



ANALYSIS

OF THE ELECTRONIC AND POSTAL COMMUNICATION ACT LICENSING, ONLINE CONTENT, TV AND RADIO BROADCASTING, DIGITAL AND OTHER NETWORKS (AMENDMENT) REGULATIONS, 2022

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A. ABBREVIATIONS

AfCHPR	African Charter on Human and Peoples' Rights
CoRI	Coalition on the Right to Information
EAC	East African Community
EACJ	East Africa Court of Justice
EPOCA	Electronic and Postal Communications Act
FoE	Freedom of Expression
GN	Government Notice
Hon.	Honourable
ICCPR	International Covenants of Civil and Political Rights
MCT	Media Council of Tanzania
TCRA	Tanzania Communications Regulatory Authority
UDHR	Universal Declaration of Human Rights
UN	United Nations

B. EXECUTIVE SUMMARY

The United Republic of Tanzania is a union state composed of Tanzania Mainland and the Government of Zanzibar. Tanzania is governed by two Constitutions. There is the Constitution of the United Republic of Tanzania, 1977 (As amended up to 2005) and the Constitution of Zanzibar, 1984 as amended up to 2010. The two written constitutions make specific provisions on the guarantee of Freedom of Opinion and Freedom of Expression in a language that conforms to the language of various international instruments and Treaties on human rights that address Freedom of Expression.

Tanzania, as a union state, is a member of the United Nations and is therefore obliged to comply with UN Treaties and directives including the Universal Declaration on Human Rights, 1948 (UDHR) and the International Covenant on Civil and Political Rights, 1966 (ICCPR) which Tanzania is also a party. Article 19 of both UDHR, 1948 and ICCPR, 1966 guarantee Freedom of Expression regardless of frontiers. Other international, regional and sub-regional instruments have been adopted and Tanzania has acceded to those instruments which guarantee freedom of expression.

The Internationally agreed principles on Freedom of Expression require a maximum disclosure of information with minimum exceptions guaranteed by the law. Public bodies must disclose information and every member of the public has a corresponding right to receive information. The overriding goal of freedom of information legislation should be to implement maximum disclosure in practice.

With the development of digital technology, states have taken different legislative measures to regulate mainstream and digital media Tanzania is one of them. These laws have come with both negative and positive effects on the freedom of expression, information and media in general.

C. INTRODUCTION

In 2015 United Republic of Tanzania passed some laws to regulate the media industry which is believed to harm media freedom and freedom of expression. These laws were extensively used during the fifth phase of government as a result the adverse effect was felt by anyone who believes in fundamental freedom in any democratic state.

The passing on of President John Joseph Magufuli in March 2021, paved the way for Her Excellency Hon. Samia Suluhu Hassan to become the 6th President of Tanzania. With the appointment of the new Minister of Information, Communication and Information Technology, Hon. Nape Nnauye, promised to work on several laws which hinder freedom of expression, editorial independence, access to information, and media freedom to work; he proposed to amend several regulations which affect digital freedom of expression and other related rights and principles.

The draft amended regulations were shared with stakeholders including the Media Council of Tanzania (MCT) and other Coalition of Rights to Information (CoRI) members. The MCT and other CoRI members prepared and submitted their comments in response to the draft amended regulations. This was done in four regulations. After stakeholders submitted their comments in 2021, one on the 28th of January 2022, through GN no. 65 of 2022, the Government of Tanzania published two amended regulations:

- i. The Electronic and Postal Communications Regulation (Licensing) (Amendments) Regulations, 2022;
- ii. The Electronic and Postal Communications Regulations (Digital and Other Broadcasting Networks and Services) (Amendments) Regulations of 2022.

On the 18th of March 2022, through GN no. 135 of 2022, the Government of Tanzania amended the regulation which was the Electronic and Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations of 2022. On the same date (18th of March 2022) through G.N No. 136 of 2022, and other amended regulations which were the Electronic and Postal Communications (Online Contents) (Amended) Regulations of 2022.

In response to the above-amended regulations, this analysis will focus on ascertaining in-depth what is the meaning of these amendments and whether they comply with International and Regional standards on freedom of expression and access to information. The analysis will also show whether these amendments comply with the Treaty for the Establishment of the East African Community 1999 fundamental principles that govern the achievement of the EAC objectives but also the Constitution of the United Republic of Tanzania of 1977 as

amended from time to time.

Finally, the analysis will assess to what extent stakeholders' comments were included or excluded by the government but also the impact of these amendments on editorial independence, media freedom and access to information and also make recommendations on what should be done to minimize negative impacts if any of these regulations.

