

# NIGERIA BROADCASTING CODE



NATIONAL BROADCASTING COMMISSION  
6<sup>TH</sup> EDITION

# **NIGERIA BROADCASTING CODE**

*A Publication of:*



NATIONAL BROADCASTING COMMISSION

## **Nigeria Broadcasting Code**

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## **CITATION**

This document shall be known as the **Nigeria Broadcasting Code** (6<sup>th</sup> Edition) hereinafter referred to as "**the Code**".

## **PREFACE**

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## PREFACE

It is my greatest pleasure to present to the Nigerian broadcasting industry, this 6<sup>th</sup> edition of the Nigeria Broadcasting Code. When I was appointed the Director General of the National Broadcasting Commission (NBC), in May 2016, it became very clear to me, that we needed to work fast on a review of the Nigeria Broadcasting Code. The background of the 2015 elections in Nigeria, which saw the democratic transfer of power from an incumbent government to the opposition for the first time in Nigeria, exposed problems which the application of the 5<sup>th</sup> Edition of **the Code** had not sufficiently captured. And the dynamism of the technologies applied in broadcasting and communications in general, needed to be constantly taken into the context of praxis in the industry, as well as the platform of regulatory direction which National Broadcasting Commission (NBC), must constantly work from. There was also the fact that very important tentative steps had been taken on the route of the Digital Switch Over (DSO), with the launch of a pilot phase of this historic project, in Jos in April 2016 and the subsequent lauches of the DSO in Abuja, Ilorin, Kaduna, Enugu and Osogbo up to February, 2018. We are preparing lauches in other locations around the country as well as preparing the DEFINITIVE commencement of Analogue Switch Off (ASO), with the launch of the Digital Switch Over (DSO), in the Federal Capital Territory (FCT), and several other locations in the nearest future.

Our preparatory work for the 6<sup>th</sup> Edition of the Nigeria Broadcasting Code, became one of the first major assignments of my tenure, as Director General of the National Broadcasting Commission (NBC). So after the normal preparatory internal work, which was done by the Directorate of Broadcast Policy & Research of the NBC, we gathered at a retreat in Kaduna on the 9<sup>th</sup> of August, 2016, for the first level of Review work on the 6<sup>th</sup> Edition of **the code**. What was different in the

Kaduna exercise, was that I insisted we broadened the base of participation in the review exercise, bringing into the loop of work, officers from the Assistant Director grade level. It was a more inclusive process, which assisted capacity building inside the Commission, as well as the deepening of the experiences of this cadre of workers, who in the long run, would be responsible for carrying forward, the traditions and institutional memory of the NBC, into the future. We also retained the traditional pattern of work, which tapped into the vast experiences of the veteran leaders of the National Broadcasting Commission (NBC): former Directors General and retired Directors.

At the Kaduna gathering, I had reminded our colleagues, that the Nigeria Broadcasting Code: **“should reflect the very best elements of Nigeria's democratic aspirations and should become a document that is for and of the Nigerian people”**. I also reminded that the work of reviewing **the Code** had to be put in a broad context that must be clear in our minds, especially with the changes taking place in broadcasting: **“The world of broadcasting is definitively evolving from what we have always known, to a new era, with its peculiar challenges: the exciting possibilities as well as the frightening ghost that might accompany the (digital) transition. As regulators of Nigerian broadcasting, we are therefore at the forefront of the changes that digitization will bring forth, while also being caught up in the vortex of forces that the transition we are helping to bring about, might unleash. This is why the Nigeria Broadcasting Code has become even more essential as an instrument of regulatory work. It is the central instrument that helps to keep the industry on the straight and narrow path of the highest professional and ethical standards”**. I then added that **“We**

**must have a Code that anticipates the challenges of the new era".** The work we did in Kaduna, knocked the Draft copy of the 6<sup>th</sup> Nigeria Broadcasting Code into the shape that became appropriate to present to the industry, at a gathering in Kano, from the 15<sup>th</sup> to the 17<sup>th</sup> of May, 2017. That brought together broadcasters; media intellectuals as well as representatives of civil society organizations from all over Nigeria. The Kano Stakeholders' Retreat was a very representative gathering, and it was largely the conclusive phase of the work within the industry, except that internally, we held a last gathering to dot the Is and cross the Ts of the two previous gatherings, to arrive at the definitive document that has finally become the 6<sup>th</sup> Nigeria Broadcasting Code.

The 6<sup>th</sup> Edition of the Nigeria Broadcasting Code has been enriched at three levels. Our Commission had commissioned a major study of **HATE AND DANGEROUS SPEECH** in Nigeria, against the background of the widespread abuse of broadcasting standards, in the lead to the 2015 General Elections. Even the NBC, as the broadcasting regulatory institution, became sucked into the vortex of the controversies of that era in our national history. We therefore felt that we needed to strengthen the position of **the Code**, in respect of **HATE AND DANGEROUS SPEECH**. Similarly, new controversies emerged around the nature of **LOCAL CONTENT**, and the definition of what was acceptable as **LOCAL CONTENT**. It was clear, that the Nigeria Broadcasting Code needed to become strongly affirmative of the national aspiration to create and defend jobs in the creative industries **WITHIN** the Nigerian economy. And that patriotic, affirmative aspiration, has been reflected in the letters of the 6<sup>th</sup> Nigeria Broadcasting Code. A final point of interest is related to the previous one, and that is in the manner that the 6<sup>th</sup> Nigeria

Broadcasting Code has also reflected the conviction that our sports in general ought to get the advertising funding support that matches a reasonable percentage of the huge amount of advertising spend that supports foreign sporting activities.

It is therefore my pleasure to present the 6<sup>th</sup> Nigeria Broadcasting Code to our industry. This is the document that will guide our work over the next couple of years. The Nigeria Broadcasting Code is not an imposition by the regulator on the licensees. This is a document that the industry worked on collectively and it is a product of very exacting professional application. I implore our colleagues to work the straight and narrow path of professionalism which **the Code** prescribes. That is the only way that we can have a Nigerian broadcasting industry which would reflect the very best of our dear country.

**IS'HAQ MODIBBO KAWU fng  
DIRECTOR GENERAL  
NATIONAL BROADCASTING COMMISSION (NBC)  
JULY 4<sup>th</sup>, 2019.**

## **INTRODUCTION**

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GENERAL PRINCIPLES

CHARACTER OF BROADCASTING

OBJECTIVES OF BROADCASTING

    SOCIAL OBJECTIVES

    CULTURAL OBJECTIVES

    ECONOMIC OBJECTIVES

    POLITICAL OBJECTIVES

    TECHNOLOGICAL OBJECTIVES

    PROFESSIONAL OBJECTIVES

BROADCAST REGULATION

CHALLENGES TO THE INDUSTRY

DEREGULATION OF BROADCASTING IN NIGERIA

LEGAL FRAMEWORK

POWERS OF THE COMMISSION

DECLARATION

**0.1****INTRODUCTION**

**The Code represents the minimum standard for broadcasting in the Federal Republic of Nigeria. It shall be applied in the spirit as well as in the letter in accordance with the professional ideals of broadcasting.**

**0.2****GENERAL PRINCIPLES****0.2.1****Character of Broadcasting**

Broadcasting is a creative medium, characterized by professionalism, choice and innovation, to serve the interest of the public. Its utilisation of broadcast technology and platforms makes it capable of reaching audience simultaneously, availing mankind with the best means of information dissemination and reception. It also enables the individual to share in and contribute the best of his/her ability, to the world around him/her.

Broadcasting shall influence society positively, setting the agenda for the social, cultural, economic, political and technological development of a nation, for the public good.

By means of broadcasting, every Nigerian is expected to partake in the sharing of ideas and experiences that will enrich the life of the citizenry and help them live in a complex, dynamic and humane society, as stated in the *1999 Constitution of the Federal Republic of Nigeria {as amended}* {hereinafter referred to as the

## Constitution}.

Nigerian broadcasting shall essentially match the best in the profession anywhere in the world, yet be distinctly Nigerian, projecting the best and discouraging the worst in the society. In other words, the cardinal responsibility of broadcasting to inform, educate and entertain shall not be at the expense of national interest, unity and cohesion of Nigeria's diverse social, cultural, economic, political and religious configurations.

Therefore, no broadcast shall encourage or incite to crime, lead to public disorder, be repugnant to public feeling or contain an offensive reference to any person, alive or dead, or generally, be disrespectful to human dignity.

### 0.2.2 **Objectives of Broadcasting**

- a. Broadcasting shall provide an efficient, professional and comprehensive service to the people of the Federal Republic of Nigeria based on national objectives and aspirations.
- b. Broadcasting shall be guided by the following broad objectives, which are in line with the Fundamental Objectives and Directive Principles of State Policy, as set out in *Chapter II of the 1999 Constitution {as amended}*.

#### 0.2.2.1 **Social Objectives**

- a. To provide a functional level of enlightenment for the Nigerian populace, irrespective of their

educational background; specifically, the social objectives of broadcasting are to:

- i. promote generally accepted social values and norms, especially civic and social responsibilities;
- ii. promote the acquisition or pursuit of knowledge;
- iii. disseminate impartially, news and opinions in a manner encouraging meaningful and articulate dialogue and discussion of issues of public interest;
- iv. promote the physical, mental and social well-being of the people;
- v. foster the spirit of self-discipline, self-sacrifice and self-reliance; and
- vi. encourage respect for the dignity of man.

- b. Broadcasting organisations shall recognise that they exercise freedom of expression as agents of society, not for any personal or sectional rights, privileges and needs of their own or of their proprietors, relatives, friends or supporters.
- c. Broadcasting shall promote values and norms, which foster the well-being and co-operation of the various segments of the Nigerian society.

#### 0.2.2.2 **Cultural Objectives**

To encompass various aspects of community life including aesthetics, religion, ethics, philosophy,

language, history and the arts, the cultural objectives of broadcasting shall be to:

- a. provide, through programming, a service essential to the maintenance and enhancement of national identity and cultural sovereignty;
- b. serve to safeguard, enrich and strengthen the cultural, political, social and economic fabrics of Nigeria;
- c. seek, identify, preserve and promote Nigeria's diverse cultures;
- d. select critically, the positive aspects of foreign cultures for the purpose of enriching the Nigerian culture;
- e. develop and promote the application of indigenous aesthetic values;
- f. promote the development of a high level of intellectual and artistic creativity; and
- g. foster generally acceptable moral, ennobling, cultural and spiritual values.

#### 0.2.2.3

#### **Economic Objectives**

- a. To be consistent with the nation's economic goals which include the building of:
  - i. a united, strong and self-reliant nation;
  - ii. a just and egalitarian society;
  - iii. a great and dynamic economy;
  - iv. an entrepreneurial spirit and skills among Nigerians;

- v. a land bright and full of opportunities for all citizens.
- b. The economic objectives of broadcasting shall therefore be to:
  - i. monitor trends and developments in production processes;
  - ii. promote knowledge of available products and services through programmes and advertisements;
  - iii. foster the spirit of hard work and productivity to improve the quality of life of the people; and
  - iv. promote entrepreneurship through the production and consumption of local products to achieve self-sufficiency and self-reliance.

#### 0.2.2.4 **Political Objectives**

To contribute to the development of national unity and participatory democracy, the political objectives of broadcasting shall be to:

- a. create and promote political awareness (including information on electoral process) amongst the people in order to foster a democratic society;
- b. inculcate in the people the spirit of tolerance of all shades of opinion; and
- c. promote social justice based on the responsibilities and rights of the individuals in the society.

0.2.2.5

**Technological Objectives**

To exploit the nation's abundant natural and human resources to the advantage of the people, the technological objectives of broadcasting shall be to:

- a. keep the people abreast of technological and scientific developments;
- b. encourage development in ICT, in line with global trends;
- c. promote and encourage the study of science and technology;
- d. promote the spirit of self-reliance and engender the development of indigenous technology; and
- e. promote a scientific and rational attitude to life by encouraging research.

0.2.2.6

**Professional Objectives**

The professional objectives of broadcasting shall be to ensure:

- a. the attainment of high level of specialization;
- b. the development of professionalism through the recruitment and training of personnel by the broadcaster;
- c. the development of relevant curriculum for the broadcast profession;
- d. continuous training of the broadcaster by the Commission or its agents;

- e. that Nigerian talents and facilities are used as much as possible in production of programmes, including advertisements;
- f. meaningful investment in research and development.

#### 0.2.3

#### **Broadcast Regulation**

Broadcast regulation is essential to ensure that broadcasting plays a pivotal role in the cultural, scientific, technological, economic and political lives of the people of Nigeria.

Therefore, the regulation of broadcasting shall ensure that broadcasting:

- a. adheres to the general principles of legality, decency, truth, integrity and respect for human dignity as well as the cultural, moral and social values of the people;
- b. meets the best professional standards;
- c. meets local needs without compromising international standards;
- d. provides the entire range of sound and vision services that cater for, and reflect the diverse range of Nigerian cultures and communities through effective distribution of public, commercial and community broadcasting services;
- e. services are at least 70% owned and operated by Nigerians;

- f. encourages the protection and the development of women, children and other persons requiring special care and consideration;
- g. is mindful of the degree of harm and offence likely to be caused by the inclusion of any material in programming in general or in specific terms;
- h. efficiently utilizes frequency bands in line with international best practices in the planning, co-ordination, assignment, registration and monitoring of the broadcast spectrum;
- i. promotes universal access including technologies, content and services;
- j. respects community standards in the provision of programme materials;
- k. establishes the mechanism for addressing complaints, as well as feedback;
- l. ensures that employees uphold the rights and obligations of the mass media as provided in the **Constitution**;
- m. ensures that fair and sustainable competition shall be the hallmark of the broadcasting industry in Nigeria;
- n. encourages self-regulation within the framework of professional standards.

## 0.2.4

**Challenges to the Industry**

The challenges to the industry are to ensure a free, competitive and responsive broadcasting service in Nigeria, and to stimulate the contribution expected of broadcasting in a truly democratic society. Thus, broadcasting shall satisfy, amongst others, the following needs of the society:

- a. a truthful, comprehensive and intelligent account of each day's local, regional, national and international events that have significant impact on the Nigerian community;
- b. an impartial access to the nation's daily intelligence made equally available to everyone;
- c. a forum for the exchange of comments and criticisms representing every stratum of the society, as required in a Federal state like Nigeria, in which the views and opinions of everyone are included in the national consensus;
- d. a means of projecting the opinions and attitudes of the groups in the society to one another, such as the balancing of information flow between the rural and urban, the government and the governed, as well as the presentation and clarification of the goals and values of the society;

- e. an efficient, professional and comprehensive broadcasting service to the people of the Federal Republic of Nigeria, based on national objectives and aspirations;
- f. an effective coverage and reach of the nation;
- g. the right of practitioners to have control over editorial and programme content in the media including sponsored programmes;
- h. the development of Nigerian artistic creativity and talent in entertainment programming and offering information, and analyses from the Nigerian point of view;
- i. programming that promotes employment opportunities to serve the needs and interests and reflect the circumstances and aspirations of all Nigerians;
- j. programming that promotes excellence and high moral and ethical standards, acceptable to a substantial group of the viewing and listening public;
- k. development of human resources and capacity building in broadcasting;
- l. ready adaptation to scientific and technological changes;
- m. maximum use of predominantly Nigerian creative resources in the presentation of programming, be it news, musical entertainment, advertising or sponsorship;

- n. greater emphasis on the broadcast of news and programmes in Nigerian languages to ensure direct relevance to local communities;
- o. programmes of high professional standard;
- p. reasonable opportunity for the public to be exposed to all views on matters of public concern; and
- q. the development and growth of the independent production sector.

#### 0.2.5 **Deregulation of Broadcasting in Nigeria**

On August 24, 1992, the Federal Military Government promulgated *the National Broadcasting Commission Decree No. 38* (now referred to as National Broadcasting Commission Act Cap. N11, Laws of the Federation of Nigeria, 2004) deregulating the broadcast industry and establishing the National Broadcasting Commission to regulate the entire industry. This ended over 50 years of sole government-ownership of broadcasting in the country. The responsibilities of the Commission were further expanded by the NBC (Amendment) Act No. 55 of 1999.

#### 0.2.6 **Legal Framework**

The National Broadcasting Commission (herein referred to as the **Commission**) was established by Section 1 of *the National Broadcasting Commission Act, Cap. N11, Laws of the Federation of Nigeria, 2004*; (hereafter called "**the Act**").

#### 0.2.7 **Powers of the Commission**

The powers of the National Broadcasting Commission are as stated in Section 2(1) of the NBC Act, *Cap. N11, Laws of the Federation of Nigeria, 2004*. See appendix I.

#### 0.2.8 **Declaration**

The National Broadcasting Commission affirms that it shall co-operate with, encourage and protect Broadcasters, but will firmly ensure adherence to all the provisions of the NBC Act, **the Code** and any other regulation(s) as may be made from time to time by the Commission.

## **BROADCASTING STANDARD**

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### **PRINCIPLES**

- APPROVAL OF AGREEMENTS AND TRANSACTIONS
- COVERAGE OF CRISIS, DISASTER AND EMERGENCY
- BROADCASTER IDENTIFICATION
- THE RIGHT TO COMPLAIN
- PROGRAMMES SCHEDULE
- LOG BOOKS
- CONTINUOUS OFF-AIR RECORDING OF TRANSMISSION
- RIGHT OF ENTRY
- PROGRAMME PRESENTATION
- PIRACY
- STAFF EMPOWERMENT
- EMPLOYMENT AND HUMAN CAPACITY DEVELOPMENT
- FAMILY BELT
- BROADCAST CURRICULA IN TERTIARY INSTITUTIONS
- LAWS AND OTHER PROFESSIONAL STANDARDS

## CHAPTER ONE

### 1.0 BROADCASTING STANDARD

The Standard given hereunder stipulates the global best practices of broadcasting, the regulations and procedures for developing and upholding professionalism in Nigerian Broadcasting.

### 1.1 PRINCIPLES

- a. The power to establish and disseminate **the Code** is derived from the provision of Section 2 (1) (h) of **the Act**;
- b. **The Code** contains the universal Standard of Broadcasting, with specific application to Nigeria. The purpose is to guide the Broadcaster to apply the provisions of the Code and to assist the public to uphold them as the benchmark for their *“...right to quality broadcasting”*.
- c. **The Code** is guided by the ideals of transparency, consistent with the best service delivery principles.
- d. **The Code** contains regulations for easy interpretation by the Broadcaster and the public. The regulations shall be reviewed from time to time in response to changes and evolving trends in the broadcasting industry.

	<p>e. <b>The Code</b> requires the Broadcaster to always consider what is beneficial to the audience in terms of cultural, moral, economic, social and political values of the Nigerian society.</p> <p>f. <b>The Code</b> recognises that broadcasting and freedom of expression are intrinsically linked. However, the Broadcaster shall exercise as much freedom as possible in programming without breaching societal values.</p> <p>g. <b>The Code</b> is the professional standard for the day-to-day operation of the broadcasting industry in Nigeria.</p>	
1.2	<p><b>APPROVAL OF AGREEMENTS AND TRANSACTIONS</b></p> <p>1.2.1 A licensee shall obtain the prior approval of the Commission in respect of any act, agreement or transaction that may directly or indirectly affect its shareholdings.</p> <p>1.2.2 The request for the approval referred to in 1.2.1 shall set-out the following information:</p> <ol style="list-style-type: none"><li>The Name of the Person(s)/Company(ies);</li><li>The percentage and voting interests of the Person(s)/Company(ies);</li></ol>	CLASS A

	<p>c. The level of association of the person (s)/Company(ies) in the management/ownership of the organisation;</p> <p>d. The level of association of the Person(s)/Company(ies) in any other broadcast organisation in the same sector; and</p> <p>e. A draft copy of the proposed agreement or transaction.</p>	
1.2.3	<p>A licensee shall obtain the prior approval of the Commission before engaging in any transaction that would result in a new ownership structure involving new persons.</p>	CLASS A
<b>1.3</b>	<b>COVERAGE OF CRISIS, DISASTER AND EMERGENCY</b>	
1.3.1	<p>Broadcast technology enables the Broadcaster to bring information on issues of concern to the audience with immediacy. In the event of a crisis, the advantages of broadcast technologies may be used but not in a manner to aggravate the situation or adversely affect those emotionally involved.</p>	CLASS B
1.3.2	<p>The Broadcaster shall exercise due caution, empathy and sensitivity in the coverage and presentation of emergencies, calamities, riots etc.</p>	CLASS B

1.3.3	In drawing attention to a crisis, timely basic information shall be provided to assist the public, and to facilitate rescue operations and other forms of amelioration.	CLASS B
1.3.4	Sensationalism shall be avoided, by refraining from speculations, statements, details or exaggerations that could aggravate mass panic or hysteria.	CLASS B
1.3.5	The Broadcaster shall carry public announcements on natural disasters as social responsibility in its area of coverage.	CLASS C
1.3.6	The Broadcaster using media sources or any emerging technology for coverage of a disaster or an emergency shall exercise due caution and professionalism, ensuring the veracity and credibility of the originating material.	CLASS B
<b>1.4 BROADCASTER IDENTIFICATION</b>		
1.4.1	The Broadcaster shall have a Call Sign, Station identification or Logo, or a combination to serve as its identity.	CLASS B
1.4.2	The Broadcaster shall, before commencement of operation, register with the Trademark department its Call Sign, Station Slogan, Identification, or Logo.	CLASS B

1.4.3	The Broadcaster shall thereafter obtain the approval of the Commission.	CLASS B
1.4.4	For radio, the Broadcaster's Identification shall be relayed at least every 15 minutes or at the next available programme juncture.	CLASS C
1.4.5	For television, the following shall apply:  a. <b>ONLY</b> the Broadcaster's Identification Logo shall be permanently displayed.  b. Legitimate information captions, including the logo of the Franchise Holder(s), and/or the caption or logo of a Sponsor, may also be displayed at intervals of 10 minutes, for a duration not exceeding 60 seconds, in addition to the provision in section 1.4.5 (a)  c. A programme title shall be displayed at the beginning, bridging points and at the end of the programme except for Grade A programmes.	CLASS C CLASS C CLASS C
1.4.6	Where the Broadcaster uses more than one frequency or channel, each outlet shall be separately registered, approved and identified.	CLASS B
1.4.7	Broadcasting with unregistered and unapproved identification is not allowed.	CLASS B

<p><b>1.5 THE RIGHT TO COMPLAIN</b></p> <p>Any person or group has a right to complain about any broadcast content or conduct of the Broadcaster. Therefore, the Broadcaster shall transmit at least twice a day, information on how to lodge complaints about its content or general conduct.</p> <p><b>1.6 PROGRAMMES SCHEDULE</b></p> <ul style="list-style-type: none"><li>a. The scheduling of a programme is the absolute responsibility of the Broadcaster in accordance with its editorial policies; especially, Network programmes, taking into consideration the diversity in faith, cultural and moral sensitivities of the audience.</li><li>b. It is the responsibility of the Broadcaster to regularly and clearly explain its programmes, through promotions and trailers.</li><li>c. The Terrestrial Broadcaster shall not schedule a programme unsuitable for children and young persons, before the watershed time of 10.00pm.</li><li>d. Broadcasters of programmes not suitable for children or other vulnerable groups shall ensure that their content is unavailable to them through the use of Electronic Programme Guide (EPG)/</li></ul>	CLASS B	CLASS C	CLASS C	CLASS B
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	Parental Guide (PG), Conditional Access (CA) or any other coding system.	
e.	The Broadcaster shall not schedule morally contrasting programmes, fillers or advertisements of similar or competing services or programmes genres, back to back.	CLASS C
1.6.1	The Broadcaster shall forward to the Commission its quarterly programmes schedule and synopsis of new or repackaged programmes not less than one week before the beginning of the quarter.	CLASS B
1.6.2	The Broadcaster shall establish an Electronic Programme Guide (EPG) which contains all the details required in 1.6.1.	CLASS B
<b>1.7</b>	<b>LOG BOOKS</b>	
1.7.1	The Broadcaster shall log all transmissions, including test transmissions, in accordance with paragraphs 7 and 8 of the <i>Third Schedule of the Act</i> .	CLASS B
1.7.2	The Broadcaster shall maintain Log Books for recording each day's broadcast related activities, including: a. Programmes; b. Music; c. Advertisements and Sponsorships;	CLASS B

<p>d. Studio Operations and Maintenance;</p> <p>e. Transmitter Operations and Maintenance;</p> <p>f. Links Operation and Maintenance; and</p> <p>g. Power Supply</p> <p>1.7.3 The broadcaster shall avail the Commission of the Log Book(s) upon request.</p>	CLASS B
<p><b>1.8 CONTINUOUS OFF-AIR RECORDING OF TRANSMISSION</b></p>	
<p>1.8.1 The Broadcaster shall:</p> <p>a. retain for a period of not less than 90 days, a recording of every programme broadcast on its service;</p> <p>b. produce any such recording for examination on demand by the Commission;</p> <p>c. produce the script or transcript of the programme on demand by the Commission.</p>	CLASS B
<p><b>1.9 RIGHT OF ENTRY</b></p>	
<p>1.9.1 The Broadcaster shall be in breach of the provisions of <b>the Code</b> if:</p> <p>a. it denies the Commission or its agent, entry into its premises as provided in Section 13(2) of <b>the Act</b>.</p>	CLASS A

