

GOVERNMENT NOTICE NO. 13 published on 05/1/2024

THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT,
(CAP. 306)

REGULATIONS

(Made under section 165)

THE ELECTRONIC AND POSTAL COMMUNICATIONS (RADIO AND
TELEVISION BROADCASTING CONTENT) (AMENDMENT)
REGULATIONS, 2024

ARRANGEMENT OF REGULATIONS

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4. Addition of regulation 14A.
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13. Amendment of regulation 39.

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(CAP. 306)

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THE ELECTRONIC AND POSTAL COMMUNICATIONS (RADIO AND TELEVISION
BROADCASTING CONTENT) (AMENDMENT) REGULATIONS, 2024

Citation
GN. No.
134 of 2018

1. These Regulations may be cited as the Electronic and Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations, 2024 and shall be read as one with the Electronic and Postal Communications (Radio and Television Broadcasting Content) Regulations, 2018 hereinafter referred to as the “Principal Regulations”.

Amendment of
regulation 3

2. The principal Regulations are amended in regulation 3 by adding new definitions in its appropriate alphabetical order as follows:

““Sexual acts” means any physical activity that involves touching someone else's private parts, or demonstrating any sexual signals either by using sex toys or physical conduct or action in connection to breasts, vagina, penis, or anus and this can include sexual intercourse or any other conduct that may not necessarily lead to intercourse;

“Sexual content” means any content which contain sexual acts.”

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Amendment of
regulation 8

3. The principal Regulations are amended in regulation 8 by adding immediately after sub-regulation 2 the following new sub regulation:

“(3) A holder of landing rights shall not carry and broadcast channel that contains local content which does not have license granted by the Authority”

Amendment of
regulation 14

4. The principal Regulations are amended in regulation 14 by deleting marginal note and substituting it with the following:

“Family Viewing or Listening programme”

Addition of
Regulation 14A

5. The principal Regulations are amended by adding immediately after regulation 14 the following new regulation:

“Watershed
Period

14A.-(1) A content services licensee may broadcast material suitable for adults during watershed period.

(2) Subject to sub regulation (1), presentation of programs shall adhere to national value, traditions and culture.”

Amendment of
regulation 17

6. The principal Regulations are amended by deleting regulation 17 and substituting it with the following:

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“Expression of
personal views

17.-(1) The presenter shall not be allowed to express personal opinion during the programme presentation.

(2) Subject to sub-regulation (1), the licensee may permit guest or analyst who is qualified to the topic under discussion to express personal views during the programme,

Provided that, the audience shall be informed in advance and be given an opportunity to respond to the views.”

Addition of
Regulation 17A

7. The principal Regulations are amended by adding immediately after regulation 17 the following new regulation:

“Exercising
great care

17A.-(1) A content services provider shall not broadcast programmes that-

- (a) give information on suicide methods, making of explosives and illicit use of drugs;
- (b) give undue prominence in news and current affairs, factual or entertainment programme to owners of broadcasting

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stations;

(c) are likely to promote civil or public disorder; and

(d) are likely to promote prostitution and other immoral activities.”

(2) Without prejudice to sub-regulation (1), a content service provider shall exercise great care when reporting incidents of torture, ill treatment of people or animals, close ups of dead or mutilated bodies, people in extreme pain or on the point of death or violent treatment of children;

Amendment of regulation 19

8. The principal Regulations are amended in regulation 19(k) by deleting the words “be guided” appearing between the words “audience” and “by” and substituting with the words “as provided”.

Amendment of Regulation 22

9. The principal Regulations are amended in regulation 22(3) by deleting the words “current affairs” appearing between the words “and” and “ensure” and substituting with the words “live event of national interest shall.

Addition of Regulation 26A

10. The Principal Regulations are amended by adding immediately after regulation 26 the following new regulation:

“Consent to read content of newspaper, book or article

26A.-(1) A content Service provider shall not read the content of newspapers, books and articles

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in the cause of presentation of program without written consent of the owner.

(2) Without prejudice to sub-regulation (1), a content service provider who intends to read the newspapers, book or articles in the course of presentation of programs shall read the headlines only and not otherwise.”

Amendment of
Regulations 28

11. The principal Regulations are amended by deleting regulation 28 and substituting it with the following:

“Observance of
national value,
traditions and
culture

28.-(1) A content services provider shall take into account national values, traditions and culture when broadcasting content related to sexual nature.

(2) Notwithstanding sub-regulation (1), a content services licensee shall not-

- (a) present sexual content in discreet and frequent;
- (b) broadcast or relay any programme that depicts explicit sexual acts; or
- (c) broadcast nude scenes which show the genitals.

(3) Where a content services licensee broadcasts program involving sexual content, it shall be presented in a manner that observes national value, traditions and

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culture.”

Amendment of
Regulations 33

12. The principal Regulations are amended in regulation 33 by deleting sub-regulation 3.

Amendment of
Regulations 38

13. The principal Regulations are amended in regulation 38 by:

- (a) deleting paragraph (c) appearing in sub-regulation (7); and
- (b) renumbering paragraph (d) and (e) as paragraph (c) and (d) accordingly.

Amendment of
Regulations 39

14. The principal Regulations are amended in regulation 39 by deleting sub-regulation (1) and substituting it with the following:

“(1) A content services licensee shall publish programme schedule in its broadcasting channel or online platforms at least 14 days in advance.”

Dodoma,
2nd December, 2023

NAPE M. NNAUYE
*Minister of Information, Communications
and Information Technology*