

Community Radio Broadcasting Service Directive No. 02/2008

Community Radio Broadcasting Service Directive

Whereas, a community Radio Broadcasting Service plays a significant role in fulfilling education, information and entertainment needs of a community which the commercial and government broadcasting service do not cover;

Whereas, it is necessary to expand and develop the service in order to fulfill the needs for information, education and entertainment of each nation, nationality, and people for our country being the home to various nations, nationalities and peoples;

Whereas, it necessitates the appropriate usage of the limited radio frequency resource that belongs to the people in common;

Now, therefore; in accordance with Article 47 of the Broadcasting proclamation No. 533/2007, it is hereby issued as follows:

Part one **General**

1. Short Title

This directive may be cited as “Community Radio Broadcasting Service Directive No 02/2008”.

2. Definition

In this directive, unless the content requires otherwise:

1. “Community” means the sections of a society having common interest and living in the same area geographical location;
2. “A community Radio Broadcasting service” means a non-profit making radio service established in the interest of the community that is guided and administrated by the community itself;
3. “Applicant” means a person who applies for community Radio Broadcasting license fills and submit the application form of the Authority;
4. “Program” means a broadcasting service program on education, health, culture and other similar affairs transmitted by a radio with educating, informing and entertaining content;
5. “Licensee” means a person licensed in accordance with article 7 of this directive and includes a person licensed before from the Authority.

6. “License Team” means a group of experts, who register the applicant of the community Radio Broadcasting service to get licence, examines the application and gives decision ideas to the highest pertinent official, gives the approved license and other related activities done in accordance with this directive;
7. “Higher official” means the authority’s general director or deputy general director;
8. “Authority” means the Ethiopian Broadcasting Authority;
9. “Board” means the Ethiopian Broadcasting Authority’s Board;
10. “Ministry” means the ministry of Information;
11. “Proclamation” means the Proclamation on Broadcasting service of 533/2007;
12. “Person” means any juridical person.

Part Two

3. Categories of Community Radio Service

13. Geographical community Radio Service

This Radio transmission service is established to the community who are living in a specific geographical area and having common language, culture, values and their interest is not covered by any other media;

14. Community Radio Service based on common interest.

The community Radio Service is not restricted with geographical area which gives service to those who have common interest and the community considered as the same and their interest is not covered by other media can be established in the following ways;

15. Organized individuals and institution that are getting service in regard to education, work and others to satisfy the need of people who have direct service relation with institution.
16. Part of the community who have similar culture, history in order to promote and develop their common culture and artistic value;
17. Can be established by association of profession, gender and others to fulfill their stretched objectives.

Part Three **Issuance of License**

4. Requirement of License

18. No person may undertake Community Radio Broadcasting service without obtaining a broadcasting service license from the authority;
19. An applicant who intends to obtain a community Radio Broadcasting license shall fill the application form prepared by the authority with supporting document.

5. Application form and supporting documents

5.1 The Authority shall prepare application form including the following;

1. The applicant's name and address;
2. Objective of the program, source and transmission day and time;
3. Kind and capability of transmission equipments;
4. The place where the transmission equipment established;
5. amount of money or capital that the applicant need to establish and run the service;
6. Other information related to the applicant's background.

5.2 The applicant shall submit the following documents with application form.

7. The applicant shall be established on the basis of legal institution or organization and not as a profit maker;
8. The document shall mention that the Radio Broadcasting service has an objective to serve the community;
9. The document shall disclose the community's support to establish the radio broadcasting service with their petition and signature;
10. The document shall contain applicant's board members name, address, educational qualification and signature;
11. The minute of decision that the board passes to establish the service;
12. Project proposal of station's finance, human resource and technical staffs;
13. Supporting letter from region or zone administration office where the applicant lives;
14. Other documents that the applicant may considers as necessary.

6. Unacceptable Application

20. fails to produce legal evidence to ascertain its source of finance;
21. fails to produce project proposal with application form;
22. is established for profit making;
23. A body that may not be entitled to a license as provided for in Article 23 of the proclamation may be rejected without further screening.

7. Procedure of License Issuance

1. According to article 6 of this directive, the license team checks the submitted application and collects the information needed from the community in person by physical presence and submits the suggested result to senior official;
2. The higher official gives decision after examining the submitted result;
3. An applicant, whose application has been accepted pays the required license fee and is notified in writing to take the license;
4. According to the above article the applicant who has paid the license fee and signed a document prepared by the authority can get the license;

5. If two or more applicants have the same competence that is confirmed the community are in need of establishing the stations and there is scarcity of radio frequency happens, the authority can make them use the radio frequency together;
6. The applicant who gets accepted letter of license may be revoked unless the payment is done and the prepared document of the authority signed within one month of notification;
7. An applicant who wants to know the reason of the denial of the license, the Authority will notify the reason clearly;
8. Any applicant who is denied a license may appeal to the Board within fourteen (14) days from the date of the higher official decision. The Board shall give its decision within twenty (20) days after receiving of the appeal.

8. The license Conditions mentioned by the licensee

1. The information which is mentioned on the application form shall be taken as an obligation for the licensee;
2. On the basis of information which is mentioned on the application form by the licensee, the Authority prepares the license conditions document and makes the licensee sign on it.

9. Power of Transmission Equipment

The transmission equipment must not exceed one kilo watt.

Part Four

Licensee

10. Duties and responsibilities of Licensee

1. Carries out its activities on the needs of community development, education and good governance;
2. Promotes and develop the language, culture and artistic value of the community;
3. Allows to participate the members of the community in the preparation of its program;
4. Transmits programs on issues involving the common interest of the community that could not get coverage by other broadcasting services;
5. Utilizes the income derived from different sources for the operation of the broadcasting station;
6. Receives any opinion and suggestion and gives information to the community after investigating and interviewing the concerned bodies;

7. Provides community centered informative and entertaining programs to promote the information, culture and knowledge of the community;
8. Provides human and democratic rights program to build and enhance the community's awareness;
9. The transmission program must include local and national news;
10. The transmission program shall be allocated at least 14 hours of its weekly transmission.

11. Validity Period of License

The validity period of community radio broadcasting service license:

11. For short term community broadcasting service license not more than 1 (one) year;
12. For fixed community broadcasting service license 5 (five) years;
13. The licensee shall notify the commence of the program day and time to the authority;
14. The license shall be revoked when it is confirmed that the licensee has failed to commence transmission with one year from the date of obtaining the license;
15. The Authority files the commence date and time of transmission;
16. There is no renewal for short term licence.
17. If it is necessary, the fixed license may be renewed. The renewal process is undertaken in accordance with article 25 of the proclamation;
18. Without prejudice to sub article (4) of this article, if the licensee needs additional time, there is a chance to apply again by producing information to convince.

12. Kinds of Fee

19. Any applicant shall pay registration fee;
20. Any licensee shall pay license fee, annual and license renewal fee at the time of getting the license;
21. The payment is determined by the authority.

.13 Time of Payment

22. When the applicant fill and submit the application form, there is a payment of registration fee;
23. Before getting the license certificate, the licensee shall pay license fee;
24. Where the broadcasting service annual fee is not paid within 60 days after the end of the government fiscal year, a penalty of 5% shall be

added for each month of delay; however , that the total amount of penalty shall not exceed 50% of the license fee.

Part Five
License suspension, Revocation and Submission of Grievance

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14. Suspension of License

25. The Authority may suspend a broadcasting service license where the licensee violates the provisions of the proclamation and this directive;
26. The decision of suspension made in accordance with sub article (1) of this Article shall be served to the licensee stating, in writing, the reasons thereto and the effective date of the suspension;
27. After the authority mentions the reason of suspension the licensee shall notify in writing the clearance of the reason of suspension within 15 days;
28. If the Authority confirms the reason of suspension is cleared, it removes the suspension.

15. Revocation of License

15.1 The license of licensee may be revoked by anyone of the following

grounds:

1. Where it is confirmed that the licensee has failed to commence transmission within one year from the date of obtaining the license;
2. Where it is confirmed that the licensee has not obtained the license in legal basis or fraudulent means;
3. Where the broadcasting station suspends its transmission for more than one month without good cause;
4. Where a court orders the closure of the station;
5. Where the licensee by its own initiative, stops the licensed service;
6. Where the licensee violates the provision of Article 30 sub article (4) of the proclamation;
7. Where the licensee fails to pay its fee in accordance with Article 13 of this directive;
8. Where the licensee fails to clear the reason of suspension in accordance with Article 14 sub article (3) of this directive.