	<p>b. it obstructs the Commission or its agent in the exercise of the powers conferred on the Commission under this section; or</p> <p>c. it fails or refuses to give the Commission or its agent, the required co-operation to carry out its responsibility.</p>	CLASS A
<b>1.10</b>	<b>PROGRAMME PRESENTATION</b>	CLASS A
1.10.1	The Broadcaster shall ensure that its Presenter or Anchor, shall be decently and appropriately attired, in a manner consistent with the Nigerian culture.	CLASS C
1.10.2	The Broadcaster shall ensure that its Presenter has a good command of the language of presentation, in diction, grammar and elocution.	CLASS C
1.10.3	The Broadcaster shall ensure that its Presenter does not express his or her opinion in the programme, as a matter of professional standard.	CLASS B
1.10.4	The Broadcaster shall ensure that its Presenter, especially of a phone-in programme, shall handle it with professionalism and sound judgment, to ensure that it does not lose focus, or lead to unfair treatment of any person or institution.	CLASS B

1.10.5 The Broadcaster shall ensure that every scheduled broadcast, except a live commentary is scripted.	CLASS B
<b>1.11 PIRACY</b>	
1.11.1 The Broadcaster shall not broadcast any content or encrypted broadcast signal without the express permission of the Right Owner.	CLASS B
1.11.2 The Broadcaster, relaying any programme (local or foreign) shall ensure proper acquisition of such a programme.	CLASS B
<b>1.12 STAFF EMPOWERMENT</b>	
The Broadcaster shall provide good Conditions of Service in the areas of remuneration, health, insurance, disengagement and pensioner's welfare, as well as regular training and a good industrial relations environment	CLASS B
<b>1.13 EMPLOYMENT AND HUMAN CAPACITY DEVELOPMENT</b>	
1.13.1 The minimum entry requirement of a Broadcaster shall be an Ordinary Diploma or a Certificate from a recognised Media Training Institution.	CLASS B
1.13.2 The Broadcaster shall ensure that only a person with the requisite training and cognate	CLASS B

<p>experience is employed to head a professional department in the station.</p> <p>1.13.3 The Broadcaster shall ensure that newly recruited staff with proven aptitude but without industry experience attend a relevant course at a recognised broadcast institution within two years of employment.</p> <p>1.13.4 Only a person with requisite qualification and at least 10 years cognate experience shall head a professional Department such as Programmes, News, Engineering or Marketing.</p> <p>1.13.5 Only a person with at least 10 years cognate experience, 5 of which must have been in the Management cadre, shall be the Head of Station, Chief Operating Officer or Chief Executive Officer.</p> <p>1.13.6 The Broadcaster shall ensure that all its operatives have working knowledge of <b>the Code</b>.</p> <p><b>1.14 FAMILY BELT</b></p> <p>1.14.1 The Broadcaster, operating a Free-To-Air Television service shall ensure that all programmes, between 7.00pm and 10.00pm, otherwise known as Family Belt, are produced locally and are suitable for family viewing.</p>	CLASS B CLASS B CLASS B CLASS B CLASS B CLASS B
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<p>1.14.2 The Broadcaster shall ensure that programmes, which do not consciously promote National values, ideals and aspirations, or which gratuitously display foreign culture, violence, obscenity or vulgarism, are not broadcast during the family belt.</p> <p>1.14.3 The Broadcaster shall ensure that Family Belt for radio, 5.00pm–8.00pm, conforms with the provision of 1.14.2.</p> <p><b>1.15 BROADCAST CURRICULA IN TERTIARY INSTITUTIONS</b></p> <p>1.15.1 Tertiary institutions play a vital role in producing professionals for the industry, through the teaching and practice of Mass Communication and other broadcast-related courses. Section 2(1) (p) of <b>the Act</b> empowers the Commission to accredit curricula and programmes for Nigerian tertiary institutions, which offer Mass Communication programmes in relation to broadcasting.</p> <p>Essentially, an academic broadcast programme may only be accredited if it has a functional broadcast studio and offers a mix of the following key areas, and others to be added from time to time:</p> <p>a. <b>The Act</b>;</p>	CLASS B	CLASS B
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- b. **The Code** and other Broadcast Regulations;
- c. Educational and Instructional Broadcasting;
- d. Advertising;
- e. News Writing, Reporting, Editing and Newscasting;
- f. Radio and TV Production Techniques;
- g. Radio and TV Directing;
- h. Radio and TV Script Writing for Drama, Documentary and other Programme Productions;
- i. Radio and TV Presentation Techniques;
- j. Lighting and Sound;
- k. Camera Techniques;
- l. Broadcast Station Management;
- m. Media Law and Ethics;
- n. Information Technology in Broadcasting;
- o. Technological Developments in the Industry;
- p. Industrial Attachment;
- q. Freedom of Information Act.

## **1.16 LAWS AND OTHER PROFESSIONAL STANDARD**

**1.16.1** The objectives of broadcasting are best achieved if all those involved in the production and

transmission of programmes adhere to the following laws:

- a. *The Constitution of the Federal Republic of Nigeria, 1999 (as amended);*
- b. *The National Broadcasting Commission Act, Cap. N11, Laws of the Federation of Nigeria, 2004;*
- c. *The Wireless Telegraphy Act, Cap. W5 Laws of the Federation of Nigeria, 2004 (as amended by section 22, subsection 2 of the Act);*
- d. *The Freedom of Information Act;*
- e. *The Law of Defamation;*
- f. *The Law of Contempt, relating to matters pending before law courts;*
- g. *The Official Secrets Act, Cap. 03 Laws of the Federation of Nigeria, 2004;*
- h. *The Advertising Practitioners Council of Nigeria Act, Cap. A7 Laws of the Federation of Nigeria, 2004;*
- i. *The National Film & Video Censors Board Act, Cap. N40 Laws of the Federation of Nigeria, 2004;*
- j. *The Electoral Act, as it relates to Broadcasting;*
- k. *The National Agency for Food and Drug Administration and Control Act, Cap N1, Laws of the Federation of Nigeria, 2004;*

- l. The Nigerian Copyright Act, Cap. C28 Laws of the Federation of Nigeria, 2004;*
- m. The National Lottery Act, Cap. N145 Laws of the Federation of Nigeria, 2004;*
- n. The Nigeria Film Corporation Act;*
- o. The National Communications Commission Act, Cap. N97, Laws of the Federation of Nigeria, 2004;*
- p. The National Emergency Management Agency Act Cap. N34, Laws of the Federation of Nigeria, 2004;*
- q. Nigeria Civil Aviation Authority Act Cap. N94, Laws of the Federation of Nigeria;*
- r. Labour Act Cap L1, Laws of the Federation of Nigeria, 2004;*
- s. The National Information Technology Development Agency Act 2007;*
- t. International Treaties/Obligations, relating to broadcasting to which Nigeria is a signatory; and*
- u. Any other Federal and State Legislation/Law, relating to Broadcasting.*

## LICENSING

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TIERS OF BROADCASTING

TYPES OF BROADCASTING SERVICE

CATEGORIES OF BROADCAST LICENCE

BROADCAST PERMIT

LICENCE USAGE

RENEWAL OF LICENCE

CONSIDERATION OF APPLICATION FOR RENEWAL

OF A LICENCE

PUBLIC ASSESSMENT

PUBLIC ASSESSMENT PROCEDURE

SUBMISSION OF ANNUAL ACCOUNTS AND REMITTANCE

AMENDMENT OF A LICENCE

PROHIBITIONS

## CHAPTER TWO

### 2.0 LICENSING

2.0.1 Licensing is the process of conferring authority on an applicant to operate a broadcasting service by the appropriate agency under specific conditions set out by law.

2.0.2 It shall be illegal for any person to operate or use any apparatus or premises for transmission of sound or video by cable, television, radio, satellite or other medium of broadcast from anywhere in Nigeria, unless licensed by the Commission.

CLASS A

### 2.1 TIERS OF BROADCASTING

- a. Public Broadcasting
- b. Commercial Broadcasting
- c. Community Broadcasting

### 2.2 TYPES OF BROADCASTING SERVICE

#### 2.2.1 Terrestrial Radio and Television Coverage:

- a. National
- b. Regional
- c. State
- d. City

**2.2.2 Terrestrial Radio - Mode:**

- a. Amplitude Modulation (AM)
  - (i) Medium Wave (MW)
  - (ii) Short Wave (SW)
- b. Frequency Modulation (FM)
- c. Digital Audio Broadcast (DAB)
  - (i) Digital Radio Mondiale (DRM)
  - (ii) In-Band On Channel (IBOC) Standard
  - (iii) Any other radio broadcast mode that may evolve.

**2.2.3 Terrestrial Television - Mode:**

- a. Open Digital Broadcast
  - i. Digital Video Broadcast-Terrestrial (DVB-T/DVB-T2)
  - ii. Digital Video Broadcast-Cable (DVB-C/DVB-C2)
  - iii. Digital Video Broadcast-Mobile (Technology Neutral)
  - iv. And any other digital format
- b. Subscription Pay Television
  - i. Multipoint Microwave Distribution System (MMDS)

- ii. Digital Video Broadcast-Cable (DVB-C/DVB - C2)
- iii. Digital Video Broadcast-Terrestrial (DVB-T2)
- iv. Digital Video Broadcast-Mobile (Technology Neutral)
- v. And any other digital format

**2.2.4 Satellite Radio - Mode:**

- a. Open Broadcast (Free-To-Air)
- b. Subscription Radio
- c. Temporary Uplink

**2.2.5 Satellite Television - Mode:**

- a. Free-To-Air
- b. Subscription Television
  - (i) Direct Satellite Broadcast (DSB)
  - (ii) Direct-to-Home (DTH)
- c. Temporary Uplink

**2.2.6 Community Broadcast (Free-To-Air)**

- a. Community Radio/Television
- b. Community Wired Service (Sound and Video)

**2.2.7 Protocol Broadcasting**

- a. Internet Protocol Radio

- b. Internet Protocol Television

### **2.3 CATEGORIES OF BROADCAST LICENCE**

2.3.1 The Commission shall receive, process and consider applications for the grant of broadcast Licence in the following categories:

- a. Satellite Broadcast; Subscription DTH (Audio and Video)
- b. Cable Television Subscription
- c. Community (Radio and Television)
- d. Networking (Radio and Television)
- e. FM Radio Broadcasting
- f. Internet Broadcasting
- g. Digital Multimedia Content Aggregation (Video, Audio or Interactive media services)
- h. Broadcast Signal Distribution
- i. Digital Terrestrial (Free-To-Air) TV
- j. Direct channel or content broadcast (Satellite, Digital Terrestrial Television or Over The Top)
- k. Mobile/Handheld (DVB-H)
- l. Digital Subscription Television

### **2.4 BROADCAST PERMIT**

#### **2.4.1 CATEGORIES OF BROADCAST PERMIT**

The Commission shall receive, process and consider applications for the grant of broadcast

<p>permit in the following categories:</p> <ul style="list-style-type: none"><li>a. broadcast equipment dealership (wholesale or retail)</li><li>b. broadcast equipment manufacture</li><li>c. hotel signal redistribution (audio and video)</li><li>d. research on and testing of broadcast facilities</li><li>e. Radio/TV Research, Survey and Rating Agencies</li></ul> <p>2.4.2 Persons or entities seeking to operate any of the services listed in 2.4.1 shall apply for, and obtain a permit from the Commission.</p> <p>2.4.3 Any of the above permits shall be valid for a period of time as may be determined by the Commission.</p> <p>2.4.4 An application for the renewal of any of the above permits shall be made to the Commission within a period to be determined by the Commission.</p> <p>2.4.5 The above listed permits shall be obtained on payment of a fee prescribed by the Commission.</p>	CLASS A CLASS A CLASS B CLASS A
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<b>2.5 LICENCE USAGE</b>	
2.5.1 The Broadcaster shall ensure that broadcast operatives read and understand the provisions of <b>the Code</b> before putting the Licence to use.	
2.5.2 A Licence shall only be used on payment of a fee prescribed by the Commission.	CLASS A
2.5.3 A Licence shall be used only for the type of broadcast service approved and specified in the Licence.	CLASS A
2.5.4 A Licence shall be suspended if, for six consecutive months the licensee ceases to provide the service for which it was issued.	CLASS B
2.5.5 A Licence may be revoked by the Commission where it has not been put to use within a period of two years after issuance.	CLASS A
2.5.6 A licence shall be subject to the provisions of <b>the Act, the Code</b> and any other regulation made from time to time by the Commission.	
<b>2.6 RENEWAL OF LICENCE</b>	
2.6.1 The renewal of a Licence shall be subject to the fulfillment of the conditions stipulated by <b>the Act</b> .	CLASS B
2.6.2 An application for the renewal of a Licence shall be made to the Commission at least six months before the expiration of the Licence.	CLASS B

2.6.3 The Broadcaster that fails to meet all financial and other obligations to the Commission shall not be eligible for licence renewal.	CLASS A
<b>2.7 CONSIDERATION OF APPLICATION FOR RENEWAL OF A LICENCE</b>	
2.7.1 The Commission shall among others, consider the following in the renewal of a Licence: <ol style="list-style-type: none"><li data-bbox="309 611 980 646">past conduct of the Licensee;</li><li data-bbox="309 664 980 739">breach profile and level of adherence to rules and regulations by the Licensee;</li><li data-bbox="309 757 980 792">local content profile of the Licensee;</li><li data-bbox="309 809 980 885">evidence of compliance with the payment of fees, levies and penalties;</li><li data-bbox="309 903 980 961">evidence of regular submission of annual audited account;</li><li data-bbox="309 978 980 1036">evidence of payments of percentage of annual income.</li></ol>	
<b>2.8 PUBLIC ASSESSMENT</b> <p>The Commission may conduct a public assessment within the coverage area of a Broadcaster to enable the Commission determine the following:</p> <ol style="list-style-type: none"><li data-bbox="303 1331 980 1477">the level of compliance with the provisions of <b>the Act, the Code</b> and other rules and regulations made by the Commission from time to time;</li></ol>	

<p>b. the extent to which the Licence has benefitted the people on whose behalf it is held;</p> <p>c. the appropriateness or otherwise of its Licence renewal.</p> <p><b>2.9 PUBLIC ASSESSMENT PROCEDURE</b></p> <p>2.9.1 The Commission shall cause the Broadcaster to announce the public assessment in its coverage area, at least twice a day at prime time for a period of two weeks, prior to the assessment, stating:</p> <ul style="list-style-type: none"><li>a. <b>date, time</b> and <b>venue</b> for the assessment;</li><li>b. the nature of the matter(s) to be heard at the public assessment.</li></ul> <p>2.9.2 The <b>entire</b> cost of the exercise shall be borne by the Licensee.</p> <p>2.9.3 No application may be amended or varied and no supplementary or additional document may be filed after a notice in respect of the assessment has been published, except with the permission of the Commission.</p> <p>2.9.4 <b>Public Assessment Committee</b></p> <ul style="list-style-type: none"><li>a. The Commission shall establish a Public Assessment Committee.</li><li>b. The Commission shall notify the broadcaster of the <b>date, time</b> and place for the assessment.</li></ul>	CLASS B CLASS B
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c. The Commission shall publish a notice of the application in at least two newspapers in circulation within the area normally served by the Licensee.

## 2.10. SUBMISSION OF ANNUAL ACCOUNTS AND REMITTANCE

The Broadcaster shall:

- a. Remit to the Commission 2.5% of its Annual Income;
- b. The Annual Income referred to in 'a' above shall be Gross Annual Income;
- c. The remittance referred to in 'a' above shall either be monthly or annually;
- d. Submit to the Commission on or before 31<sup>st</sup> March in each year, the certified copy of the Annual Audited Accounts of the station (company) for the preceding year.

CLASS A

CLASS A

## 2.11. AMENDMENT OF A LICENCE

2.11.1 The Commission may amend a Licence to:

- a. ensure good and efficient frequency management;
- b. ensure compliance with any international broadcast protocol.

<p>2.11.2 The Commission may, upon request by a Broadcaster, amend a Licence, provided the amendment will not:</p> <ul style="list-style-type: none"><li>(i) prejudice any other broadcaster;</li><li>(ii) be inconsistent with the provisions of <b>the Act</b> or any protocol, agreement or convention contemplated in sub-section 2.11.1(b).</li></ul> <p><b>2.12 PROHIBITIONS</b></p> <p>2.12.1 Pursuant to section 14, subsection 4 of <b>the Act</b>, no person other than a holder of a Dealer's permit shall offer for sale, sell or have in his possession with a view to selling in the course of his business, any installation, mechanism, instrument, material or other apparatus constructed for the purpose of or intended to be used for broadcasting except under and in accordance with a permit on that behalf.</p> <p>2.12.2 No person other than the Broadcaster and a dealership permit holder can import broadcast equipment.</p> <p>2.12.3 No person shall establish, install or use any equipment or apparatus for the transmission, retransmission, relay or re-distribution of broadcast signal except as licensed by the Commission.</p>	CLASS A CLASS A CLASS A
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2.12.4	No person shall import or operate a broadcast system which uses frequencies in the Federal Republic of Nigeria or operate any wireless equipment that uses broadcast frequencies unless authorized to do so upon the assignment of a frequency or channel by the Commission.	CLASS A
2.12.5	A Licence shall be revoked where a Broadcaster:	
	a. is declared insolvent;	CLASS A
	b. is declared bankrupt;	CLASS A
	c. enters liquidation.	CLASS A
2.12.6	The Broadcaster who persistently breaches the provisions of <b>the Code</b> shall be severely sanctioned.	CLASS A

## GENERAL PROGRAMMING STANDARD

THE CENTRAL TENET OF BROADCASTING  
PROFESSIONAL RULES  
STRAIGHT DEALING  
ACCURACY, OBJECTIVITY AND FAIRNESS  
INTEGRITY  
AUTHENTICITY  
PRIVACY  
CONSENT  
GOOD TASTE AND DECENCY  
MORALITY AND SOCIAL VALUES  
WOMEN  
CRIME, LAW AND ORDER  
VIOLENCE, CRUELTY, PAIN AND HORROR  
WATERSHED  
LOCAL PROGRAMME CONTENT  
CHARACTER OF LOCAL CONTENT  
RULES ON LOCAL CONTENT  
LOCAL CONTENT DEVELOPMENT FUND  
MUSIC  
INDEPENDENT PRODUCER  
FOREIGN CONTENT  
USER GENERATED CONTENT  
RIGHT OF REPLY

## CHAPTER THREE

### 3.0 GENERAL PROGRAMMING STANDARD

#### 3.0.1 THE CENTRAL TENET OF BROADCASTING

This chapter sets out the Content Standard which the audience expects as a right in programming. The aim is to ensure that qualitative programming content meets and satisfies the needs of all audience categories. In other words, every programme shall adhere to the general principles of legality, decency and truthfulness, while encouraging creativity, innovation and entrepreneurship.

#### 3.1 PROFESSIONAL RULES

3.1.1 No broadcast shall encourage or incite to crime, lead to public disorder or hate, be repugnant to public feelings or contain offensive reference to any person or organization, alive or dead or generally be disrespectful to human dignity.

CLASS A

3.1.2 Broadcasting shall promote human dignity, therefore, hate speech is prohibited.

CLASS A

The Broadcaster shall not transmit any programme, programme promotion, community service announcement or station identity, which is likely, in any circumstance, to provoke or perpetuate in a reasonable person,

<p>intense dislike, serious contempt or severe ridicule against a person or groups of people because of age, colour, gender, national or ethnic origin, disability, race, religion or political leanings.</p> <p>3.1.3 The Broadcaster is recognized as an agent of society; therefore, it shall not use the medium for any personal or sectional interest, privileges and needs of its own, proprietor, relatives, friends or supporters.</p> <p>3.1.4 A Programme in a foreign language shall not be transmitted without subtitles in the official language, except sports where the audio is only complementary or religious and niche programmes where the language is easily understood by the adherents.</p> <p>3.1.5 Transmission of a programme in a local language shall have sub-titles in the official language and or a language channel provision.</p> <p>3.1.6 All subtitles shall be professionally and accurately done.</p> <p>3.1.7 The Broadcaster shall ensure that any programme targeted at the Nigerian market shall promote the economy of the country by the involvement of Nigerians in all aspects of its production including location, personnel, talents, etc.</p>	CLASS B
	CLASS C
	CLASS C
	CLASS B
	CLASS B

3.1.8	A programme or musical content classified as "Not To Be Broadcast" (NTBB) shall not be broadcast.	CLASS B
3.1.9	The Broadcaster shall ensue that: <ol style="list-style-type: none"><li>every movie carries the appropriate classification symbol of the National Film and Video Censors Board (NFVCB) or any other recognized classification, and is broadcast within appropriate belt in accordance with the provisions of <b>the Code</b>;</li><li>the classification symbol is displayed throughout the duration of the movie.</li></ol>	CLASS B
3.1.10	Without prejudice to Section 3.1.9, the Broadcaster shall not transmit any material that is morally or socially unacceptable for public consumption.	CLASS B
3.1.11	Persons under the age of 18, the physically challenged or any vulnerable group shall be protected from offensive and harmful portrayal in a programme.	CLASS B
3.1.12	A programme shall be properly heralded. Relevant information shall be included to guide parents in deciding its suitability for their children and wards.	CLASS C

3.1.13 Piracy is prohibited; therefore, the broadcast or rebroadcast of any content, shall be, only, with the express permission of the Rights owner.	CLASS B
3.1.14 The abrupt termination of a programme is a professional breach, except in the event of an emergency, such as technical fault or Breaking News, which shall be heralded with the appropriate courtesy.	CLASS C
3.1.15 The Broadcaster shall clearly display on the Electronic Programme Guide (EPG) classification symbol throughout the duration of the programme.	CLASS B
3.1.16 The use of scroll bars shall be limited to news, Breaking News, sports and reality shows, and shall not be used for advertisement.	CLASS B
3.1.17 The Broadcaster shall not carry any programme with praise singing or adulation and the tendency to glamorise persons.	CLASS B
3.1.18 The Broadcaster shall not deny access to those with contrary views.	CLASS B
3.1.19 The Broadcaster shall not transmit content that denigrates the social norms, values and culture of the society.	CLASS B

**3.2 STRAIGHT DEALING**

3.2.1 The objectives of broadcasting in Nigeria are designed to further the goals of democracy and socio-economic development. These objectives challenge the broadcasting industry to assume a major role in the establishment of democratic culture in the country. To achieve this role, all programmes shall display a transparent concern for fair-play, honesty and integrity.

Straight dealing requires that all the objectives of a programme shall be clearly evident at every stage of its production and presentation.

CLASS B

**3.3 ACCURACY, OBJECTIVITY AND FAIRNESS**

3.3.1 The Broadcaster shall:

- a. ensure that any information given in a programme, in whatever form, is accurate;
- b. ensure that all sides to any issue of public interest are equitably presented for fairness and balance;
- c. be above inherent biases, prejudices and subjective mindsets;
- d. admit a mistake once clearly established and fully effect immediate remedy;
- e. not treat any individual or organization in an unjust or unfair manner in any programme;
- f. respect confidentiality or anonymity, if requested or desirable;

CLASS B

CLASS B

CLASS B

CLASS C

CLASS B

CLASS B

	g. not obtain or seek information through deception or misrepresentation.	CLASS B
<b>3.4</b>	<b>INTEGRITY</b>	
3.4.1	The Broadcaster shall ensure that:	
	a. every programme is accurate and credible;	CLASS B
	b. all sides to an issue are equitably presented, preferably in the same broadcast;	CLASS B
	c. a <i>Right of Reply</i> is guaranteed to any person or body with a genuine claim to misrepresentation, without cost;	CLASS B
	d. its involvement in charity and fund raising, as well as quiz and similar programmes are presented as contests of knowledge, skill or luck and be transparent;	CLASS C
	e. all programmes comply with laws relating to piracy, copyright, privacy, sedition and libel.	CLASS B
3.4.2	The Broadcaster shall be sensitive to the feelings of its audience regarding the necessity to discontinue a programme.	CLASS C
3.4.3	The Broadcaster shall adhere strictly to its published programmes schedule. In the event of a change, adequate prior announcement shall be made.	CLASS C

**3.5 AUTHENTICITY**

3.5.1 The Broadcaster shall ensure that:

- a. fictional events or non-factual materials are not presented as real;
- b. archival, library or contrived materials are clearly identified;
- c. in using archival materials, it bears in mind the possible distress that the materials could cause the parties concerned.

CLASS B

CLASS B

CLASS B

**3.6 PRIVACY**

3.6.1 The Broadcaster shall:

- a. respect the right of everyone to privacy;
- b. protect the sources of information in line with **the Code** of Ethics for Journalism;
- c. respect the sanctity of marriage and values of a home;
- d. ensure that a person inadvertently appearing in a scene is not portrayed in a manner to cause him or her embarrassment.

CLASS B

CLASS B

CLASS B

CLASS B

3.6.2 A material recorded in a public place may be broadcast without the consent of the individuals concerned, however, where the individual objects, such objection shall be respected.

