19 of the International Covenant on Civil and Political Rights (ICCPR) as well as General Comment number 34 on this Article by the Human Rights Committee.

Enhancing the status of press freedom is, therefore, fundamental to the promotion of the free flow of ideas that are vital for the growth of democracy and sustainable national development. In terms of international standards, it is emphasised that freedom of expression should be the norm and any limitations should be exceptional in nature. Limitations should be justifiable in terms of international standards, which require any such constraints to be law-based, necessary and proportional and for legitimate purposes. Thus, the ICCPR sets out that restrictions to press freedom are considered as legitimate only if provided for by law and demonstrably essential for the achievement of a legitimate purpose. Such purpose is spelled out as respect of the rights or reputations of others or the protection of national security, public order, public health or morals. Press freedom, therefore, includes the freedom from illegitimate restriction as well as the freedom to choose from a plurality of media and the freedom to express oneself publicly without political or commercial interference. Therefore, effective press freedom needs to be underpinned by and realised through a media policy environment which provides for media pluralism and independence.

This is what has motivated the formulation of the Media Development Policy whose thrust is to create a conducive environment for a free, independent, professional and pluralistic media to thrive.

## CHAPTER TWO

# SITUATION ANALYSIS

## 2.1 SITUATION ANALYSIS

### 2.1.1 HISTORICAL BACKGROUND

#### 2.1.1.1 Print Media

The history of the print media in Zambia dates back to the colonial era when the first local newspaper called the Livingstone Pioneer which was later changed to Livingstone Mail, was launched in 1906.

The Livingstone Pioneer was partly hectograph and partly print which was published weekly. The paper was owned and published by W. Tranter. In the same year (1906) Leopold Frank More started a rival newspaper called the Livingstone Mail. According to Kasoma (1986) The Livingstone Mail was a newspaper for White Settlers and carried no stories about Africans unless they were of direct concern to the white community.

In 1932, two miners, W.C Wykerd and E.B Hovelmeier, in Chingola, started the country's second newspaper called The Copperbelt Times which later became Northern News. In 1935, the Northern 'Rhodesia Advertiser' by F. Mackenzie, also came on the scene. In 1936, the colonial government established the first newspaper for Africans called Mutende. Which became the African Eagle in 1952.

In 1958, a magazine called African Life, with Sikota Wina as its publisher and Editor, was born. A year later, the magazine was transformed into a newspaper, the first time in the history of the country that an African had published a newspaper. The newspaper was a United National Independent Party (UNIP) mouthpiece in the freedom struggle.

In 1960, Scott, Richard Hall and David Astor, established the African Mail Limited, the company that started publishing the African Mail which later become the Central African Mail and eventually the Zambia Daily Mail.

Its rival, the Zambian Times was founded in 1963 in Kitwe by a South African named Max Henrich. He soon sold the newspaper

to a British firm called London and Rhodesia (LONRHO). Another company, Argus, which owned newspapers in Central and Southern Africa, also sold to Lonrho, its newspaper, the Northern Times in Ndola, fore-runner to the present day Times of Zambia.

With the introduction of multiparty politics in 1991, the media industry was liberalised and this saw the emergence of other newspapers such as the Weekly Post and the National Mirror on the Zambian market. From 1991 to date, the print media has continued to flourish with several newspapers on the market while government has retained the Zambia Daily Mail and Times of Zambia. However, the two public media institutions have been facing financial challenges as result of the liberalization of the media industry. This has led to the two institutions failing to manage and sustain their operations. Therefore, there is need for recapitalization of the two institutions through the Industrial Development Corporation (IDC).

#### 2.1.1.2 **Electronic Media**

Broadcasting in Zambia started in 1941 when the Northern Rhodesia government opened a radio station in Lusaka which was meant to inform Northern Rhodesians about the Second World War. In his book on the history of radio and television in Zambia, Mwansa Kapeya explains that the first radio station was set up on Queen Mary Avenue (now Haile Selassie Avenue) near city airport, with television broadcasting following 20 years later in Kitwe by Lonrho.

