PAKISTAN ELECTRONIC MEDIA REGULATORY AUTHORITY

(PEMRA)

The Pakistan Electronic Media Regulatory Authority (PEMRA) is a regulatory body established by

Pakistan on 1 March 2002.

The PEMRA (Pakistan Electronic Media Regulatory Authority) Ordinance 2002 allows the establishment

of an umbrella body that will issue licenses to broadcasters who have been labeled as broadcast media

operators. The move is meant to bring in the element of 'transparency and an invisible system of

accountability through media available at local community, provincial, national, and international levels.'

This spells competition not only for the three state controlled channels in the country, but also to those

from across the border that beam their programmes into Pakistan, and have a loyal following.

The PEMRA will have a chairman and nine members who will be Presidential appointees, with the

chairman being a prominent professional. Five of the PEMRA members are to be chosen from the private

sector, including two women, with credentials in the media, law, human rights and social services.

The umbrella body is to also have three ex-officio members - the secretaries of Information and Interior

and the chairman, Pakistan Telecommunication Authority.

The PEMRA has the responsibility of regulating the setting up and operation of all broadcast stations

including radio and television and cable TV in the country. The Pakistan government is slated to provide

it with seed money initially, but it will have to generate revenues through licensing fees and subscription.

CATV Networks, which were earlier supervised by the ministries of Information and Media Development

and Science and Technology, have been brought into the fold of this law and the Pakistan

Telecommunication Authority will continue to guide and support its technical side.

The PEMRA Ordinance includes a Code of Conduct for media broadcasters and CATV operators to

ensure decency and responsibility, and a clause stipulating that programming content of broadcasts is to

be strictly and regularly monitored. A council of complaints has also been provided in the law to respond

to people's complaints, and recommendations for disciplinary action against broadcasters violating the

code of ethics and other provisions of the law have also been provided.

Functions of the Authority

The Authority is responsible for facilitating and regulating the establishment and operation of all private

broadcast media and distribution services in Pakistan established for the purpose of international,

national, provincial, district, and local or special target audiences.

PEMRA's Mandate

• Improve the standards of information, education and entertainment;

• Enlarge the choice available to the people of Pakistan in the media for news, current affairs,

religious knowledge, art, culture, science, technology, economic development, social sector

concerns, music, sports, drama and other subjects of public and national interest ;

• Facilitate the devolution of responsibility and power to the grass roots by improving the

access of the people to mass media at the local and community level ;

• Ensure accountability, transparency and good governance by optimization the free flow of

information.

PAKISTAN ELECTRONIC MEDIA REGULATORY AUTHORITY

(PEMRA) Rules, 2002

In exercise of the powers conferred under Sub-section (1) of Section 39 of the Pakistan Electronic Media

Regulatory Authority (PEMRA) Ordinance, 2002, the Pakistan Electronic Media Regulatory Authority,

with the approval of the Federal Government, is pleased to make the following rulesShort Title and Commencement

• These rules shall be called The Pakistan Electronic Media Regulatory Authority (PEMRA) Rules,

2002

• They shall come into force at once

Definitions

1) In these Rules, unless there is anything repugnant in the subject or context

a)"code" means the Code of Conduct for Media Broadcasts, contained in schedule annexed to these rules

(b)"Federal Government" means the Ministry of Information and Media Development;

(c)"form" means the application form set out in the Schedule annexed to these rules;

(d)"Ordinance" means the Pakistan Electronic Media Regulatory Authority Ordinance, 2002

(e)"Council" means the Council of Complaints established under the Ordinance;

(f)"rules" means the rules made, from time to time, under the PEMRA Ordinance, 2002;

(g)"applicable license fee" means the license fee determined through the bidding and to be paid by a

successful applicant at the time of issuance of the license;

(h)subscriber" means a person who receives the signal of a cable television system at a place indicated by

him to the cable television operator without further transmitting it to any other person;

(i)"cable service" means the transmission or re-transmission of audio-visual programmes by cables or by

MMDS;

(j)"cable television system" means a system for distribution of radio and television programmes through a

set of closed transmission paths, including terrestrial wireless, for reception by multiple subscribers,

comprising: coaxial or fiber-optic cable; trunk amplifiers; line extender amplifiers; return amplifiers; line

isolators; passive devices; connectors and subscriber-drops;

(k)"head-end" means a specific location for receiving and processing the programming service for further

transmission or distribution to the subscribers;

(l)"cable television operator" means any person who provides service through a cable television system or

otherwise controls or is responsible for the management and operation of a cable television system;

(m)"service point" means a system outlet on the system which may be used for monitoring the system

parameters;