D. THE AMENDED REGULATIONS.

The following are amended regulations which can be summarized as follows:

- i. Government Notice No. 65 of 2022, the Electronic and Postal Communications Regulation (Licensing) (Amendments) Regulations, 2022.

These regulations amend the Electronic and Postal Communications (Licensing) Regulations of 2018¹ The 2018 regulations among other things revoked 2011 regulations². At the outset, the 2018 regulations firstly aimed at the regulation of the provision of broadcasting services and digital communication through the imposition of licensing requirements and conditions which are attached to the obtaining of such license. They also provide for the interpretations of several words, application of licenses in several online services, specific conditions for licensing and individual license as well as class licenses and last access of service in emergence.

The regulations also provide for the power of licensing authority (Tanzania Communication Regulatory Authority (TCRA)) to reject, approve, or revoke a license without due process³. Also, the power to sanction licensees as well as huge power to the minister to order mandatory publication of several government information to the public in a wider manner as the minister will determine⁴. The editorial independence of private media should always be observed by the law. The African Commission Declaration of Principles of Freedom

¹ G.N No. 57/2018.

² See Regulation 50.

³ See Regulations 5 and 16 of *Electronic and Postal Communications (Licensing) Regulations, 2018 (GN 57 of 2018)*

⁴ See Regulation 49(3) of GN No. 57/2018

of Expression and Access to Information obligates States to promote diverse private media as vehicles for developing and disseminating a variety of content in the public interest⁵

In effect, the Electronic and Postal Communications (Licensing) (Amendment) Regulations⁶, amended several provisions of the 2018 regulations:

- i. The regulations do not apply to the selling of electronic communication equipment, and a new cluster of definitions has been added, such terms are Application Services (e-Commerce) License, and Special Content. Application services (e-commerce) license means “a class license issued for service platforms, aggregation or integration of services, transactions or business for other service providers, sellers, buyers or consumers of regulated unregulated services”⁷.
 - ii. Special content means “a television channel or radio station that covers formal education content which covers different subjects from the nursery, and tertiary to higher learning institutions”⁸.
- ii. Government Notice No. 65 of 2022, The Electronic and Postal Communications Regulations (Digital and Other Broadcasting Networks and Services) (Amendments) Regulations 2022.

These Regulations amend the Electronic and Postal Communication (Digital and Other Broadcasting Networks and Services) Regulations⁹ which also revoked the regulations of 2011¹⁰. The 2018 regulations provide for the power of the regulatory authorities to control digital and other broadcasting networks, and their operation, but they also provide for offences and punishments and include the power to the director to compound offences. The regulations, as the name suggests, apply to broadcasting networks¹¹.

The Electronic and Postal Communications (Digital and Other Broadcasting Networks and Services) (Amendment) Regulations of

5 Principle 14

6 G.N No. 65/2022.

7 Regulation 3 of G.N 65/2022.

8 Also see Regulation 3 of G.N 65/2022.

9 G.N 140/2018.

10 Regulation 37.

11 Regulation 2.

2022¹², have made several changes to these regulations. Regulation 16 speaks of advertising on subscription channels. Now, Regulation 7 of the 2022 regulations limits advertising, sponsored content and commercials on subscription channels for a time not exceeding five minutes per hour. Limiting advertisement to five minutes only may have adverse financial and economic effects on the media house as there is no subsidy from the government to support media. Regulation 29 of the 2018 regulations has been deleted¹³, and now requires that the subscription content service licensee should not broadcast news, current affairs or live programs. Only live events are allowed to be broadcasted.

- iii. Government Notice No. 135 of 2022, The Electronic and Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations of 2022.

These regulations amend the Electronic and Postal Communications (Radio and Television Broadcasting Content) Regulations GN No. 134 of 2018 and the Amendments of 2020, GN No. 486 of 2020. The 2018 regulations generally regulate radio and television broadcasting. The 2022 amendments have amended regulation 37 by adding the requirement of the licensee to notify the Authority in writing before hooking up with any local or foreign station and imposes the responsibility on the licensee who initiates such hookup for any content which does not comply with the requirements of the regulations¹⁴. Before these amendments, the 2020 Amendment required the licensee to obtain approval from the authority but not the licensee is required to notify only but the liability of being responsible for the content which does not comply with the law is still there. Regulation 45A has also been added to now allow telecasting of radio programs on television, provided that this does not exceed twenty per cent of the total number of radio programs aired per month.