In 1950, Government established the Central African Broadcasting station (CABS) which was later renamed the Central African Broadcasting Service in 1958. The name was later changed to Federal Broadcasting Corporation of Rhodesia and Nyasaland. Upon dissolution of the Federation of Rhodesia and Nyasaland in 1963, Northern Rhodesia established the Northern Rhodesia Broadcasting Corporation (NRBC) which was reconstituted as Zambia Broadcasting Corporation (ZBC) in 1964 upon independence. In 1966, ZBC was changed to Zambia Broadcasting Services (ZBS). In 1988, ZBS was turned into a statutory body known as Zambia National Broadcasting Corporation (ZNBC).

From one television and one radio station and no more than two newspapers at independence, the media industry in Zambia has since grown significantly with over 140 radio stations, over 40 television stations and several newspapers on the market.

#### 2.1.2 **Current Emerging Issues**

The nation longs for a free, responsible, pluralistic and sustainable media industry, where the basic right to receive and impart information, as stipulated in the Constitution of the Republic of Zambia is upheld. A media development policy, anchored on the

principles of impartiality, objectivity, transparency and accountability, has been the desire of the media fraternity in Zambia since the return to multi-party democracy. This and the following emerging issues have necessitated the need for the formulation of the Media Development Policy.

#### 2.1.2.1 **System of Regulation**

There is a growing need for a policy framework which protects and promotes freedom of expression based on international best practices. The Constitution of the Republic of Zambia guarantees freedom of expression. This constitutional guarantee needs to be operationalised by having a clear policy framework and appropriate subsidiary legislation. Freedom of expression needs to be guaranteed in law and respected in practice for it to be a reality.

There are various gaps in terms of media regulation. Both the print and electronic media are not adequately regulated. For example, the Ministry in charge of information has no role in the establishment of newspaper and magazine, making the Ministry redundant in regulating privately owned newspapers. As a result, privately owned newspapers do not commit themselves to any obligations for which they can be held accountable by the Ministry.

With regard to media practitioners, there is currently no framework for regulation of their professional conduct as most of them only subscribe to voluntary associations and unions. This has led to situations where some media practitioners, especially those using internet-based platforms (online publications), violate the rights of innocent citizens with impunity. This is because most internet-based media platforms are unregistered and are operating anonymously, such that citizens whose rights are violated through malicious accusations and fake news have no recourse, whether legal or otherwise.

Individuals with grievances against the conduct of media practitioners have to seek redress through the courts of law. But the cases take long and compensation is very little in most instances. Some affected people lodge complaints through the IBA whose regulatory mandate is also only limited to the broadcasting sector. As such, there is a glaring absence of recourse for citizens abused online. Furthermore, the IBA is not mandated to impose sanctions on individual practitioners. Where the IBA has to impose sanctions, it is the entire broadcasting station (licencee) that is on the receiving end. This makes the environment too harsh for the media as a business and hence the need to establish a regulatory framework that is able to sanction erring practitioners in their individual capacity without disrupting the operations of the entire broadcasting station, unless the situation demands otherwise.

In short, most of the media platforms, including online publications, are not registered because the Ministry of Information and Broadcasting Services does not have a statutory institution for this purpose. As a result, there is a lot of anonymity surrounding online publications such that they can publish anything against anyone. This has also resulted in fake news being peddled via online platforms because the people behind them cannot be held accountable. Unfortunately, the Ministry of Information and Broadcasting Services can't do anything to restrain unethical online publications because it lacks the tools of doing so. Worse still, devices and systems that facilitate online publishing are controlled by the Ministry of Communication and Transport, a Ministry that has no mandate to regulate media content. Therefore, there is need to create a statutory institution that will be responsible for regulating the media industry in Zambia.

The current law provides, among other things, a two-tier broadcasting licensing regime in which broadcasting licences are issued by the IBA, while the frequency licences are issued by the Zambia Information and Communication Technology Authority (ZICTA), under the Information and Communication Technologies (ICT) Act No. 15 of 2009. Therefore, the print media and internet-based platforms are not subjected to any form of licensing. Currently, newspapers are subjected to registration under the Printed Publications Act whereas internet platforms are not even subject to any mandatory registration.