(n)"TV de-scrambler or decoder service" means the reception of programmes through satellite or other

means of telecommunication, by using TV de-scramblers or decoders, and transmitting to the subscribes;

(o)"TV de-scramblers or decoders" means the equipment used to receive the television de-scrambler or

decoder service;

(p)"MMDS" means Multi-channel Multi-distribution Service to transmit audio-video signals through

satellite or other wireless telecommunication devices;

(q)"up linking" means transmission of audio-video signal from ground transmission facility to a satellite,

in order to transmit any programme within or outside Pakistan;

(r)"set-top box" means a device for receiving and decoding encrypted television signal for onward

transmission to the subscribers;

(s)"proprietary radio set" means a radio signal receiving apparatus, sold or provided by the owner of a

radio channel, designed to exclusively receive his transmissions;

(t)" foreign broadcasting service" means a broadcasting service which is transmitted from outside

Pakistan and is received in Pakistan;

(u)"programme" means any systematic audio, visual or audio-visual live performance or presentation, or

live transmission of films, features, dramas, advertisements and serials relayed or distributed through

recognized broadcast or cable TV station;

(v)"illegal operation" means the operation of broadcast station or cable TV system, without having a valid

licence from the Authority; and

(w)"schedule" means the Schedule annexed to these rules

(2)Words and phrases used but not defined in these rules, unless the context otherwise requires, shall have

the meanings assigned to them in the OrdinanceShort Title and Commencement

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the meanings assigned to them in the Ordinance(1)There shall be six categories of licenses, namely:

I International scale stations;

II National scale station;

III Provincial scale station;

IV Local area/community based stations;

V Specific and specialized subject stations; and

VI Cable television network stations

(2)Within the categories specified in sub-rule (1), the Authority may divide each category into further

sub-categories as may be required

Duration and renewal

(1)The license shall be granted for period of five, ten or fifteen years

(2) The license shall be valid for the term for which it is granted subject to the payment of the annual fee,

as specified in the Schedule annexed to these rules

(3)The fee shall be deposited in the account of the Authority for all applications for issuance, or as the

case may be, renewal or revalidation of a license

Criteria for evaluating license application

Applications for the grant of a license shall, in the first instance, be short listed by using the following

criteria; namely:

I economic viability;

II technical competence;

III financial capability;

IV credibility and track record;

V extent of Pakistani share in ownership;

VI prospects of technical progress and introduction of new technology

Vii market advancement, such as improved service features or market concepts;

Viii contribution to universal service objectives; and

Ix contribution to other social and economic development objectives

CODE OF CONDUCT FOR MEDIA BROADCASTERS/CABLE TV OPERATORS

Programmes. -

(1) No programme shall be aired or distributed which:

(a)Passes derogatory remarks about any religion or sect or community or uses visuals or words

contemptuous of religious sects and ethnic groups or which promotes communal and sectarian attitudes or

disharmony:

(b) contains anything pornographic, obscene or indecent or is likely to deprave, corrupt or injure the

public morality;

(c)contains an abusive comment that, when taken in context, tends to or is likely to expose an individual

or a group or class of individuals to hatred or contempt on the basis of race or caste, national, ethnic or

linguistic origin, colour or religion or sect, sex, sexual orientation, age or mental or physical disability;

(d) contains anything defamatory or knowingly false;

(e) is likely to encourage and incite violence or contains anything against maintenance of law and order or

which promotes anti-national or anti-state attitudes.

(f) Contains anything amounting to contempt of court

(g) contains aspersions against the Judiciary and integrity of the Armed Forces of Pakistan,

(h) Maligns or slanders any individual in person or certain groups, segments of social, public and moral

life of the country.

(i) Is against basic cultural values, morality and good manners.

(j) Brings into contempt Pakistan or its people or tends to undermine its integrity or solidarity as an

independent and sovereign country.

(k) Promotes, aids or abets any offence which is cognizable under the Pakistan Penal Code. (2) Denigrates men or women through the depiction' any manner of the figure, in such a way as to have

the effect of being indecent or derogatory;

(m) Denigrates children;

(n) Contains anything which tends to glorify crime criminals; or

(o) Contains material which may be detrimental Pakistan's relations with friendly countries.

(3)Particular care should be taken to ensure that programmes meant for children do not contain

objectionable language or are disrespectful to t parents or elders.

(4)Programmes must not be directed against the sanctity of home, family and marital harmony.

(5)While reporting the proceedings of the Parliament or the Provincial Assemblies, such portion of the

proceedings as the Chairman or the Speaker may have ordered to be expunged, shall not be broadcast or

distributed any every effort shall be made to release a fair account of the proceedings of the Parliament or

the Provincial Assemblies.