

GOVERNMENT OF ZAMBIA

ACT

No. 18 of 2017

Date of Assent: 19th December, 2017

An Act to amend the Independent Broadcasting Authority Act.

[22nd December, 2017

ENACTED by the Parliament of Zambia.

Enactment

1. (1) This Act may be cited as the Independent Broadcasting Authority (Amendment) Act, 2017, and shall be read as one with the Independent Broadcasting Authority Act, 2002, in this Act referred to as the principal Act.

Short title and commencement
Act No. 17 of 2002

(2) This Act shall come into operation on 1st January, 2018.

2. Section 2 of the principal Act is amended by the —

Amendment of section 2

(a) deletion of the definition of “ public broadcasting ” and the substitution therefor of the following:

“ public broadcasting service ” means the acquisition, production, and distribution by public broadcasting stations of non-commercial educational, instructional, informational, entertainment, advisory or cultural television and radio programmes and information that may be transmitted by means of electronic communications, and related material and services provided on non-profit basis; and

(b) insertion of the following definitions in the appropriate places:

“subscriber management service” means a subscription service provided by a licensee entitled to provide a digital broadcasting service; and

“television levy” means the levy charged under section 22A of this Act.

- Amendment of section 5
3. Section 5(2) of the principal Act is amended by the—
- (a) insertion of the following paragraph after paragraph (j):
- (k) to administer and collect the television levy and any other fee payable in respect of a public broadcasting service; and
- (b) renumbering of paragraphs (k) and (l) as paragraphs (l) and (m).
- Amendment of Part IV
4. The principal Act is amended in Part IV by the deletion of the heading “BROADCASTING SERVICES AND LICENCES” and the substitution therefor of the heading “BROADCASTING SERVICES, LICENCES AND TELEVISION LEVY”.
- Insertion of section 22A
5. The principal Act is amended by the insertion of the following new section immediately after section 22:
- Television levy
- 22A.** (1) The Authority shall charge a television levy on the subscription payment made by a person to a licensee that provides a subscriber management service during any period of subscription at the rate prescribed by the Minister by Statutory Instrument.
- (2) The Authority shall apply the television levy charged under subsection (1) to public broadcasting services.
- (3) A licensee that collects the television levy under subsection (1) shall remit the levy to the Authority not later than the tenth day of the month following the month in which the levy is paid.
- (4) A licensee that contravenes this section commits an offence and is liable on conviction to a fine not exceeding two hundred thousand penalty units or to imprisonment for a term not exceeding two years or to both.
- (5) The Minister may by statutory instrument, make regulations for the better collection and administration of the levy.
- Amendment of Section 39
6. Section 39 (1) (b) of the principal Act is amended by the insertion of the word “levies” immediately after the word “grants”.
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