Furthermore, the coming of internet-based media platforms has severely affected the revenue generation opportunities for traditional media. Since the convergence of broadcasting and telecommunication, the broadcasting sector has been losing out on revenue while the telecommunication sector has been gaining. The case in point is the revenue generated from the sale of internet bundles. The consumption of internet bundles is on the increase attributable to the emerging trend of accessing media products through the internet. Consumers of media products are spending huge sums of money paying for internet bundles. These profits are being enjoyed by the telecommunication entities while the traditional media is not benefiting. To enhance media development, there is need for a financing model of the media industry that taps from the profits arising from the increased consumption of internet bundles.

#### 2.1.2.2 **Level Economic Playing Field and Transparency of Ownership**

Players in the media sector have, from time to time, raised concern over what they see as an uneven economic playing field in the

industry. It has been a demand from stakeholders that, private media companies as well as community media should be treated equally and equitably under all national business laws and regulations, including rules and practices affecting taxation, import duties, legal registration fees and procedures, and workplace standards.

The need to guard against certain tax regimes that may inhibit the overall growth of the media, for example prohibitive taxes on media-related equipment, has always been on the Government's media development agenda. In this regard, the Government has implemented affirmative measures, such as removing import duty on media-related equipment for a period of three years at one point in history. Furthermore, the Government has been consistent in helping the media flourish by putting in place investment incentives. It is worth noting that Government believes in the principle of non-discrimination and does not, therefore, use taxation or business regulation as a way of preferring some media outlets over others. There are no cases where taxes and duties have been imposed selectively by the Government. All media players, whether private or public, are subject to the same tax regime. This Policy aims at maintaining this status quo.

Undue concentration of media ownership in few hands is also one area that should be avoided as a way of promoting a pluralist and diversity of media. It is Government's desire to implement measures aimed at limiting the influence which a single person, family, company or group may have in one or more media sectors as well as ensuring a sufficient number of diverse media outlets. In this regard, regulatory authorities responsible for implementing media laws need to be vested with sufficient powers to accomplish their role, be independent and operate free from commercial or political pressure.

#### 2.1.2.3 **Platform for Democratic Discourse**

The country is lacking a common platform for citizens with divergent views as there is no common media outlet that promotes debate of national issues. Citizens with views opposed to Government policies opt to use the private media and online media platforms, both local and international, while those in support of Government policies tend to use the State-owned media. This has given an impression that the country is not united, thereby defeating the national motto of 'One Zambia One Nation.' The State-owned media which should have ordinarily provided a public platform for all Zambians to reduce the adverse effect of using non-credible online and international media, has not lived to this expectation. Citizens who have not been given space on the State-owned media platforms have resorted to international media, where their views have remained unchallenged by Government officials, thereby

denting the image of the country. This is detrimental to sustainable national development as it erodes investor confidence, among other effects. Media polarisation has also significantly contributed to lack of consensus building on national issues.

Media polarisation has also been seen in the area of politics. Since the re-introduction of multi-party politics in Zambia in 1991, the media industry has devoted close to 90 per cent of its space to politics. Polarisation has virtually made it impossible for news reporters to give balanced accounts of events as evidenced by increasing patronage undertones in the manner the news is packaged in the country on all platforms whether private or public. In most cases, news is packaged in a manner that shows that it is meant to please some section of society.

Further, there have been complaints to the effect that news in some media outlets or platforms has not been reported with due accuracy and impartiality. This is because in most cases, news is intertwined with the opinion of the reporter.

#### 2.1.2.4 **Professional Capacity Building**

There is a wide range of training institutions offering media training in Zambia. Government is desirous to strengthen this training by encouraging employers, media training institutions, university departments, professional associations or international organisations, whose work is often described as media assistance or media development, to work together, especially towards curriculum review and offering scholarships to learners.

#### 2.1.2.5 **Infrastructure Capacity**

Government is committed to meeting the information needs of all citizens, including marginalised groups through diverse infrastructural and technical capacity development. In this regard, strides have been made in the provision of digital media technology, production equipment, satellite technology and printing presses. This has facilitated efficient news gathering, production and distribution. The Government has also created an environment that has made use of multi-platform delivery systems (such as making newspapers, radio or television available online) possible; increased the capacity for storing and archiving content; and enhanced the use of ICTs to give citizens a greater voice in the media.

