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Affiliated to the International Federation of Journalists

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South African
SAUJ
Union of Journalists

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JULY 12, 1993

TO: THE TECHNICAL COMMITTEE ON THE INDEPENDENT MEDIA
COMMISSION AND THE INDEPENDENT TELECOMMUNICATIONS AUTHORITY.

ATTENTION: MS MELODY EMMETT FAX: 397-2211.

The South African Union of Journalists wishes to make the following submissions
and comments on the Independent Broadcasting Authority Bill:

Section 3:

The SAUJ believes that the broad dissemination of information is critical to the building and maintenance of democratic institutions and that broadcasters by utilising the finite public resource of the frequency spectrum have obligations to the public. We submit, therefore, with regard to Section 3, that the ITA should REQUIRE broadcasters, AS A CONDITION OF THEIR LICENSE, to provide comprehensive and professional news and current affairs programmes produced according to accepted journalistic ethics and independently of political and commercial interests (Congress Resolution A11 Broadcasting Policy 1992) within South Africa. We submit the current wording of Section 3 (b) should be adjusted to make it clear that policy will require broadcasters to provide news and/or programmes on matters of public interest/on political issues/on matters of international, national regional and local significance.

Section 42/43.

We submit that current licence holders should, upon commencement of this Act be notified that their licences are to be subjected to review to ensure they comply, within a reasonable period of time to be determined by the ITA, with the provisions of the Act. We submit that by allowing the continuation of the licences of current private broadcasters, the ITA will from the outset have failed to comply with the object and policy set out in the Act. In particular the ITA will not be promoting the provision of a diverse range of sound and television broadcasting services, preventing the over concentration of media ownership and control, promoting the most efficient use of the broadcasting frequency spectrum, or promoting fair competition between broadcasting licensees.

Section 43, 2.

(a) We submit that this may lead to the ITA unduly controlling the broadcasting market, and preventing fair and healthy competition by broadcasters. If, however, these criteria are to be applied we would suggest that the licence period for private broadcasters be reduced to three years.

(h) We submit that this requirement may lead to purely cosmetic changes and tokenism, rather than play any significant role in redressing imbalances. The ITA must be charged with finding ways of ensuring true empowerment of historically disadvantaged persons within the broadcasting industry and encouraging them to enter the industry on their own terms.

We suggest the Act provide for a subsidy system (or the ITA investigate such a system) to promote diversity of opinion and ownership of the media. We also suggest that the financial and economic requirements relating to licence applications which are set out in Section 41 should be eased as they may bar entry to all but the most financially powerful.

It is our belief that it is the primary responsibility of the state to establish and maintain a media subsidy from consolidated revenue. An objective of such a system of subsidisation should be to enable the creation of more independent radio stations in particular community radio stations and educational broadcasting stations, especially in the vernacular languages. Should such a subsidy system be instituted we submit it should be administered by the ITA with regard to broadcasting and that criteria for the beneficiaries of such a subsidy system should be drafted in consultation with all parties likely to be affected.

Section 57.

Only mechanisms which enjoy the confidence of the general public and producers of media alike should be charged with ensuring adherence to such codes of practice and conduct. Any body approved of by the ITA must be independent, accessible to all sectors of society and enjoy the confidence of the public and the support of working journalists. The Complaints Committee should likewise enjoy the confidence of the public and support of working journalists.

Schedule 3. (Section 57)Code of Conduct

2. (1) We believe the wording of " likely to harm relations between sections of the population or is likely to prejudice the safety of the state or public order." is open to abuse through its vagueness and we submit that in fact these words should be deleted altogether.

4. We question the right of the public broadcaster to comment upon or criticise and would suggest the public broadcaster, as in Australian, be required to take no editorial stand in its programming

6. We would require a definition of what constitutes an election period

8. We submit, bearing in mind previous dealings between Barend Strydom and the media, that the wording of this section should be revised to clearly read: "No payment shall be made to persons involved in crime, or previously involved in crime or other notorious behaviour." (Omissions in the document made it unclear whether this was the intention of this section).

We would like in addition to request that provision be made for and sufficient time set aside for further comments on the bill prior to it being enacted.

Yours sincerely,



Karen Stander

General Secretary