- iv. Government Notice No. 136 of 2022, The Electronic and Postal Communications (Online Contents) (Amended) Regulations of 2022.

The online content regulations amendment of 2022 adds several definitions to the 2020 regulations.

¹² G.N 65/2022.

¹³ It has been deleted by Regulation 10 of G.N 65/2022.

¹⁴ See regulation 3 of G.N 135/2022.

- (i) It now defines online media services as online content services provided for purposes of news and current affairs in a manner that resembles services providers licensed under the Act.
- (ii) It has also added online content service and defines it as content broadcasting or aggregation to the public through television, radio, weblog, radio, instant messaging tools and social media and applications.
- (iii) Mainstream media is defined as radio or television programs which are aired by licensed content service providers through the use of traditional broadcasting networks.
- (iv) Now the term weblog is defined to mean a website which contains online media services offered in a combination of texts, still or moving images, audio or links to other online media websites¹⁵.

Other changes are that no person can provide online media services without obtaining a license from the Tanzania Communications Regulatory Authority. But mainstream media licensees are exempted from this regulation for purposes of simulcasting or re-publication of content through the internet¹⁶. Currently, there are only two categories of licenses, online media service license Category A which includes online content services and Online Media Service Category B which includes content aggregation¹⁷.

E. CONFORMITY OF THE AMENDED REGULATIONS WITH INTERNATIONAL AND REGIONAL STANDARDS.

Tanzania is a signatory to several International Human Rights instruments including, The Universal Declaration of Human Rights, 1948 (UDHR) the International Covenant on Civil and Political Rights, 1966 (ICCPR) and the African Charter on Human and Peoples' Rights, 1981 (AfCHPR). These instruments provide for the right to freedom of expression which is a basis of journalism. Freedom of expression includes the right to seek, receive and impart information or ideas regardless of frontiers. Tanzania as a

¹⁵ See Regulation 3.

¹⁶ See Regulation 4.

¹⁷ Regulation 5.

signatory to these conventions is required to guarantee the right to freedom of expression including the right to seek, receive and impart information.

In line with this, there is a Declaration of Principles on Freedom of Expression in Africa, 2002. Although not binding, it was adopted by the AU to guide the state parties to the African Charter on Human and People's Rights (Tanzania inclusive) on how to implement the freedom of expression as provided under Article 9 of the Charter. These Regulations have not met the acceptable standards and best practices as follows:

- (i) The Electronic and Postal Communications (Online Content) (Amendment) Regulations violate the right to freedom of expression. These regulations restrict the freedom of expression by putting strict requirements for one to get a license:
 - Regulation 4 restricts individuals from providing online media services unless they possess a license from the Tanzania Communications Regulatory Authority.
 - Regulation 6(1) states that an individual intending to provide online media services shall apply to the Authority for a license to pay, the fees set out in the schedule of the regulations.
 - Regulation 6(2) states that the application should be accompanied by a certificate of incorporation or certificate of registration or a certificate for business name registration for individuals, a certified copy of a TIN, a tax clearance certificate, a list of owner and management team, and other requirements.

All these requirements point out that it is only entities and individuals who want to disseminate information on basis of conducting charity work or making a profit and duly registered with the Tanzania Revenue Authority that is allowed to obtain online media licenses. Individuals who do not meet such requirements are not allowed. Some of these requirements like tax clearance and qualification of the individuals have financial implications that only well-established companies or entities can afford.

This is contrary to principle 10 of the declaration of principles on freedom of expression and access to information in Africa as the

state through the regulations has limited dissemination of information to NGOs or companies only. This limits the publication of online content when it comes to individuals.

This also amounts to discrimination and is contrary to principle 3 of the declaration of principles on freedom of expression and access to information in Africa. Principle 3 requires that everyone should have the right to exercise freedom of expression without distinction of any kind. Regulation 6 discriminates against individuals on the right to freedom of expression online because they have to belong to an entity recognized by the Government.