CLASS B

<b>3.7 CONSENT</b>	
3.7.1 The Broadcaster shall ensure that:	
a. the consent of any person whose privacy will be the subject in any programme is obtained before broadcast;	CLASS B
b. the consent of the parents or guardian is obtained where the participants include a minor; and	CLASS B
c. prior permission of relevant authority or management is obtained before filming or recording at institutions, organisations and other restricted places, except in cases of exigency. However, the prior consent of individuals, employees or others whose appearance are incidental shall normally not be required.	CLASS B
<b>3.8 GOOD TASTE AND DECENCY</b>	
3.8.1 The Broadcaster shall ensure that:	
a. obscene, indecent, vulgar language, lewd and profane expression, presentation or representation are NOT ALLOWED in a programme;	CLASS B
b. the sanctity of marriage and family life are promoted and strictly upheld;	CLASS B
c. the physically and mentally challenged are not exploited or presented in a manner embarrassing to the challenged or members of their families.	CLASS B

**3.9 MORALITY AND SOCIAL VALUES**

3.9.1	The Broadcaster shall ensure that:	
a.	X-rated programmes and all forms of pornography are NOT broadcast;	CLASS B
b.	cruelty, greed, selfishness and revenge are not portrayed as desirable human values;	CLASS B
c.	programme belts are strictly respected, especially the children and family belts even in the vertical alignment of the digital era;	CLASS B
d.	drunkenness, drug addiction and other anti-social tendencies, are not presented except as destructive habits to be avoided and denounced;	CLASS B
e.	sex-related acts such as adultery, prostitution, rape, bestiality, homosexuality, lesbianism, incest and the LGBT issues are not presented, except as destructive practices to be avoided and denounced;	CLASS B
f.	excessive portrayal of physical suffering and pain or the exhibition of dead bodies or blood are avoided except for the purpose of conveying a message, in which case it shall be preceded with a caution;	CLASS B

<p>g. liquor consumption, smoking and ostentatious lifestyle are shown only when consistent with plot of the programme as anti-social and unacceptable;</p> <p>h. suicide is not treated as an acceptable solution to human problems;</p> <p>i. the portrayal of nudity, sexual scenes and expressions is justifiable only in context; however, it shall be presented with tact and due discretion.</p>	CLASS B
3.9.2 The Broadcaster shall ensure that in all exceptions given in this section, gratuitous presentation of graphic details is not allowed.	CLASS B
<b>3.10 WOMEN</b>	
3.10.1 The Broadcaster shall ensure that: <ol style="list-style-type: none"><li>womanhood is presented with respect and dignity;</li><li>women are not portrayed unfairly as sex objects or stereotyped.</li></ol>	CLASS B
3.10.2 The Broadcaster shall not promote gender-based violent programme(s).	CLASS B

**3.11 CRIME, LAW AND ORDER**

3.11.1 The Broadcaster shall ensure that:

- language or scene likely to encourage or incite to crime, or lead to disorder, is not broadcast;
- no programme contains anything which amounts to subversion of constituted authority or compromises the unity or corporate existence of Nigeria as a sovereign state;
- a programme is not broadcast if it treats crime in a frivolous manner or in a manner that seems to condone it.

CLASS A

CLASS A

CLASS B

CLASS B

3.11.2 The Broadcaster shall ensure that law enforcement is upheld at all times in a manner depicting that law and order are socially superior to, or more desirable than crime or anarchy.

**3.12 VIOLENCE, CRUELTY, PAIN AND HORROR**

3.12.1 Broadcasting is highly susceptible to imitation, especially by children. The Broadcaster shall therefore, ensure that:

- the portrayal of violence, cruelty, pain and horror with the potential of causing moral or psychological harm are not broadcast;

CLASS B

<ul style="list-style-type: none"><li>b. a programme portraying excessive physical violence or horror is not broadcast, unless relevant to character development or to the advancement of the theme or plot; despite this, graphic and gory details shall be avoided;</li><li>c. violence is not depicted as glamorous;</li><li>d. where violence, cruelty or horror is depicted, the consequences to the perpetrators are made manifest;</li><li>e. the portrayal of dangerous activities which could invite imitation, shall not be broadcast.</li></ul>	CLASS B
3.12.2 The Broadcaster shall not transmit a programme that incites or likely to incite to violence among the populace, causing mass panic, political and social upheaval, security breach and general social disorder.	CLASS B
<b>3.13 WATERSHED</b> <ul style="list-style-type: none"><li>a. The restrictions in section 3.9 relate to programmes of general family viewing.</li><li>b. Exceptions can be acceptable only to operators with conditional access facilities or pay-per-view.</li></ul>	CLASS B

<p>c. The exception is applicable where the programmes are restricted to the watershed period of between 10.00p.m and 5.00a.m, even then, only on a premium channel.</p> <p>3.13.1 The Broadcaster shall give clear warning prior to the transmission of any material that may not be suitable for the impressionable.</p> <p><b>3.14 LOCAL PROGRAMME CONTENT</b></p> <p>3.14.1 Local content regulation is essentially to:</p> <ul style="list-style-type: none"><li>a. promote and sustain Nigeria's diverse cultures, mores, folklores and community life;</li><li>b. provide diversity in types of programming content for the widest audience through the limitless variety in the cultural landscape of Nigeria.</li></ul> <p>3.14.2 The Broadcaster shall:</p> <ul style="list-style-type: none"><li>a. promote Nigerian content and encourage the production and projection of Nigerian life within and outside its borders; strive to attain 100% local content; and</li><li>b. establish a dynamic, creative and economically vibrant Nigerian broadcast industry.</li></ul>	CLASS B CLASS B
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**3.15 CHARACTER OF LOCAL CONTENT**

3.15.1 The Broadcaster shall ensure that for a programme to qualify as local content, its conceptualization, production, target audience which in every case should be Nigeria, satisfies any of the following:

- a. produced collectively by authors, producers and workers who are Nigerians or residing in Nigeria; or,
- b. produced under the creative control of Nigerians; or,
- c. the production is made, supervised and controlled by a producer established/ resident in Nigeria; or,
- d. the contribution in a co-production is not controlled by a producer based outside Nigeria.

**3.16 RULES ON LOCAL CONTENT**

- a. In line with the provisions of the NBC Act on local content, the broadcaster shall ensure that all productions targeted at the Nigerian market shall meet the stipulated provision of minimum 60% local content requirement;
- b. The local content requirement referred to in 3.16 (a) shall be with respect to Nigerian locations, themes, personnel, talents etc;

CLASS B

c. Where a production is a collaboration with a foreign entity, the producers shall ensure that Nigerian locations, talents, skills, etc. form a very significant portion of the entire production.

### 3.17 LOCAL CONTENT DEVELOPMENT FUND (LCDF)

3.17.1 Local Content Development Fund (LCDF) shall be derived from penalties for breach of the local content provisions in **the Act, the Code** and other regulations, in addition to such other services, as may be determined by the Commission, from time to time.

3.17.2 The LCDF Shall be administered by a Committee established by the Commission.

### 3.18 MUSIC

3.18.1 The Broadcaster shall ensure that for a musical work to qualify as local content, such work complies with any of the following requirements:

- lyrics written by a Nigerian;
- music written by a Nigerian;
- music principally performed by musicians who are Nigerians;
- a live performance or recording of musical work performed or broadcast in Nigeria; or

CLASS B

<p>e. music or lyrics is co-written, co-produced or performed with Nigerians.</p> <p>3.18.2 The Broadcaster shall ensure, for the purpose of free-to-air terrestrial broadcasts that:</p> <ul style="list-style-type: none"><li>a. Nigerian music constitutes 80 percent of all its musical content;</li><li>b. for the purpose of royalties, it maintains an accurate log of every music it transmits and retain same for at least three months;</li><li>c. it exhibits responsibility, good taste and decency in the choice of music, which, in any case, shall not contain lewd, profane, indecent or vulgar expressions;</li><li>d. professionalism and good judgment are employed in the use of music as a bridge.</li></ul> <p><b>3.19 INDEPENDENT PRODUCER</b></p> <p>3.19.1 The independent producer is an important contributor towards the attainment of the 100% local content aspiration of the Nigerian broadcasting industry. Therefore, a Broadcaster shall exploit the numerous talents of independent Nigerian producers, by collaborating with, and commissioning them to provide content for broadcast.</p> <p>3.19.2 The Broadcaster shall employ the best of global business practices in engaging the services of the Nigerian independent producer.</p>	CLASS B
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3.19.3	The Broadcaster shall be held responsible for any breach of <b>the Code</b> , irrespective of the source of the content.	CLASS B
<b>3.20</b>	<b>FOREIGN CONTENT</b>	
3.20.1	Foreign content is permissible provided it conveys intrinsic relevance to the education, information and entertainment of the Nigerian citizenry.	CLASS B
3.20.2	The Broadcaster shall ensure that the selection of foreign programmes reflects the developmental needs of the Nigerian nation, and ensure respect for Nigerian cultural sensibilities.	CLASS B
3.20.3	The Broadcaster, relaying foreign programmes, shall ensure proper acquisition of such programmes.	CLASS B
3.20.4	The Broadcaster shall not relay foreign broadcasts <b>LIVE</b> on terrestrial platforms, except special religious or sports programmes or events of national interest.	CLASS B
3.20.5	The Broadcaster shall adhere to the principle of reciprocity in programme exchange and the record of the details of the agreement and implementation domiciled with the Commission.	CLASS B

<p><b>3.21 USER GENERATED CONTENT</b></p> <p>The Broadcaster shall take cognizance of new and emerging technologies which have made possible the development of User Generated Content (UGC), provided such content meet all relevant provisions of <b>the Code</b>.</p> <p><b>3.22 RIGHT OF REPLY</b></p> <p>3.22.1 The Broadcaster shall as a result of a complaint, give a Right of Reply and:</p> <ul style="list-style-type: none"><li>a. implement the Right of Reply within 24 hours or in the next edition or episode of the programme or at any other time acceptable to the complainant;</li><li>b. give the Right of Reply the same prominence or equivalent prominence, as in the original programme; and</li><li>c. carry out other corrective actions as may be specified by the Commission.</li></ul>	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>
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## PROGRAMMES

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DISCUSSION PROGRAMME  
CHILDREN AND YOUNG PERSONS  
RELIGIOUS PROGRAMMING  
INSTRUCTIONAL PROGRAMMING  
PROGRAMME CREDIT/ATTRIBUTION

<b>CHAPTER FOUR</b>	
<b>4.0 PROGRAMMES</b>	
4.0.1 The regulations in this chapter are specific to the different genres and formats of programmes, but generally, each programme type or format shall be consistent with the general programming standard in Chapter 3.	
<b>4.1 DISCUSSION PROGRAMME</b>	
4.1.1 The Broadcaster shall ensure that:	CLASS B
a. panelists in a discussion programme reflect the various viewpoints;	CLASS B
b. panelists are of comparable status and relevance.	CLASS B
4.1.2 Where a recorded discussion excludes any important or newsworthy area, or where further developments have taken place after that recording, it shall be stated at the beginning and end of the broadcast.	CLASS B
<b>4.2 CHILDREN AND YOUNG PERSONS</b>	
4.2.1 Children and young persons, in this context, are viewers and listeners below 18 years. This age group is particularly vulnerable to influence; it therefore needs protection from broadcast materials likely to lead it into anti-social behaviour.	

4.2.2 The Broadcaster shall:	
a. not transmit a programme which violates social values, shows disrespect for law and order or departs from a responsible lifestyle;	CLASS B
b. not transmit a programme containing sexually explicit or obscene materials;	CLASS B
c. not transmit content that promotes or glamorizes exorcism, occultism and any other paranormal activities;	CLASS B
d. not transmit programmes, including cartoons, that glamorise violence and crime or leave criminality unpunished;	CLASS B
e. not allow the portrayal of explicit violence, whether physical, verbal or emotional, irrespective of its relevance to the development of character and or, story;	CLASS B
f. not promote the impression that violence is the preferred or only method to resolve conflict between individuals;	CLASS B
g. not use foul or blasphemous language;	CLASS B
h. employ tact and maturity in programmes dealing with conflict;	CLASS B
i. not expose children and young persons to programmes that are likely to lower their self-esteem;	CLASS B

<ul style="list-style-type: none"> <li>j. promote indigenous values and present foreign folklores or values with care to avoid negative influence in children;</li> <li>k. devote at least 10 percent of total airtime to children's programming and within the children's belt;</li> <li>l. protect the identity of children and young persons involved in crime or other negative social incidents;</li> <li>m. take due care in dealing with themes which children could imitate, like the use of dangerous items as play items or copying of violent sports;</li> <li>n. protect children and young persons from all forms of inferiority complex.</li> </ul>	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>
<p><b>4.3 RELIGIOUS PROGRAMMING</b></p> <p>4.3.1 Religious beliefs and practices are central to a people's existence and capable of evoking strong passions and emotions. Nigeria is a country with different faiths, varying sensibilities and sensitivities.</p> <p>The Broadcaster shall, therefore, adhere to the following:</p> <ul style="list-style-type: none"> <li>a. give equal opportunities and equitable airtime to religious groups in the community;</li> </ul>	<p>CLASS B</p>

	b. ensure religious programmes are presented respectfully and accurately; c. ensure religious broadcast, over which content, members of a specific religion exercise control, are presented by responsible representatives of the given religion; d. ensure religious broadcast does not contain an attack on, or a ridicule of another religion or sect; e. avoid the casual use of names, words or symbols regarded as sacred by believers of a given faith; f. restrict itself to the content of its creed, and not presented in a manner as to mislead the public; g. ensure programmes promoting religion in any form, present its claims, especially those relating to miracles, in such a manner that is provable and believable; h. ensure rites or rituals involving cruelty are avoided, but where unavoidable, be presented professionally.	CLASS B CLASS B CLASS B CLASS B CLASS B CLASS B CLASS B CLASS B
4.3.2	Notwithstanding the above, religious broadcasts shall not exceed 10% of the total weekly airtime of any broadcaster.	CLASS B

<b>4.4 INSTRUCTIONAL PROGRAMMING</b>	
4.4.1 The Broadcaster shall ensure that:	CLASS B
a. instructional programmes are presented with accuracy and decency;	CLASS B
b. a person presenting an instructional programme is reasonably knowledgeable in the subject matter;	CLASS B
c. educational programmes promote Nigerian culture and general knowledge;	CLASS B
d. programmes presenting artistic and literary materials are objective and respect the rights of the owner;	CLASS B
e. cultural content are not treated with unnecessary sensationalism, and/or appeal to lewd interest.	CLASS B
<b>4.5 PROGRAMME CREDIT/ATTRIBUTION</b>	CLASS B
The Broadcaster shall ensure that every programme has proper credits; however, where a programme contains specialist reports or materials, credits shall be separately presented.	

## NEWS AND CURRENT AFFAIRS

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GENERAL RULES

NEWS INTERVIEW

POLITICAL NEWS AND CURRENT AFFAIRS BROADCAST

COVERAGE OF CRISES AND EMERGENCY

LIVE/OUTSIDE BROADCAST

UNCONVENTIONAL REPORTAGE

## CHAPTER FIVE

### 5.0 NEWS AND CURRENT AFFAIRS

#### 5.0.1 News is a sacred, free access right of the people.

News shall be presented as a truthful and accurate account of an event or phenomenon that assists the recipient live in a complex, dynamic and humane society.

More than any other genre of communication, News requires the highest level of responsibility by practitioners in adhering to the most pristine of their professional ethics. These include truthfulness, accuracy, fairness, objectivity, impartiality, inclusiveness and accountability.

Broadcast News is the most potent of all forms of News which include Current Affairs, Sports and all other types of information.

#### 5.0.2 Therefore, News, as instant history is the best form of providing the following among others:

- a. an intelligent account of each day's local, national and international events;
- b. a forum for the exchange of views, representing every stratum of society, for national consensus; and
- c. a presentation and clarification of the goals and values of society.

<b>5.1 GENERAL RULES</b>	
5.1.1	In News, fact is sacred, and shall be treated as such.
5.1.2	The Broadcaster shall present news as factual and in a correct and fair manner without: <ol style="list-style-type: none"><li>distortions, exaggerations or misrepresentations;</li><li>material omissions; or</li><li>interpretations</li></ol>
5.1.3	Fake News is prohibited.
5.1.4	As News in all its forms is universally accepted as sacred, Commercialization including Sponsorship of Newscast, Commentary, Analysis, Current Affairs programme and Editorial detracts from its Integrity and predisposes a bias in favour of the Sponsor. Therefore, News shall not be sponsored in any manner, including the use of commercial backdrops.
5.1.5	News and Current Affairs coverage, whether live or recorded, shall display familiarity with the subject, and a clear understanding and appreciation of all sides.

5.1.6 The Broadcaster shall promptly correct a mistake with an apology, at the same level of prominence.	CLASS B
5.1.7 The Broadcaster shall use archival or library materials with discretion and clearly identify it as such, to avoid confusion or causing emotional pain, offence, embarrassment or defamation.	CLASS B
5.1.8 The Broadcaster operating on a terrestrial platform shall, in line with the provisions of section 5.0.1, allot to news and news related programmes not less than 20% of its daily airtime. For the Broadcaster operating on a news thematic platform, it shall not be less than 70% of its airtime.	CLASS B
5.1.9 The Broadcaster operating on a terrestrial platform shall, without prejudice to the provisions of section 3.20.4, <b>not relay</b> foreign news broadcast “LIVE” or “DELAYED”.	CLASS B
5.1.10 The provision in section 5.1.8 does not preclude the universal practice of using sourced excerpts for News; in which circumstance, the Broadcaster shall assume and accept editorial responsibility.	CLASS B
5.1.11 The Broadcaster shall duly acknowledge every source of News input.	CLASS C

5.1.12	News and Current Affairs programmes shall be guided by the Ethical Standards of Journalism.	CLASS B
5.1.13	The Broadcaster shall ensure fairness and balance in a discussion programme. The discussants shall be of comparable status.	CLASS B
5.1.14	The Broadcaster shall, in the selection of News stories exercise good taste, avoid morbid, gory, shocking, alarming or sensational details that are not essential in conveying the essence of the subject being reported.	CLASS B
5.1.15	The Broadcaster shall give appropriate warning prior to the broadcast of a scene where language or visual such as flash photography that might offend or harm some members of the public must be used to convey the message.	CLASS B
5.1.16	The Broadcaster shall not simulate News.	CLASS B
5.1.17	The provision in section 5.1.15 allows the responsible use of illustration where actual visual is not available.	CLASS C
5.1.18	The Broadcaster shall clearly identify News, Commentary, Analysis and Editorial as such.	CLASS C
5.1.19	The Broadcaster shall clearly identify and present Commercials in News and News-related programmes in a manner that makes them clearly distinguishable.	CLASS B

5.1.20 The Broadcaster shall not promote an organisation, person, product or a service of commercial interest as News Analysis, Commentary or Editorial.	CLASS B
5.1.21 The Broadcaster shall not use unnamed/unidentified Analysts, Observers, Sources, etc. as attribution in a news report.	CLASS B
<b>5.2 NEWS INTERVIEW</b>	
5.2.1 A News or News related interview shall be guided by the Ethics of Journalism.	CLASS B
5.2.2 The Broadcaster shall state, at the beginning, and at the end of a broadcast, where an interview entails an agreement to: <ol style="list-style-type: none"><li>submit questions in advance;</li><li>exclude an important or noteworthy area concerning the subject matter; or,</li><li>where developments had taken place after the recording.</li></ol>	CLASS B
5.2.3 The Broadcaster shall not contrive a Vox Pop, and it shall be randomly conducted.	CLASS B
<b>5.3 POLITICAL NEWS AND CURRENT AFFAIRS BROADCAST</b>	
5.3.0 The peculiar nature of politics necessitates the need to pay special attention to Political Broadcasts.	

<p>The provisions that follow are in line with the general rule of every other broadcast programming genre, but with particular attention to political coverages.</p> <p>5.3.1 A political programme shall observe the provisions of <b>the Code</b> and other extant laws relating to broadcasting.</p> <p>5.3.2 A political broadcast shall be the production of the Broadcaster except advertisements, promos and collaborative productions supervised by relevant statutory organisations, such as INEC, APCON, etc.</p> <p>5.3.3 The Broadcaster shall:</p> <ol style="list-style-type: none"><li>carry out its civic responsibility of broadcasting all aspects of political enlightenment;</li><li>in using political materials for News and Current Affairs programmes, avoid Hate Speech, Inflammatory, Derogatory and Divisive Remarks or Allusions;</li><li>in adherence to the principles of pluralism, accord equitable airtime to all political parties or views, with particular regard to the duration and belt, during political campaign periods;</li></ol>	CLASS B	CLASS B	CLASS B	CLASS B
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d. regularly announce that every political party is entitled to equitable air-time during political campaign periods;	CLASS B
e. ensure that a political broadcast is in decent language;	CLASS B
f. ensure that a partisan political broadcast is one in which the political party is allowed to explain its Manifesto and Programmes;	CLASS B
g. ensure that a political broadcast is clearly identified as such, and not presented in a manner that would mislead the audience to believe that the programme is of any other type;	CLASS B
h. keep a Log Book at campaign periods, showing the allocation of News and News-related programmes and commercial air-time to each party. The Log Book shall incorporate dates, titles and other information as required by the Commission in compliance with the fairness doctrine of journalism;	CLASS B
i. ensure that a partisan political broadcast is recorded off transmission and preserved for at least 90 days after broadcast;	CLASS B
j. ensure that the broadcast of a partisan political campaign, jingle, announcement, and any other form of partisan party identification or symbol	CLASS B

	ends not later than twenty-four hours before polling day;	
k.	not use any vote obtained at a polling station or from an exit poll, to project or speculate on the chances of a candidate;	CLASS A
l.	relay election results or declaration of the winner only as announced by the authorised electoral officer for the election;	CLASS B
m.	set up a Standing Electoral Complaints Committee to resolve all disputes within 24 hours of receipt of the Complaint;	CLASS C
n.	forward the Committee's Report in section 5.3.3(m) to the Commission within 48 hours;	CLASS B
o.	the Broadcaster shall implement the appropriate decisions, including the grant of a <i>Right of Reply</i> or demand for <i>Apology</i> , within 24 hours, and at the same level of prominence;	CLASS B
p.	not commercialize Political News;	CLASS B
q.	not broadcast political jingles exceeding 60 seconds.	CLASS B
5.3.4	In exceptional circumstance, a government functionary may, perform a service relating to his office, within the 24 hour campaign restriction period, provided there is no colouration of partisanship, by the official or the broadcaster.	CLASS B

<p>5.3.5 While a Broadcaster may interact with politicians, in the course of professional duties, this shall not lead a reasonable person to believe that the Broadcaster is either a member, or sympathizer of any political party.</p> <p>5.3.6 The Broadcaster shall ensure that in programmes requiring the representation of political parties, or affiliations, the panelists shall be of comparable status and relevance.</p>	CLASS B
	CLASS B
<b>5.4 COVERAGE OF CRISES AND EMERGENCIES</b>	
<p>5.4.1 The Broadcaster shall:</p> <ol style="list-style-type: none"><li data-bbox="321 860 1039 983">present News and Commentary on a crisis, or emergency, in accordance with the professional standards;</li><li data-bbox="321 983 1039 1106">at all times, ensure that the coverage of a disaster or crisis is aimed at the overall public interest, guidance and safety;</li><li data-bbox="321 1106 1039 1194">provide authentic information on evacuation and relief;</li><li data-bbox="321 1194 1039 1317">not tamper with materials, or facts, that could usefully ameliorate the pains of the crisis;</li><li data-bbox="321 1317 1039 1440">not broadcast morbid or graphic details of death, injury, pain or agony; and where necessary, with due caution;</li></ol>	CLASS B CLASS B CLASS B CLASS B CLASS B CLASS B

	<p>f. not transmit divisive materials that may threaten or compromise the indivisibility and indissolubility of Nigeria as a Sovereign State;</p> <p>g. not report a disaster in such a manner that violates or impedes security and investigations;</p>	CLASS A
5.4.2	<p>The Broadcaster shall, in the event of an emergency, break away from regular programming to call attention to the emergency wherever it occurs, as a matter of national service.</p>	CLASS B
5.4.3	<p>In reporting conflict situations, the broadcaster shall perform the role of a peace agent by adhering to the principle of responsibility, accuracy and neutrality.</p>	CLASS B
<b>5.5</b>	<b>LIVE/OUTSIDE BROADCASTS</b>	
5.5.0	<p>A Live Broadcast is the real-time transmission of an event. It presents the Broadcaster an opportunity for spontaneity.</p>	
5.5.1	<p>The Broadcaster's hall:</p> <ul style="list-style-type: none"><li>a. ensure that the coverage is truthful, decent, fair and balanced;</li><li>b. exhibit professionalism in handling the transmission, especially sensitive issues as politics, communal conflicts and wars.</li></ul>	CLASS B
		CLASS B

	c. not abdicate its Editorial responsibility. d. take cognizance of the cultural and religious diversity and sensibilities of all Nigerians, and avoid any input that may offend a section.	CLASS B
5.5.2	The Broadcast, especially of a demonstration or disturbance, shall be just long enough for adequate enlightenment, and not take advantage of the uniqueness of broadcasting to sensationalise or glamorise the event.	CLASS B
5.5.3	The Broadcaster shall not present a recorded broadcast as "Live."	CLASS B
5.5.4	The Broadcaster shall clearly identify a previously recorded material used in a Live Broadcast.	CLASS B
5.5.5	The Broadcaster shall ensure that the placement of any material in a Live Broadcast does not obstruct, compromise or disrupt the essence of the programme.	CLASS B
5.5.6	The Broadcaster shall have a delay mechanism to guard against possible undesirable content.	CLASS B
<b>5.6.0</b>	<b>UNCONVENTIONAL REPORTAGE</b>	
5.6.1	In contemporary times, the impact of modern technology has significantly enabled Citizens' contributions to journalism, which are beneficial to broadcasting.	

