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THE MEDIA SERVICES ACT
(NO.12 OF 2016)

THE MEDIA SERVICES REGULATIONS, 2017

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THE MEDIA SERVICES ACT
ACT NO.12 OF 2016

THE MEDIA SERVICES REGULATIONS, 2017

(Made under section 65)

Citation	1. These Regulations shall be cited as the Media Services Regulations, 2017.
Interpretation	2. In these Regulations, unless the context otherwise requires-
Act No.12 of 2016	“Act” means the Media Services Act, 2016; “Board” means the Journalists Accreditation Board established under section 11 of the Act; “content” has the meaning as assigned to it by the Act; “Director” means Director of Information Services Department created under section 4 of the Act; “electronic media house” means a person licensed to provide content to the public by television, radio, video, cinema, e-newspaper or by any other electronic means and devices; “license” means a license issued by the Director under section 5(e) of the Act and Regulation 9 of these Regulations; “Minister” means the Minister responsible for content and media services; “publish” means disseminate content to one person or to the general public.

PART II
OWNERSHIP OF MEDIA HOUSES AND OBLIGATIONS

- Application 3. Notwithstanding the Regulations governing electronic media, this part shall apply to the Print Media.
- Ownership of print media 4.-(1) Any person who intends to own print media-
- (a) shall, in case of local company or sole proprietor, whether in an individual capacity or jointly, have no shareholding limitation to own print media;
 - (b) where an applicant for a print media license is a foreigner, shall be required when applying for a license to submit to the Director a list of shareholders with a minimum of fifty one percent local ownership.
- (2) A print media licensee shall notify the Director about any change in shareholding structures.
- (3) A company with a foreign shareholder shall obtain an approval from the Director before applying for any change in shareholding structure to the relevant authority.
- (4) Changes made under sub-regulations (2) and (3) shall be subject to payment of fees as prescribed in the Schedule to these Regulations.
- Obligations of Media houses 5.-(1) Every print media licensee shall ensure that its publications-
- (a) uphold Tanzania's national sovereignty, unity, security, economic and diplomatic-relation interests;
 - (b) preserve Tanzanian cultural values and identity;
 - (c) observe good taste and decency;
 - (d) uphold public morality;
 - (e) avoid intrusion or probing into private lives;
 - (f) do not injure the reputation of individuals;
 - (g) avoid discrimination and hatred against or

- vilify any group of persons on the basis of ethnicity, race, religion, political, origin, gender, disease or disability;
- (h) exercise great care when reporting incidents of torture, ill treatment of people or animals, close ups of the dead or mutilated bodies, people in extreme pain or at the point of death, molestation or abusive treatment against children;
 - (i) refrain from publishing information on suicide methods, making of explosives and illicit use of drugs;
 - (j) refrain from publishing information that are likely to promote civil or public disorder;
 - (k) refrain from publishing programme that are likely to promote prostitution, homosexuality, abortion, and other immoral behaviours;
 - (l) avoid dissemination of unlawful, harassing, libelous, abusive, threatening, harmful, vulgar, obscene, or otherwise offensive materials, content, videos, or photos; and
 - (m) do not use protected materials or data in a manner that contravenes laws and individual or organizational copyrights.

(2) For the purposes of enforcing obligations falling under the national security or public safety provisions in the Act and in these Regulations, it shall be deemed that the Minister has designated the Information Services Department as a Secretariat.

Copies of print to be delivered to the Director and National Archives

6.-(1) Every Print Media licensee shall, upon every day the print media is published, at his own expense, deliver two copies in print and in electronic format to the Director and two copies to the National Archives Department of every print so published and a copy of every supplement thereto (if any).

(2) The copies delivered to the Director under this section shall be kept for the purpose of record in such place or manner or otherwise dealt with or disposed-off in such manner or for such purposes.

PART III
PROVISIONS RELATING TO LICENSING

Powers of the
Director

7. In exercising the powers conferred on him by section 5(e) of the Act, the Director may delegate licensing functions to the officers responsible for newspaper registration and licensing under his supervision.

Application for
license

8.-(1) Any person who intends to own a print media outlet in Tanzania shall be required to fill an application form accompanied by-

- (a) certificate of incorporation or any other form of legal registration;
- (b) a business plan containing vision, mission, policy of the media outlet, place of and nature of the media business and other particulars such as curriculum vitae, certified copies of academic certificates and names of editors;
- (c) dummy of the intended media layout; and
- (d) pay prescribed fee as provided for in the Schedule to these Regulations.