F. CONFORMITY OF THE AMENDED REGULATIONS WITH THE TREATY FOR THE ESTABLISHMENT OF THE EAST AFRICA COMMUNITY.

Under the Treaty for Establishment of the East African Community, Tanzania must uphold and protect human and peoples' rights standards as specified in Articles 6(d) and 7(2) as the fundamental principles of the Treaty. These articles provide for principles of the Community including adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and people's rights the provisions of the African Charter on Human and Peoples' Rights. The Regulations violate the provision of Articles 6(d) and 7(2) of the Treaty in the following ways:

- (i) The Electronic and Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations 2022 have violated the provisions of Article 6(d) and 7(2) of the EAC Treaty by omitting the right to appeal which is an integral part of natural justice and human rights. The 2018 regulations under regulation 9 allowed cancellation and revocation of landing rights authorization without providing for the right to be heard. Although it was recommended that the provision should be amended to include such a right, this was not done and it is essentially in violation of the EAC Treaty.
- (ii) The Electronic and Postal Communications (Online Content) (Amendment) Regulations 2022 are also in violation of Articles 6(d)

and 7(2) of the EAC Treaty. Regulation 6(1) deters natural persons and independent journalists who are not belonging to any entity from being recognized and freely disseminating content online.

G. CONFORMITY OF THE AMENDED REGULATIONS WITH THE CONSTITUTION OF THE UNITED REPUBLIC OF TANZANIA OF 1977.

The provisions of article 18 of the Constitution of the United Republic of Tanzania, 1977 provide for the right to freedom of expression. What is interesting about this article is that it does not contain any restrictions or limitations on itself on the exercise of this right. It guarantees everyone a right to freedom of opinion and expression of ideas and the right to seek, receive and impart information regardless of national frontiers. The Regulations fail to conform to the standards of this article in the following ways as stated in the preceding sections of this report;

Two regulations, The Electronic and Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations 2022 and the Electronic and Postal Communications (Online Content) (Amendment) Regulations 2022 are in infringement of the international instruments on freedom of expression and human rights.

- (i) Reading the Electronic and Postal Communications (Radio and Television Broadcasting Content) (Amendment) Regulations 2022, the regulations have not addressed a key issue of the right to be heard when it comes to revocation of the landing rights. By not repealing or adding the right to be heard under regulation 9 of the regulations of 2018, the Government has continued violating Article 13(6)(a) of the Constitution which provides for the right to be heard.
- (ii) When it comes to the Online content amendment regulations of 2022, the same still violates the right to freedom of expression under Article 18 of the Constitution. The reading of regulation 4, states no person shall provide online media services without obtaining a license from the Authority. The regulations violate the right to freedom of expression by first requiring individuals, even natural persons, to have a license to exercise the fundamental right to express freedom

t violates article 18 of the constitution. This is read together with regulation 6 which now requires such an application to be made to the Tanzania Communication Regulatory Authority, and supported by a document such as a certificate of incorporation and business license. Further, there should be a payment of 50,000 Tanzanian shillings as application fees for the license and 500,000 Tanzanian shillings for the granting of the license.

This is a restriction to the freedom of expression under article 18 as the assumption is that all those who disseminate information should be entities and that they should be capable of paying the above fees. This is forgetting that not every person has the ability to pay that amount and some want to disseminate information as part of exercising their rights and not necessarily to make profits as the requirements under regulation 6(2) of the regulations suggest.

H. IMPACT OF THE AMENDED REGULATIONS ON EDITORIAL INDEPENDENCE, MEDIA FREEDOM AND FREEDOM OF EXPRESSION.

The regulations have an impact on the exercise of freedom of expression for the media and editorial experience. This is for the following reasons:

- (i) As noted, the prohibition of individuals to exercise their freedom of expression in online media under regulation 4 without a license, the requirement of furnishing the certificate of incorporation or certificate for business name registration and payment of fees of 500,000 Shillings is a restriction to the freedom of expression. It is expected that under the amended regulations, individuals will still be prohibited from disseminating information online as a result. Freelance journalists and other media personnel who aim at sharing information individually will be limited by the above-mentioned provisions.

I. ASSESSMENTS OF STAKEHOLDERS' COMMENTS IN THE AMENDED REGULATIONS.

Stakeholders commented and recommended two regulations. The first one is the Electronic and Postal Communications (Radio and Television Broadcasting Content) Regulations:

- (i) It was observed that regulation 9 gives powers to one party to order the remedy of the breach but does not give a right to reply. It contravenes the right to be heard and therefore it should stipulate for the right to appeal in case a holder of the landing right is aggrieved. It was recommended that the right to the holder of landing rights should be provided by adding regulation 9(3) and regulation 9(4) should be added to include the right to appeal. However, no such amendment was made in the current regulations.
- (ii) It was observed that under part III, the conditions should be termed as objectives as they are not practical in their enforcement. This was not adhered to.
- (iii) Regulation 19(c) was observed not to be practical in restricting broadcasts, it was recommended that the provision be deleted. This was not done.
- (iv) Regulation 17 was observed to be impractical in its implementation. It was recommended that the word “in advance” be deleted. The provision was not amended.
- (v) Regulation 20(1)(e) was observed to include the word “superstition” which is subject to various interpretations. It was recommended that paragraph “e” be removed. However, this was not done.