<p>In this genre of Citizens' Reportage, deploys such facilities as "User Generated Content", (UGC), providing instantaneous eye-witness account of events.</p> <p>Such technological benefits place further demand on the Broadcaster to be more cautious of its editorial responsibility.</p> <p>5.6.2 News materials sent in by the Public must be vetted by the broadcaster who has editorial responsibility.</p> <p>5.6.3 The Broadcaster shall be mindful of materials that may embarrass individuals or organizations, or cause disaffection, incite to panic or rift in the Society, in the usage of UGC.</p> <p>5.6.4 The Broadcaster shall ensure that a UGC and the source are clearly identified.</p> <p>5.6.5 The Broadcaster shall ensure that every UGC meets all provisions of <b>the Code</b>.</p>	CLASS B CLASS B CLASS C CLASS B
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## **SPORTS RIGHTS**

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**SPORTS BROADCAST  
ACQUISITION OF SPORTS RIGHTS  
ARBITRATION**

## CHAPTER SIX

### 6.0 SPORTS RIGHTS

#### 6.1 SPORTS BROADCAST

Sports are useful in the physical and mental development of a person and germane to broadcasting. In Nigeria, sports also serve as instruments of national unity and cohesion.

Since broadcasting is critical to the development of sports, the acquisition of broadcast rights of sporting events shall:

- a. achieve and uphold the principles of equity and fairness in the acquisition of sports rights and coverage;
- b. provide the widest coverage for all sporting activities; and
- c. use sport to promote national unity and cohesion by paying special attention to sporting events of national importance.

#### 6.2 ACQUISITION OF SPORTS RIGHTS

6.2.1 Nigeria shall not be bundled in the same basket with other countries in the sale of football rights.

CLASS B

<p>6.2.2 The final bid for the acquisition of rights to sporting events for Nigeria shall be reasonable in comparison with other territories of similar economic indices.</p> <p>6.2.3 The Broadcaster shall submit the rights to the sporting events to the Commission for ratification within two weeks.</p> <p>6.2.4 In the event the Broadcaster fails to submit the rights to the sporting events to the Commission as provided in 6.2.3, the rights shall be null and void and the event shall not be broadcast in the Nigerian territory.</p> <p>6.2.5 To ensure fair and effective competition to all platforms at an agreed fee, rights owner, operators or exclusive licensee to Live Foreign Sporting Events shall offer the rights to Broadcasters on the different platforms inclusive but not restricted to the platforms stated below:</p> <ul style="list-style-type: none"><li>a. Satellite (DTH)</li><li>b. Multipoint Microwave Distribution System (MMDS)</li><li>c. Cable (Fibre Optics)</li><li>d. DTT (Terrestrial)</li><li>e. Internet</li><li>f. Mobile</li><li>g. Internet Protocol Television (IPTV)</li><li>h. Radio</li></ul>	CLASS B	CLASS B	CLASS B
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6.2.6	In the event that the Broadcaster acquires exclusive sports rights for a Live Foreign Sporting Event for the Nigerian territory, that does not take cognizance of the available broadcast platforms stated in 6.2.5, the right shall be made available to Broadcasters on other platforms at commercially agreeable terms.	CLASS B
6.2.7	Exclusivity for live sporting rights shall be permissible in the Nigerian territory, if the Broadcaster acquires such content for its licensed broadcast platform only.	CLASS B
6.2.8	Cross platform acquisition of exclusive broadcast sports rights shall not be allowed.	CLASS B
6.2.9	Exclusivity shall be allowed, where a Broadcaster acquires local sports rights or right for local events except it is of national importance.	CLASS B
6.2.10	Warehousing of sports rights (acquiring rights and not using them) is prohibited.	CLASS B
6.2.11	No Prime Foreign Sports Context shall be transmitted in the Nigerian territory unless the owner of such content has also acquired Prime Local Sports Content of the same category with a minimum of 30% of the cost of acquiring the Prime Foreign Sports Content.	CLASS B

6.2.12 Advertisement of products and services during prime foreign sports contents shall not be broadcast unless the advertiser equally sponsors, and or advertises such products and services in the broadcast of prime local sports content in the same category, where such local sports contents produced in Nigeria are available.

6.2.13 The provisions of 6.2.11 and 6.2.12 shall be in compliance with other provisions of advertising in the Code.

6.2.14 Where a Broadcaster acquires the broadcast rights to such Prime Local Sports Content as stated in Section 6.2.11 above, such content shall be given the same coverage as other contents on its platform.

6.2.15 In making a determination of compliance or any other relevant matter regarding the stipulated proportion of monies paid for the acquisition of Prime Foreign Sports content relative to Prime Local Sports Content of the same category, the Commission shall rely on the original or certified true copy of agreements and of other documents by which such contents have been acquired directly from the owners, producers or distributors for broadcast in Nigeria.

CLASS B

CLASS B

CLASS B

6.2.16 In the determination of local sports content of the same category as indicated in section 6.2.11 above, preference shall be given to local sports content in the strict reference order of National, State, Local Area and private sports content and in the event that it is proved that the afore-mentioned order of preference has been breached and/or a lower category chosen in default or breach of the order of preference stated above, the local sports content requirement would be deemed unfulfilled.	CLASS B
6.2.17 The carriage of any local channel in Nigeria will not be considered in fulfillment of the conditions of section 6.2.16 above.	CLASS B
6.2.18 A broadcaster, in relation to the provisions of section 6.2.15 above shall provide the Commission, within 14 days of demand, with the original or certified true copy of agreements and of other documents by which such contents have been acquired.	CLASS B
6.2.19 In the event of the failure, negligence or refusal of the broadcaster to adhere to any of the provisions of sections 6.2.11 to 6.2.18 above, the Commission shall direct that such content shall not be broadcast in Nigeria until compliance.	CLASS B
<b>6.3 ARBITRATION</b>  6.3.1 In the event of a dispute, the parties shall use their best endeavours to resolve their differences amicably. Where the parties fail to agree, the Commission shall arbitrate under the Arbitration and Conciliation Act and its decision shall be binding.	CLASS B

## ADVERTISING

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CHILDREN AND YOUNG PERSONS ADVERTISEMENTS  
CONTEST  
MEDICAL  
ALCOHOL  
RELIGIOUS  
POLITICAL

<b>CHAPTER SEVEN</b>	
<b>7.0 ADVERTISING</b>	
7.0.1 An advertisement is a communication by an identified sponsor to an audience about a product, service, icon, idea or opinion with the aim of imparting information and receiving favourable response.	
7.1 The Broadcaster shall ensure that:	
7.1.1 an advertisement is legal, decent, honest, truthful and mindful of our cultural values;	CLASS B
7.1.2 an advertisement conforms to <b>the Code</b> , especially the programming guidelines;	CLASS B
7.1.3 an advertisement of a product or service targeted at the Nigerian market takes cognizance of local content provisions in <b>the Code</b> ;	CLASS B
7.1.4 an advertisement complies, in every respect, with its professional ethics;	CLASS B
7.1.5 an advertisement has the approval of the Advertising Standards Panel (ASP), except for promotional materials, not-for-profit broadcasts, which shall conform with <b>the Code</b> ;	CLASS B
7.1.6 an advertisement material does not bring broadcasting into contempt or erode	CLASS B

	confidence in advertising as a service to the industry and to the public;	
7.1.7	an advertisement of an investment scheme not approved by relevant regulatory bodies shall not be accepted for broadcast;	CLASS B
7.1.8	an advertisement does not contain any item likely to encourage or incite to crime, lead to disorder or be offensive to public feeling;	CLASS B
7.1.9	an advertisement does not contain offensive reference to any race, person alive or dead, or generally be disrespectful to human dignity;	CLASS B
7.1.10	an advertiser is clearly identified in all advertisements as a person or legal entity;	CLASS B
7.1.11	total time for advertisement material shall not exceed 6 minutes in a 30- minute programme and 12 minutes in a 60-minute programme;	CLASS B
7.1.12	a spot advertisement shall not exceed 60 seconds;	CLASS B
7.1.13	the expressions, "News flash", "Breaking News", or news related formats generally used to denote important information, shall not be used in an advertisement;	CLASS B
7.1.14	an advertisement featuring actors explaining their dramatic roles is not presented in a manner to confuse the audience into thinking	CLASS B

that they are listening to or watching a programme, except for promoting the programme;	
7.1.15 an advertisement parodying a programme may be accepted, provided different performers are used from those who appear in the programme, and if it is readily apparent that the advertisement is no more than a parody;	CLASS B
7.1.16 the use of unverified superlatives such as "Best", "Most", "First", "Number one", "Tested" and, or "Trusted", "Original" etc. in an advertisement is not allowed unless authenticated by the Advertising Standards Panel (ASP) and other relevant agencies;	CLASS B
7.1.17 hyping as a form of advertisement is not allowed. Therefore, announcers and presenters shall not engage in any form of hype or promotion, as it mostly leads to superlatives, unsubstantiated or misleading claims, testimonials or descriptions;	CLASS B
7.1.18 descriptions, claims, testimonials or illustrations in an advertisement relating to verifiable facts shall be such that can easily be substantiated;	CLASS B
7.1.19 statistics are not manipulated to justify claims in an advertisement;	CLASS B

7.1.20	an advertisement featuring a performer/actor is not scheduled within or adjacent to a programme featuring the same performer/actor;	CLASS B
7.1.21	an advertisement is in harmony with the content and general tone of the programme in which it appears;	CLASS B
7.1.22	a person who regularly presents news or news-related programmes shall not feature, visually or vocally, in an advertisement;	CLASS B
7.1.23	an information in the form of a caption, whether standing alone or super-imposed, is in a clearly readable text and left long enough for the viewer to read;	CLASS B
7.1.24	an advertisement offers a product or service on its merit and refrains from discrediting, disparaging or unfairly attacking competitors or their products;	CLASS B
7.1.25	an advertisement does not encourage the promotion and practice of negative myths and superstitious beliefs;	CLASS B
7.1.26	fortune telling or astrology shall not be advertised;	CLASS B
7.1.27	an advertisement is not calculated to play on fear in order to induce people to purchase the article or service advertised;	CLASS B

7.1.28 explosives and firearms are not advertised;	CLASS B
7.1.29 advertisement of prize-giving competitions or legalized lotteries is in line with relevant laws;	CLASS B
7.1.30 in the advertisement of a competition, the rules published or information given can be accessed and obtained;	CLASS B
7.1.31 the promotion of prize-winning competitions are not deceptive and the chances of winning are not exaggerated;	CLASS B
7.1.32 an advertiser who markets more than one product does not use the merit of one to promote the other;	CLASS B
7.1.33 the word <i>guarantee</i> is used only with due regard to its legal meaning. The limits and terms of the guarantee being offered is clearly stated;	CLASS B
7.1.34 an advertisement is not inserted in any GRADE A programme, such as Presidential, National, State and Local Government broadcasts;	CLASS B
7.1.35 product placement is not inserted in the following programmes:  a) religious b) consumer advice c) current affairs	CLASS B

7.1.36	the advertisement of a regulated product is approved by the relevant professional/regulatory body;	CLASS B
7.1.37	the advertisement of potentially poisonous products carries the necessary caution;	CLASS B
7.1.38	an advertisement shall not promote sexual exploitation of women for favourable appeal of product/service without regard to the dignity of women.	CLASS B
7.1.39	scroll bars are not used for advertisement of a product or any commercial purpose, except for additional news or information.	CLASS B
<b>7.2</b>	<b>CHILDREN AND YOUNG PERSONS ADVERTISEMENTS</b>	
7.2.0	The Broadcaster shall:	
7.2.1	ensure that children and young persons are not exploited in any form in an advertisement;	CLASS B
7.2.2	exercise special caution in the content and presentation of advertisements placed in or adjacent to a programme designed for children and young persons;	CLASS B
7.2.3	ensure that an advertisement targeted at children does not contain anything which may result in physical or psychological harm, or may exploit their natural credulity;	CLASS B

7.2.4 ensure that children and young persons are not used in the advertisement of a product or service recognized as being potentially dangerous;	CLASS B
7.2.5 ensure that an advertisement does not encourage children and young persons to enter strange places, converse with, or receive gifts from strangers;	CLASS B
7.2.6 ensure that an advertisement does not direct sales appeal or exhortation to children unless the products advertised are such that children can reasonably afford;	CLASS B
7.2.7 ensure that an advertisement of a commercial product or service does not contain any appeal which suggests in any way that unless a child buys or uses the product, he/she will be failing in some duty, losing social status or lacking in loyalty towards some persons or organisations;	CLASS B
7.2.8 ensure that an advertisement does not make children feel inferior to others because they or their parents do not own the product advertised, or that they are liable to be held in contempt or ridicule, for not owning it;	CLASS B
7.2.9 ensure that an advertisement of alcoholic beverage is not broadcast within or adjacent to children or young person's programmes;	CLASS B

7.2.10	ensure that materials promoting adult programmes are not broadcast within or adjacent to programmes meant for children.	CLASS B
<b>7.3</b>	<b>CONTEST</b>	
7.3.1	In advertisement relating to contests; the Broadcaster shall ensure that:	
a.	the contests are conducted with fairness to all competitors, and comply with all relevant laws and regulations;	CLASS B
b.	the details, including the rules, eligibility requirements, opening and termination dates, etc. are adequately announced and the names of winners released as soon as possible;	CLASS B
c.	there are no misleading descriptions or visual misrepresentation of promises or gifts, which would distort or inflate their value in the minds of the audience;	CLASS B
d.	the contests adhere strictly to the provisions of the National Lottery Regulatory Commission (NLRC) Code;	CLASS B
e.	prizes or gifts offered are available and not harmful to persons or properties;	CLASS B
f.	prizes, which appeal to superstition, such as luck-bearing articles, are not broadcast;	CLASS B

<ul style="list-style-type: none"><li>g. promotions are genuine, and seen to be clearly so to the public. The claims as to prizes won are verifiable;</li><li>h. no distorted claims or winnings are allowed, and, as much as possible, members of the public are involved in the selection of winners;</li><li>i. due diligence in verifying any claim in advertisements, addresses and contact numbers are carried out.</li></ul>	CLASS B
	CLASS B
	CLASS B
7.4.1 The Broadcaster shall ensure that an advertisement of a medical product is presented only in the acceptable format prescribed by the relevant professional and regulatory agency.	CLASS B
7.4.2 The Broadcaster shall ensure that an advertisement which describes or dramatises distress or a morbid situation in an offensive manner is not broadcast.	CLASS B
7.4.3 The Broadcaster shall ensure that an advertisement is not broadcast if it contains an offer of a medicine or product, or an advice relating to the treatment of diseases, complaints, conditions, indications or symptoms, which should rightly receive the attention of a registered medical practitioner.	CLASS B

7.4.4	The Broadcaster shall ensure that an advertisement of a medical product ends with the necessary health caution which require users to consult a registered medical doctor if symptoms persist.	CLASS B
7.4.5	The Broadcaster shall ensure that an advertisement is not broadcast if it contains any material offering cure for cancer, AIDS, diabetes, hypertension, fibroid, infertility or any other ailment listed in the NAFDAC Act, 2004 (NAFDAC prohibition list) unless the cure has been authenticated by the body regulating that sector of medical practice.	CLASS B
7.4.6.	The Broadcaster shall ensure that an advertisement of a product, medicine, treatment for any disorder or irregularity peculiar to women does not contain expressions that encourage <i>abortion</i> .	CLASS B
7.4.7	The Broadcaster shall ensure that an advertisement is not broadcast if it contains the use of a word, phrase or expression, such as <i>magical, miracle, miraculous</i> , etc	CLASS B
7.4.8	The Broadcaster shall ensure that an advertisement is not broadcast if it offers any product or treatment for beauty, skin lightening, slimming, weight reduction, or figure control, without stating the likely side effects.	CLASS B

7.4.9 The Broadcaster shall ensure that an advertisement is not broadcast if it contains any offer to diagnose or treat complaints or conditions by hypnosis, myths, superstitious beliefs and practice.	CLASS B
7.4.10 The Broadcaster shall ensure that an advertisement is not broadcast if it is capable of inducing fear in the viewer/listener that he/she is suffering, or may, without the advertised treatment, suffer, or suffer more severely, from an ailment, illness or disease.	CLASS B
7.4.11 The Broadcaster shall ensure that an advertisement is not broadcast if it offers to diagnose, and/ or treat by correspondence.	CLASS B
7.4.12 The Broadcaster shall ensure that an advertisement is not broadcast if it contains the word clinic, institute, laboratory, or similar terms, unless such an establishment does, in fact, exist, registered as such and certified by the appropriate professional and regulatory body.	CLASS B
7.4.13 The Broadcaster shall ensure that an advertisement is not broadcast if it contains, in the name of the product, the title, <i>Doctor</i> or <i>Dr</i> , unless that is the registered trade mark and certified by the appropriate professional/ regulatory body.	CLASS B

7.4.14	The Broadcaster shall ensure that an advertisement is not broadcast if the advertiser of a medical product ascribes to himself/ herself the title "Doctor" unless he/she is a registered medical doctor.	CLASS B
7.4.15	The Broadcaster shall ensure that an advertisement of a product or service is not broadcast if it purports to increase libido or correct sexual weakness and infertility.	CLASS B
7.4.16	The Broadcaster shall ensure that an advertisement of condom neither features children nor be aired during or adjacent to children's programmes.	CLASS B
7.4.17	The Broadcaster shall ensure that an advertisement of condom is not aired between 4:00am and 8:00 pm on radio and between 6:00 am and 10:00 pm on television.	CLASS B
7.4.18	The Broadcaster shall ensure that in advertising a medical product, claims that the product can effect a cure, and the use of such words as <i>safe</i> ; <i>without risk</i> or <i>harmless</i> , are not broadcast unless so certified by the appropriate professional and regulatory body.	CLASS B
7.4.19	The Broadcaster shall ensure that a medical advertisement which offers to refund money to dissatisfied users is not broadcast.	CLASS B

7.4.20 The Broadcaster shall ensure that a medical advertisement, orthodox, traditional or any other, conforms to the provisions of <b>the Code</b> .	CLASS B
<b>7.5 ALCOHOL</b>	
7.5.1 The Broadcaster shall ensure that:	
a. an advertisement or offer of a <i>gift</i> item promoting an alcoholic product is not broadcast within or adjacent to children and young person's programme.	CLASS B
b. an advertisement promoting alcohol/alcoholic beverage does not feature children and pregnant women as models.	CLASS B
c. an advertisement of an alcoholic product is not broadcast within or adjacent to a religious programme.	CLASS B
d. an advertisement of an alcoholic beverage does not feature sportsmen/women and sports personalities.	CLASS B
e. an advertisement of an alcoholic product is not aired between 6.00a.m and 8.00p.m on radio, and between 6.00a.m and 10.00p.m on television.	CLASS B
f. an advertisement does not allow the consumption of alcohol, including the showing of the liquid content in any advert placed on sports programmes before the time for alcoholic advertisement.	CLASS B

7.5.2	The Broadcaster shall ensure that in the advertisement of alcohol/alcoholic beverage, logos and symbols of the company may be placed at intervals; however, permanent embossments of such logos and symbols are not allowed.	CLASS B
7.6	<b>RELIGIOUS</b>	
7.6.1	The Broadcaster shall ensure that an advertisement promoting religion in any form:	
a.	presents its claims, especially those relating to miracles, in such a manner that is verifiable, provable and believable;	CLASS B
b.	does not use the peculiarities of broadcast technology to mislead the audience;	CLASS B
c.	does not cast aspersions on any other religion or sect;	CLASS B
d.	is not seen to exploit the weakness, handicap(s), short-comings or state of desperation of members of the public.	CLASS B
7.7	<b>POLITICAL</b>	
7.7.1	The Broadcaster shall ensure that a political advertisement:	
a.	is guided by the extant Electoral law(s), <b>the Code</b> and other relevant regulations;	CLASS B

	b. clearly identifies the advertiser; c. in any form, does not exploit ethnic, religious or sectional interest; d. does not use minors.	CLASS B CLASS B CLASS B
7.7.2	The Broadcaster shall be free to sell airtime for the purpose of political campaigns provided that:  a. messages shall be in the form of spot announcements or jingles not exceeding 60 seconds;  b. no broadcaster shall be involved in the production of such announcements or jingles;  c. no voice of any on-air staff of any broadcast station shall be used in political jingles;  d. jingles and messages shall conform to the standards of truth, decency, good taste and morality.	CLASS B CLASS B CLASS B CLASS B
7.7.3	The Broadcaster shall not deny any person, party or group a right of broadcast of a political advertisement.	CLASS B
7.7.4	The Broadcaster shall ensure that no advertisement is accepted in a partisan political programme.	CLASS B

7.7.5	The Broadcaster shall not permit any political campaign or advertisement on its facilities 24 hours preceding polling day or on polling day.	CLASS B
7.7.6	The Broadcaster shall give equal access to all registered political parties or candidates on their facilities.	CLASS B
7.7.7	The Broadcaster shall allot equitable airtime to all political parties during prime times and at similar hours each day, subject to the payment of appropriate fees.	CLASS B
7.7.8	The Broadcaster shall ensure equitable coverage of all political parties.	CLASS B
7.7.9	The Broadcaster shall not favour any political party or candidate at any election.	CLASS B
7.7.10	The Broadcaster shall authenticate a purported withdrawal of a candidate in an election and ensure that the affected candidate personally endorses such claim.	CLASS B
7.7.11	The Broadcaster shall ensure that political advertisements, jingles, campaigns do not contain hate messages or speeches.	CLASS B
7.7.12	The period of campaign through any broadcast media in any election by every political party shall commence 90days before polling day and end 24 hours prior to that day.	CLASS B

7.7.13 The Broadcaster that contravenes any of the provisions of Sections 7.7.1 to 7.7.12 above, shall be liable, in the first instance to a penalty as provided by the Electoral Act.

CLASS B

7.7.14 Any subsequent breach of the provisions of 7.7.1 - 7.7.12 shall be liable to a severe penalty.

CLASS B

## SPONSORSHIP AND INFOMERCIAL

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SPONSORSHIP  
INFOMERCIAL

## CHAPTER EIGHT

### 8.0 SPONSORSHIP AND INFOMERCIAL

#### 8.1 SPONSORSHIP

8.1.1 Business concerns recognise broadcasting as a crucial instrument of business development and use various forms of association to tap into the medium's wide reach. Recognising the economic importance of sponsorship to broadcasting, this Chapter sets out rules and standards for the sponsorship of programmes.

8.1.2 The Broadcaster shall ensure that a sponsored programme is clearly identified as such. CLASS B

8.1.3 The Broadcaster shall ensure that a sponsored programme features only the sponsor's identification. CLASS B

8.1.4 The Broadcaster shall ensure that a sponsored programme takes a sponsor's identification only at the beginning, the end, and/or at a programme juncture. CLASS B

8.1.5 The Broadcaster shall ensure that a sponsored programme using alcoholic brands and tobacco products are not allowed in children, young persons or religious programmes. CLASS B

8.1.6 An alcoholic brand may sponsor sporting events provided that only its corporate logo shall be used as identification. CLASS B

8.1.7 The Broadcaster shall ensure that a sponsored programme is only broadcast during the time belt in which it is legal for the sponsor to advertise its product.	CLASS B
8.1.8 The Broadcaster shall ensure that a sponsored programme does not allow excessive use of sponsor's identification in the programme, either on set or in the presenter's/participant's wardrobe.	CLASS B
8.1.9 The Broadcaster shall maintain editorial independence in the content and scheduling of a sponsored programme.	CLASS B
8.1.10 The Broadcaster shall not allow the sponsorship of foreign programmes on terrestrial stations during the family belt.	CLASS B
8.1.11 The Broadcaster shall not take the sponsorship of Sports, Weather, Commentaries and other reports as part of News. Such reports may be taken as Infomercial outside the news segment.	CLASS B
8.1.12 The Broadcaster shall ensure that sponsored programmes (campaigns, documentaries, discussions etc.) do not contain hate messages/speeches.	CLASS B

**8.2 INFOMERCIAL**

8.2.1 An infomercial is an advertisement genre that treats the subject more elaborately than a standard advert, usually in the format of a full programme.

8.2.2 The Broadcaster shall ensure that an infomercial:

- is so identified;
- is scripted and produced, devoid of superlatives, unsubstantiated or misleading claims, testimonials or deceptions;
- does not exceed fifteen minutes;
- be specifically produced in the standard format of an infomercial;
- is not more than 6 slots per transmission day.

8.2.3 The Broadcaster shall ensure that religion or politics does not form a subject of an infomercial.

8.2.4 The Broadcaster shall ensure that religious verses or excerpts are not used to promote a product or a service.

CLASS B

## **TIERS OF BROADCASTING**

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**PUBLIC SERVICE BROADCASTING (PSB)**

**FUNDING OF PSB**

**ADMINISTRATION OF PSB**

**INDEPENDENCE OF PSB**

**PSB REGULATIONS**

**PRIVATE/COMMERCIAL BROADCASTING**

**COMMUNITY BROADCASTING**

**OPERATION**

**FUNDING**

**LANGUAGE OF BROADCAST**

**GRANT OF LICENCE**

**DISQUALIFICATION**

**CAMPUS BROADCASTING**

**CRITERIA FOR GRANT OF CAMPUS BROADCAST LICENCE**

**FUNCTIONS**

**OPERATION**

**FUNDING**

**POLITICAL**

## CHAPTER NINE

### 9.0 TIERS OF BROADCASTING

Pursuant to the commitment of the Federal Government of Nigeria to the African Charter on Broadcasting, the Nigerian Broadcast Policy document and in response to calls for media pluralism and independence, freedom of information, universal access to information and the need to enhance democratic culture and values, broadcasting should be in the public interest and contribute to the socio-economic and cultural development of the country.

To achieve the above, there shall be three tiers of broadcasting categorised into Public, Private/Commercial and Community broadcasting.

#### 9.0.1 PUBLIC SERVICE BROADCASTING (PSB)

9.0.1.1 For the purpose of this **Code**, Public Service Broadcasting (PSB) is broadcasting that is funded and controlled by the public, free from political and commercial interference.