In addition, the Government has rolled out media-related infrastructure through various interventions, including the Digital Migration Project under the Ministry of Information and Broadcasting Services as well as the communication towers under the Ministry of Communication and Transport. All these efforts are



directed towards one goal of meeting the information needs of the citizens. There now exists no distinction between telecommunication tools and media tools. Media content is now sitting on telecommunication tools and the two have become inseparable. This has given rise to the need for content and infrastructure thereof to sit under one Ministry.

## CHAPTER THREE

# MEDIA DEVELOPMENT POLICY

### 3.1.1 The Vision

The vision of this policy is “*A free, responsible, pluralistic and sustainable media industry.*”

### 3.1.2 Rationale

As highlighted in the situation analysis in chapter two above, currently, the growth of the media industry in Zambia is inhibited by several factors among them; inadequate regulation, lack of a level economic playing field and transparency of ownership. Other challenges affecting the development of the industry include non-utilization of the media as a platform for democratic discourse, inadequate skills among media practitioners and lack of media development related infrastructure. Therefore, the development of the Media Development Policy is aimed at addressing the above challenges. Further, the Media Development Policy will ensure that the basic right to receive and impart information, as stipulated in the Constitution of the Republic of Zambia, is enhanced.

### 3.1.3 Guiding Principles

***Integrity:*** The policy shall be applied in an impartial manner in order to instil public confidence.

***Objectivity:*** The Policy shall be applied in a professional and honest manner in order to instil trust.

***Transparency:*** The policy shall be applied in a transparent manner supported by proactive publicity in order to instil public confidence.

***Accountability:*** Periodic reports shall be produced to report compliance to the Policy in order to promote compliance.

## CHAPTER FOUR

# POLICY OBJECTIVES AND MEASURES

This policy will be anchored on the following objectives; each of which is immediately followed by measures aimed at achieving it:

### 4.1.1 Objective 1

**To promote a system of regulation conducive to freedom of expression, pluralism and diversity of the media**

The following are the measures that Government shall implement in order to achieve this objective:

**Measure 1:** Strengthen the legal framework in order to protect and promote freedom of expression and achieve a balance between freedom of expression and other rights of citizens;

**Measure 2:** Strengthen editorial independence of both public and private media in order to ensure professional media output;

**Measure 3:** Strengthen public and civil society organisations (CSOs) participation in shaping public policy towards the media; and

**Measure 4:** Strengthen the media regulatory system to ensure that it works to achieve media pluralism and freedom of expression.

### 4.1.2 Objective 2

**To promote plurality and diversity of media, a level economic playing field and transparency of ownership.**

The following are the measures that Government shall implement in order to achieve this objective:

**Measure 1:** Strengthen the legal and regulatory framework;

**Measure 2 :** Strengthen compliance with measures to promote pluralist media.

#### **4.1.3 Objective 3**

**To promote media as a platform for democratic discourse.**

The following are the measures that Government shall implement in order to achieve this objective:

**Measure 1:** Strengthen the legal and regulatory framework

**Measure 2:** Enhance the public media model in order to ensure that there is non-discrimination exercised by the public media in their coverage.

#### **4.1.4 Objective 4**

**To promote professional capacity building that underpins freedom of expression, pluralism and diversity.**

The following are the measures that Government shall implement in order to achieve this objective:

**Measure 1:** Strengthen collaboration with cooperating partners to ensure availability of professional media training; and

**Measure 2:** Strengthen collaboration with training institutions to ensure availability of academic courses that are commensurate with the current media trends.

#### **4.1.5 Objective 5**

**To promote infrastructure development supportive to the growth of the media**

The following are the measures that Government shall implement in order to achieve this objective:

**Measure 1:** Strengthen the legal and regulatory framework; and

**Measure 2:** Strengthen the institutional framework to ensure harmonised management of media content and Information, Communication and Technology (ICT) tools.

