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**VERITAS MAKES EVERY EFFORT TO ENSURE THE PROVISION OF RELIABLE INFORMATION,
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Statutory Instrument 22 of 2005.

**(as amended by Statutory Instrument 211 of 2005
with effect from the 28th October, 2005)¹**

[CAP. 12:06

Broadcasting Services (Access to radio and television during an Election) Regulations, 2005

ARRANGEMENT OF SECTIONS

Section

1. Title
2. Interpretation.
3. Application.
4. Election programme to be broadcast.
5. Allocation of air time on television and radio.
6. Election broadcast.
7. Election advertisement.
8. Broadcasting news and current affairs programmes during an election period.
9. Records of political matter broadcast.
10. Appeals.
11. Offences and penalties.

FIRST SCHEDULE: Advertising rates.

SECOND SCHEDULE: Elections Complaint form.

¹ The Broadcasting Services (Access to radio and television during an Election) (Amendment) Regulations, 2005 (No. 1), published as a supplement to the Government *Gazette* Extraordinary dated the 28th October, 2005. Two amendments were made to the principal regulations –
(1) the deletion of "four hours of" in section 7(1); and
(2) the substitution of the First Schedule (advertising rates)

IT is hereby notified that the Minister of State for Information and Publicity in the Office of the President and Cabinet has, in terms of section 46 of the Broadcasting Services Act [*Chapter 12:06*], made the following regulations—

Title

1. These regulations may be cited as the Broadcasting Services (Access to radio and television during an Election) Regulations, 2005.

Interpretation

2.(1) In these regulations—

“Act” means the Broadcasting Services Act [*Chapter 12:06*].

“election” means an election to Parliament;

“licensee” means the public broadcaster (Zimbabwe Broadcasting Holdings (Pvt) Ltd);

Application

3. These regulations shall apply to each free to air radio and television service provided by the licensee.

Election programmes to be broadcast

4.(1) Each of the stations of the public broadcaster specified in the First Schedule shall ensure that when broadcasting election programmes—

- (a) the station is guided by the provisions of the Act;
- (b) the election broadcast is clearly identified as an election broadcast and identified or announced in a similar manner both at its introduction and at its conclusion.

(2) The licensee shall ensure that election programmes to be broadcast during an election period shall include the following programmes—

- (a) programmes to which political parties or candidates are invited to present their election manifestos and policies to the electorate without being interviewed;
- (b) programmes to which there are discussions relating to the elections;
- (c) programmes to which there are interviews relating to the elections;
- (d) programmes to which there are parties’ or candidates’ advertisements.

Allocation of air time on television and radio

5.(1) The licensee shall ensure that contesting political parties or candidates are given equal opportunities for the broadcasting of election matter.

(2) The licensee shall allocate advertising air time on television and radio to a political party or candidate during an election period after each party or candidate contesting an election has paid the amounts stipulated in the First Schedule.

Election broadcasts

6.(1) The licensee shall transmit an election programme in such a manner that the programme does not follow immediately before or after another election programme.

- (2) The licensee shall transmit an election programme during prime time.
- (3) The licensee shall not broadcast any election programme that incites or perpetuates hatred against or vilifies any group or person on the basis of their political affiliation.
- (4) The licensee shall give the Authority a broadcast schedule for election programmes and recording dates for all pre-recorded programmes for its station at least fifteen (15) days before an election period.
- (5) The licensee shall not broadcast any election programme on a polling day.
- (6) The licensee shall ensure that every election broadcast meets the quality standards set by the licensee.

Election advertisement

- 7.(1) Each of the stations of the public broadcaster shall allocate available purchasable time² during an election period for election advertisement which shall be distributed equally to interested contesting political parties and candidates and shall take into consideration the number of constituencies the party is contesting.
- (2) The licensee shall transmit an election advertisement in such a manner that the election advertisement does not follow immediately before or after another election advertisement.
 - (3) The licensee shall not edit or alter any advertisement submitted for transmission.
 - (4) The licensee may reject an advertisement submitted for transmission and the licensee shall provide written reasons for the rejection of the advertisement within 24 hours to the concerned political party or candidate.