9.0.1.2 The purpose of PSB is to produce and transmit quality programming that will provide information and encourage the quest for knowledge, project and promote rich cultural norms and values among the various publics.

9.0.1.3 PSB is to promote national unity among diverse groups and rural communities in Nigeria as well as give access to different views and opinions in the society.

9.0.1.4 The prescribed identifiable features of Public Service Broadcasting shall include but not limited to:

- a. involving the people and environment in programmes production;
- b. reflecting the interest of both majority and minority groups in programmes and news at all times;
- c. producing rich and high quality content;
- d. being original in content design and production; and
- e. broadcasting credible news and programmes.

### 9.1.1 **FUNDING OF PSB**

Public Service Broadcasting shall derive its funding from public funds i.e. from first line charge of the Federation Account, part of the Digital Access Fee (DAF), Radio and Television set Licence fees, and/ or other relevant taxes. Other sources of funding may include corporate and individual donations and grants by Nigerian entities.

### 9.1.2 ADMINISTRATION OF PSB

PSB shall be accountable to the public through a Governing Board put in place through a transparent process involving civil society and other respectable members of the public. Members of the board shall be nominated by the Executive and confirmed by the Senate at the Federal level and the Houses of Assembly at the State level.

### 9.2 INDEPENDENCE OF PSB

- 9.2.1 PSB shall be independent and free from political and economic interference.
- 9.2.2 The Chief Executive Officer shall be a person with wide knowledge and experience in broadcasting.
- 9.2.3 The Board and the Chief Executive shall have a secured single tenure of five years.

### 9.3 PSB REGULATIONS

- 9.3.1 The Public Service Broadcaster shall:
  - a. ensure that programmes and news broadcasts reflect the divergent viewpoints and plural nature of the Nigerian society;

- b. give all sides equitable time to air their views;
- c. not accept political adverts but may cover campaign rallies of all registered political parties and give equal airtime for the broadcast of same;
- d. highlight the activities of government without patronizing the ruling party;
- e. not give prominence to government functionaries while performing activities relating to the Political Party in government, three (3) months before any general election;
- f. as a matter of national interest, produce programmes and news in the major national languages and for PSBs at state level, dominant languages and minority dialects in the environment;
- g. take into consideration minority interests in all programmes;
- h. involve the local people and environment in programme production;
- i. ensure quality programmes;
- j. not be partisan in editorial coverage;
- k. give equal access to all shades of opinion, irrespective of political, economic or religious leanings, in adherence to the principles of equity, fairness and balance.

9.3.2 PSB news and current affairs programming shall:  a. feature different shades of opinion on its subject matter; b. be accurate, impartial and balanced; c. reflect local, national and international events that are of general public interest.	CLASS B CLASS B CLASS B
9.3.3 PSB at the national level shall:  a. promote national identity and cultural diversity of Nigeria. To achieve this, PSB shall devote a minimum of 10% of its weekly broadcast hours to programming in local languages within its coverage area;  b. give access to all ethnic groups and minorities, through the establishment of ethnic and minorities programming services.	CLASS B CLASS B
9.3.4 PSB shall:  a. strike a balance between programming of wide appeal and specialized programmes that serve the needs of different audiences;  b. allot a minimum of 70% of its weekly broadcast hours to developmental issues;	CLASS B CLASS B

<p>c produce and submit programmes schedule to the Commission as required by law.</p>	CLASS B
<p><b>9.4 PRIVATE/COMMERCIAL BROADCASTING</b></p>	
<p>9.4.1 Private/Commercial broadcasting is a business venture owned by corporate entities.</p>	
<p>9.4.2 The Funding for Private/Commercial broadcasting shall be derived from profit, sponsorships, advertisements and other legitimate sources.</p>	
<p>9.4.3 The Private/Commercial Broadcaster shall allot a minimum of 5% of its weekly broadcast hours to public service programmes and announcements.</p>	CLASS B
<p>9.4.4 The Private/Commercial Broadcaster shall subject their ratings to the authentication of the regulatory agency.</p>	
<p>9.4.5 The Private/Commercial Broadcaster shall abide by all provisions of the NBC Act, <b>the Code</b> and any other regulation made from time to time.</p>	
<p><b>9.5 COMMUNITY BROADCASTING</b></p>	
<p>9.5.1 Community broadcasting recognised by the African Charter on Broadcasting as the third tier of broadcasting, is a key agent of</p>	

<p>democratization for socio-cultural, educational and economic development. It is a non-profit, grassroots public broadcast service medium, through which community members can contribute and foster civic responsibilities and integration.</p>	
<p>9.5.2 A community, for the purpose of this tier of broadcasting, shall be a group of people residing in a particular geographical location or sharing a strong interest, like sports, security services and other services which the community desires to develop through broadcasting. Such communities include:</p> <ul style="list-style-type: none"><li>a. a local, non-profit organisation,</li><li>b. a cultural association,</li><li>c. a co-operative society,</li><li>d. a partnership of associations, and</li><li>e. an educational institution (campus).</li></ul>	
<p>9.5.3 The community broadcasting service shall be owned and controlled by the community through a trusteeship or a foundation with a Board of Trustees.</p>	CLASS A
<p>9.5.4 The operating broadcast equipment of the service shall be sited within the community.</p>	CLASS A
<p>9.5.5 The Community broadcaster shall not transmit beyond its assigned coverage area.</p>	CLASS A

9.5.6	The transmitter power, Antenna characteristics and the Mast/Tower height, shall be as approved by the Commission.	CLASS A
<b>9.6</b>	<b>OPERATION</b>	
9.6.1	Without prejudice to the professionals entrusted with operating the service, members of the community shall participate in deciding the nature of the operation of the station.	CLASS B
9.6.2	The Community Broadcaster shall: <ul style="list-style-type: none"><li>a. not abdicate its editorial and scheduling responsibilities to any other party</li><li>b. ensure that a minimum of 70% of its programmes production is done by the community</li><li>c. operate for the social benefit of the community</li></ul>	CLASS B CLASS B CLASS B
<b>9.7</b>	<b>FUNDING</b>	
9.7.1	The community broadcasting service shall be funded from: <ul style="list-style-type: none"><li>a. resources of the community raised through contributions, membership fees and other legitimate sources;</li><li>b. donations, gifts and grants which sources shall be disclosed to the Commission at least twice a year or upon request by the Commission; and</li><li>c. local spot announcements.</li></ul>	CLASS B CLASS B CLASS B

**9.8 LANGUAGE OF BROADCAST**

The community broadcast service shall give prominence to the languages spoken within the community.

**9.9 GRANT OF LICENCE**

9.9.1 In determining the suitability of an application for the grant or renewal of a community broadcast service licence, the following, among others, shall be considered:

- ownership;
- funding;
- Constitution of its Board of Trustees; and
- nature and content of programming, with particular reference to the treatment of political and religious matters throughout the lifespan of the licence.

**9.10 DISQUALIFICATION**

9.10.1 A community broadcasting licence shall not be granted to:

- a religious organisation;
- a political party;
- an individual; and
- a corporate body, except it is a non-profit organisation.

<p><b>9.11 CAMPUS BROADCASTING</b></p> <p>9.11.1 The Campus Broadcaster is licenced principally to train students in broadcasting and other related fields like Engineering, Information Technology, Creative Arts, Language Skills, Drama and others. It is also to provide opportunities for practical experience as well as promoting social well-being of the campus community.</p> <p>9.11.2 The campus Broadcaster shall adhere to the provisions of <b>the Code</b>, regulations and other extant laws relating to broadcasting.</p> <p><b>9.12 CRITERIA FOR GRANT OF CAMPUS BROADCAST LICENCE</b></p> <p>9.12.1 In considering an application for the grant of campus broadcast licence, the Commission shall be satisfied that the institution offers <i>Mass Communication, with Nigeria Broadcasting Code as part of a core course</i> and a minimum combination of any two of the following:</p> <ul style="list-style-type: none"><li>a. Theatre Arts/Creative Arts/Media Arts</li><li>b. ICT</li><li>c. Electrical/Electronics Engineering</li></ul>	CLASS B
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9.12.2 The Departments shall be duly accredited by relevant Regulatory and Professional bodies.	CLASS B
9.12.3 The facilities such as studio equipment shall be on ground.	CLASS B
9.12.4 The proposed programmes schedule for the station shall comply with the provisions of <b>the Code</b> and the regulations of the Commission.	CLASS B
9.12.5 The proposed station shall be in a secured and protected location within the campus.	CLASS B
<b>9.13 FUNCTIONS</b>	
9.13.1 Pursuant to section 9.11.1, the campus broadcaster shall primarily focus on the dissemination of educational/instructional programmes on campus. To this extent:	
a. the Campus Broadcaster shall devote at least 70% of its airtime to educational/instructional programmes,	CLASS B
b. 30% of its airtime shall be devoted to news, current affairs, events and activities for the benefit of the community.	CLASS B
9.13.2 The Campus broadcaster shall not use its medium to incite or cause disaffection within the community.	CLASS B

9.13.3	The Campus broadcaster shall not allow the use of its medium to promote cultism and other vices.	CLASS B
9.13.4	Live broadcast of the campus broadcaster shall be restricted to Inaugural Lectures, seminars, matriculations, convocations, students' political activities, important guests to the campus, sporting and other social and academic events within the campus community.	CLASS B
<b>9.14</b>	<b>OPERATION</b>	
9.14.1	The Campus Broadcaster shall:	
a.	consider the diversity of the Campus Community in the management of a Campus broadcast station;	CLASS B
b.	manage the station as a non-profit and campus community development tool;	CLASS B
c.	generate programmes relevant to its primary community;	CLASS B
d.	provide a training studio in the Department of Mass Communication to train Broadcasters;	CLASS B
e.	produce a daily student practical presentation roster which shall be available for inspection by the Commission at all times;	CLASS B

<ul style="list-style-type: none"><li>f. develop mechanisms for accountability and transparency in the day to day running of the station;</li><li>g. provide avenue for new ideas that can lead to a better broadcast future;</li><li>h. ensure the community has a right to comment or complain on the operations or content of the station;</li><li>i. ensure it adheres to the provisions of section 13.1 of <b>the Code</b>;</li><li>j. not be used as a mouthpiece of the Vice Chancellor, Rector, Provost or any other principal officer of the institution;</li><li>k. not exceed its approved transmitter power; and</li><li>l. strictly adhere to regulatory standards (in this case, <b>the Code</b>, Regulations and other extant laws).</li></ul>	CLASS B CLASS B CLASS B CLASS B CLASS B CLASS A CLASS B CLASS B
9.15 <b>FUNDING</b>  9.15.1 Funding of the operations of the Campus broadcaster shall among others include: <ul style="list-style-type: none"><li>a. subvention;</li><li>b. spot announcements from within the Campus community (Not exceeding 9 minutes in every 1 hour broadcast);</li><li>c. donations or grants;</li></ul>	CLASS B

- d. events coverage within the Campus community;
- e. sale of station's memorabilia;
- f. staff and/or student membership fee.

**9.16 POLITICAL**

9.16.1 The Campus Broadcaster shall not carry political adverts, campaigns, jingles or cover any political activity outside the campus.

9.16.2 The broadcast of campus politics shall be in decent language and guided by broadcast regulations and relevant laws.

CLASS B

CLASS B

## NETWORK BROADCASTING

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CHARACTER OF NETWORK BROADCASTING

THE NETWORK BROADCASTER

AFFILIATION/ASSOCIATION

SYNDICATION AND CONTENT DISTRIBUTION

CATEGORY OF NETWORK BROADCAST SERVICES

NETWORK BROADCAST PROGRAMMING

## CHAPTER TEN

### **10.0 NETWORK BROADCASTING**

10.0.1 The Network Broadcaster is a content provider with a premier channel or station serving as the nucleus for the production and acquisition of indigenous content of national or regional appeal and having the nation or region as coverage area, either, as an entity or through diverse affiliates or associates.

10.0.2 The Network broadcasting shall be content driven.

10.0.3 The Television Network shall be transmitted by a licenced Signal Distributor.

CLASS A

### **10.1 CHARACTER OF NETWORK BROADCASTING**

10.1.1 The grant of a Network licence shall be through a bidding process.

10.1.2 The process of bidding for a Network licence shall be determined by the Commission.

10.1.3 For reasons of national interest, unity, cohesion and integration, broadcast on a Network shall spread across the nation or region.

10.1.4 An applicant for a Network licence shall demonstrate adequate financial, professional

and technical profile and capability.	
10.1.5 A Network programming profile shall comprise content that fosters national unity, cohesion, stability and respect local sensitivities.	
10.1.6 A Network shall demonstrate a high sense of social responsibility in its programming.	
<b>10.2 THE NETWORK BROADCASTER</b>	
10.2.1 The Broadcaster operating a Network licence shall ensure 100 percent local content in news, such that foreign news items are presented from the Nigerian perspective.	CLASS B
10.2.2 The responsibility for every Network broadcast shall be collectively borne by the Broadcasters on which it is relayed. Therefore, each Affiliate or Associate shall ascertain that each Network programme meets the provisions of its licence and <b>the Code</b> .	CLASS B
10.2.3 It shall be illegal for any person or organisation to operate a Network without the approval of the Commission.	CLASS A
<b>10.3 AFFILIATION/ASSOCIATION</b>	
10.3.1 The Broadcaster operating a Network shall notify the Commission before entering into an	CLASS B

agreement for affiliation association, content carriage or acquisition with any station.	
10.3.2 An Affiliate or Associate of the Network Broadcaster shall continue to discharge its programming responsibility to its primary target audience, based on the original terms of its licence.	CLASS B
10.3.3 The local programming content of an Affiliate or Associate of the Network Broadcaster shall not be less than 70 percent of its daily broadcast schedule.	CLASS B
10.3.4 The Broadcaster joining the Network as an Affiliate or Associate of the Network Broadcaster shall be licenced by the Commission.	CLASS B
10.3.5 An Affiliate or Associate of the Network Broadcaster shall not be a member of more than one Network of the same category (Radio or Television) national or regional.	CLASS B
<b>10.4 SYNDICATION AND CONTENT DISTRIBUTION</b>	
10.4.1 A programme syndicating company desiring to operate within Nigeria shall be approved by the Commission.	CLASS A

10.4.2. The Broadcaster receiving content from a syndicating company shall not transmit the programme simultaneously with other Broadcasters as this will amount to networking and a contravention of its licence condition.	CLASS A
<b>10.5 CATEGORY OF NETWORK BROADCAST SERVICES</b>	
10.5.1 A Network broadcast licence shall be issued in either of the following categories:	
<ol style="list-style-type: none"><li>National</li><li>Regional</li><li>State</li></ol>	
<b>10.6 NETWORK BROADCAST PROGRAMMING</b>	
<ol style="list-style-type: none"><li> Broadcasters in the Network broadcasting service shall contribute proportionately to the overall programme broadcast on the Network.</li><li> Broadcasters in the Network broadcasting service shall not abdicate the programming responsibility of its primary audience to the Network.</li><li> Broadcasters in the Network broadcasting service shall be liable jointly and severally for the programmes</li></ol>	<p>CLASS B CLASS B CLASS B</p>

<p>broadcast on the Network.</p> <p>d. The Broadcaster operating a Network broadcasting service shall be responsible for sourcing the content of the programme it broadcasts.</p> <p>e. A Network broadcasting service programming shall not be more than 30% of the Affiliate or Associate's daily broadcast hours.</p> <p>f. A Network broadcasting service shall not relay foreign News <b>Live</b> in its entirety, even delayed. The universal practice of using excerpts for news in which circumstance the Network Broadcaster assumes editorial responsibility shall apply.</p> <p>g. A Network programme shall have national, regional or state appeal and reflect all shades of opinion and respect the sensibilities and sensitivities of the diverse cultures of Nigeria.</p> <p>h. The Broadcaster operating a Network licence shall not transmit content that is detrimental to national security.</p> <p>i. The Broadcaster operating a Network licence shall keep a record of all programmes distributed on the Network and its Affiliate or Associate for at least 90 days.</p>	CLASS B
	CLASS B
	CLASS A
	CLASS B
	CLASS A
	CLASS B

<p>j. News and Current Affairs programmes on a Network shall be guided by the ethical standards of Journalism.</p> <p>k. The Broadcaster operating a Network licence shall:</p> <ul style="list-style-type: none"><li>i. submit to the Commission the quarterly programmes schedule at least seven (7) days before broadcast;</li><li>ii. obtain the Commission's approval before establishing, operating and/or incorporating a new station in the Network.</li></ul>	<p>CLASS B</p> <p>CLASS B</p>
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## **PAY SUBSCRIPTION BROADCASTING**

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PAY SUBSCRIPTION BROADCASTING  
DECODERS/SET-TOP BOXES  
SUBSCRIPTION SERVICES  
MOVIE RIGHTS  
PROGRAMMES SCHEDULE  
ADDITION OF CHANNELS  
REMOVAL OF CHANNELS  
CLASSIFICATION SYMBOLS  
CONSUMER ADVICE  
DIRECT SATELLITE BROADCAST (DSB)  
PARENTAL CONTROL  
TRANSBORDER DIRECT TRANSMISSION AND RECEPTION  
IN NIGERIA  
SUBMISSION OF FRANCHISE  
CONDITIONAL ACCESS  
CONTENT PROGRAMMING  
INTERNET BROADCASTING

## CHAPTER ELEVEN

### 11.0 PAY SUBSCRIPTION BROADCASTING

A pay subscription service is a service that requires a subscriber to pay a subscription fee to the service provider to have access to the product/service.

### 11.1 DECODERS/SET-TOP-BOXES

11.1.1 The pay subscription Broadcaster shall:

- a. forward to the Commission decoders/set-top boxes and all accessories sufficient to simultaneously monitor all channels on its bouquet;
- b. ensure that all decoders/set-top boxes provided by the Pay TV Broadcaster for the purpose of monitoring are subscription free.

CLASS B

11.1.2 The pay subscription Broadcaster shall ensure that the standard decoder/set-top-boxes have the ability to accommodate **Conditional Access System (CAS), Electronic Programme Guide (EPG) and Access Programme Input (API)**.

CLASS B

CLASS B

11.1.3 The pay subscription Broadcaster shall ensure that the broadcast decoders/set-top boxes brought into the country are type-approved by the Commission.

CLASS B

11.1.4	The pay subscription Broadcaster shall ensure that the acquisition of the digital terrestrial television set-top boxes are sourced locally.	CLASS B
<b>11.2</b>	<b>SUBSCRIPTION SERVICES</b>	
11.2.1	The pay subscription Broadcaster is required to promote Nigeria in the international market as part of its local content.	
11.2.2	The pay subscription Broadcaster shall ensure a minimum of 20 percent local content, consisting of 15 percent Nigerian and 5 percent African, in its bouquet.	CLASS B
11.2.3	The pay subscription Broadcaster that fails to meet the conditions of section 11.2.2, shall make a mandatory payment equal to a severe penalty to be deposited into the <i>Local Content Development Fund</i> (LCDF).	
<b>11.3</b>	<b>MOVIE RIGHTS</b>	
11.3.1	Exclusivity shall be applied to the mutual benefit of all Broadcasters through a mix of applications, which includes the provision of windows for various platforms at mutually agreed terms.	CLASS B

11.3.2 The Broadcaster that acquires exclusive rights for foreign films shall be permitted to exploit such rights for a maximum period of 24 months effective from the date of premiere.

11.3.3 The Broadcaster shall have exclusivity of rights for movies commissioned/produced by the Broadcaster.

11.3.4 The Broadcaster that acquires exclusive rights to the branding of a programme shall create a second window for other broadcasters on reasonable terms.

CLASS B

#### **11.4 PROGRAMMES SCHEDULE**

11.4.1 The pay subscription Broadcaster shall not schedule programmes unsuitable for children and young persons before the watershed time of 10.00pm.

CLASS B

#### **11.5 ADDITION OF CHANNELS**

11.5.1 The pay subscription Broadcaster that intends to add a new channel to its bouquet shall:

- apply to the Commission for approval;
- upon approval, pay an administrative fee as may be determined by the Commission.

11.5.2 The pay subscription Broadcaster applying for the authorization for additional channel shall ensure that the application is:

CLASS B

CLASS B

	<ul style="list-style-type: none"><li>a. made at least 30 days before the due date of the addition of the channel;</li><li>b. made in a prescribed form purchased from the Commission.</li></ul>	
11.5.3	<p>The pay subscription Broadcaster's application referred to in section 11.5.2 shall include the following particulars, the</p> <ul style="list-style-type: none"><li>(i) name of each intended channel;</li><li>(ii) nature of the channel;</li><li>(iii) type of channel, its content and synopsis;</li><li>(iv) channel's country of origin;</li><li>(v) name of channel supplier or provider;</li><li>(vi) duration of the channel;</li><li>(vii) designated watershed period or classification;</li><li>(viii) evidence of franchise.</li></ul>	CLASS B
<b>11.6</b>	<b>REMOVAL OF CHANNELS</b>	
11.6.1	The pay subscription Broadcaster shall notify the Commission in writing, 30 days before the due date for the removal of a channel.	CLASS B
11.6.2	The pay subscription Broadcaster shall give adequate notice to its subscribers before the removal of a channel, as provided in the Service Level Agreement (SLA).	CLASS B

11.6.3 The pay subscription Broadcaster shall notify the Commission, within seven days, in the event of a disruption of service.

CLASS B

### 11.7 CLASSIFICATION SYMBOLS

11.7.1 The pay subscription Broadcaster shall clearly display the classification symbol for movies or drama at the commencement of the programme and in the programme guide.

CLASS B

### 11.8 CONSUMER ADVICE

11.8.1 The pay subscription Broadcaster shall, with appropriate scheduling, provide additional information about pre-watershed and post-watershed programmes to enable subscribers evaluate content that may be unsuitable for certain ages, particularly if a programme appeals to a wide range of audience.

CLASS B

### 11.9 DIRECT SATELLITE BROADCAST (DSB)

11.9.1 The Direct Satellite Broadcaster shall not piggy-back on a DTH, unless by an agreement approved by the Commission.

CLASS B

### 11.10 PARENTAL CONTROL

11.10.1 The pay subscription Broadcaster shall install parental control facility on its decoders.

CLASS B

**11.11 TRANSBORDER DIRECT TRANSMISSION AND RECEPTION IN NIGERIA**

Pursuant to International Convention relating to terrestrial and satellite broadcasting, no Broadcaster shall distribute signals not meant for the Nigerian territory.

CLASS B

**11.12 SUBMISSION OF FRANCHISE**

The pay subscription Broadcaster retransmitting the signals of a foreign station shall submit:

- a. the franchise to the Commission for approval;
- b. the franchise between Nigerian and foreign Broadcasters and content owners to the Commission.

CLASS B

CLASS B

**11.13 CONDITIONAL ACCESS**

11.13.1 The provision of Conditional Access is a prerequisite for the granting of Licence to a subscription service provider.

11.13.2 The pay subscription Broadcaster shall:

- a. ensure permanent encryption of channels;
- b. rectify the fault within 72 hours in the event of conditional access system failure;

CLASS B

CLASS B

c. in the event the conditional access system failure persists after the expiration of 72 hours, the channels shall be shutdown and the subscribers compensated with three free viewing days in addition to their subscription.

#### 11.14 CONTENT PROGRAMMING

11.14.1 The pay subscription Broadcaster shall ensure that:

- a. programmes conform to provisions of **the Code**, especially the provisions of Chapter 3; i.e. programming standards on good taste and decency, vulgar lyrics, abusive comments, violence, pornography, obscenity etc.;
- b. at least 20% of total programming time is allotted to local content;
- c. the programmes take cognisance of and respect the cultural sensibilities of Nigerians.

CLASS B

CLASS B

CLASS B

CLASS A

#### 11.15 INTERNET BROADCASTING

11.15.1 An Internet radio or television Broadcaster streaming signals from Nigeria shall be licensed by the Commission.

11.15.2 All regulations governing news, programmes, advertising and sponsorship shall apply to this category of broadcasting.

11.15.3 The local content for this category of Licence shall be a minimum of 60%.

11.15.4 All conditions governing other categories of broadcast Licence shall apply to this category of broadcasting.

11.15.5 A foreign subscription internet Radio and Television that seeks subscribers in Nigeria shall be licensed by the Commission.

CLASS B

CLASS B

CLASS A

## **BROADCAST SIGNAL DISTRIBUTION**

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**DIRECTIVES TO BROADCAST SIGNAL DISTRIBUTORS**

## CHAPTER TWELVE

### 12.1 BROADCAST SIGNAL DISTRIBUTION

Broadcast signal distribution is a means through which multiplexed signals are distributed in stream to the transmitter site, by either fixed wireless, fibre or satellite links.

