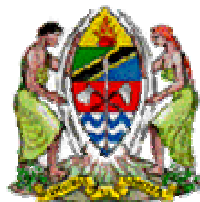


THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF INFORMATION , CULTURE & SPORTS



CHARTER FOR THE TANZANIA BROADCASTING SERVICES

..... **2006**

CHARTER FOR THE TANZANIA BROADCASTING SERVICES

WHEREAS, the Tanzania Broadcasting Services (herein referred to as TUT, the Kiswahili acronym of Taasisi ya Utangazaji Tanzania) was established as a public service broadcaster under the Tanzania Broadcasting Services(Taasisi ya Utangazaji Tanzania–TUT)(Establishment)Order2002, issued by Government Notice No.239 published on 14 June 2002 made under the Public Corporations Act 1992;

AND WHEREAS under Section 32 of the Tanzania Communications Regulatory Authority Act No.12 of 2003, the Authority is required to ensure that there is a Charter made between TUT and the Minister responsible for Broadcasting;

AND WHEREAS the Authority having consulted with TUT and the Minister facilitated the preparation of this Charter;

NOW THEREFORE, this Charter declares as follows:-

1.0. TERM OF THE CHARTER

This Charter shall come into force on 2006 and shall be valid for **FIVE YEARS**.

2.0. THE CHARTER

- 2.1. The Charter shall apply between and be binding upon the Tanzania Broadcasting Services (TUT) and the Minister responsible for Broadcasting.
- 2.2. The provisions of the Charter shall be enforced by the Authority.
- 2.3. The Charter shall be published in the Government Gazette and be revised from time to time.

3.0. MANDATE OF TUT

- 3.1 TUT is a Public Service Broadcaster with Universal Service Obligations.
- 3.2 As a Public Service Broadcaster, TUT shall provide a wide range of programming that reflects Tanzanian attitudes, opinions, ideas, values and artistic creativity; displays Tanzanian talent in educational and entertaining programmes; offer a plurality of views, variety of news,

information and current affairs from a Tanzania perspective; and uphold national and public interest.

- 3.3 TUT as a commercial service broadcaster shall provide appealing content and offer choice to its audience and compete at equal footing with other broadcasters.

4.0. THE ROLE OF TUT

The role of TUT shall be to promote:-

- 4.1 national unity;
- 4.2 cultural identity;
- 4.3 democratic values, social, justice and human rights; and
- 4.4 education and learning

5.0. FUNCTIONS OF TUT

The functions of TUT shall be:-

- 5.1 to provide public, commercial and other Broadcasting services as provided under the Order;
- 5.2 to provide such other functions as may be determined by the Minister from time to time and to do all such other things considered incidental or conducive to, or consequential upon the attainment of the provision of broadcasting services to the public; and
- 5.3 Any other function as provided in TUT's Strategic Plan.

6.0. CORE VALUES OF TUT

In the discharge of its functions, exercise of its powers and implementation of its obligations TUT shall:-

- 6.1 be independent;
- 6.2 be innovative;
- 6.3 maintain quality;
- 6.4 maintain fairness;

6.5 be objective and balanced; and

6.6 be original

7.0. SCOPE AND OBLIGATIONS OF TUT

7.1 The Provision of Public Service Broadcasting

7.1.1 Upon application to the Authority the latter will issue a licence to the same for public broadcasting services

7.1.2 TUT, as a Public Service Broadcaster shall:-

7.1.2.1 deliver core public purposes and serve the widest range of audience and interest;

7.1.2.2 provide a wide range of programmes that reflect values, aspirations and expectations of the general public;

7.1.2.3 provide full national coverage and promote universal access to its services; and

7.1.2.4 forge partnership with other media on issues of social development.

7.2 The Provision of Commercial Service Broadcasting

7.2.1 Upon application by TUT and meeting the necessary requirements the Authority will issue a licence to the same for commercial broadcasting services.

7.2.2 To realize commercial objectives, TUT shall develop a broad marketing strategy targeting at setting up commercial channels, promoting commercial programming and addressing the following:-

7.2.1.1 To provide a wide range of programmes that appeal to audience;

7.2.1.2 To provide full national coverage and promote choice and diversity;

- 7.2.1.3 To collaborate with other media in broadcasting production;
- 7.2.1.4 To ensure there is fair trading in the provision of broadcasting services;
- 7.2.1.5 To provide value added services to its audience;
- 7.2.1.6 To distribute broadcasting services by using other platforms;
- 7.2.1.7 To carry out research and development towards improvement of Broadcasting technology, products and services.

