



**LESOTHO
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LEGAL NOTICE NO. 19 OF 2007

Broadcasting Classification Regulations 2007

Pursuant to section 64(1) of the Lesotho Communications Authority Act 2000¹, I,

MPHO 'MELI MALIE

Acting Minister of Communications, Science and Technology make the following Regulations.

Citation and commencement

1. These Regulations may be cited as Broadcasting Classification Regulations 2007 and shall come into operation on the date of publication in the Gazette.

Interpretation

2. In these Regulations, unless the context otherwise requires-

“**Act**” means Lesotho Telecommunications Authority Act 2000 as amended

“**broadcasting**” means any unidirectional electronic communications intended for reception by the public or any part thereof, conveyed by means of radio frequency spectrum or any electronic communications system or any combination thereof, and “broadcast” shall be construed accordingly;

“**broadcasting service**” means any service which consists of broadcasting;

“**broadcaster**” means any person or entity authorised to broadcast.

PART II – CLASSIFICATION OF BROADCASTERS

Classification of broadcasters

3. Broadcasting services shall be classified into the following categories-

- (a) public broadcaster;
- (b) private broadcaster;
- (c) commercial broadcaster; and
- (d) community broadcaster.

Public Broadcaster

4. Public broadcaster shall-

- (a) provide coverage for the whole country at all times;
- (b) serve all sectors of the society equitably;
- (c) provide service that realizes aspirations of the nation as regards democracy, development and nation building;
- (d) be a platform for voter education;
- (e) be accessible to all political parties and independent candidates on a fair and non-discriminatory basis, particularly during election campaigns;
- (f) contribute in bridging the digital divide by providing transmission access to other broadcasters where it is technically feasible to do so, at a reasonable fee, taking into account classification of such broadcasters; and
- (g) be funded by Parliament appropriations and by such funds as it may raise in the cause of its business.

Private Broadcaster

5. Private broadcaster shall-
 - (a) be owned and controlled by individuals or organisation who, or which, is so permitted by law;
 - (b) operate on a non-profit making basis; and
 - (c) have a right to provide coverage to such areas as they deem desirable, provided there is available spectrum to support such coverage.

Commercial Broadcaster

6. Commercial broadcaster shall-
 - (a) be owned and controlled by individuals or companies,
 - (b) operate to generate profit; and
 - (c) have a right to provide coverage as may be necessary to achieve commercial objectives provided there is available spectrum to support such coverage.

Community Broadcaster

7. Community broadcaster shall-
 - (a) be owned and controlled by specific communities;
 - (b) transmit programs that-
 - (i) are determined by, and
 - (ii) realise aspiration of,
a community that owns such broadcaster;
 - (c) operate on a non-profit making basis; and
 - (d) provide coverage that will enable transmission access to members of the community.

**PART III
MISCELLANEOUS**

Transitional

8. An existing broadcaster before coming into operation of these Regulations shall apply to the Authority to be assigned a classification in terms of these Regulations within 3 months of commencement date of these Regulations.
9. A broadcaster that fails to comply with Regulation 8 above shall be classified as commercial broadcasters and such classification shall have the effect of classification made in accordance with Regulation 8.

**MPHO 'MELI MALIE
ACTING MINISTER OF COMMUNICATIONS, SCIENCE AND
TECHNOLOGY**

NOTE

1. Act No. 5 of 2000 as amended by Act No. 4 of 2006