

Nigeria Broadcasting Code

@ National Broadcasting Commission

First Published in 1993

First Reviewed in 1996

Second Review in 2002

FOREWORD

Broadcasting is increasingly and dramatically taking the centre-stage in our lives. It is the emerging phenomenon that transcends politics, boundaries and ethnic barriers. In Nigeria, as in other nations, broadcasting is steadily becoming an economic indicator in terms of investments in the industry and recruitment of personnel.

With the establishment of the National Broadcasting Commission (NBC) in 1992 the broadcast industry has taken a giant leap. A leap unprecedented in the history of broadcast development. There are currently more than 250 broadcast stations (both public and private) in the country. This figure reflects somewhat astronomical rise in both private and public stations.

The preponderance of stations, the plurality of views and opportunities for choice also present a myriad of challenges to regulators. The wonderful repositioning of the industry by information and communication technology has added a new dimension to all this.

The Commission draws its strength from Act 38 of 1992, and Act 55 of 1999, as amended, which not only made the establishment of the Commission possible, but also gave it the instruments for regulating broadcasting in the country. Specifically section 2(1) sub-section 'h' of Act 38 states that the Commission shall have the responsibility of "establishing and disseminating a National Broadcasting Code and

setting standards with regards to the content and quality of materials for broadcast”.

In June 2002, the Commission hosted Chief Executives of public and private broadcast stations in Minna for four days to deliberate on and produce this revised edition of the Nigeria Broadcasting Code. I am proud to say that having sat with the executives throughout the stormy exercise, we produced the Code, which is not in any way tempered with by the Commission resulting from the Minna summit. Instead, we have re-edited the documents and, in doing so, removed unpardonable print errors without changing the substance of the text.

The Code is therefore a document produced by the Commission in conjunction with, and endorsed by Nigerian broadcasters in order to have a level-playing ground for all stakeholders.

As a Code of Conduct document for broadcasters, it is demanded that our licensees respect its provisions without exception. Broadcasting which exists to lend credence to freedom of speech, must necessarily be seen to be conducted with the highest standards of responsibility and credibility. The Commission demands nothing less from our licensees

I want to seize this opportunity to present the Code to all broadcasters and to enjoin Chief Executives of all stations to circulate it widely to their staff and keep at least one copy in their core departments or directorates for easy reference. The

document is also recommended to Mass Communication students, broadcast consultants and broadcast minded citizens.

On our part, we shall discharge our duty devoid of the antics and tactics of a hawk. We shall, as much as possible, employ the spirit of the law in dealing with broadcast stations. We will not hesitate to apply the letters of the law where necessary.

S. B. YISA (PhD)
Director General
September 2003

Table of Contents -----

Chapter One	Citation and Application	6
Chapter Two	Licensing	24
Chapter Three	Programming	41
Chapter Four	Programmes	48
Chapter Five	News and Current Affairs Programmes	59
Chapter Six	Sports and Outside Broadcast	68
Chapter Seven	Sponsorship	70
Chapter Eight	Advertising	73
Chapter Nine	Technical	87
Chapter Ten	Reporting Procedures and Sanctions	138
Chapter Eleven	Glossary of Definitions	147
Appendix 1	National Broadcasting Act No. 38 of 1992	154
Appendix 2	National Broadcasting Commission Act No. (Amendment) 55 of 1999	168
Appendix 3a	National Broadcasting Commission Sound Broadcasting	174
Appendix 3b	National Broadcasting Commission Television Broadcasting	176

Chapter One

CONTENTS

1.0.0	CITATION AND APPLICATION
1.1.0	CHARACTER OF BROADCASTING
1.2.0	DEREGULATION OF BROADCASTING IN NIGERIA
1.3.0	THE COMMISSION'S MAIN FUNCTIONS
1.4.0	CHALLENGES TO THE INDUSTRY
1.5.0	THE OBJECTIVES OF BROADCASTING IN NIGERIA
1.6.0	BROADCAST CURRICULA
1.7.0	LAWS AND PROFESSIONAL STANDARDS
1.8.0	STATIONS IDENTIFICATION/CALL SIGN
1.9.0	LOGGING OF TRANSMISSIONS
1.10.0	CONTINUOUS OFF-AIR RECORDING OF TRANSMISSIONS AND INSPECTION
1.11.0	DECODER
1.12.0	QUALITY CONTROL
1.13.0	STATIONS' RESPONSIBILITY TO STAKEHOLDERS
1.14.0	APPROVAL OF MAJOR ACTIVITIES
1.15.0	PROGRAMME SCHEDULE
1.16.0	EXCLUSIVITY OF PROGRAMME SOURCING
1.17.0	DECLARATION

	APPLICABLE SANCTION
<p>1.0.0 CITATION AND APPLICATION</p> <p>1.1.0 Citation</p> <p>This document shall be known as the Nigeria Broadcasting Code hereafter referred to as “The Code”.</p> <p>1.0.2 Application</p> <p>The Code represents the minimum standard for broadcasting in the Federal Republic of Nigeria. The Code shall be applied in the spirit as well as the letter, in accordance with the professional ideals of broadcasting.</p> <p>1.1.0 CHARACTER OF BROADCASTING</p> <p>1.1.1 Broadcasting is a most potent mass medium. Its combination of audio and video technology makes it capable of reaching audiences simultaneously, and availing man with the best means of information dissemination and reception. It thus enables the individual to share in, and contribute to the best of his ability, to the world around him. By means of broadcasting, every Nigerian is expected to partake of ideas</p>	

and experience that will enrich his life and help him live in a complex, dynamic and humane society, as envisaged by the Constitution.