12.1.1	The Broadcast Signal Distributor shall:	CLASS B
	a. provide services to Digital Terrestrial Television Broadcasters on an equitable, reasonable and non-discriminatory basis;	CLASS B
	b. provide quality delivery of broadcasting services as contained in its contract with the Broadcasting Content Providers and such contract shall be approved by the regulator;	CLASS B
	c. ensure that it provides national, regional or local coverage as the case may be, while limiting each Broadcaster to its assigned coverage area;	CLASS B
	d. provide the Commission on regular basis with information on the utilization of frequency channels;	CLASS B
	e. in determining its tariff, take into account the different categories of Digital Terrestrial Television Broadcasting Services provided by the Broadcaster, to	CLASS B

<p>ensure that different tariffs are appropriate to and commensurate with the various broadcasting services;</p> <p>f. submit technical and transmission plans to the Commission within 15 days after conclusion of the commercial agreement with a Broadcaster;</p> <p>g. ensure that broadcast signal reaches the designated percentage of the population in its areas of operation as may be determined by the Commission from time to time;</p> <p>h. forward to the Commission, its quarterly reports on the quality of standard and measures taken or to be undertaken to manage and prevent frequency interference within Nigeria and the ECOWAS region;</p> <p>i. keep records of all harmful frequency interference within Nigeria and ECOWAS region and forward same to the Commission along with the quarterly reports on other technical matters;</p> <p>j. make available, the provision of content aggregation and programme bouquet handling system that supports data paths embedded in the DVB stream based on the open source multimedia system. This is to support Electronic Programme Guide (EPG) and Electronic Programme</p>	CLASS B
	CLASS B

	Information (EPI) for Free-to Air as well as Conditional Access (subscription) Services;	
	<p>k. ensure delivery of multimedia service to the consumers, to be determined by a Service Level Agreement in compliance with adopted quality of services standard;</p>	CLASS B
	<p>l. ensure that additional data services introduced for the purpose of enhancing innovation and better interactive services to consumers do not exceed a specified percentage of the allocated capacity in each multiplex;</p>	CLASS B
	<p>m. ensure that data services included on the programming priorities are made available to the viewers, Electronic Programme Guide and Electronic Programme Information as a priority.</p>	CLASS B
12.1.2	The Broadcast Signal Distributor that intends to carry a broadcaster on its bouquet shall notify the Commission in writing 30 days before commencement of operation.	CLASS B
12.1.3	The notice referred to in 12.1.2 shall include the agreement between the parties.	CLASS B
12.1.4	The agreement shall clearly determine the responsibility between the parties for the multiplex.	CLASS B

12.1.5 The Broadcast Signal Distributor providing Free-to Air signal distribution service shall be responsible for all technical aspects of signal distribution, including but not limited to, interference with other frequency assignments.	CLASS B
12.1.6 The Broadcast Signal Distributor shall, upon conclusion of agreement with a Broadcaster and notification of the Commission, provide content broadcasting signal distribution services.	CLASS B
12.2 The Broadcast Signal Distributor shall not:	
a. reduce broadcast hours of a broadcaster without the express permission of the Commission;	CLASS B
b. terminate abruptly the transmission of a broadcaster, except on the directives of the Commission.	CLASS B
12.3 The Broadcast Signal Distributor shall ensure that:	
a. broadcast signal or content carried through its platform is sourced from a licensed content provider;	CLASS B
b. broadcast signal or content carried through its platform is of a specified, required quality and standard as may be prescribed by the Commission;	CLASS B

	c. pay subscription channels on its platform are encrypted.	CLASS B
12.4	In the event of a technical fault which results in termination of transmission of a broadcast signal distributor for more than 24 hours, a broadcast signal distributor shall inform the Commission in writing the reasons, steps and measures taken to rectify the fault.	CLASS B
12.5	The Broadcast Signal Distributor shall in the event of a dispute between it and a broadcaster, submit itself to the Commission for arbitration; the Commission's decision shall be binding.	CLASS B
12.6	<b>DIRECTIVES TO BROADCAST SIGNAL DISTRIBUTORS</b>  Subject to the Provisions of <b>the Act</b> and <b>the Code</b> , the Commission may give directives to the Broadcast Signal Distributor/Content Aggregator to take off the signals of an offending station that is guilty of Class "A" breach.  It shall be the duty of the Broadcast Signal Distributor or Content Aggregator to comply with such directives.	CLASS B

## TECHNICAL

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SAFETY REGULATIONS  
INDUSTRIAL SAFETY  
RADIOLOGICAL PROTECTION  
SHIELDING  
DANGER SIGN  
INTERLOCKING  
LIGHTNING PROTECTION  
SAFETY PRECAUTIONS  
FIRST-AID KITS  
BROADCASTING SYSTEMS  
ANTENNA SUPPORT STRUCTURE  
STRUCTURAL DESIGN  
MAST/TOWER SITE  
RESTRICTIONS  
COVERAGE AREA  
FIELD STRENGTH  
RADIO STANDARDS  
AMPLITUDE MODULATED (AM) BAND  
FREQUENCY MODULATED (FM) BAND  
TELEVISION STANDARDS  
CABLE TELEVISION SYSTEM (CATV)  
TRANSMISSION SYSTEMS  
STUDIO-TO-TRANSMITTER LINKS  
TRANSMITTER SITE  
TRANSMISSION STANDARD

## TECHNICAL

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RADIATED ENERGY  
FREQUENCY AND SPECTRUM REGULATIONS  
STATION COMMISSIONING  
TEST TRANSMISSION  
TOOLS AND TEST GEAR  
TECHNICAL BREACHES

## CHAPTER THIRTEEN

### 13.0 **TECHNICAL**

13.0.1 Technology is universal and based on certain principles. To be part of the global village, **the Code** sets technical standards that conform with International Standards.

### 13.1 **SAFETY REGULATIONS**

#### 13.1.1 **Industrial Safety**

13.1.1.1 The Broadcaster shall operate within strict safety conditions as provided by **the Act**, International Conventions and Labour Laws on Industrial Safety.

CLASS B

13.1.1.2 The Broadcaster shall conspicuously display the following in its operational areas:

- a. Industrial Safety Cards;
- b. functional Fire Alarm system;
- c. functional Fire Extinguishers;
- d. obstruction-free Emergency Exits;
- e. pathfinders to Emergency Exits;
- f. certification from a recognised Fire Fighting Service; and

CLASS B

	<p>g. other safety measures, equipment, either now known or as may, from time to time be specified by relevant authorities.</p>	
<b>13.2</b>	<b>RADIOLOGICAL PROTECTION</b>	
13.2.1	<p>The Broadcaster shall ensure that ionizing radiation caused by X-ray radiated from broadcast equipment is not higher than the level specified by the Nigeria Nuclear Regulatory Authority and the International Electro-Technical Commission.</p>	CLASS A
13.2.2	<p>The Broadcaster shall ensure that staff and members of the public are not exposed to electromagnetic fields in excess of the following:</p> <ul style="list-style-type: none"><li>a. for Band II VHF frequencies, it shall be 6.6 watts per square meter for continuous exposure <i>not longer than six minutes</i>, which equates to an electric field of 154 dB (micro volt per meter);</li><li>b. for MF Band, maximum permitted levels drop with frequency, and at the top of the band are as low as 4.24 watts per square meter which is 172 dB (micro volt per meter) <i>not longer than six minutes</i>; and</li><li>c. for HF Band, maximum Specific Absorption Rate (SAR) shall not be more than 0.4 watts per kilogram for</li></ul>	CLASS B

<p>workers and 0.8 watts per kilogram for the public.</p>	
<b>13.3 SHIELDING</b>	
<p>13.3.1 The Broadcaster shall ensure that radiation exposure in all broadcast operational areas shall not exceed 0.005 watts/square meter.</p>	CLASS A
<b>13.4 DANGER SIGN</b>	
<p>13.4.1 The broadcaster shall ensure that at High Frequency (HF) and Medium Frequency (MF) transmitter installations, the antenna site is fenced and danger signs conspicuously displayed around the fenced area.</p>	CLASS B
<b>13.5 INTERLOCKING</b>	
<p>13.5.1 The Broadcaster shall install interlock switches on all Broadcast Equipment, especially transmitters, to protect personnel from exposure to the transmission radiation and physical damage from mechanical or electrical systems.</p>	CLASS B
<b>13.6 LIGHTNING PROTECTION</b>	
<p>13.6.1 The Broadcaster shall install lightning arrestors to protect personnel and equipment from lightning. Therefore:</p>	

<ul style="list-style-type: none"><li>a. buildings and other structures shall be protected against lightning damage by installing a system of earth terminals (lightning rods) and grounding conductors to conduct lightning strikes to the ground;</li><li>b. all underground cable runs shall have bare grounding counterpoise conductor installed above each underground run to intercept lightning strikes to the ground directly above the cable;</li><li>c. lightning arrestors (surge arrestors) shall be installed at the end of all overhead power supply lines at the point where they connect to the station's underground lines. This is to prevent voltage surge due to lightning strikes to the overhead lines;</li><li>d. arrestors shall be connected to a Copper Plate/Mat or other earthing materials at each of the mast/tower trays and at the base of each leg of the mast/tower and should be buried;</li><li>e. Earth Resistance measured at the base or at each leg of the mast/tower shall not exceed one Ohm (<math>1\Omega</math>). Where high resistance is inevitable, elaborate precautionary measures shall be applied.</li></ul>	CLASS B
	CLASS B

**13.7 SAFETY PRECAUTIONS**

13.7.1 The Broadcaster shall ensure that in all technical areas where there are electrical or mechanical equipment in operation such as moving machines, transmitters, production equipment, generators etc., *safety precautions listed below are put in place:*

- a. there shall be no power distribution using overhead power lines into and within the broadcast premises;
- b. at least *two* technical personnel shall be on duty during operations and or maintenance of equipment;
- c. a *adequate* functional fire-fighting equipment shall be provided and maintained regularly;
- d. monthly fire drills shall be conducted at all stations and logged accordingly;
- e. rubber mats shall be provided at least one meter (1m) round every high power transmitter cabinet and, or high voltage equipment, and shall have an insulation capacity of at least 20% greater than the highest voltage within the equipment in all operational areas.

CLASS B

CLASS B

CLASS B

CLASS B

CLASS B

CLASS B

13.7.2. COREN Registered Engineers shall certify all electrical and mechanical projects and designs.

13.7.3	Cards showing the procedure for the treatment of electric shock shall be displayed in all technical areas and all staff shall familiarize themselves with the content.	CLASS B
13.7.4	Technical personnel shall be drilled quarterly by experienced medical personnel through practical demonstrations which shall be logged.	CLASS B
13.7.5	The Broadcaster shall put in place health insurance policy for technical staff exposed to radiation.	CLASS B
13.7.6	Adequate warning signs shall be clearly displayed in high voltage areas.	CLASS B
<b>13.8</b>	<b>FIRST-AID KITS</b>	
13.8.1	The Broadcaster shall ensure that:	
	a. First-Aid Kits are provided in all operational areas and shall contain necessary medication and dressing for the treatment of burns, cuts, shocks etc.;	CLASS B
	b. quarterly First Aid drill for all staff is carried out and recorded in a log book.	CLASS B
<b>13.9</b>	<b>BROADCASTING SYSTEMS</b>	
13.9.1	<b>Broadcasting Band Designations are:</b>	
	a. Medium Frequency MF or MW-RADIO (510 – 1605KHz)	

- b. High Frequency HFBC or SW-RADIO (5900-26100 KHz)
- c. Band I Channels 2-4, VHF-TV (47-69MHz)
- d. Band II Channels, FM-RADIO (88-108MHz)
- e. Band III Channels 5-12, VHF-TV (174-230MHz)
- f. Band IV Channels 21-34, UHF-TV (470 - 582MHz)
- g. Band V Channels 35-48, UHF-TV (582-694MHz)
- h. MMDS, (BSS Community Reception) (ceded to mobile services; new band to be identified)
- i. Direct Broadcast Satellite- Television Up-Link (5.845 –6.645GHz) for C-Band
- j. Direct Broadcast Satellite (Television) Down-Link (3.4–4.2GHz)for C-Band
- k. Direct Broadcast Satellite (Television) Up-Link (13.75–14.50GHz) for KU-Band
- l. Direct Broadcast Satellite (Television) Down Link (11.45-12.75GHz) for KU Band
- m. Direct Broadcast Satellite (Television) Up Link (26.50- 32.75GHz) for KA Band
- n. Direct Broadcast Satellite (Television) Down Link (33.75-40.00GHz) for KA Band
- o. Direct Broadcast Satellite (Audio) (1467-1492MHz) for L-Band.

**13.10 ANTENNA SUPPORT STRUCTURE****13.10.1 Structural Design**

13.10.1.1 The Broadcaster shall ensure that all Foundation designs, works and the erection of mast or tower to specification and within standards are certified by a COREN Registered Structural Engineer.

CLASS B

**13.10.2 Mast/Tower Site**

13.10.2.1 The Broadcaster shall ensure that:

CLASS B

- a. for a Guyed Mast, the minimum distance between the mast center and the outer anchor point shall be  $4h/5$ ;
- b. For Self-supporting lattice tower, the base square allowed shall range between  $h/10$  and  $h/7$  (where  $h$  is the structural height).

13.10.2.2 The Broadcaster shall ensure that before the installation of any antenna support structure, the following are submitted to the Commission for approval:

CLASS B

- a. soil Test Report of the site for the mast/tower;
- b. the Structural Design of the mast/tower (viz: antenna load, wind load, foundation and structural members);

	<p>c. (a) and (b) shall be certified by a COREN Registered Structural Engineer who shall also supervise the construction/installation.</p>	
13.10.2.3	<p>The Broadcaster shall ensure that towers and masts meet all the requirements of structural standards for:</p> <ul style="list-style-type: none"><li>a. a steel transmitting antenna (mast radiator); and</li><li>b. a self-supporting steel tower/guyed mast.</li></ul>	CLASS B
13.10.2.4	<p>The Broadcaster shall also meet the following requirements for the tower/mast:</p> <ul style="list-style-type: none"><li>a. all fabricated steel are hot dipped and galvanized after fabrication;</li><li>b. all bolts are of high strength type with suitable washers and locking devices;</li><li>c. all members are depth stamped;</li><li>d. climbing and safety devices are provided to the top of tower/mast</li><li>e. Rest Platforms are provided at intervals of 45 meters.</li></ul>	CLASS B
13.10.2.5	<p>The Broadcaster shall ensure that Height Clearance Certificate for the Commission's approved maximum height is obtained from</p>	CLASS B

	<p>the Nigerian Civil Aviation Authority (NCAA) and submitted to the Commission before the commencement of mast/tower installation.</p>	
13.10.2.6	<p>The Broadcaster shall obtain the approval of the Commission and the Nigerian Civil Aviation Authority before:</p> <ul style="list-style-type: none"><li>a. installation of mast/tower;</li><li>b. an additional antenna or mast section is mounted on an existing mast/tower.</li></ul>	CLASS B
13.10.2.7	<p>The Broadcaster shall obtain the approval of the Commission for the rehabilitation of a mast/tower that requires transmission downtime.</p>	CLASS B
13.10.2.8	<p>The Broadcaster shall obtain approval for the relocation of a mast/tower from:</p> <ul style="list-style-type: none"><li>a. the Commission;</li><li>b. the Nigerian Civil Aviation Authority.</li></ul>	CLASS B
13.10.2.9	<p>The Broadcaster shall not install a mast/tower within or allow the installation of a high tension line within the falling distance of the mast/tower.</p>	CLASS A
13.10.2.10	<p>The Broadcaster shall ensure that functional Pilot Lights (Aviation Warning Lights) are installed at recommended intervals of 50meters on every mast/tower.</p>	CLASS A

13.10.2.11	The Broadcaster shall ensure that mast/tower markings/paintings are in Aviation Colours (Orange/Red and White), in accordance with Civil Aviation Regulations.	CLASS A
13.10.2.12	The Broadcaster shall submit to the Commission, an annual report on the state of the mast/tower, in line with NBC Mast/Tower Condition Form, not later than the 31 <sup>st</sup> of March of each year.	CLASS A
<b>13.11</b>	<b>RESTRICTIONS</b>	
13.11.1	The Broadcaster shall not commence installation of a new, fallen or relocated mast/tower without the prior approval of the Commission.	CLASS A
13.11.2	<p>The Broadcaster shall obtain the approval of the Commission before effecting change(s) to any of the following:</p> <ul style="list-style-type: none"><li>a. transmitter power;</li><li>b. antenna gain and polarization;</li><li>c. mast/tower height;</li><li>d. antenna height;</li><li>e. transmitter location; and</li><li>f. RF distribution or antenna radiation pattern.</li></ul>	CLASS A

<p><b>13.12 COVERAGE AREA AND FIELD STRENGTH</b></p> <p><b>13.12.1 Coverage Area</b></p> <p>13.12.1.1 The Broadcaster shall limit itself to only the coverage area prescribed by the terms of its Licence.</p> <p><b>13.12.2 Field Strength</b></p> <p>13.12.2.1 The Broadcaster shall maintain specified minimum values of field strength within its assigned coverage area depending on its mode of transmission and its location. Accordingly, the acceptable minimum values shall be as indicated below:</p> <p>a. Urban Areas.</p> <ul style="list-style-type: none"><li>i. AM Sound Broadcasting 72dB</li><li>ii. VHF-FM Sound Broadcasting 60dB</li><li>iii. VHF-Television (Band III) 60dB</li><li>iv. UHF-Television (Band IV) 65dB</li><li>v. UHF-Television (Band V) 70dB</li></ul> <p>b. Rural Areas.</p> <ul style="list-style-type: none"><li>i. AM Sound Broadcasting 66dB</li><li>ii. VHF-FM Sound Broadcasting 48dB</li><li>iii. VHF-Television (Band III) 49dB</li><li>iv. UHF-Television (Band IV) 58dB</li><li>v. UHF-Television (Band V) 64dB</li></ul>	CLASS B
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### 13.13 **RADIO STANDARDS**

13.13.1 The approved modes of *sound* broadcasting are:

- a. Medium Wave (MW) or Medium Frequency (MF);
- b. Short Wave (SW) or High Frequency (HF);
- c. Very High Frequency (VHF): Frequency Modulated (FM);
- d. Direct Broadcast Satellite;
- e. Digital Audio (DAB/HD/DRM)

### 13.14 **Amplitude Modulated (AM) Band.**

13.14.1 HFBC or Short Wave (SW) in Nigeria shall be licensed by the Commission in adherence to the ITU Radio Regulations. Therefore:

- a. HFBC transmitters put into service after 1<sup>st</sup> January, 2012 shall have the capability to offer digital modulation;
- b. the use of the HFBC bands 5900-26100KHz shall be based on principles given in Article 12 of the ITU Radio Regulations;
- c. an HFBC broadcaster shall, twice yearly, submit to the Commission its projected seasonal broadcast transmission plan in the relevant frequency band.

**13.15 FREQUENCY MODULATED (FM) BAND**

13.15.1 The Frequency Modulated (FM) transmission in Nigeria shall be in compliance with ITU Recommendation 450-3.

**13.16 TELEVISION STANDARDS**

13.16.1 Television Transmission Standards in Nigeria shall include:

- a. DVB-T2 Digital Video Broadcast, Second Generation(Terrestrial);
- b. DVB-C2 Digital Video Broadcast, Second Generation (Cable/MMDS);
- c. DTH Digital Broadcast Satellite (Direct to Home);
- d. DVB-S2 Digital Video Broadcast, Second Generation Satellite;
- e. DVB-M Digital Video Broadcast, Mobile (Technology Neutral);
- f. DVB-SH Digital Video Broadcast (Satellite-to-Hand-held);
- g. DVB-RCS Digital Video Broadcast (Return Channel Satellite);
- h. DVB-IPDC Digital Video Broadcast (Internet Protocol Data Casting);
- i. IP- Radio (Internet Protocol Radio);
- j. IPTV (Internet Protocol Television).

**13.17      Cable Television System (CATV)**

13.17.1      Cable Television shall be a pay-subscription service. Transmission shall be encrypted such that subscribers are addressable.

**13.17.2      Other Requirements**

13.17.2.1      The Broadcaster shall provide to the Commission such number of decoders as required for the purpose of monitoring.

CLASS B

**13.18      TRANSMISSION SYSTEMS****13.18.1      Transmitters, Transposers, Repeaters and Beam Benders**

13.18.1.1      The Broadcaster shall obtain the approval of the Commission for the use of transmitters and other transmission devices.

13.18.1.2      The application for the use of transmitters, and other transmission devices shall be accompanied with:

- (a) technical feasibility study;
- (b) the proposed extension of coverage area.

**13.18.2      Studio-To-Transmitter Links**

13.18.2.1      The Broadcaster shall operate Studio-to-Transmitter links in accordance with the *CCIR Recommendation 402-2*.

**13.18.3 Transmitter Site**

13.18.3.1 The Broadcaster shall keep at each transmitter site:

- a. a stock of vital spares;
- b. facilities for programme processing, monitoring and test;
- c. an Engineering Log Book with recordings of daily, weekly, monthly, quarterly and yearly maintenance records.

CLASS B

**13.19 TRANSMISSION STANDARD**

13.19.1 The Broadcaster shall ensure hitch-free transmission.

CLASS B

13.19.2 The Broadcaster shall ensure that the equipment installed in a station is designed, constructed, maintained and used in such a way that its transmission does not cause interference to any other wireless equipment.

CLASS B

13.19.3 The Broadcaster shall ensure that precautionary measures are taken at all times, to keep radiated energy from the transmitter within the narrowest possible frequency bands by:

- a. having regard to the class of emission in use;

CLASS B

- b. suppressing radiation harmonics and other spurious emissions to such a level that they cause no interference;
- c. carrying out tests from time to time, with a view to meeting the requirements of these clauses.

### 13.20 RADIATED ENERGY

13.20.1 The Broadcaster shall radiate the approved power to enable transmission within the approved coverage area by:

- a. employing all technical means to ensure that the radiation is kept within the limits specified by the Commission;
- b. ensuring that out-of-band emission does not cause harmful interference to adjacent channels.

CLASS B

### 13.21 FREQUENCY AND SPECTRUM REGULATIONS

13.21.1 The Broadcaster shall ensure that frequency usage conforms to the technical specifications contained in the Licence conditions.

CLASS B

13.21.2 The Broadcaster shall ensure conformity with specifications by monitoring:

- a. actual spectrum occupancy;
- b. frequency deviation;
- c. depth of modulation;
- d. centre frequency.

13.21.3	The Commission reserves the right to conduct such other tests, including measurement of the transmissions to ensure non-interference.	
13.21.4	The Broadcaster shall <b>ensure</b> that its signal is limited to the geographical boundaries of the Federal Republic of Nigeria.	CLASS B
13.21.5	The Broadcaster whose signal constitutes a major interference to another shall eliminate such within 24 hours. Failure to comply with the above shall compel the Commission to shut down the station until it is able to eliminate such interference.	CLASS A
<b>13.22</b>	<b>STATION COMMISSIONING</b>	
13.22.1	The Broadcaster shall ensure that the Commission is invited and present at all acceptance tests for new transmitting equipment.	CLASS B
13.22.2	The Broadcaster shall provide the Commission an accurate: <ol style="list-style-type: none"><li>block diagram of its complete installation;</li><li>electrical wiring diagram of the installation;</li><li>antenna radiation pattern;</li><li>factory test result of the transmitter.</li></ol>	CLASS B

13.22.3 The Broadcaster shall obtain the final approval of the Commission to commence full broadcast operations after the consideration of the report of the Test Transmission.

### 13.23 **Test Transmission**

#### 13.23.1 **Radio**

Test Transmission shall be in two parts:

- a. Technical Test transmission (On Dummy Load) entailing Transmitter alignment using 1KHz Tone;
- b. Content Test Transmission, without any advertisement.

#### 13.23.2 **Television**

In the era of digital Terrestrial Television broadcasting, the Signal Distributor is responsible for transmission.

- a. Test Transmission shall be limited to test signal (Station Identification, Colour Bars/Tone, Pulse & Bar/Tone) to enable transmitter alignment, determination of coverage area and signal quality.
- b. The Content Provider is responsible for delivering content to the Signal Distributor(s) Head-End. Output from the Content Provider shall be Digital.

CLASS B

CLASS B

CLASS B

	c. To ensure uniformity of Sound Level across various Content Providers, all audio signals should conform to the ITU-R128 standard.	CLASS B
13.23.3	Throughout the period of test transmission the audience shall be adequately informed by announcing or scrolling that the Broadcaster is on test transmission, asking for feedback.	CLASS B
13.23.4	Both Technical and Content Test Transmission shall be for a maximum of four weeks.	CLASS B
13.23.5	The Broadcaster shall obtain approval from the Commission before commencement of full transmission.	CLASS B
<b>13.24</b>	<b>TOOLS AND TEST GEAR</b>	
13.24.1	The Broadcaster shall provide adequate Electrical, Mechanical and IT test gear to enable it carry out its routine and corrective maintenance.	CLASS B
<b>13.25</b>	<b>TECHNICAL BREACHES</b>	
13.25.1	The Broadcaster shall be liable if it commits any of the following technical breaches:	
	a. deviation from assigned frequency;	CLASS B
	b. transmission beyond assigned coverage area;	CLASS B

<ul style="list-style-type: none"><li>c. operating a transmitter above approved transmitter power;</li><li>d. consistently transmitting low quality signals, in contravention of the technical provisions of <b>the Code</b>;</li><li>e. non-compliance with the installation and safety specifications and standards;</li><li>f. failure to comply with any of the technical standards and specifications;</li><li>g. where the Broadcaster fails to eliminate interference caused to other users after being duly directed by the Commission;</li><li>h. installing a mast/tower above the approved height as specified by the Commission.</li></ul>	CLASS B
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## COMPLAINTS

COMPLAINTS FORMAT

LIMITATION PERIOD FOR RECEIVING COMPLAINTS

HANDLING COMPLAINTS

RIGHT OF REPLY

THE PUBLIC'S RIGHT TO COMPLAIN ABOUT  
THE BROADCASTER

## CHAPTER FOURTEEN

### 14.0 COMPLAINTS

14.0.1 Pursuant to Section 2(1) (f), (n),(q) of **the Act**, the Commission shall receive, consider and investigate Complaints and where necessary arbitrate or impose sanctions for non-compliance with any of the following:

- content of the broadcast;
- conduct of the Broadcaster;
- terms, conditions and obligations of the broadcast licence;
- the Act, the Code** and any other regulation of the Commission.