(2) Government offices, institution, departments, independent agents and regional or local government authorities or diplomatic entities, may, upon submission of a letter from Chief Executive Officer or any other authorized person apply for the ownership of print media on their own or form joint ownership with other entities recognized in law.

(3) Any license granted under the Act and the provisions of these Regulations shall be renewed after every one year.

(4) The renewal made under sub-regulation (3) shall be made to the Director, upon -

- (a) submitting an application for renewal;
- (b) submission of annual performance report; and
- (c) payment of prescribed renewal fee.

(5) Where the Director is of the opinion that registration of a particular print media outlet requires a bond, he may direct such bond to be created of such sum as specified in the Schedules to these Regulations.

(6) Every bond required by this Act shall be executed in the presence of a Magistrate or Commissioner for Oaths.

(7) Every bond required shall be conditioned-

- (a) for the payment of any monetary penalty that may at any time be imposed or adjudged against the licensee or any person acting for him in his absence upon his conviction for any offence under the Act and relating to the printing or publication of a licensed publication and of all such damages and costs as may be awarded; and
- (b) for the payment to the plaintiff any action or proceeding brought at any time after the execution of the bond in respect of any matter printed.

(8) A bond entered into under this regulation may be enforced before any court of law in the same manner as a bond created under any other laws.

Failure to submit documents and make presentation

9. Where an applicant fails to-

- (a) submit documents or other information as required under these Regulation; or
- (b) appear on a date scheduled by the director for presentation of business plan, without any prior information; or
- (c) adhere to any other policy or written laws,

the Director may reject the application and inform the applicant in writing, unless such applicant shows up and adduces good reasons.

Physical address
of a print media
licensee

10. An applicant of a license shall be required to have a physical address of a place within the United Republic of Tanzania and shall provide particulars of such address to the Director.

(2) A print media licensee may change the physical address of the print media subject to submitting to the Director the following things-

- (a) a dully filled prescribed form of a notice of change;
- (b) payment of fees as provided in the Schedule.

Change of
particulars

11. A print media licensee may change its name or any other particulars upon submitting to the Director for approval-

- (a) an application in a prescribed form;
- (b) payment of fees as prescribed in these Regulations;
- (c) relevant documents as may be necessary from other relevant authorities.

Payment of fees

12.-(1) A print media licensee shall be required to pay annual fees to the Information Services Department of such amount as provided for in the Schedule to these Regulations

(2) A print media licensee shall be required to pay to the Information Services Department renewal fees as provided for in the Schedule to these Regulations.

Initial fee

13.-(1) For the implementation of regulation 7, the Director shall issue an invoice to the successful applicant to pay the initial license fees before the grant of license.

(2) Where, within one month from the date of issuance of the invoice the applicant fails to pay the initial fee, the Information Services Department may reject that application.

(3) The Director may extend the period for one month upon request by the applicant, and upon showing good cause

for such extension, save that, the Information Services Department shall not have power to grant further extension.

Requirement to provide and maintain information

14.-(1) A print media licensee shall be required to provide and maintain such information as may enable the Director to carry out its functions under the Act in such manner and at such times as he may request.

(2) The Director shall have the right to request the print media licensee to submit periodic reports, statistics and other data as well as request additional information with a view to effectively supervising and enforcing effectively the terms of the license.

(3) In carrying out supervisory functions over license conditions, the Director or through responsible officers dealing with licensing matters, may at any time when there is a reasonable belief as to a breach of license conditions, summon, warn or recommend to relevant organs for further action.

Transfer or assignment of rights or obligations

15.-(1) A print media licensee shall not assign, transfer, dispose of any rights or obligations or in any manner alienate the license or any part thereof unless otherwise apply for a new license or other changes of particulars.

(2) Notwithstanding the provision of sub-regulation (1), the print media licensee shall have full discretion to appoint agents or sub-contractors to enable it to properly and efficiently exercise its rights and carry out its obligations in terms of the license.

Contradiction of specific Regulations

16. Where any provision of these Regulations is incompatible with any provision of the Regulations issued in relation to a specific licensed service, the provisions of these Regulations shall prevail.