7.3 Undertaking Commercial Activities

- 7.3.1 To make use of archives materials for income generation.
- 7.3.2 To carry out broadcasting consultancy services.
- 7.3.3 To lease transmission facilities to other broadcasters.

7.4 Editorial Obligation and Independence

- 7.4.1 In conducting its public service broadcasting functions and particularly programming, TUT shall adhere to core editorial values namely; equality, editorial independence, national unity, diversity, human dignity, gender balance, accountability and transparency.
- 7.4.2 TUT shall have the editorial responsibility to provide consistent, relevant, useful and high-quality programming including information and analysis.
- 7.4.3 TUT shall strive to serve the public with the highest standards of excellence and integrity.

7.5 Production of Radio and TV Programmes

- 7.5.1 In House production

TUT shall produce and air local programmes constituting not less than 70% of the total programming.

7.5.2 Independent production

TUT shall commission independent producers to produce programmes and submit the same to TUT contributing up to 20% of the total programming.

7.5.3 Foreign Programme

TUT may procure or acquire foreign programmes particularly, educational and documentaries and other programmes including soaps, films, sports, games and music which shall constitute not more than 10% of the total programming.

7.6 Programming and Scheduling

TUT shall adhere to the set programme schedule. Any programme necessitating temporary rescheduling shall be communicated to the public in advance.

8.0 THE GOVERNMENT'S OBLIGATIONS

The obligations of the Government shall include:-

- 8.1 funding of the public Broadcasting services of the TUT;
- 8.2 facilitating the discharge by TUT of the Universal Service Obligation; including investing in broadcasting equipment and technology;
- 8.3 facilitating capacity building of TUT's staff; and
- 8.4 honouring and promoting the independence of TUT from political interference of its editorial independence.

9.0 GOVERNANCE AND ACCOUNTABILITY

9.1 Governance of TUT

9.1.1 TUT's Board of Directors

The highest governing body of TUT shall be the Board. The main functions of the Board shall be

- 9.1.1.1 To issue Policy directions;
- 9.1.1.2 To determine TUT's Strategic Plan ;
- 9.1.1.3 To monitor TUT's compliance with agreements entered with other parties;
- 9.1.1.4 To approve mechanism for handling and resolving viewers and listeners complaints made against TUT;
- 9.1.1.5 To monitor TUT performance;
- 9.1.1.6 To appoint Committees of its members and other persons for such purposes as the Board may deem fit;
- 9.1.1.7 To appoint the Deputy Managing Director and Senior Officers of TUT; and
- 9.1.1.8 To carry out any other functions as directed by the Minister for the purpose of performance of public service broadcasting.

9.1.2 TUT's Management:

- 9.1.2.1 TUT shall be managed in its day to day activities by the Managing Director who shall be the Chief Executive and coordinating officer assisted by the Deputy Managing Director, Directors and Heads of Units and sections.
- 9.1.2.2 The Managing Director shall be appointed by the President;
- 9.1.2.3 Other Officers will be appointed by the board

9.1 Accountability

9.2.1 Auditing of Accounts:

The accounts of TUT shall be audited annually by the Controller and Auditor General or such other person registered as an

auditor and approved by the Controller and Auditor General pursuant to the Order.

9.2.2 Annual Reports:

9.2.2.1 TUT shall, every year, prepare an Annual Report of its activities during the preceding financial year or residue part thereof of the TUT and attach thereto an Account or Accounts of the Income and Expenditure of the TUT and balance sheet, which account or accounts and balance sheet shall be duly certified by the Auditor(s) of the TUT.

9.2.2.2 The Managing Director shall, within three months after the end of each financial year, submit or cause to be submitted to the Board an annual report in respect of the year, pursuant to the Order.

9.2.2.3 The Board shall submit to the Minister who in turn shall lay before the National Assembly a copy of the annual report pursuant to the Order.

9.2.3 Workers Council:

9.2.3.1 There shall be a workers council established under the TUT's Financial and Staff Regulations.

9.2.3.2 The workers council shall meet twice annually to discuss matters related to the day to day activities of TUT.

9.3 Relationship with the Minister

9.3.1 TUT is owned by the Government and Minister responsible for broadcasting is the political commissar and custodian of the TUT.

9.3.2 The functions of the Minister shall be to:-

9.3.2.1 facilitate the provision of TUT's budget for public broadcasting services.