### 14.1 COMPLAINTS FORMAT

14.1.1 A complaint to the Commission shall be in oral or written form and contain, amongst others, the following:

- name** of the Broadcaster;
- title** of the programme;
- date** and **time** of the broadcast;
- essence** of the **complaint** or observation, such as the absence of fairness, obscenity, or technical shortcomings, etc.; and
- name, address, telephone number and/or email** and **signature** of the complainant.

**14.2 LIMITATION PERIOD FOR RECEIVING COMPLAINTS**

14.2.1 Any person, group of persons or institution(s) aggrieved, may lodge a complaint with the Commission within 14 days of the occurrence of the act or omission.

14.2.2 A complaint received after the 14 days specified in 14.2.1, shall not be entertained by the Commission.

**14.3 HANDLING COMPLAINTS**

14.3.1 The Commission shall, on receipt of complaint(s):

- inform and require the Broadcaster to provide, within a specified period determined by the Commission, a response in writing and a recording of the relevant materials;
- request for copies of the relevant correspondence from the complainant;
- promptly investigate and or arbitrate on the matter within a reasonable period; and
- notify the parties of the progress of the investigation, findings and action taken.

14.3.2 The Broadcaster's failure to supply the requested materials or make statements in response to the inquiries within the stipulated

<p>time limit shall be deemed as acceptance of the complaint(s), and the appropriate sanction shall be applied.</p> <p>14.3.3 The Commission shall, where the complaint is upheld, direct the Broadcaster to, within 14 days, comply with its directives.</p> <p>14.3.4 Where the Broadcaster fails to comply with the directives of the Commission, a sanction shall be applied.</p> <p>14.3.5 The Broadcaster shall bear the administrative costs of the investigation if found liable.</p> <p>14.3.6 The Commission may make the outcome of the investigation public.</p>	
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**14.5 THE PUBLIC'S RIGHT TO COMPLAIN ABOUT THE BROADCASTER**

14.5.1 The Broadcaster shall, pursuant to the provisions of Section 2(1)(d),(g),(h),(i) and (l) of **the Act** and in keeping with the need for the public's right to quality broadcasting:

- transmit at specific intervals a standard announcement giving its audience the opportunity to complain about any aspect of its broadcast and conduct, at least once, during the morning, afternoon and evening belts;
- make an announcement which shall include contact details of both the Broadcaster and the Regulator, and the complaint format provided in 14.1.

14.5.2 The Broadcaster operating multi-channel stations, shall make announcements in all the channels at least once during the morning, afternoon and evening belts.

CLASS B

CLASS B

CLASS B

## SANCTIONS

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SANCTIONING PROCESS AND PROCEDURE  
CLASSES OF SANCTION  
CONSEQUENCES OF REVOCATION  
ILLEGAL BROADCASTING  
PENALTIES

## CHAPTER FIFTEEN

### 15.0 SANCTIONS

#### 15.1 SANCTIONING PROCESS AND PROCEDURE

15.1.1 The Broadcaster shall not breach any provision of **the Act**, **the Code** and other rules and regulations made by the Commission from time to time.

15.1.2 Pursuant to Sections 2(1)(n) and 21 of **the Act**, the Commission shall apply sanctions for a breach of **the Act**, **the Code** or any other Regulation as may be issued by the Commission from time to time.

#### 15.2 CLASSES OF SANCTION

The Broadcaster shall be subject to the following classes of sanction where it commits a breach of **the Code**.

##### 15.2.1 CLASS A

The sanctions for Class A are:

- a. immediate order of suspension of broadcast services;
- b. suspension of licence and immediate shut down/seal up of transmitter;
- c. revocation of licence, seizure and forfeiture of transmitting equipment.

15.2.1.1 In the case of suspension of a broadcast licence, the appropriate recommencement fee as stipulated in 15.5.1c shall apply.

#### 15.2.2 **CLASS B**

The Sanctions for Class B are:

- a. warning to remedy the breach within a time frame;
- b. failure to comply with the provision of "a" attracts a reduction of the daily broadcast hours. The recommencement of full broadcast hours shall attract a fee as stipulated in 15.5.1b;
- c. failure to comply with the provision of "b", attracts the suspension of the broadcast Licence for a period of 30 days. The recommencement of full broadcast shall attract a fee as stipulated in 15.5.1c.

#### 15.2.3 **CLASS C**

The Sanctions for Class C are:

- a. a written admonition to remedy the breach within 24hours;
- b. failure to comply with the provision of "a" shall lead to issuance of a written warning;
- c. failure to comply with the provision of "b" leads to payment of a fee as stipulated in 15.5.1a;

d. failure to comply with provision of "c" leads to a Class B sanction.

### **15.3 CONSEQUENCES OF REVOCATION**

15.3.1 The Broadcaster whose licence is revoked shall not be absolved of its responsibilities or obligations, prior to the date of the revocation.

15.3.2 Where a Licence is revoked, re-application for a Broadcast Licence shall not be considered from the same company until after 5 years.

15.3.3 Where the Commission issues a suspension or revocation order, the Broadcaster shall comply immediately.

15.3.4 Where a licence is suspended or revoked, the police and other security agencies may assist the Commission to shut down the station.

### **15.4 ILLEGAL BROADCASTING**

15.4.1 The Police shall prosecute any person engaged in any form of broadcasting or in possession of any broadcast equipment or apparatus in the country without a licence or permit for the purpose.

## 15.5 PENALTIES

15.5.1 The following penalties shall apply in respect of a breach committed by the Broadcaster:

- a. Light.... **N250, 000 to N500,000;**
- b. Heavy.. **N2,000, 000 to N10,000,000;**
- c. Severe.....**N20, 000,000 and above.**

15.5.2 The penalties in section 15.5.1 shall apply to all categories of broadcasting except Community broadcasting.

15.5.3 The Community Broadcaster shall be subject to a sanction as shall be determined by the Commission, based on the nature of the breach.

## DEFINITION OF TERMS

TERM	DEFINITION OF TERM
Act	The National Broadcasting Commission Act Cap N11 Laws of the Federation of Nigeria 2004
Admonition	Verbal or written rebuke given in the first instance to a broadcaster to rectify a breach.
Advertising	Any form of communication about goods, services or facilities placed at a cost, before, within or after a programme with the intention of marketing the said goods, services and facilities to attract patronage.
Affiliate	A member broadcaster of a broadcast Network.
AM	Amplitude Modulation: A modulation technique used in electronic communication, most commonly for transmitting information via a radio carrier wave.
Analogue	A system in which signals vary continually.
Antenna	A device that collects, emits, transmits and focuses electromagnetic energy i.e. contribute energy gain.
API	Access Programme Input: A set of functions and procedures that allow the creation of applications which access the features or data of an operating system, application or other service.
Auction	This is a form of spectrum pricing, as well as a mechanism for spectrum assignment, where spectrum rights are assigned to the winners after a competitive process selected on the basis of bid price.
Bandwidth	Band which is sufficient to ensure the transmission of information at the rate with quality required under specified condition.
BON	Broadcasting Organisations of Nigeria.
Boundary	A limit of frequency allowed for a channel.
Bouquet	A collection of video and/or audio channels marketed as a single package, often transmitted in a single data stream, or a thematic environment where channels are devoted to a specific programming genre.
Breach	Any action or inaction on the part of a broadcaster which constitutes violation of, or non-compliance with, any provision of the NBC Act CAP N11 Laws of the Federation of Nigeria, 2004 or <b>the Code</b> and any other regulation made there-under.

Broadband	A communication spectrum used for voice, data, radio and/or television which can take many forms, such as fibre, copper, wireless and satellite.
Broadcasting	Transmission of content, whether or not encrypted, through radio waves or other means of communication for reception by the public, using any receiving apparatus.
Broadcasting Licence	Licence granted and issued by the Commission in terms of <b>the Act</b> to a person for the purpose of providing a defined category of broadcasting service, or deemed by <b>the Act</b> to have been so granted and issued.
Broadcasting Service	Any service which consists of the unidirectional transmission and distribution to audio and/or audiovisual materials by cable or wireless means from anywhere in Nigeria for reception by the public.
Cable	Mode of broadcasting through fibre optics and/or co-axial cable.
Campus Broadcasting	A form of community broadcasting set up in an academic institution for training potential broadcasters or students and for the social well-being of the community.
Carrier Frequency	A frequency signal that is modulated to carry information.
Caution	A verbal or written rebuke given to a broadcaster by the Commission for a breach of <b>the Act</b> , <b>the Code</b> or any other
C-band	The range of frequencies that include 3.4GHz–4.2GHz for downlink and 5.845GHz–6.645GHz for uplink.
Channel	A single defined television programming service of a broadcaster.
Children & Young persons	Persons who are below the age of 18 years.
City	A city in broadcasting, is a geographical setting that a broadcast signal should cover.
Code	The regulatory document of the Commission guiding the practice of broadcasting in Nigeria, as may be reviewed from time to time, under the provisions of NBC Act Cap N11, Laws of the Federation of Nigeria, 2004 and any amendment thereto.
Commercial Broadcasting Service	A broadcasting service operating for profit as licensed by the Commission.

Commission	The National Broadcasting Commission: a body corporate established by Section 1 of the NBC Act Cap N11 Laws of the Federation of Nigeria, 2004.
Community Broadcasting Service	A broadcasting service provided by the members of a community to serve their communal, developmental, economic, social and cultural objectives.
Conditional Access System(CAS)	Conditional Access System is the system of protecting content by requiring certain criteria to be met before granting access to the content.
Convergence	The delivery and/or reception of broadcast and communication signals through one device.
COREN	Council for the Regulation of Engineering practice in Nigeria.
Current Affairs	A presentation of comments, opinions and analysis of topical events and issues.
DAB	Digital Audio Broadcasting.
Dangerous Speech	Any form of expression (speech, text or images) that can incite audience into violence against a person or members of any group.
Digital	A system in which signals vary in discrete steps.
Direct Satellite Broadcast (DSB)	A term used to describe broadcast via satellite directly to end users.
DSL	Digital Subscriber Line: this is a family of technologies that provide digital data transmission over a local telephone network.
DTH	Direct-to-Home: Multi-Channel Satellite Service
DTT	A Digital Terrestrial Television.
DVB	Digital Video Broadcasting: a set of standards that define digital broadcasting, using existing satellite, cable and terrestrial infrastructures.
DVB-C	Digital Video Broadcast Cable: it is a system of providing television and radio programming to consumer via radio frequency signals.
DVB-H	Digital Video Broadcasting Handheld: It is a technical specification for bringing broadcast services to handheld receivers.
DVB-T	Digital Video Broadcasting Terrestrial: it is the DVB European consortium standard for the broadcast transmission of digital terrestrial television.
Editorial	Expression of opinion of the broadcaster.

Electric Shock	The flow of electric current through a human body
Electromagnetic field	A spectrum field that has both electrical and magnetic properties.
Emission	The production of radiation by a transmitting station.
Encryption	A method for changing a broadcasting signal in a systematic way, so that the signal would be unintelligible without suitable receiving equipment.
EPG	Electronic Programme Guide: An application used with digital set-top boxes and digital television sets to list current and scheduled programmes that are or will be available on each channel and a short summary/commentary for each programme.
ERP	Effective Radiated Power.
Events of National interest	An event in which Nigeria participates as a nation, including events of specific cultural and social value, such as sports, that have a cohesive function in Nigeria.
Fake News	A deliberate misinformation or hoaxes spread via traditional broadcast media or social media.
Family Belt	The time between 6am-8pm on radio & 7am-10pm on TV when programmes suitable for the family are aired
FM	Frequency Modulation: modulation of the frequency of the radio carrier wave.
Free-to-Air	Delivery of unencrypted broadcast signals.
Free-to-View	Channels that can be aired/viewed freely.
Frequency band	The part of the electromagnetic radio frequency spectrum which is allocated for the use of broadcasting services by the International Telecommunications Union (ITU).
Hate Speech	A speech which attacks a person or group on the basis of attributes such as disability, ethnicity, gender, political leaning, race or religion.
Hyping	A presenter engaging in promotion of a product/service.
INEC	Independent National Electoral Commission.
Infomercials	An advertisement genre that treats the subject more elaborately than a standard advertisement.
International Broadcasting Service	The signal of a service which originates outside Nigeria and which is intended to be received in more than one country.
Internet	International computer networks through which computer users communicate and exchange information.
IPTV	Internet Protocol Television: is a system through which television services are delivered using internet.
ITU	International Telecommunications Union.

Jingle	A lively piece used for Commercials.
KU-band	The range of frequencies ranging from 11.7GHz – 11.2GHz
Licence	A broadcasting authority granted by the Commission to a person for the purpose of providing a defined category of broadcasting service in accordance with section 2 (1)(b), (c) and 2(2) of NBC Act Cap N11, Laws of the Federation of Nigeria, 2004.
Licensee	The holder of a License or a broadcaster.
Local Content	Production with substantially indigenous inputs in which Nigerians have editorial and creative control.
Logging	Process of sequential keeping of records in broadcasting.
Major Sport	A sport which is played or watched by a substantial proportion of the Nigerian population either at the venue where it is played or on television.
Mast	Antenna support structure made of steel.
MMDS	Multipoint Microwave Distribution System: a wireless telecommunications technology commonly used as an alternative method of cable television programming reception.
NBC	National Broadcasting Commission.
Necessary Bandwidth	The width of the frequency band which is sufficient to ensure the transmission of information at a range, with the quality required under specified conditions.
Networking	Interlinking a chain of Affiliate/Associate broadcasters to transmit the same programme simultaneously, whether permanently or on an occasional basis.
News	A presentation of factual account of events and issues.
News Analysis	A balanced examination of a current issue of public interest excluding the personal views of the analyst.
News Commentary	An expression of opinion personal to the commentator. It can also be referred to as "News Talk".
News Interview	An interview or discussion to elicit informed opinion or fact about a news item.
Newscast	An assemblage and presentation of news stories, news analysis, as well as commentaries and special reports.
NGO	Non-Governmental Organisation: a non-profit organisation that operates independently of any Government.
Nigerian Territory	A sovereign country located in West Africa, including its territorial waters and airspace.
NOA	National Orientation Agency.
NTBB	Not To Be Broadcast: programme content not fit for broadcast

Obscenity	A graphic representation of lewd, sexual activity, verbal or physical violence or bloodletting, portrayed in a socially offensive manner, especially if it is not indispensable in the total communication of an idea.
Out of Band Emission	Emission on a frequency immediately outside the necessary bandwidth resulting from modulation process, excluding spurious emissions.
Pay Per View	Services that are similar to subscription based Pay TV service in which a person must pay to have the access for viewing, but usually entail a one off payment for a single or time limited viewing.
Pay TV	Subscription based television service in which viewers pay to watch.
Pirate Radio	An illegal radio station.
Pluralism	Diversity.
Pornography	Any obscene material capable of causing sexual excitement.
Programme	A unified presentation on radio or television that occupies a distinct period with a beginning and an end.
Promotion	Any item of advertisement, publicity or sales promotion inserted before, within or after a programme.
Public Service Broadcasting (PSB)	It is broadcasting intended for public benefit rather than to serve commercial or political interest.
Radiation	The outward flow of energy from a source in the form of radio waves.
Radio Frequency	Complete range of frequencies used for transmission by electromagnetic waves.
Reprimand	Formal expression of disapproval.
RF	Radio Frequency
Sanction	A penalty or enforcement measure applied to any breach of NBC Act Cap. N11, Laws of the Federation of Nigeria, 2004, <b>the Code</b> or any other regulation made there-under.
Satellite	A body which revolves around another body of preponderant mass and which motion is primarily and permanently determined by the force of attraction of that other body.
Satellite Broadcasting Service	A service which is broadcast by transmitters situated on a satellite.
Set-top Box	A device that connects to a television and some external sources of signal, and turns the signal into content that can be displayed on the screen.

SLA	Service Level Agreement: a contract between a service provider and an end user that defines the level of service i.e. quality, availability and responsibility expected from the service provider.
Social Media	Computer mediated tools that allow people to create, share, or exchange information, ideas and pictures/videos in virtual communities and networks.
Spectrum	The emitted energy of a radiant source as arranged in wavelengths.
Sponsorship	The payment of the whole or part of the cost of the production and transmission of a programme by a person or entity to promote its image, activities or public service.
Spurious Emission	Emission on frequencies which are outside the necessary bandwidth and the level of which may be reduced without affecting corresponding transmission of information. These include harmonics, parasitic, intermediate products, frequency conversion, products excluding out of band emission.
Station	One or more transmitter or receiver or combination of both at one location for carrying out radio communication.
Subscription	An arrangement where broadcast content is made available and received upon payment.
Subscription Broadcasting Service	A process by which broadcast services are received upon payment of fees.
Syndication	An arrangement whereby a broadcaster or a programme provider makes its programmes available to a chain of broadcasters for transmission at mutually agreed terms.
Team	A group of individuals involved in an activity.
Terrestrial Television	Television broadcast via radio waves transmitted through open space.
Tower	A tall structure designed to support antennas for broadcasting and telecommunications.
Trans-border Broadcast	Transmission of signals across one or more national boundaries
User Generated Content	Any form of content created or produced by members of the public and used by broadcasters.
VOIP	Voice Over Internet Protocol: is a methodology and group of technologies for the delivery of voice communications and multimedia sessions over the internet.
Vox Pop	A news interview of people, randomly taken in the street, to comment on public issues.
Warning	A formal sanction to a licensee for a breach.
Watershed	The time after which programmes regarded as unsuitable for children are broadcast on Television.
X-rated	A label for programmes that have adult content, such as acts of violence or sex, not suitable for broadcast.

## APPENDIX I

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## National Broadcasting Commission Act

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### **NATIONAL BROADCASTING COMMISSION ACT CAP N11, LAWS OF THE FEDERATION OF NIGERIA, 2004 ARRANGEMENT OF SECTIONS**

Establishment, etc., of the National Broadcasting Commission  
**SECTION**

1. Establishment of the National Broadcasting Commission
2. Powers of the Commission
3. Composition of the Commission
4. Tenure of office, etc.
5. Director-General and other staff of the Commission
6. Power of the Minister to give directives
7. Conditions of service
8. Service in the Commission to be pensionable
9. Power of the Commission to grant licences
10. Persons disqualified from the grant of a licence
11. Method of application for a licence
12. Terms and conditions for a licence
13. Power of the Commission with respect to licences
14. Fund of the Commission
15. Radio and television licence fees
16. Expenditure of the Commission
17. Power to accept gift
18. Borrowing power
19. Annual estimates, accounts and audit
20. Annual reports
21. Liability to **the Code** of sanctions
22. Indemnity, etc., of the Commission and staff
23. Regulations
24. Savings
25. Repeal of certain sections of certain enactments
26. Interpretation
27. Short title

Supplementary provisions relating to the Commission  
**SECOND SCHEDULE**

Form for application for a grant of licence  
**THIRD SCHEDULE**  
Terms of a licence

NATIONAL BROADCASTING COMMISSION ACT  
**An Act to establish the National Broadcasting  
Commission and for matters connected therewith.**  
[1992 No. 38]

[Commencement] [24<sup>th</sup> August, 1992]

Establishment, etc., of the National Broadcasting Commission

**1. Establishment of the National Broadcasting Commission**

There is hereby established a Commission to be known as the National Broadcasting Commission (in this Act referred to as "the Commission") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

**2. Powers of the Commission**

(1) The Commission shall have responsibility of -

- (a) advising the Federal Government generally on the implementation of the National Mass Communication Policy with particular reference to broadcasting;
- (b) receiving, processing and considering applications for the establishment, ownership or operation of radio and television stations including -

**[1999 No. 55)**

- (i) Cable television services, direct satellite broadcast and any medium of broadcasting;
- (ii) Radio and television stations owned, established or operated by the Federal, State or local government;
- (c) recommending applications through the Minister to the President, for the grant of radio and television licences;
- (d) regulating and controlling the broadcasting industry;
- (e) undertaking research and development in the broadcasting industry;
- (f) receiving, considering and investigating complaints from individuals and bodies corporate or incorporate regarding the contents of a broadcast and the conduct of a broadcasting station;
- (g) upholding the principles of equity and fairness in broadcasting;
- (h) establishing and disseminating a national broadcasting code and setting standards with regard to the contents and quality of materials for broadcast;
- (i) promoting Nigerian indigenous culture, moral and community life through broadcasting;
- (j) promoting authenticated radio and television audience measurements and

penetration;

(k) initiating and harmonizing Government policies on trans-border direct transmission and reception in Nigeria;

(l) regulating ethical standards and technical excellence in public, private and commercial broadcast stations in Nigeria;

(m) monitoring broadcasting for harmful emission, interference and illegal broadcasting;

(n) determining and applying sanctions including revocation of licences of defaulting stations which do not operate in accordance with the broadcast code and in the public interest;

(o) approving the transmitter power, the location of stations, areas of coverage as well as regulate types of broadcast equipment to be used;

(p) ensuring qualitative manpower development in the broadcasting industry by accrediting curricula and programmes for all tertiary training institutions that offer Mass Communication in relation to broadcasting;

**[1999 No. 55]**

(q) intervening and arbitrating in conflicts in the broadcasting industry;

**[1999 No. 55]**

- (r) ensuring strict adherence to the national laws, rules and regulations relating to the participation of foreign capital in relation to local capital in broadcasting;

**[1999 No. 55]**

- (s) serving as national consultants on any legislative or regulatory issues on the broadcasting industry;

**[1999 No. 55]**

- (t) guaranteeing and ensuring the liberty and protection of the broadcasting industry with due respect to the law; and

- (u) carrying out such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on it under or pursuant to this Act.

- (2) No person shall operate or use any apparatus or premises for the transmission of sound or vision by cable, television, radio, satellite or any other medium of broadcast from anywhere in Nigeria except under and in accordance with the provisions of this Act.

### **3. Composition of the Commission**

- (1) The Commission shall consist of –

- (a) a chairman;
- (b) ten other members as may be approved or represent the following interests, that is –
  - (i) law;
  - (ii) business;

- (iii) culture;
- (iv) education;
- (v) social science;
- (vi) broadcasting;
- (vii) public affairs;
- (viii) engineering;
- (ix) State Security Service;
- (x) The Federal Ministry of Information and National Orientation; and

(c) the Director-General of the Commission

**[1999 No. 55]**

(2) The chairman and other members of the Commission shall be persons of proven integrity, experience and specialised knowledge in the broadcasting industry or who by reason of their professional or business attainment are on the recommendation of the Minister and with the approval of the President capable of making useful contribution to the work of the Commission.

**[1999 No. 55]**

(3) The chairman and other members of the Commission shall be citizens of Nigeria who shall be appointed by the President on the recommendation of the Minister.

**[1999 No. 55]**

(4) The chairman and other members of the Commission shall be part-time members.

**[1999 No. 55]**

(5) The supplementary provisions contained in the First Schedule to this Act shall have effect with respect to the proceedings of the Commission and the other matters contained therein

**[First Schedule]**

**4. Tenure of office, etc.**

(1) The Chairman and other members of the Commission shall hold office for three years renewable for one further period of three years only.

(2) The chairman or a member of the Commission may resign his appointment at any time by notice in writing under his hand addressed to the President.

(3) If a member of the Commission dies or resigns or otherwise vacates his office before the expiry of the term for which he is appointed, a fit and proper person shall be appointed for the remainder of the term of office of the predecessor, so however that the successor shall represent the same interest and shall be appointed by the President.

(4) A member of the Commission may be removed from office by the President if he is satisfied that it is not in the interest of the Commission or the interest of the public that the member should continue in office.

**Staff of the Commission****5. Director-General and other staff of the Commission**

- (1) There shall be appointed for the Commission, a Director-General who shall be the chief executive of the Commission.
- (2) The Director-General shall be appointed by the President on the recommendation of the Minister.
- (3) The Director-General shall be a person with wide knowledge and experience in broadcasting.
- (4) The Director-General shall be responsible for the execution of the policies of the Commission and its day-to-day administration.
- (5) The Director-General shall hold office in the first instance for a period of five years and shall be eligible for re-appointment for such further periods as the President may, from time to time, determine.
- (6) Subject to this section, the Director-General shall hold office on such terms as to emolument and otherwise as may be specified in his letter of appointment and as may, from time to time, be approved by the President.
- (7) The Commission shall appoint a secretary to the Commission who shall keep records, conduct correspondence of the Commission and carry out and perform such other duties as the Commission or the Director-General may, from time to time, direct.
- (8) The Commission may appoint such other employees to assist the Director-General in the exercise of his functions under this Act.

**6. Power of the Minister to give directives**

Subject to the provisions of this Act, the Minister may give the Commission directives of a general character relating generally to particular matters with regard to the exercise by the Commission of its functions under this Act and it shall be the duty of the Commission to comply with such directives.

**7. Conditions of service**

The Commission shall develop and submit to the President appropriate conditions of service covering remuneration, fringe benefits, pension scheme and other benefits for its employees.

**8. Service in the Commission to be pensionable**

(1) Notwithstanding the provisions of the Pensions Act, service in the Commission shall be approved service for the purpose of that Act and, accordingly, officers and other persons employed in the Commission shall in respect of their service in the Commission be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

**[Cap. P4]**

(2) For the purposes of the application of the provisions of the Pensions Act, any power

exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the Commission and not by any other person or authority.