Recommendations were also given regarding the Electronic and Postal Communications (Online Content) (Amendment) Regulations:

- (i) Regulation 3 (a) recommended that there should be an amendment to the effect that the online content aggregator should not necessarily be by the prescribed fee. It was recommended that the online content aggregator by subscription should not necessarily be by prescribed fee because there are instances where users can subscribe without a prescribed fee. In the amendments, the definition of online aggregator was added to mean a content service provider who collects content from different sources and packs the content into baskets of channels

being accessed by users for a fee or upon payment of a prescribed fee.

- (ii) Regulation 3(a) on the definition of online content service, it was recommended that the term online live streaming should be deleted as it decreases the possibility of incriminating social media users who use their Instagram or Facebook accounts to live stream. The term public account should be deleted as it is ambiguous and there is no definition of the term “social platform”. However, the term has not been defined.
- (iii) It was recommended that regulation 6 should not restrict the right of ownership of online media. It should allow citizens and individuals to participate in online journalism. There was also a recommendation that natural persons should be allowed to participate in online media by adding sub-regulation 6(3) which exempts them from having requirements under regulation 6(2). This recommendation was not worked on.
- (iv) It was recommended that sub-regulation 8(3) be inserted so that it conforms to the principle of due process. This was not done.

J. RECOMMENDATIONS TO MCT and CoRI.

The MCT and CoRI can keep on sensitizing and engaging with the Government on the relevant amendments. This report can also act as a catalyst in showing the Government’s shortcomings in the regulations and how they violate the right to freedom of expression not only in the national sphere but also in the international arena. The stakeholders’ comments should be emphasized to be included in any future amendments. Furthermore, the MCT and CoRI can educate the members of the media professionals on the effects of these amendments on their right to freedom of expression. Since this is the current position of the law there should be a deliberate effort to train members of the media industry on how to comply with these regulations and the effect, they may encounter for failure to comply

ANNEXURES

STAKEHOLDERS' (CoRI) RECOMMENDATIONS SUBMITTED TO THE MINISTRY IN RESPECT OF THE ONLINE CONTENT REGULATIONS: THE ELECTRONIC AND POSTAL COMMUNICATIONS (ONLINE CONTENT) (AMENDMENT) REGULATIONS, 2021

No.	Regulation	Observation	Recommendation
1.	Amendment of Regulation 2 deleting the words internet service providers.	CoRI (Stakeholders) supports and commends the Government for the deletion of the term “internet service providers”.	- <i>No comment.</i>
2.	Amendment of Regulation 3 (a) addition of the following new definition: “Online media content services” and “Online content aggregator”.	CoRI supports and commends the Government for these positive amendments. However, the online content aggregator should not necessarily be by the prescribed fee.	- <i>We recommend that the online content aggregator by subscription should not necessarily be by prescribed fee because there are instances where users can subscribe without a prescribed fee.</i>
3.	Amendment of Regulation 3 (b) Online content service	The deletion of the term “online live streaming” could decrease the possibility of incriminating social media users who use their Instagram or Facebook accounts to live stream. Furthermore, deleting the word “public account” reduces ambiguity as it was not clear what that word means. However, there is no definition of the word social platform. No decision can be made until the word is defined.	- <i>The word social platform should be defined.</i>
4.	Amendment of Regulation 3 (c) deletion of the term “internet café”, “online platform”, “mainstream media and related content”, and “related news”.	Positive amendments, stakeholders commend the Government for the amendment	- <i>No comment.</i>
5.	Amendment of Regulation 5: Deleting regulation 5 and substituting it with Online Content Service License categories “Categories of license” Category A, Category B	Positive amendments. However, CoRI is concerned with the previously licensed under Regulation 5 (b and c) (entertainment, religious and education) that have not been considered in the new categories A and B.	- <i>No comment.</i>