Broadcasting in Nigeria, should influence societal values positively; and in so doing improve and strengthen the social, cultural, economic, political and technological values of the nation and set agenda for public good. Nigerian broadcasting shall essentially match the best in the profession anywhere in the world, yet be distinctly Nigerian, projecting the best and discouraging the worst in the society. In other words, the cardinal responsibility of broadcasting is to inform, educate and entertain, shall not be at the expense of national interest, unity and cohesion of Nigeria's diverse social, cultural, economic, political and religious configuration.

No broadcast shall encourage, or incite to crime, lead to disorder, be offensive to public feeling, contain an offensive reference to any person, alive or dead, or generally be disrespectful to human dignity.

1.2.0 DEREGULATION OF BROADCASTING IN NIGERIA

On August 24, 1992, the Federal Military Government promulgated the National Broadcasting Commission Decree No. 38 (now an Act No. 38), deregulating the broadcasting industry and establishing the National Broadcasting Commission to regulate the entire industry. This ended over 50 years of government sole ownership of broadcasting. The responsibilities were further expanded by the National Broadcasting Commission (Amendment) Decree No. 55 of 1999, now an act of the National Assembly (here-in-after referred to as Act No. 55)

1.3.0 THE COMMISSION'S MAIN FUNCTIONS

Unlike other media of mass communication, the airwaves, which radio and television utilize, belong to the public. Thus, universally, broadcasting is controlled in the public interest by a regulatory agency. The body set up to perform this duty in Nigeria is the National Broadcasting Commission (here-in-after referred to as the Commission), which has the following as its

<p>main functions, as provided in section 2(1) of Act No. 38 and Act No. 55.</p> <ul style="list-style-type: none"> a. advising the Federal Government generally on the implementation of the National Mass Communication Policy with particular reference to broadcasting; b. receiving, processing and considering applications, for the establishment, ownership or operation of radio and television stations, including: <ul style="list-style-type: none"> i. cable television services, direct satellite broadcast and any other media of broadcasting; ii. radio and television stations owned, established or operated by the Federal, State or Local Government; iii. radio and television stations owned and operated by private organisations, c. recommending applications through the Minister of Information to the President, Commander-in-Chief of the Armed Forces, for the grant of radio and television licences; d. regulating and controlling the broadcast industry; 	
---	--

<ul style="list-style-type: none"> e. undertaking research and development in the broadcast industry; f. receiving, considering and investigating complaints from individuals and corporate bodies regarding the contents of a broadcast and the conduct of a broadcasting station; g. upholding the principles of equity and fairness in broadcasting; h. establishing and disseminating a national broadcasting code and setting standards with regard to the contents and quality of materials for broadcast; i. promoting Nigerian indigenous cultures, moral and community life through broadcasting; j. promoting authentic radio and television audience measurements and penetration; k. initiating and harmonizing government policies on transborder direct transmission and reception in Nigeria; l. regulating ethical standards and technical excellence in public, private and commercial broadcast stations in Nigeria; m. monitoring broadcasting for harmful emission, interference and illegal broadcasting; 	
---	--

<p>n. determining and applying sanctions including revocation of licences of defaulting stations which do not operate in accordance with the broadcast Code and in the public interest;</p> <p>o. approving the transmitter power, location of stations, areas of coverage as well as regulate types of broadcasting equipment to be used;</p> <p>p. ensuring qualitative manpower development in the broadcasting industry by accrediting curricula and programmes for all tertiary training institutions that offer Mass Communication and other courses related to broadcasting;</p> <p>q. intervening and arbitrating in conflicts in the broadcasting industry;</p> <p>r. ensuring strict adherence to the national laws, rules and regulations relating to the participation of foreign capital in relation to local capital in broadcasting;</p> <p>s. serving as national consultants on any legislative or regulatory issues on the broadcasting industry;</p> <p>t. guaranteeing and ensuring the liberty and protection of the broadcasting industry with due respect to the law, and</p>	
--	--

- u. carrying out such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on it under, or pursuant to this Act.

1.4.0 **CHALLENGES TO THE INDUSTRY**

The Code is designed to ensure a free and responsible broadcasting in Nigeria, and to stimulate the contribution expected of broadcasting in a truly democratic society. Thus broadcasting must satisfy, amongst others, the following needs of society:

- a. truthful, comprehensive and intelligent account of each day's national and international events that have significant impact on the Nigerian community;
- b. an impartial access to the nation's daily intelligence, made equally available to everyone;
- c. a forum for the exchange of comment and criticism representing every stratum of the society, as required in a federal state like Nigeria, in which the views and opinions of everyone is included in the national consensus;

d. a means of projecting the opinions and attitudes of the groups in society to one another, such as the balancing of information flow between the rural and urban, government and the governed, and the presentation and clarification of the goals and values of the society.