## 9. **Power of the Commission to grant licences**

(1) The Commission shall, in the consideration of an application or a licence under this Act, be satisfied that the applicant –

- (a) is a body corporate registered under the Companies and Allied Matters Act or a station owned, established or operated by the Federal, State or local government;
- [Cap. C20]**
- (b) can demonstrate to the satisfaction of the Commission that he is not applying on behalf of any foreign interest;
- (C) can comply with the objectives of the National Mass Communication Policy as is applicable to the electronic media, that is, radio and television;
- (d) can give an undertaking, that the licensed station shall be used to promote national interest, unity and cohesion and that it shall not be used to offend the religious sensibilities or promote ethnicity, sectionalism, hatred and disaffection among the peoples of Nigeria.

- (2) The grant of a licence by the Commission under this Act shall be subject to availability of broadcast frequencies.
- (3) Compliance with the requirements specified in subsection (1) of this section shall not entitle an applicant to the grant of a licence but the grant of a licence by the Commission shall not be unreasonably withheld.
- (4) In determining the grant of a licence the Commission shall consider the following, that is-
  - (a) The structure of shareholding in the broadcasting organizations;
  - (b) The number of shareholding in other media establishments;
  - (c) The distribution of those stations and establishments as between urban, rural, commercial or other categorisation.
- (5) It shall be illegal for any person to have controlling shares in more than two of each of the broadcast sectors of transmission.

**[1999. No. 55]**

- (6) Any broadcast station transmitting from Nigeria before the commencement of this Act shall be deemed to have been licensed under this Act and, accordingly, shall be subject to the provisions of this Act.

**[1999 No. 55]**

**10. Persons disqualified from the grant of a licence**

The Commission shall not grant a licence to –

- (a) a religious organisation; or
- (b) a political party.

**11. Method of application for a licence**

A request by a person for authority to own, establish or operate a radio, sound, television, cable or satellite station shall be by way of an application for a licence addressed to the Director-General of the Commission and in the form prescribed in the Second Schedule to this Act.

**[Second Schedule]**

**12. Terms and conditions for a licence**

The grant of licence shall be subject to the terms and conditions set out in the Third Schedule of this Act.

**[Third Schedule]**

**13. Power of the Commission with respect to licences**

- (1) The Commission shall have power with respect to any licence granted under section 9 of this Act –
  - (a) To allocate to a licensed station, that is –
    - (i) in the case of a radio station, Frequency Modulation, Medium Wave and Short Wave;
    - (ii) in the case of television, Very High Frequency and Ultra High Frequency; and
    - (iii) such other broadcast frequencies as

the Commission may, from time to time, determine;

- (b) to approve the location of a station;
- (c) to regulate the technical specifications of equipment and standard of transmission;
- (d) to approve the call signal of a station;
- (e) to approve the area to be served by a station;
- (f) to impose sanctions in accordance with paragraph 8 of the Third Schedule to this Act; and

**[Third Schedule]**

- (g) to prescribe an appropriate fee payable.

(2) The Commission shall have the power to enter into the premises of any station and inspect or examine any apparatus of operation in the station in order to ascertain their conformity with the provisions of this Act.

(3) The Commission may exercise its power under this section of this Act through its agents.

## Financial provisions

### 14. Fund of the Commission

- (1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission.
- (2) There shall be paid and credited to the fund established pursuant to subsection (1) of this section –
  - (a) such percentage of fees and levy to be charged by the Commission on the annual income of licensed broadcasting stations owned, established or operated by private individual(s), Federal, State or local government;
  - (b) such moneys as may, from time to time, be lent or granted to the Commission by the Government of the Federation or of a State;
  - (c) all moneys raised for the purposes of the Commission by way of gifts, loans, grants-in-aid, testamentary disposition or otherwise;
  - (d) all other assets that may, from time to time, accrue to the Commission.
- (3) The fund shall be managed in accordance with rules made by the Commission and without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions:
  - (a) specifying the manner in which the assets or the fund of the Commission are to be held

and regulating the making of payments into and out of the fund; and

(b) requiring the keeping of proper accounts and records for the purpose of the fund in such form as may be specified in the rules.

(4) No person shall offer for sale, sell or have in his possession with a view to selling in the course of his business, any installation, mechanism, instrument, material or other apparatus –

(a) constructed for the purpose of; or

(b) intended to be used for, wireless telegraphy except under and in accordance with a licence issued by the Commission in that behalf.

**[1999 No. 55]**

## **15. Radio and television licence fees**

The Commission shall –

(a) collect and hold in trust for;

(b) disburse on behalf of, the broadcast houses such licence fees accruing from the ownership of radio and television sets, as the Commission may prescribe.

## **16. Expenditure of the Commission**

(1) The Commission may, from time to time, apply the proceeds of the fund established pursuant to section 14 of this Act to –

(a) the cost of administration of the Commission;

(b) the payments of salaries, fees and other remuneration, allowances, pensions, and gratuities payable to members or employees of the Commission.

**17. Power to accept gifts**

(1) The Commission may accept gifts of money or other property and upon such terms and conditions, if any, as may be specified by the person or organization making the gift provided that such gifts are not inconsistent with the objectives and functions of the Commission under this Act.

**18. Borrowing power**

(1) The Commission may with the consent of the Minister borrow, on such terms and conditions as the Commission may determine, such sums of money as the Commission may require in the exercise of the functions conferred on it under this Act.

**19. Annual estimates, accounts and audit**

(1) The Commission shall, not later than 31 October in each year, submit to the President an estimate of its expenditure and income during the next succeeding financial year.

(2) The Commission shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause its accounts to be audited not less than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

## Miscellaneous and supplementary

### 20. Annual report

The Commission shall prepare and submit to the Minister not later than 30 June in each year, a report in such form as he may direct on the activities of the Commission during the immediately preceding year, and shall include in such report a copy of the audited accounts of the Commission for that year and Auditor-General's report thereon.

### 21. Liability to code of sanctions

Any station which contravenes the provisions of the National Broadcasting Code or any other order of the Commission shall be liable to the sanctions prescribed in The Code.

[1999 No. 55]

### 22. Indemnity etc., of the Commission and staff

(1) Every member of staff or other officer of the Commission shall be entitled to be indemnified by the Commission against losses or liabilities sustained or incurred in or about the execution of the duties attached to his office or otherwise in relation thereto, and no member, staff or other officer of the Commission shall be liable for any loss, damage or misfortune which may happen to or be incurred by the Commission in the execution of the duties of his office or in relation thereto unless the same happened through his willful neglect or default.

[1999 No. 55]

(2) The Commission shall not be liable or responsible for any infringement by a licensee in the exercise of his licence, of a copyright in any work or any law arising out of the exercise of the licence, and nothing in this Act shall affect the liability of the licensee in respect of any such act done by him.

**[1999 No. 55]**

**23. *Regulations***

(1) The Commission may, with the approval of the Minister, make regulations generally for the purpose of giving effect to the provisions of the Act.

**24. *Savings***

(1) Pursuant to the provisions of section 9 of this Act, the power hitherto exercised by the Minister in so far as they relate to the grant of licences in respect of cable television services shall be deemed to have been performed by the Commission established by this Act.

**25. *Repeal of certain sections of certain enactments***

(1) Section 7 (1) of the Nigerian Television Act and section 6 (1) of the Federal Radio Corporation of Nigeria Act are hereby consequentially repealed.

**[Cap N136. Cap. F18]**

(2) The power under the Wireless Telegraphy Act and regulations made thereunder in so far as they relate to broadcasting shall, as from the commencement of the Act, vest in the Commission without further assurance than by this Act.

**[Cap W5]**

**26. Interpretation**

In this Act, unless the context otherwise requires –

“**chairman**” means the chairman of the Commission;

“**Commission**” means the National Broadcasting Commission established by section 1 of this Act;

“**member**” means a member of the Commission and includes the chairman;

“**Minister**” means the Minister charged with responsibility for information and **Ministry**” shall be construed accordingly;

“**secretary**” means the secretary to the Commission;

“**station**” means a place or organization established for the purpose of distribution of radio or television programmes to the public through wireless or cable means.

**27. Short title**

This Act may be cited as the National Broadcasting Commission Act.

## SCHEDULES

### FIRST SCHEDULE [Section 3 (5)]

#### Supplementary provisions relating to the Commission

##### Proceedings of the Commission

1. The Commission shall meet for the conduct of its business at such times as the chairman may determine.
2. The principal officer of the Commission shall be in the Federal Capital Territory, Abuja where its general sessions shall be held.

**[1999 No. 55]**

3. The Commission shall have power to regulate its proceedings and may make standing orders for that purpose and subject to any such standing orders and to paragraph 4 of this Schedule, may function notwithstanding
  - (a) any vacancy in its membership or the absence of any member;
  - (b) any defect in the appointment of a member; or
  - (c) that a person not entitled to do so took part in its proceedings.
4. The quorum at any meeting of the Commission shall be a simple majority of the members.
5. Where standing orders made under paragraph 3 of this Schedule provide for the Commission to co-opt persons who are not members of the Commission, such persons may

attend meetings of the Commission and advise it on any matter referred to them by the Commission but shall not count towards a quorum and shall not be entitled to vote at any meeting of the Commission.

### **Committees**

6. The Commission may appoint one or more committees to advise it on the exercise and performance of its functions under this Act and shall have power to regulate the proceedings of its committees.
7. The Commission shall conduct its proceedings in such a manner as shall be best conducive to the proper dispatch of its business and the ends of justice.

**[1999 No. 55]**

8. Each vote and official act of the Commission shall be entered on record and its proceedings shall be made public upon request by any party interested.

**[1999 No. 55]**

9. The Commission may withhold publications of records or proceedings containing secret information affecting national defence and security

**[1999 No. 55]**

### **Miscellaneous**

10. (1) Any contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be made under seal may be entered into or executed on behalf of the Commission by any person generally or specifically authorised in that behalf by the Commission.

- (1) Any member of the Commission or of a committee thereof, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Commission or a committee, as the case may be, shall not vote on any question relating to such contract or arrangement.
- (2) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

11. (1) The Common Seal of the Commission shall not be used or offered to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Commission and recorded in the minutes of the meeting.

(1) The fixing of the Seal of the Commission shall be authenticated by the signature of the Chairman or some other members authorised generally or specifically by the Commission to act for that purpose.

**SECOND SCHEDULE**  
**[Section II]**

**Form for application for a grant of licence**

1. Name of applicant .....
2. Address .....
3. Names and Nationalities of Directors .....
4. Names and nationalities of shareholders and shareholding  
.....
5. Equity Structure .....
6. Type of broadcast licence required (Radio/TV, Cable TV, etc.)  
.....
7. Purpose of licence .....
8. Duration for which Licence is required .....
9. Location .....
10. Coverage area .....
11. Target audience/programme profile .....
12. Applicant's interest in any other media organization  
.....
13. Type and make of transmitters .....
14. Effective radiating power .....
15. Type of antenna and its characteristics .....

16. Distance between studio and transmitter station .....
- .....
17. Type of link system to be used .....
18. Method of reception (scramble or open broadcast).....
19. Type, range and standard of programmes
- .....
20. Proportion of Nigerian content to the foreign content
- .....
21. Proposal for increase of local content over licenced period
- .....
22. Any special effort to promote indigenous talents
- .....
23. Evidence of financial and technical capabilities of applicant
- .....

### **Undertaking**

24. I/We ..... Hereby give an undertaking that upon a grant of a licence I/We ..... shall abide by the terms and conditions upon which the licence is granted.

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Signed

25. An application shall be accomplished by the following –
  - (a) Certificate of Incorporation;
  - (b) Certified copy of Articles and Memorandum of Association;
  - (c) Project study including engineering design of system;
  - (d) Evidence of the undertaking required under section 9(1) (d) of the Act.

**THIRD SCHEDULE**  
**[Section 12]**

**Terms of a licence**

1. A licence shall be valid for a period of five years in the first instance.
2. An application for the renewal of a licence shall be made to the Commission within a period of six months before the expiration of the licence.
3. In considering an application for the renewal of a licence the Commission shall review the past conduct of the licensee.  
[1999 No. 55]
4. The Commission may not renew a licence if, having regard to the past performance of the station, it is not in the national or public interest of the broadcast industry to do so.  
[1999 No. 55]

5. A licence shall not be transferable and the licensed station shall not be changed without notifying the Commission of the intention and the reasons for such change.
6. A licensee shall be responsible for the contents of the station's broadcast.

**[1999 No. 55]**

7. A licence shall –
  - (a) contain a schedule of proposed programmes over a given period of time e.g. quarterly;
  - (b) a local programme content which shall not be less than 60 per cent local and not more than 40 per cent foreign for radio and television and not less than 20 per cent local or more than 80 per cent foreign for cable satellite transmission;
8. Each station shall keep a daily log of its transmitted programmes and the station log book shall include a transmitter output power and radiating frequencies.

**[1999 N. 55]**

9. Each station shall make available for inspection by the inspectorate staff of the Commission, its broadcast facilities including equipment, station transmission log, programmes and transmission recordings which must be kept at least 3 months before being discarded.

**[1999 No. 55]**

10. A licence may be revoked by the Commission in the following cases, that is –

**[1999 No. 55]**

(a) where the prescribed fee has not been paid on the due date;

(b) where the licence has not been put to use within a period of two years after issuance;

**[1999 No. 55]**

(c) where it is found that the licence was obtained in breach of the provisions of section 13 of this Act or where it is found that the provisions of the said section are not being complied with;

**[1999 No. 55]**

(d) where in the opinion of the Commission the station has been used in a manner detrimental to national interest or where a complaint from the public has been upheld after a public hearing instituted by the Commission and whose decision is upheld by a majority of members of the Commission;

**[1999 No. 55]**

(e) for false statements knowingly made either in the application form or in any statement of fact which may be required pursuant to this Act;

**[1999 No. 55]**

(f) where the Commission discovers even after the issuance of a licence, authentic information or facts that would ordinarily preclude the granting of a licence to the licensee;

**[1999 No. 55]**

(g) where there is willful or repeated failure to operate substantially as set forth in the licence;  
**[1999 No. 55]**

(h) where there is willful or repeated violation or willful or repeated failure to observe any provision of this Act or any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the Federal Republic of Nigeria;  
**[1999 No. 55]**

(i) where there is violation of or failure to observe any cease and desist order issued by the Commission;  
**[1999 No. 55]**

(j) where there is willful or repeated failure to allow reasonable access into the premises of any station; and  
**[1999 No. 55]**

(k) where a provision of the National Broadcasting Code has been seriously breached.  
**[1999 No. 55]**

11. The public hearing referred to in paragraph 10 (d) may be held at such Places as the Commission may determine to be appropriate, and in making such determination, the Commission shall consider whether the public interest, convenience or necessity will be served by station in question.  
**[1999 No. 55]**

12. Pursuant to paragraph 11, the Commission shall serve upon the licensee or person involved an order to show cause why an order of revocation, suspension, or any order should not

be issued against him and the order to show cause shall contain a statement of the matter with respect to which the Commission is inquiring and shall call upon the said licensee or person to appear before the Commission at such time and place as may be stated in the order but not less than thirty days after the receipt of such order, to give evidence upon the matter specified therein.

**[1999 No. 55]**

13. If, after the hearing, the Commission determines that an order of revocation, suspension or any such other order should be issued, it shall issue such order, which shall include a statement of the findings of the Commission, the grounds and reasons for the findings and specify the effective date of the order, and cause same to be served on the said licensee or person.

**[1999 No. 55]**

14. The Commission may impose a lesser sanction such as a warning or the suspension of a licence as it may deem fit.

## APPENDIX II

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RR12

## ARTICLE 12

### Seasonal planning of the HF bands allocated to the Broadcasting service between 5 900 kHz and 26 100 kHz

#### Section I Introduction

12.1 The use of the frequency bands allocated to high frequency broadcasting (HFBC) between 5 900 kHz and 26 100 kHz shall be based on the principles given below and shall be in conformity with seasonal planning based on a coordination procedure between administrations (referred in this Article as the Procedure) described in 12.2 to 12.45. An administration may authorize a broadcasting organisation (referred to in this Article as a broadcaster), among others, to act on its behalf in this coordination.

#### Section II Principles

12.2 § 1 The Procedure shall be based on the principle of equal rights of all countries, large or small, to equitable access to these bands. Attempts shall also be made to achieve efficient use of these frequency bands, account being taken of the technical and economic constraints that may exist in certain cases. On the basis of the foregoing, the following principles shall be applied.

12.3 § 2 All broadcasting requirements, formulated by administrations, shall be taken into account and treated on an equitable basis, so as to guarantee the equality of rights referred to in No. 12.2, and to enable each administration to provide a satisfactory service.

12.4 § 3 The Procedure shall be based solely on the broadcasting requirements expected to become operational during the schedule period. It shall furthermore be flexible in order to take into account new broadcasting requirements and modifications to existing broadcasting requirements.

12.5 § 4 All broadcasting requirements, national and international, shall be treated on an equal basis, with due consideration of the differences between these two kinds of broadcasting requirements.

12.6 § 5 In the Procedure, an attempt shall be made to ensure, as far as practicable, continuity of use of a frequency or of a frequency band.

1 12.5.1 An HF broadcasting requirement is considered as being for the purposes of national coverage when the transmitting station and its associated required service area are both located within the territory of the same country.

12.7 § 6 The Procedure shall be based on double-sideband or single-sideband emissions. Other modulation techniques recommended by ITU-R shall be permitted in place of double-sideband or single-sideband emissions, provided that the level of interference caused to existing emissions is not increased.

12.8 § 7 To promote efficient spectrum use, the number of frequencies used shall be the minimum necessary to provide a satisfactory quality of reception. Whenever practicable, only one frequency should be used.

12.9 § 8 The Procedure shall include a technical analysis, as specified in the Radio Regulations Board Rules of Procedure.

12.10 § 9 The Procedure should encourage administrations or broadcasters empowered to make changes to pursue a continual coordination process to resolve incompatibilities, at meetings (regional<sup>2</sup> or worldwide, bilateral or multilateral) or by correspondence.

12.11 § 10 Regional coordination groups, which will facilitate bilateral and multilateral coordination among administrations and broadcasters in various regions of the world, shall identify themselves to the Bureau. Administrations and broadcasters shall be urged to participate in the relevant regional coordination groups. However, such participation would be on a voluntary basis.

12.12 § 11 When an administration, in particular the administration of a developing country, requests assistance in the application of the Procedure, the Bureau shall take appropriate action, including, if need be, coordination of the requirements submitted by the requesting administration.

12.13 § 12 The regional coordination groups should follow the coordination procedures prescribed in Section III. In the process of coordinating broadcasting requirements, an attempt shall be made to obtain agreement to the maximum number of submitted requirements with the quality level acceptable to administrations or broadcasters.

12.14 § 13 In order to ensure maximum success from the Procedure, administrations and broadcasters shall show the utmost goodwill and mutual cooperation, and give due consideration to all the relevant technical and operational factors involved.

2 12.10.1 The word “regional” in this Article is not related to the ITU Regions.

### Section III The Procedure

12.15 The application of the Procedure shall be facilitated and coordinated by the Bureau as defined elsewhere in this Article.

12.16 Twice yearly, administrations shall submit their projected seasonal broadcasting schedules in the relevant frequency bands to the Bureau. These schedules shall cover the following seasonal periods:

12.17 Schedule A: Last Sunday in March to last Sunday in October.

12.18 Schedule B: Last Sunday in October to last Sunday in March.

12.19 Implementation of these schedules shall start at 0100 UTC.

12.20 If an administration considers it necessary to take account of propagation changes during the schedule period, it is recommended, for reasons of spectrum efficiency, that such requirements should be implemented on the following dates:

12.21 first Sunday in May;

12.22 first Sunday in September.

12.23 Implementation of these changes shall start at 0100 UTC on these dates.

12.24 Other start and stop dates within a schedule period may be used to

accommodate requirements that have different schedule periods, e.g. special events, clock changes on different dates not coincident with the schedule period, etc.

12.25 Administrations may include assignments in their schedules up to one year in advance of their use.

12.26 In those cases where an administration does not indicate its requirements for a new seasonal schedule, the Bureau shall use the assignments from the previous corresponding seasonal schedule for this administration for the new schedule period. A note in the schedule shall be used to identify such requirements. The Bureau shall follow this practice for two consecutive schedule periods.

12.27 Following the action taken in No. 12.26, the Bureau shall notify the administration concerned that the schedule will not include their broadcasting requirements unless the administration advises otherwise.

12.28 When an administration decides to cease its broadcasting service in the HF bands, it shall notify the Bureau of that decision.

12.29 The frequencies in the schedules should be those that will be used during the season concerned, and should be the minimum number required to provide satisfactory reception of the programmes in each of the areas and for each of the periods intended. In each schedule, to the maximum possible extent, the frequencies to be used in each reception area should remain unchanged from season to season.

12.30 Administrations are encouraged to coordinate their schedules with other administrations as far as possible prior to submission. An administration may, on behalf of a group of administrations, submit their coordinated schedules, the frequencies of which shall however have no priority for use over those submitted by other administrations.

12.31 The closing dates for receipt by the Bureau of the schedules relating to the two seasons referred to in No. 12.17 and 12.18 shall be established and published by the Bureau.

12.32 The schedules shall be submitted with the relevant data as specified in Appendix 4.

12.33 Upon receipt of the schedules, the Bureau shall, in accordance with the Rules of Procedure, validate the data where necessary, perform a compatibility analysis and prepare the tentative high frequency broadcasting schedule (the Tentative Schedule).

This Schedule shall include all assignments where administrations gave no alternatives, the selections made by the Bureau from any alternatives given, and the frequencies selected by the Bureau in cases where the need for its assistance was indicated by their intentional omission from the individual schedules.

12.34 The Tentative Schedule shall be published at least two months before the start of each of the two schedule periods in Nos. 12.17 and 12.18.

12.35 Administrations should examine the Tentative Schedule and should coordinate their frequency schedules to resolve or to minimize, as far as possible, any incompatibilities identified by the compatibility analysis, or by the monitoring results of similar assignments, or by a combination of both.

12.36 Coordination shall be achieved through bilateral or multilateral meetings of administrations or broadcasters or other means acceptable to the parties concerned.

12.37 Administrations, either jointly or separately, shall inform the Bureau, as quickly as possible, but no later than two weeks prior to the start of the schedule period, of any changes to their requirements resulting from the coordination process. The Bureau shall prepare a new consolidated high frequency broadcasting schedule (the Schedule), and shall perform a new compatibility analysis. The Bureau shall publish the Schedule and the results of the compatibility analysis at the start of the relevant broadcasting season.

12.38 Administrations shall notify the Bureau of changes to their schedules as quickly as possible and the Bureau shall update and make available the Schedule on a monthly basis. The Bureau shall perform new compatibility analyses and publish the updated Schedule and the results of these analyses every two months during the season.

12.39 To facilitate the coordination process, the Bureau shall also forward the schedules to the regional coordination groups.

12.40 Regional coordination groups should consider communicating with administrations and broadcasters through the use of any appropriate, mutually

agreeable means, such as e mail, news-groups, bulletin boards and other forms of electronic data transfer.

12.41 Each regional coordination group should consider appointing a steering committee to ensure smooth progress of the coordination process.

12.42 During and after the coordination process, the regional coordination groups shall exchange schedule data among themselves with a view to further enhancing the efficacy of the coordination process.

12.43 One month after the end of a season, the Bureau shall publish the final high frequency broadcasting schedule (the Final Schedule). If any changes have been notified to the Bureau since the previous consolidated Schedule, the Bureau shall also perform a compatibility analysis and publish it with the Final Schedule.

12.44 The Bureau should, as and when required, convene joint meetings of the representatives of all the regional coordination groups to develop strategies for further reduction of incompatibilities and to discuss related matters. The outcome of these meetings shall be circulated among the regional groups and administrations.

12.45 In a case of harmful interference involving the application of the provisions of Article 15, administrations are urged to exercise the utmost goodwill and mutual cooperation, taking into account all the relevant technical and operational factors of the case.

## APPENDIX III

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INTERNATIONAL TELECOMMUNICATION UNION

RADIOCOMMUNICATION  
STUDY GROUPS

Delayed Contribution  
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16 March 2001  
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PROPOSED MODIFICATION OF RECOMMENDATION ITU-R BS.450-2  
STEREOPHONIC SYSTEM OF BROADCASTING

**ABSTRACT**

Is offered to include information about stereophonic system given in Tables 1a and 1b of the § 2.2.2.5 Recommendation ITU-R BS.450-2

**The Background**

In the Tables 1a and 1b the information data concerning the characteristics system of stereophonic broadcasting, realised in the different countries are given. In Nigeria work system of stereophonic broadcasting with polar modulation and system with pilot-tone. In the given below tables the data of these systems are given.

**REFERENCES**

Recommendation ITU-R BS.450-2.

## RECOMMENDATION: ITU-R BS.450-2

Table 1a

Terrestrial FM Sound Broadcasting (above 30 MHz)

Country/ Geogra- phical area	Inter- national agree- ments	The information related to current emission applications										Polarization		
		Frequency Bands used (MHz)		Modulation Characteristics		Modulation		Characteristics		Maximum frequency deviation (kHz)		Horizontal	Vertical	Mixed
Geneva	66- 84	74	100-108 temporary	Monophonic	Stereo- phonic	Polar- modulation system	Pilot- tone system	Channel Spreading (kHz)	Pre- emphasis- de- emphasis (ms)	30	50	-	-	-
Nigeria	+	+	+	+	+	+	+	100	-	-	-	+	+	+

TABLE 1b  
Terrestrial FM Sound Broadcasting (above 30 MHz)

Country/Geographical Area	The information related to current receiving applications		
	Recommended or used IF (MHz)	10, 7	
Ukraine			



