



**THE ZANZIBAR BROADCASTING COMMISSION
(AMENDMENT) ACT, NO. 1 OF 2010**

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SECTIONS

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ACT NO. 1 OF 2010

I ASSENT

**{AMANI ABEID KARUME}
PRESIDENT OF ZANZIBAR**

AND

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

10th MARCH, 2010

**AN ACT TO AMEND THE ZANZIBAR BROADCASTING
COMMISSION ACT, NO. 7 OF 1997**

ENACTED by the House of Representatives of Zanzibar.

**PART ONE
PRELIMINARY PROVISIONS**

Short title and commencement. **1.** This Act may be cited as the Zanzibar Broadcasting Commission (Amendment) Act, 2010 and shall come into operation immediately after being assented to by the President.

Construction. **2.** This Act shall be read as one with the Zanzibar Broadcasting Commission Act, No. 7 of 1997 in this Act referred to as the "Principal Act".

**PART TWO
AMENDMENT PROVISIONS**

Amendment of section 2. **3.** Section 2 of the Principal Act is hereby amended by inserting the following definitions in its alphabetical order:

"broadcasting" means the provisions of vision, sound multimedia and data services, mainly intended for delivery of news, entertainment and education to the general public;



“content service” means services offered for sound, data, text or images whether still or moving except where transmitted on (private) communication;

“multiplex” means a digital transmission channel which combines program material and other data in a digital form for transmission via a dedicated frequency channel;

“multiplex operator” means a person that compiles, operates and markets a content offering on a digital multiplex and that decides on the condition access and subscriber management system to be used;

“subscription broadcasting services” means broadcasting service provided to a consumer upon payment of fee;

Repeal of section 4.

4. Section 4 of the Principal Act is hereby repealed.

Amendment of section 6.

5. Section 6 of the Principal Act is hereby amended as follows:

(i) in subsection (1) by deleting paragraph (c) thereof and substituting for the following new paragraph (c):

“(c) not more than four other members appointed by the Minister;”

(ii) by deleting sub section 3; and

(iii) by deleting sub sections (4) and (5) thereof and substituting for the following new sub sections:

“(4) One member appointed under subsection (1)(c) of this section shall be an expert in broadcasting and mass communication or media and one shall come from private entity.

(5) The term of office of members shall be three years and shall be eligible for reappointment for another period of three years.”

(iv) by adding the word “office” between the word “hold” and “at” in sub section (6).



- Addition of new sections 6A and 6B.
- 6.** The Principal Act is hereby amended by adding new sections 6A and 6B immediately after section 6 as follows:
- Qualifications of Executive Secretary.
- 6A.** A person shall not qualify to be appointed as Executive Secretary unless he:
- (a) is a holder of at least first degree in mass communication or its equivalent;
 - (b) possesses at least five years experience in one or more of the fields of broadcasting;
 - (c) has knowledge and experience of broadcasting sectors.
- To cease to be a member.
- 6B.** A person shall cease to be a member of the Commission if he:
- (a) submits his resignation letter to the appointing authority;
 - (b) is in conflict of interest; or
 - (c) failed to attend at least three consecutive meetings of the Commission without reasonable excuse.
- Amendment of section 7.
- 7.** Section 7 of the Principal Act is hereby amended as follows:
- (i) in subsection (1) by deleting paragraph (b) and substituting for the following new paragraph:
“(b) to regulate and supervise broadcasting activities including but not limited to the relaying of radio, television and video broadcasts from places outside Zanzibar with the intention that such broadcasts received regularly in Zanzibar or the United Republic of Tanzania or any part of the world;”
 - (ii) in sub section (3) by deleting the words “the Tanzania Telecommunication Company and with” appeared in that sub section.
- Amendment of section 9.
- 8.** Section 9 of the Principal Act is hereby amended as follows:



(i) by inserting new sub section (3) immediately after sub section (2) as follows:

“(3) A person shall qualify to be appointed as a Registrar if he is a holder of at least first degree of mass communication or its equivalent”.

(ii) by renumbering sub sections (3) to (6) to be (4) to (7) respectively.

Amendment of section 10. 9. Section 10 of the Principal Act is hereby amended by deleting subsection (1) and substituting for the following:

“(1) The Chairman shall preside the meeting of the Commission”.

Amendment of section 12. 10. Section 12 of the Principal Act is hereby amended as follows:

(i) in subsection (1) by deleting paragraph (b) and substituting for the following new paragraph:

“(b) a company registered in Zanzibar and at least 51% of its shares owned by Zanzibari”.

(ii) in subsection (3) by deleting paragraph (b) thereof;

(iii) by deleting subsection (4) thereof.

Amendment of section 14. 11. Section 14 of the Principal Act is hereby repealed and replaced by the following new section:

Extent of authority and renewal of license. “14.(1) A broadcasting licence and other licenses shall be issued for a period as the Commission may determine, but shall not:

(a) in the case of application services licence, exceed five years;

(b) in the case of a content services licence, exceed five years;

(c) in the case of network application services licence, exceed five years;

(d) in the case of network facility services license, exceed ten years.



(2) All subscription broadcasting service providers shall apply for content service license, and all multiplex operators shall apply for network facility licence.

(3) The Commission may upon application by the holder renew a license upon its expiry for such period not exceeding ten years as it may determine.

(4) Application for renewal of a license shall be made within the three months preceding month before the date of expiry of the existing license.

(5) The Commission may, when considering an application for the renewal of license, require such new or additional information as it may deem necessary to make finding.

(6) If at the date of expiry of a license, the Commission has not yet reached a decision in respect of an application to renew license, that license shall continue to be of effect until the application for its renewal is granted or refused by the Commission.

(7) If after broadcasting license is granted a prescribed period elapses while no broadcasts has commenced, the license with all conditions subject to which the license was granted shall come to an end.”

Amendment of section 15. **12.** Section 15 of the Principal Act is hereby amended by deleting subsection 3 (a) to (m) thereof.

PASSED in the House of Representatives of Zanzibar on 20th day of January, 2010.

{IBRAHIM MZEE IBRAHIM}
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR.