

**THE INDEPENDENT BROADCASTING
AUTHORITY (AMENDMENT) BILL, 2017**

MEMORANDUM

The object of this Bill is to amend the Independent Broadcasting Authority Act so as to—

- (a) provide for the charging and collection of television levy;
and
- (b) provide for matters connected with or incident to the foregoing.

A. MWANSA,
Solicitor-General

N.A.B. 19, 2017
27th November, 2017

A BILL

ENTITLED

An Act to amend the Independent Broadcasting Authority Act.

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 insertion of the following definitions: in the appropriate places:

Amendment
of section 2

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

“Subscriber Management Service” means a subscription service provided by a licensee entitled to provide a digital broadcasting service.

3. Section 5 (2) of the principal Act is amended by the—

Amendment
of section 5

(a) insertion of the following paragraph after paragraph (l):

(m) to administer and collect the television levy and any other fee payable in respect of a public broadcasting service; and

(b) re-numbering of paragraphs (k) and (l) as paragraphs (l) and (m).

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”.

Amendment
of Part IV

Insertion of section 22A 5. The principal Act is amended by the insertion of the following 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. 5

(2) 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. 10

(3) 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. 15

(4) 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". 20