PART IV
ACCREDITATION AND PRESS CARD

Eligibility for
Accreditation

17.-(1) A person shall be eligible for accreditation as a professional journalist if that person is from the following cadre -

- (a) editors, reporters, freelancers, correspondents, photographers, news producers and radio and television broadcasters working with media houses;
- (b) foreign journalist;
- (c) students pursuing media, mass communication, journalism or related field; or
- (d) members of the public with outstanding service for the media profession.

(2) A person eligible for accreditation under sub-regulation (1)(a) shall be-

- (a) a holder of a diploma or degree in journalism or media related studies from a recognised institution offering journalism or such related studies; or
- (b) a holder of any other degree and a diploma or higher in media related studies.

(3) A foreign journalist shall be accredited in accordance with the provision in these Regulations.

Temporary
accreditation for
students doing
practical
journalism

18.-(1) A student pursuing media related studies, shall be eligible for a temporary accreditation for purposes of apprenticeship to practice as professional journalist upon production of-

- (a) a student identity card;
- (b) letter of introduction from the academic institution; or
- (c) a letter of recommendation from a media house or any other institution offering space for apprenticeship.

(2) A temporary accreditation shall cease on the date prescribed on the press card.

- Life membership accreditation
- 19.-(1) A life membership accreditation shall be provided to-
- (a) distinguished members in journalism profession; or
 - (b) journalist served in a top level positions for a long time; or
 - (c) individuals who have significantly contributed to the development of media industry and journalism profession.
- (2) The Board may, in its own discretion and from time to time, award life membership accreditation to distinguished members of the society.
- Requirements for accreditation
20. Notwithstanding the provision of regulation 17, a person shall apply to be accredited upon submission of the following-
- (a) in case of local journalist-
 - (i) a letter from the employer;
 - (ii) certified copies of academic certificates;
 - (iii) three clear passport size photograph; and
 - (iv) proof of payment of accreditation fees as prescribed in the Schedule.
 - (b) in case of foreign journalist-
 - (i) filled prescribed form;
 - (ii) a letter from the media house;
 - (iii) payment of fees prescribed in the Schedule; and
 - (iv) copy of a passport.
- Press card
- 21.-(1) A press card may be granted to the accredited journalist upon fulfilment of the conditions provided under these Regulations.

(2) A holder of a press card shall observe the following conditions-

- (a) a press card shall not be transferable;
- (b) a press card shall not be a substitute to an invitation card; and
- (c) a press card shall not warrant access to restricted areas or functions.

(3) Where a press card is lost or destroyed, the holder may, upon fulfilment of the conditions provided under these Regulations apply for renewal.

Cancelation of a press card

22. The Board may withdraw or cancel the issued press card if it is satisfied that-

- (a) the journalist has violated professional code of ethics; or
- (b) the journalist has violated national laws and policies.

Duration of press card

23. A press card granted to a journalist shall be valid for a period of two years save for life time accreditation, temporary and foreign press cards granted for specified purpose under these Regulations.

PART V

COORDINATION OF GOVERNMENT ADVERTS

Government advertisement agent.

24.-(1) Pursuant to the powers conferred to the Director under section 5(1) of the Act, the Information Services Department shall be the official Government advertising agent.

(2) In carrying out the functions under sub regulation (1), the Director shall designate such number of officials to coordinate the activities thereof in an efficient and effective manner.

Submission of advertisements

25.-(1) All Government Ministries, Departments, Agencies, Institutions as well projects with over fifty percent (50%) government funding and Local Government Authorities shall channel their adverts through the Information Services Department for synchronisation before being published or broadcasted.

(2) The Director shall have sole and exclusive authority to decide which medium to use in publishing or broadcasting the submitted adverts subject to budget set for by the accounting officers.

(3) The accounting officers of all such institutions stated under sub-regulation (1) shall be responsible to set aside funds for the adverts in their annual budgets and effect payment accordingly as soon as the same have been published or broadcasted.

(4) Subject to sub-regulations (1) and (2), the accounting officers or Chief Executive Officer of the institutions, as the case may be shall, when submitting to the Department, prescribe the size, frequency and budget of the advert.

(5) In carrying out the functions under this provision, the Information Services Department may charge up to ten percent (10%) of the total cost of the adverts at market rate obtained from the service vendors at that particular time as administrative commission for the service.