6.	Amendment of Regulation 6(2)(a)	<p>(iii) Certified copy of Tax Clearance Certificate for companies or non-governmental organizations: It limits other registered organizations/entities such as religious organizations and society.</p> <p>(iv) Certified copy of National Identity Card of Shareholder: This should not restrict only to National ID instead it should recognize other kinds of official identification. The certified copies of official identity cards such as National ID, Driving License and Passport.</p> <p>(vi) curriculum vitae of the staff: It should consider submitting CVs to the office bearers rather than staff.</p> <p>(vii) editorial policy guidelines for news and current affairs license category: There are no such categories rather it should be read as category A. This should align with the new proposed license categories.</p> <p>(viii) any other documents as the Authority may require: CORI propose that this requirement be deleted as it gives room for abuse.</p>	<p><i>-Regulation should not restrict who can own online media. It should be flexible to allow Individuals and citizen journalism.</i></p> <p><i>- Also, this group should be aligned with the documents to be submitted.</i></p> <p><i>- Insert new sub-regulation 6(3) which should read as; If an applicant is a natural person should not be subjected to the requirement of regulation 6(2).</i></p>
7.	In regulation 7 addition to regulation 7(3), the license shall be valid for a period of three years and may be renewed.	This regulation is a duplication of provisions as it is provided under Regulation 6(3) of 2020 regulations.	<i>- However, CoRI proposes the renewal of the license period should be five (5) years.</i>

8.	Regulation 8	Insert sub-regulation (3) that accommodates the right to be heard, warning and investigation period before suspension or revocation of the license.	- To conform to the principle of due process.
9.	Regulation 9	CoRI commends the deletion of paragraphs (c) and (d).	-CoRI proposes the deletion of paragraph (e), and the word objectionable in paragraph (f) as it is subjective to various interpretations.
10.	Regulation 10	Positive amendment.	- The provision was not practical and limits access to information.
11.	Regulation 11	It is a good thing to control the prohibited contents which may harm society but is not practical as it is an issue of ethics and not law.	
12.	Regulation 13	It is a positive amendment to internet cafés.	- No comment.
13.	Regulation 16 (2)	Addition of the word “with intention” after the term related thing. Replace the word “that” with to after the term with intention.	- To comply with the principle of criminal law.
14.	Regulation 18	It is a positive proposal, as the provision will be practical for its implementation.	- No comment.
15.	Second Schedule	CoRI suggests deletion of the column which provides for the Annual license fee. As their initial and renewal fees.	- To stimulate access to information and economic rights.

STAKEHOLDERS (CoRI) RECOMMENDATIONS SUBMITTED TO THE MINISTRY: THE ELECTRONIC AND POSTAL COMMUNICATIONS (RADIO AND TELEVISION BROADCASTING) (AMENDMENT) REGULATIONS, 2021.

No.	Regulation	Observation	Recommendation
1	Amendment of Regulation 3	Amendment in regulation 3 by the word “one” with the words” up to three”.	- CoRI recommends amendment

2	Amendment of Regulation 9	The regulation gives powers to one party to order the remedy of the breach, but it does not give a right to reply. Therefore, it contravenes the fundamental principle of the right to be heard. Also, the regulation does not stipulate a right to appeal in case a holder of landing right	- To add sub-regulation9(3) to give the right to the holder of landing rights. - To add sub-regulation 9(4) to provide for the right to appeal so as conform with fundamental constitutional rights.
3	Part III on General conditions.	The stipulated conditions should be termed as objective as most are not practical in their enforcement.	- It should read as general objectives.
4	Regulation 19(c).	Currently is not practical to restrict such broadcasts.	-We recommend deletion of this regulation sub-regulation 19 (c).
5	Regulation 37(4).	Positive proposal.	- NIL.
6	Regulation 17 (1).	The word in advance put impractical possibilities for its implementation	-CoRI recommends the deletion of the word "in advance".
7	Regulation 20 (1) e.	The word superstition is subjective to various interpretations.	-CoRI recommends the removal of paragraph "e".

GENERAL SUGGESTION: PROHIBITED CONTENT

Paragraph	Our observation	Recommendation/ Justification
Personal security and Respect for Human Dignity: Par.2 (b) Par.2 (d)	The word "slander" and "defames" should be deleted. Paragraph "d" should be deleted	- These are the pure civil cause rather than the criminal cause/ To avoid ambiguity.
Public security, Violence and National Safety: Par.3(d)	The paragraph "c" should be deleted. The word affecting "public order" should be deleted.	- This is already covered under the Penal Code Cap 16 and Police Force and Auxiliary Services Act 322/ To avoid ambiguity.
Criminal Activities and Illegal Trade Activities: Par.4(d)	Positive proposal.	- No comment.
Health and Public Safety: Par.5(b)	The term Cabinet resolution is not defined/clear.	- CoRI proposes the Ministry be responsible to provide guidelines on health advertisement.





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