- 9.3.2.2 appoint all members of the Board and on his recommendation the appointment of the Chairperson by the President.
- 9.3.2.3 approve sale, exchange, lease, mortgage, enfranchise or disposal of property acquired out of moneys appropriated by Parliament or paid out of grants.
- 9.3.2.4 approve borrowing, raising or securing the payment of moneys upon any property, interest or right acquired from moneys appropriated by the Parliament or paid out of grants.
- 9.3.2.5 ensure that moneys from the approved budget of the TUT are disbursed in a timely manner and as approved.
- 9.3.2.6 carry out any other function as provided in the Order or any other provision of the law to that effect.

9.4 Relationship with the Authority:

The Authority shall:

- 9.4.1 ensure there is a Charter made between the Minister and TUT.
- 9.4.2 issue licences to TUT for both public and commercial broadcasting services.
- 9.4.3 impose penalties on TUT in respect of any contravention of this Charter, licence condition and regulation issued the Acts..

10 FUNDING OF TUT

10.1 Sources of Funds

The funds of TUT shall consist of:-

- 10.1.2 Moneys provided by the Government through the Parliament;
- 10.1.3 Grants or contributions made by persons or organisations for the purpose of TUT's functions;

10.1.4 Fees received from radio and television advertisements;

10.1.5 Moneys received from commercial activities such as consultancy, lease of any of TUT's assets or other devices from which visual images or sound may be produced.

10.2 Funding of Broadcasting Services

10.2.1 For the purpose of Public Broadcasting Services, the Government shall provide TUT with funds to meet its obligations for the same.

10.2.2 TUT's Commercial Broadcasting services may be funded from moneys received from advertisements or sponsorship by any person or organisation.

11 DIGITAL TELEVISION DEVELOPMENT

11.1 TUT has a privileged funding position that has to be used to play a greater role in acceleration of digital switchover.

11.2 TUT shall take advantage of the technological development using digital technology and broadband to introduce multimedia products and be a pace setter.

11.3 TUT should be prepared to embrace digital technology and take the digital world to the public.

11.4 TUT has to strive to accelerate penetration of digital television to Tanzanian households to ensure that the majority of households enjoy the service by 2015.

11.5 TUT shall take advantage of technological development to adapt new platforms of distribution and delivery of content over broadband and other new delivery platforms.

11.6 TUT should lead the process of digital switchover scheduled for 2006 – 2015 by investing to a fully digital broadcasting service.

12 INTERNET SERVICES

TUT should establish and maintain a website for the provision of its programmes, news and current affairs in both Kiswahili and English languages.

13.0 INTERPRETATION

In this Charter, unless the context otherwise requires:-

- 13.1 "Act" means the Tanzania Communications Regulatory Authority Act No.12 of 2003 and broadcasting Services Act No. 6 of 1993 and Tanzania Communications Act No.18/1993 respectively
- 13.2 "Authority" means the Tanzania Communications Regulatory Authority.
- 13.3 "Broadcast Service" means a radio communication service that may include sound transmission and television transmission which transmission have political, economic, social and cultural impact and intended for direct reception by the general public.
- 13.4 "Charter" means the Tanzania Broadcasting Services Charter, 2006.
- 13.5 "Commercial Service Broadcasting" means content services provided by a broadcaster and financed by advertising.
- 13.6 "Content Services" means service offered for sound, text or images whether still or moving except where transmitted on private communication;
- 13.7 "Independent Producer" means any individual company, corporation, partnership or sole proprietary body duly registered and licensed in the United Republic of Tanzania to conduct the business of producing

films, television or radio programmes or commercials and who has copyright;

13.8 "Minister" means Minister responsible for broadcasting affairs;

13.9 "Order" means the Tanzania Broadcasting Services (Taasisi ya Utangazaji Tanzania (TUT) (Establishment) Order,2002;

13.10 Public Service Broadcasting" means content services provided by a broadcaster financed by public funding.

13.11 Regulations" means Tanzania Communications Regulations,2005 and Content Services Regulations,2005 respectively.

IN WITNESS whereof, this Charter is signed this day of 2006.
by:-

NAME:.....

MINISTER OF INFORMATION, CULTURE AND SPORTS

SIGNATURE

IN THE PRESENCE OF:-

NAME:.....

DESIGNATION:

SIGNATURE

AND

NAME:.....

MANAGING DIRECTOR, TANZANIA BROADCASTING SERVICES

SIGNATURE

IN THE PRESENCE OF:-

NAME:

DESIGNATION:

SIGNATURE