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TO: Technical Committee on Media Commission
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MESSAGE: Submissions on the Independent
Telecommunications Authority

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SUBMISSIONS ON THE INDEPENDENT TELECOMMUNICATIONS AUTHORITY

The Pan Africanist Congress of Azania is of view that the purpose of multi party control of the electronic media, was to ensure that with the run-up to elections for a Constituent Assembly, that the broadcasting services would be unbiased and treat all parties (contesting elections) equitably.

The negotiation process is now presented with a bill which is primarily designed to de-regulate the broadcasting services. We submit that such a bill, if thought desirable, should originate from an elected body, namely the Constituent Assembly. What is needed at this stage is a short bill which enjoins the present broadcasting services, under the supervision of the Independent Media Commission, to act equitably in relation to all parties who will contest the forthcoming elections.

PAC submissions on Sections 59 to 62 are as follows:

We reject section 61 which prohibits party election broadcast on television broadcasting services.

It is our submission that political parties be permitted to make such broadcasts subject to the same conditions applicable to sound broadcasts with the exception that party political advertisements shall be prohibited on television.

Section 62 subsection 3, should be amended to read; -

All party political broadcasting must cease 72 hours before polling day. Where a party contesting election is criticized on polling day or within 72 hours of polling day, the licensee shall afford the party criticized a reasonable opportunity to respond in the same programme or as soon as reasonably thereafter.

Sub-section 4

The licensee shall not broadcast any polling forecast that is published within 72 hours of polling day.

Sub-section 5

Where there is a party political alliance for purposes of contesting the election, that alliance shall be treated as a single party in relation to time allocated for political broadcasts.

Chapter 3

Section 6 - Persons disqualified from being members of the Authority.

Sub-section (h) is unacceptable in its present form because it would exclude thousands of persons who have been jailed for political offences.

Notwithstanding our objections to the draft bill for an I.B.A., we submit that Section 43 subsection 2 lays a heavy emphasis on business record, financial capacity and managerial experience as a criteria for a successful applicant. Because of racial domination the oppressed of our land have all but been excluded from top management structures. The draft bill entrenches this situation in the broadcasting services. It is a rich persons charter for a broadcasting license. The I.B.A must take a proactive role to ensure that the disadvantaged (especially financially) play a major role in the broadcasting services. The printed media is a monopoly of whites - broadcasting services must counter balance this undesirable situation.

Schedule 3 (Section 57)

4. Comment Subsection 1

The words "provided such comments or criticisms are fairly and honest made" curtails freedom; it is subjective and poses a threat to freedom of expression.

Subsection 3

It is sufficient, in our view that comment be an honest expression of opinion.

(See subsection 1)

Section 47. Subsections (10) (11) (12)

We are of the view that the figure of 35% be lowered to 20% which would to some extent bring about an effective limitation on cross media control of the broadcasting services.

Barney Desai

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Secretary Publicity and Information