## CHAPTER FIVE

# IMPLEMENTATION FRAMEWORK

The Ministry of Information and Broadcasting Services will have an oversight role in spearheading the implementation of the National Information Communication Policy. In doing so, the Ministry will utilise an interdisciplinary and multi-sectoral approach which will focus on partnerships between Government and all relevant stakeholders. Further, the successful implementation of the National Information Communication Policy will depend on the effective institutional and legal framework, resource mobilisation as well as monitoring and evaluation mechanism.

### 5.1.1 INSTITUTIONAL FRAMEWORK (ARRANGEMENTS)

Collaboration of key stakeholders will be critical to the successful implementation of this policy. All stakeholders both in the private and public sectors will play a pivotal role in ensuring that the objectives of this policy are achieved. In order for the policy to be adequately backed by law, the Ministry of Information and Broadcasting Services will review some of its existing legislation and formulate new ones where necessary. The following are the key institutions that will be cardinal in the implementation of this policy:

#### 5.1.1.1 Cabinet Office

Cabinet Office Management Development Division (MDD) shall facilitate the realignment of the portfolio functions of the Ministry of Information and Broadcasting Services (MIBS) and the Ministry of Communication and Transport (MCT). The purpose of the realignment shall be to ensure that the licensing regime of media channels, including radio, television, Internet and printed publications, are under one Ministry. This is aimed at curing the mischief of having content separated from the tools that carry it, in terms of control and management.

The Ministry of Information and Broadcasting Services shall take the lead in coordinating and implementing this Policy. And, since information is cross-cutting, all line Ministries and other Government agencies will have a role to play in the implementation of the National Information and Media Policy.

#### **5.1.1.2 Ministry of Information and Broadcasting Services**

The Ministry shall be responsible for policy coordination and monitoring and shall also be responsible for implementing some specific policy measures outlined in this document. The Ministry shall primarily provide oversight over the Independent Broadcasting Authority (IBA), the Zambia National Broadcasting Corporation (ZNBC) and other statutory bodies that shall either be realigned from other ministries or created for the purposes of meeting the media policy objectives.

#### **5.1.1.3 Independent Broadcasting Authority (IBA)**

The function of the IBA is to regulate the broadcasting industry in the country. The Authority shall continue performing this function subject to subsequent legislation to be introduced as part of implementing the Policy.

#### **5.1.1.4 Zambia Information and Communication Technological Authority (ZICTA)**

The functions of the Authority shall be harmonised with those of the IBA through the realignment process to be conducted by Cabinet Office.

#### **5.1.1.5 Zambia National Broadcasting Corporation (ZNBC)**

The Zambia National Broadcasting Corporation shall continue performing its functions as provided under the ZNBC Act of 2002 and as amended the ZNBC (Amendment) Act of 2010.

#### **5.1.1.6 State Owned Newspapers**

The State owned Zambia Daily Mail and Times of Zambia shall operate as public media with the main aim of promoting good governance and national development in their news and information dissemination.

#### **5.1.1.7 Private media**

The privately owned media shall observe the standards set under this policy and appropriate laws shall be enacted to ensure private media outlets are registered and operated professionally and sustainably. Privately owned broadcasting stations and newspapers shall continue to provide a platform for expression of divergent views as well as offering checks and balances in the governance of the country.

#### **5.1.1.8 Media bodies**

The role that the media bodies will play in the implementation of this policy will include the following: advising government on new trends in the media industry, advocating for better media environment among stakeholders such as political players, spearheading commemoration of international days and mobilising a critical mass of the media practitioners and advocates to promote press freedom.

#### **5.1.1.9 Education and Training Institutions**

Recognised education and training institutions shall provide quality and relevant training to in-service and pre-service journalists and other media practitioners in order to uplift standards of journalism in both public and private media.

#### **5.1.1.10 Industrial Development Corporation**

The Industrial Development Corporation (IDC) shall recapitalise the State owned media institutions and commercialise them so that they are able to generate their own funds and to operate independently as they transform government to public media.

#### **5.1.1.11 The Media Council**

The Media Council shall develop and enforce a code of ethics and conduct for all media practitioners.