PART VI
GENERAL PROVISIONS

Appeals from the Director or the Board

26.-(1) A person aggrieved by the decision of the Director when exercising the powers specified under Part II of the Act may, within thirty days from the date of such decision appeal to the Minister.

(2) A person aggrieved by the decision of the Board when exercising its powers specified under part III of the Act

may, within thirty days from the date of decision appeal to the Minister.

(3) The appellant under this regulation shall be required to state his grievances.

(4) The grievances referred to under sub-regulation (3) shall be accompanied by the documents necessary to enable the Minister to understand and determine the matter.

Procedures
related to powers
of the Director

27.-(1) In exercising powers conferred under section 9(b) of the Act, the Director may-

(a) issue a default notice to the licensee and demand for written defence to be made within a specified time; or

(b) summon the licensee to appear before him and make an oral defence.

(2) The Director shall, upon receiving the written defence or hearing the oral defence from the licensee, he shall determine the matter.

(3) The licensee may, when a defence under sub-regulations (1)(a) and (b), produce evidence or avail witnesses necessary to enable the Director to determine the matter.

(4) In the event that the licensee decides to remain silent or refuses to make any defence within the prescribe time in the notice or summons the Director shall proceed to determine the matter.

General search
and perusal of
records

28. (1) Any person who intends to search or peruse documents or records relating to print media licensing under the Director's custody, may apply in writing.

(2) The application referred to under sub-regulation (1) shall be availed upon payment of the fees prescribed in the Schedule.

SCHEDULES

FIRST SCHEDULE

(Made under regulations 4(4), 8(5), 10(2)(b) and 12(1) & (2) and 28)

FEES

(a) *Licensing fees*

<i>S/N</i>	<i>CATEGORY</i>	<i>AMOUNT OF FEES</i>
	<i>initial license fee</i>	<i>Tsh 1,000,000/=</i>
	<i>annual license fee</i>	<i>Tsh. 1,000,000/=</i>
	<i>any change of particulars</i>	<i>Tsh. 300,000/=</i>
	<i>transfer of ownership fee</i>	<i>Tsh. 1,000,000/=</i>
	<i>annual importation license fee</i>	<i>Tsh. 1,000,000/=</i>
	<i>Minimum licensing bond</i>	<i>Tsh. 100,000,000/=</i>
	<i>Perusal and search fees</i>	<i>Tsh. 20,000/=</i>

(b) *Accreditation fees*

(i) *Local journalists*

<i>S/N</i>	<i>CATEGORY</i>	<i>AMOUNT OF FEES</i>
	<i>accreditation fee</i>	<i>Tshs. 100,000/=</i>
	<i>student fee</i>	<i>Tshs. 20,000/=</i>
	<i>replacement fee</i>	<i>Tshs. 50,000/=</i>

(ii) *Foreign journalists*

<i>S/N</i>	<i>CATEGORY</i>	<i>AMOUNT OF FEES</i>
	<i>accreditation fee</i>	<i>USD. 50</i>
	<i>renewal/replacement</i>	<i>USD. 100</i>

SECOND SCHEDULE

(Made under section 19(2) of the Media Services Act)

FORMS

AC.1

THE UNITED REPUBLIC OF TANZANIA
THE INFORMATION SERVICES DEPARTMENT



Attach 3
passport size
photos

APPLICATION FOR ACCREDITATION
[LOCAL JOURNALISTS]

PART: A

1. First Name(s)Surname.....
2. Date of birth:.....
3. Place and Country of birth
4. Nationality:
5. Media House:
6. Position:
7. Physical Address:
8. Academic Qualifications (Cert./dip/degree etc)
9. Experience in media industry (total years)

VERIFICATION

I..... the applicant do herein verify that all what is stated in items 1,2,3,4,5,6,7,8 and 9 above are true to the best of my knowledge and that any false information may attract legal action.

Signature.....Date.....

PART: B
ATTACHMENTS

1. Recommendation letter from the media house/Academic institution;
2. Certified Copies of academic certificate(s) and/or transcript(s)/students ID cards.
3. Three passport size photo.

PART C
(For Official Use)

1.
Approved/rejected.....
Remarks.....
Name:.....Signature Title

AC.2

**THE UNITED REPUBLIC OF TANZANIA
THE INFORMATION SERVICES DEPARTMENT**



Attach 3
passport size
photos

(Made under section 19(2) of the Media Services Act)

**APPLICATION FOR ACCREDITATION
(FOREIGN JOURNALIST)**

PART: A

1. First Name(s) Surname.....
2. Date of birth:.....
3. Place and Country of birth
4. Nationality:
5. Pass port No.....
6. Media House:
7. Position:
8. Address of the media House:
9. Purpose and duration of visit.....
.....