Broadcasting of news and current affairs programmes during the election period

- 8.(1) The licensee shall ensure that during the election period, news and current affairs programmes relating to an election are presented in a balanced, fair, complete and accurate manner.
- (2) The licensee's presenters or reporters associated with news and current affairs programmes shall not present their own personal views on such programmes.

Records of political matter broadcast

9. The licensee shall keep a record of election matter broadcast which shall contain the following information—
- (a) the name and address of the representative of the political party or candidate;
 - (b) the transmission date and time;
 - (c) the duration of the programme;
 - (d) any other information which the licensee deems necessary.

²

Before its amendment by Statutory Instrument 211 of 2005 this was "four hours of available time".

Appeals

10.(1) Any political party or candidate contesting an election who is aggrieved by any decision of the licensee in terms of these regulations may appeal to the Authority giving the grounds for the appeal within twenty-four hours of being notified of the licensee's decision.

(2) An appeal in terms of subsection (1) shall be made in form EC1 provided by the Authority.

(3) The Authority may, before deciding an appeal lodged in terms of subsection (1), request the appellant and the licensee to appear before the Authority and make oral submissions in connection with the appeal as the Authority considers will be of assistance in determining the appeal.

(4) The period between the lodging of the appeal in terms of subsection (1) and its determination shall not exceed two days, and if the appeal has not been determined after that period it shall be deemed to have been determined in favour of the appellant.

Offences and penalty

11. Any person who contravenes these regulations shall be guilty of an offence and liable to a fine not exceeding level ten.

FOR FIRST SCHEDULE MOVE ON TO NEXT PAGE

FIRST SCHEDULE (Section 5)

ADVERTISING RATES

The following advertising rates shall apply to all contesting parties and candidates during the election period. These rates are 70 % of the current advertisement rates.

<i>Station</i>	<i>Prime time rates</i>	<i>Non prime time rates</i>	<i>Late listening</i>	<i>Weekend prime time rates</i>	<i>Weekend non prime time rates</i>
	\$	\$	\$	\$	\$
Radio Zimbabwe					
60 seconds	6 584 760,00	6 074 250,00	3 680 040,00	6 584 760,00	6 074 250,00
30 seconds	3 292 380,00	3 038 490,00	1 840 020,00	3 292 380,00	3 038 490,00
Spot FM					
60 seconds	4 354 350,00	2 603 356,00	1 974 176,40	4 016 478,20	2 435 920,00
30 seconds	2 177 175,00	1 301 671,00	987 091,00	2 008 244,00	1 217 958,00
Power FM					
60 seconds	4 447 398,20	3 187 539,00	2 270 450,00	4 447 398,20	3 187 539,60
30 seconds	2 223 813,20	1 593 656,40	1 134 950,00	2 223 813,20	1 593 656,40
National FM					
60 seconds	4 130 000,00	4 130 000,00	4 130 000,00	4 130 000,00	4 130 000,00
30 seconds	2 065 000,00	2 065 000,00	2 065 000,00	2 065 000,00	2 065 000,00
ZTV					
60 seconds	9 414 048,70	4 861 464,30	3 653 997,20	9 414 048,70	4 861 464,30
30 seconds	4 707 024,70	2 430 732,50	1 826 999,30	4 707 024,70	2 430 732,50

SECOND SCHEDULE (Section 10)**PRESCRIBED FORM****Election Complaints Form****BROADCASTING AUTHORITY OF ZIMBABWE**

Thirteenth Floor, Social Security Centre, Cnr Sam Nujoma Street/Julius

Nyerere Way (P O Box CY 496, Causeway) Harare

Telephone: 263-4-797380/383 Fax: 263-4-797375 Email: baz@comone.co.zw

1. Complainant's Details

Political Party

Name of Political Party/Independent Candidate:

Address of Political Party/Independent Candidate

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Telephone: Fax:

E-mail:

Person Representing Party/Independent Candidate:

Office held in Party:

First Name/s:

Surname:

Date of Birth:..... I.D. No:

Residential Address:

.....

Business Address:

.....

Telephone:..... Fax:

E-Mail.....

2. Respondent's Details

Name of Broadcaster/Station:

Programme:

Date and Time of Transmission:

3. Nature of Complaint (Provide Details)

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Date.....Signature