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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

MINISTRY OF LAW, JUSTICE AND HUMAN RIGHTS

*Islamabad, the 3rd November, 2007.*

No.2(1)/2007-Pub.—The following Ordinance promulgated by the President is hereby published for general information:—

ORDINANCE NO. LXV OF 2007

AN

ORDINANCE

*to amend the Pakistan Electronic Media Regulatory Authority Ordinance, 2002*

WHEREAS it is expedient further to amend the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002), for the purposes hereinafter appearing:

AND WHEREAS the National Assembly is not in session and circumstances exist which render it necessary to take immediate action:

(1155)

[1506/2007 (Ex. Gaz.)]

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NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title and commencement.**—(1) This Ordinance may be called the Pakistan Electronic Media Regulatory Authority (Third Amendment) Ordinance, 2007.

(2) It shall come into force at once.

2. **Amendment of section 20, Ordinance XIII of 2002.**—In the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002), hereunder referred to as the said Ordinance, in section 20,—

- (a) in clause (d), after the word “rules” the words “and regulations” shall be inserted;
- (b) in clause (h), at the end, the word ‘and’ shall be omitted; and
- (c) in clause (i) for the full stop at the end, a semi colon shall be substituted and thereafter the following new clauses shall be added, namely:—
  - (j) not broadcast video footage of suicide bombers, terrorists, bodies of victims of terrorism, statements and pronouncements of militants and extremist elements and any other act which may, in any way, promote, aid or abet terrorists activities or terrorism;
  - (k) ensure that no anchor person, moderator or host propagates any opinion or acts in any manner prejudicial to the ideology of Pakistan or sovereignty, integrity or security of Pakistan.
  - (l) not broadcast any programme inciting violence or hatred or any action prejudicial to maintenance of law and order;
  - (m) not broadcast anything which defames or brings into ridicule the Head of State, or members of the armed forces, or executive, legislative or judicial organs of the state;
  - (n) not broadcast any programme or discussion on a matter which is sub-judice; and
  - (o) not broadcast anything which is known to be false or baseless or is *malafide* or for which there exist sufficient reasons to believe that the same may be false, baseless or *malafide*.”

3. **Amendment of section 25, Ordinance XIII of 2002.**—In the said Ordinance, in section 25, in clause (d), after the word "organization" the words "including any foreign non-governmental organization" shall be added.

4. **Amendment of section 27, Ordinance XIII of 2002.**—In the said Ordinance, in section 27, after the word "operator" the words "or owner" shall be inserted.

5. **Insertion of section 27-A, Ordinance XIII of 2002.**—(1) In the said Ordinance, after section 27, following new section shall be inserted, namely:—

"27A *Prohibition of foreign broadcasts.*—A person who is issued a broadcast media licence or a landing rights permission under this Ordinance shall not enter into an agreement with any foreign broadcaster to sell its air time or otherwise provide its air time to another foreign broadcaster without prior written permission of the Authority."

6. **Amendment of section 29, Ordinance XIII of 2002.**—In the said Ordinance, in section 29, in sub-section (6), for the word "one" the word "ten" shall be substituted.

7. **Amendment of section 30, Ordinance XIII of 2002.**—In the said Ordinance, in section 30,—

(a) in sub-section (1), for clause (b), the following shall be substituted, namely:—

"(b) the licensee has contravened any provision of this Ordinance or rules or regulations made thereunder or an order passed under section 27"; and

(b) after sub-section (3), the following new sub-section shall be inserted, namely:—

"(4) Notwithstanding anything contained in sub-section (5) of section 29 or any other provision of this Ordinance, where the Authority takes action under sub-section (3) without notice by reason of necessity in the public interest, the Authority or the Chairman, as the case may be, may seize broadcast or distribution service equipment or seal the premises of the licensee;

Provided that in a situation of emergency the Authority or the Chairman may direct closure of any broadcast or distribution network for such period as it may determine."

8. **Amendment of section 31, Ordinance XIII of 2002.**—(1) In the said Ordinance, in section 31, after sub-section (2), the following new sub-sections shall be added, namely:—

"(3) Notwithstanding anything contained in this Ordinance the live coverage of incidents of violence and conflict shall not be broadcast.

- (4) A licensee or permission holder shall ensure that nothing is transmitted or broadcast in violation of the provisions of this Ordinance, rules, regulations and Code of Conduct and for this purpose shall install time delay equipments within its system to prevent any such violation.”

9. **Amendment of section 33, Ordinance XIII of 2002.**—In the said Ordinance, in section 33,—

(a) for sub-sections (1) and (2) the following shall be substituted, namely:—

- (1) Any broadcast media licensee or its representative who violates or abets violation of any provision of this Ordinance shall be punishable with imprisonment for a term which may extend to three years or with a fine which may extend to ten million rupees or with both.
- (2) Any distribution service licensee or its representative who violates or abets violation of any provision of the Ordinance shall be punishable with imprisonment for a term which may extend to one year or with a fine which may extend to five million rupees or with both.”

10. **Substitution of section 34, Ordinance XIII of 2002.**—In the said Ordinance, for section 34 following shall be substituted, namely:—

“34. *Offences to be cognizable and compoundable.*—The offences under this Ordinance shall be cognizable and compoundable.”

11. **Omission of section 34-A, Ordinance XIII of 2002.**—In the said Ordinance, section 34-A shall be omitted.

GENERAL  
PERVEZ MUSHARRAF  
*President.*

JUSTICE (RETD.)  
MIAN MUHAMMAD AJMAL,  
*Principal Secretary.*