VERIFICATION

I.....the applicant herein do verify that all what I have stated above in items 1,2,3,4,5,6,7,8 and 9 above are true to the best of my knowledge and that any false information may attract legal action.

Name.....Signature.....Date.....

**PART: B
ATTACHMENTS**

1. Recommendation letter from the media house; copy of Passport; proof of accreditation from country of origin (if any); and three passport size photos.

PART C

FEES

1. Foreign applicants for accreditation shall be required to pay fee of 500 USD.
2. In case of film and documentary works, an additional filming permit fee is required.

PART: D
(for official use)

1. Approved/rejected.....
2. Remarks.....
.....

Name: Signature Title.....

CP 1

THE UNITED REPUBLIC OF TANZANIA
THE INFORMATION SERVICES DEPARTMENT



NOTICE OF CHANGE OF PARTICULARS

WHEREAS I/WE, the undersigned, was/were duly registered pursuant to the provisions of the Media Services Act on the..... Day of200.... under the license number.....

AND WHEREAS a change/changes has/have occurred/been made in respect of the particulars registered hereinafter mentioned.

Now I/WE the undersigned, hereby give you Notice that on this day of 20.....the following change/changes occurred/were made in the particulars registered, that is to say (state the changes):-

.....
.....
.....
.....

Dated at this day of200.....

Name:Signature
Title.....

*Attach proof of payment of prescribed change of particular fees

**THE UNITED REPUBLIC OF TANZANIA
THE INFORMATION SERVICES DEPARTMENT**



(Made under section 8 of the Media Services Act)

APPLICATION FOR A PRINT MEDIA LICENCE

**PART: A.
PARTICULARS OF APPLICANT**

1. Name(s) and address of the Applicant.....
P.O Box.....House
No.....street.....
City/town.....telephone.....email.....
2. Position in the Company.....

**PART: B.
PARTICULARS OF THE COMPANY**

3. Name of the company/legal entity:.....
4. Names, shares and nationality of the shareholders (if exceeds four attach a separate sheet):
(a)
(b).....
5. Main object of the company/legal entity.....
.....

VERIFICATION

I.....the applicant herein do verify that all what I have stated above in items 1,2,3,4, and 5 above are true to the best of my knowledge and that any false information may attract legal action.

Name.....Signature.....Date.....
...

PART: C
ATTACHMENTS

2. The application shall be accompanied by, among other things, certificate of incorporation or any other form of legal registration/letter from Chief Executive Officer; Business Plan with CVs of editors and journalist and copies of academic certificate; and dummy of the intended media layout.

PART: D
(For Official Use)

3. Approved/rejected with reasons.....
4. Remarks.....
.....

Name: Signature Title.....

THE UNITED REPUBLIC OF TANZANIA
THE INFORMATION SERVICES DEPARTMENT



APPLICATION FOR RENEWAL OF PRINT MEDIA LICENCE
(Made under section 8 of the Media Services Act)

PART: A.
PARTICULARS OF APPLICANT

1. Name(s) and address of the Applicant.....
P.O Box.....House No.....street.....
City/town.....telephone.....email.....
2. Position in the Company.....

PART: B.
PARTICULARS OF THE LICENSE

3. Name and address of Company/proprietor.....
HouseNo.....street.....City/town.....
.....telephone.....fax.....
4. License no.....
5. Expiry date:

VERIFICATION

I.....the applicant herein do verify that all what I have stated above in items 1,2,3,4 and 5 above are true to the best of my knowledge and that any false information may attract legal action.

Name.....Signature.....Date.....
...

PART: B
ATTACHMENTS

1. A copy of the expiring license;
2. Annual performance report (number of staff, sources of funds, conduct of business etc)
3. Tax clearance certificate, compliance to social security, health/risk insurance.

PART: D
(For Official Use)

1. Renewed/rejected with reasons.....
 2. Remarks.....
-
- Name: Signature Title.....

Dodoma,
30th January, 2017

NAPE M. NNAUYE
Minister for Information, Culture, Arts and Sports