15.2 According to Article 15(1) of this directive the authority shall notify

the licensee the revocation of license in writing.

16. Submission of Grievance

29. After the Authority notifies the suspension or revocation of the license, the licensee may submit the grievance to board with in 14 days;

30. The board gives a decision to the submitted grievance with in 30 days.

17. Expansion License

31. When the licensee intends to upgrade or downgrade the licensed transmitter force;

32. When the licensee intends to change the types and length of antenna;

33. When the licensee intends to change the place of transmitter antenna;

34. When the licensee intends to upgrade the hight of antenna;

35. When the licensee requests a new radio wave to cover other area outside of its licensed area, it shall get permission from the Authority.

18. Notification

When the following change is made, the licensee shall notify the authority with in 14 days in writing.

36. In case of defection, the transmission terminated for one month;

37. If there is change of management;

38. If there is a change of Program and transmission time;

39. Change of address.

Part Six

Programs of Transmission Station

19. Station's program

Any community Radio station shall give 60% of its transmission program focusing on issues regarding the community.

20. Advertisement and Sponsorship

Advertisement and sponsored programs shall be treated in accordance with the provisions of article 33, 34, 35, and 36 of the proclamation.

21. Music Program

Community Radio broadcasting service shall give priority to those composed and arranged music, singers and players of the community. It shall provide kinds of nation and nationalities music on the basis of community's interest.

22. Language

If it is spoken more than one language in the area of established community Radio broadcasting service, it shall be transmitted with the language (languages) what the community choose.

23. Providing real information of station's identity, program's name and owner

40. The licensee shall announce the name and address of the station in the middle of transmission;
41. In the middle of daily transmission and programs, the station shall mention its motto and name;
42. In the convenient of station technique, each program shall be provided by arrangement of music and sound. The name of producer of the program shall also be mentioned at the beginning or end of the program.

24. Not transmitting the program which are not announced and scheduled before:-

43. The licensee shall announce or inform the date and time of the daily transmission program to listener;
44. Except the emergency of government and public statement current and necessary community issues, the licensee shall not transmit the programs with out announced and scheduled program.

Part Seven

Miscellaneous Provisions

25. Management of Community Radio Broadcasting Service

Community Radio broadcasting service:

45. Shall have general assembly from members or representatives of the community;

46. Shall have not less than five and not more than nine board members elected from the community in democratic and volunteer ways;
47. Shall employ general manager and technical manager in permanent conditions;
48. Shall have other members of the community who participate in administrative and program preparation;
49. The management shall keep and not oppose the community's sustainable ownership feeling, make the community to participate in program preparation, appraisal, administrative and finance in order to run the service together properly;
50. Shall notify to the authority if there is management change;
51. Prepares its organizational document on the basis of the Authority's model organization document and submits to the Authority.

26. Issuing and Implementing the Editorial Policy

52. Any licensee shall initiate editorial policy or regulation according to the laws and directives of the country and give broadcasting service in manner of credible, balanced and accurate;
53. Shall incorporate constitutionally, nationally, regionally and locally developmental direction in its editorial policy and do its duties and responsibilities in the principle of broadcasting proclamation.

27. Transmission of Government and Public statement

Community radio broadcasting service shall transmit free of charge emergency statements given by the federal or a regional state government, and police commissioners due to the occurrence of an incident that endangers the constitutional order, national disaster, an epidemic that threatens public health.

28. Accommodating the Grievance

54. The licensee shall respect the right of a person to give reply concerning an issue when he alleges that a transmitted program has encroached on his right or failed to be presented properly;
55. The licensee shall establish a conduct of grievance handling to receive any complaint from the community.

29. Respecting Law, Rules and Directives

Any licensee shall respect the constitution, press law, proclamation of broadcasting and the directives which are and will be initiated by the Ministry.

30. Preparation of License Criteria

The Authority prepares detail license criteria study to the community radio.

31. Repealed Directive

Directive of the community broadcasting service license offering and operation 2005 is here by repealed.

31 Amendment of Directive

This directive may be amended by the Ministry.

33. Effective date

This directive shall enter in to force from 22 July, 2008.

Birhan Hailu
Minister of Information