### **5.1.2 Legal Framework**

There are several pieces of legislation that impact directly on the conduct of media related activities. Most of these statutes are not domiciled in the Ministry of Information and Broadcasting Services. They are domiciled in other government ministries. The following are some of the pieces of legislation that players in the media industry should pay attention to, especially in the conduct of journalism work:

### **5.1.3 Resource Mobilisation**

The successful and sustainable implementation of this policy will require robust and proactive resource mobilisation in both human, financial and material. This will be through annual budgetary provisions and engagement with the Private Sector, Non-Governmental and Civil Society Organisations as well as Cooperating partners. Particularly, the Ministry of Information and Broadcasting Services will work closely with the Industrial Development Corporation (IDC) to ensure commercialisation of some operations of the State owned media houses to reinvigorate their operations. Media associations and

other media bodies will also be encouraged to be proactive in resource mobilisation through engagement with Cooperating Partners, Civil Society Organisations and the Private Sector.

No.	STATUTE	RELEVANCE TO MEDIA
01	The Constitution of Zambia Act, Chapter 1 of the Laws of	Sets limits to freedom of expression and media freedom
02	The Penal Code Act, Chapter 87 of the Laws of Zambia	Criminalises sedition, defamation, obscene matter etc.
03	The Criminal Procedure Code, Chapter 88 of the Laws of	Compels journalists to disclose sources in certain
04	The Printed Publications Act, Chapter 161 of the Laws of Zambia	Requires publishers of printed materials, including newspapers, to be registered.
05	The Zambia National Broadcasting Corporation Act, Chapter 154 of the Laws of Zambia	Requires balanced and fair reporting.
06	The Independent Broadcasting Act No. 17 of 2002	Requires broadcasters to be licenced and to meet prescribed broadcasting standards.
07	The Juveniles Act, Chapter 53 of the Laws of Zambia	Prohibits identification of juveniles in criminal proceedings.
08	The Electoral Process Act No. 35 of 2016	Provides a code of conduct for media during elections.
09	The National Assembly (Powers and Privileges) Act, Chapter 12 of the Laws of Zambia	Prohibits publication of information from proceedings not held in public.
10	The Copyright and Performances Rights Act, Chapter 406 of the Laws of Zambia	Protects copyright of literary, musical and artistic works, computer programmes, audio-visual works, sound recordings, broadcasts and cable programmes
11	The Anti-Corruption Act No.3 of 2012	Prohibits giving and accepting bribes.
12	The State Security Act, Chapter 111 of the Laws of Zambia	Prohibits publication of classified information.
13	The Defamation Act, Chapter 68 of the Laws of Zambia	Provides for civil defamation.
14	The Contempt of Court (Miscellaneous Provisions) Act, Chapter 38 of the Laws of Zambia	Provides for conduct that may be held contemptuous in the face of a court of law.
15	The Persons with Disability Act No. 6 of 2012	Requires television stations to provide sign language and subtitles for news and important national events.
16	The Prisons Act, Chapter 97 of the Laws of Zambia	Prohibits publication of letters written from prison by inmates.
17	The Zambia Security Intelligence Service Act No.14 of 1998	Prohibits publication of information obtained in contravention of the Act.
18	The Preservation of Public Security Act, Chapter 112 of the Laws of Zambia	Empowers the President to prohibit publication and dissemination of matter prejudicial to public security.
19	The Citizenship of Zambia Act No.33 of 2016	Prohibits publication of information that has been given in contravention of the Act
20	The Public Interest Disclosure (Protection of Whistleblowers) Act No. 4 of 2010	Provides for the disclosure of conduct adverse to the public interest in the public and private sectors.
21	The Information and Communication Technologies Act No. 15 of 2009	Regulates the use of spectrum



#### **5.1.4 Monitoring and Evaluation**

In order to ensure effective implementation of this policy so as to achieve its objectives, Government through the Ministry of Information and Broadcasting Services will develop a comprehensive monitoring and evaluation system that will track the various activities which will be implemented in line with the measures that have been set forth to achieve the policy's objectives vis-à-vis the planned outputs. Therefore, the Ministry of Information and Broadcasting Services through the Department of Planning and Information shall undertake periodic reviews and evaluations to assess the policy's implementation and produce reports to inform decision making and corrective actions.