1.5.0 **THE OBJECTIVES OF BROADCASTING IN NIGERIA**

In the performance of its functions, the Commission is guided by the following broad objectives, which are in line with Nigeria's Fundamental Objectives and Directive Principles of State Policy, as set out in the Constitution of the Federal Republic of Nigeria:

1.5.1 **Social Objective**

- a. To provide a functional level of general education for the Nigeria populace, irrespective of their educational background. Specifically, broadcasting is to:
 - i. promote generally accepted social values and norms especially civic and social responsibilities;
 - ii. promote the acquisition or pursuit of knowledge;

<p>iii. disseminate, impartially, news and opinions in a manner encouraging meaningful and articulate dialogue and discussion of issues of public interest;</p> <p>iv. promote the physical, mental and social well-being of the people;</p> <p>v. foster the spirit of self-discipline, self-sacrifice and self-reliance; and,</p> <p>vi. encourage respect for the dignity of man.</p> <p>b. Broadcasting organizations shall recognize that they exercise freedom of expression as agents of society, not for any special personal or sectional rights, privileges and needs of their own, or of their proprietors, relatives, friends or supporters.</p> <p>c. Broadcasting should promote values and norms, which foster the well-being and co-operation of the various groups of the Nigerian society..</p> <p>1.5.2 Cultural Objectives</p>	
---	--

The cultural objectives of broadcasting shall encompass various aspects of community life including aesthetics, religion, ethics, philosophy, language, history and the arts.

Broadcasting shall, among others:

- a. Seek, identify, preserve and promote Nigeria's diverse cultures;
- b. select, critically, the positive aspects of foreign cultures for the purpose of enriching the Nigerian culture;
- c. develop and promote the application of indigenous aesthetic values;
- d. promote the development of a high level of intellectual and artistic creativity;
- e. foster generally acceptable moral, ennobling and spiritual values.

1.5.3 **Economic Objectives**

The economic objectives of broadcasting should be consistent with the nation's economic goals which include the building of:

- a. a united, strong and self-reliant nation;
- b. a just and egalitarian society;

- c. a great and dynamic economy; and
- d. a land of bright and full opportunities for all citizens.

Broadcasting should therefore

- a. monitor trends and developments in production process;
- b. promote knowledge of available products and services through programmes and advertisements;
- c. foster the spirit of hardwork and productivity to improve the quality of life of the people; and,
- d. encourage the production and consumption of local products to achieve self-sufficiency and self-reliance..

1.5.4 **Political Objectives**

Broadcasting shall contribute to the development of national unity and participatory democracy. Therefore, the political objectives of Broadcasting shall be to:

- a. create and promote political awareness amongst the people to achieve a democratic society;
- b. inculcate in the people the spirit of tolerance of all shades of opinions; and,

- c. promote social justice based on the responsibilities and rights of the individual in the society.

1.5.5 **Technological Objectives**

The nation's abundant natural and human resources shall be exploited to the advantage of the people.

Broadcasting shall therefore:

- a. keep the people abreast of technological developments;
- b. promote and encourage the study of science and technology;
- c. promote the spirit of self-reliance and engender the development of indigenous technology; and
- d. promote a scientific and rational attitude to life by encouraging research.

1.5.6 **Professional Objectives**

Broadcasting is a specialized section of the media industry with its own mode of professionalism, demands a high level of specialization and professional skills, some of which are as set out by the Code. Broadcasting, therefore, is to ensure

- | | |
|--|--|
| <ul style="list-style-type: none">a. the development of professionalism by the recruitment and training of personnel; who at the point of entry shall, at least, possess Ordinary National Diploma (OND) in broadcast related fields;b. that only professionals with at least 10 years post qualification shall head core departments, divisions and directorates;c. that only professional broadcaster, with at least 15 years post qualification in broadcasting, shall be made Chief Operations Officer of a broadcast station;d. that Nigerian talents and facilities shall be used as much as possible in the production of programmes including advertisements;e. meaningful investment in research and development; andf. job security with appropriate remuneration is guaranteed. <p>Therefore, the Commission shall intercede in instances where unjust removal of a broadcaster is established</p> | |
|--|--|

1.6.0 **BROADCAST CURRICULA**

Subject to the provisions of Acts No. 55, tertiary institutions with faculties of broadcast related studies and other relevant disciplines shall incorporate the following in their curricular:

- a. broadcast regulation;
- b. broadcast law and new initiatives;
- c. educational and instructional broadcasting;
- d. copyright law;
- e. advertisement;
- f. web casting;
- g. internet;
- h. any other technological development affecting the industry.

1.7.0 LAWS AND PROFESSIONAL STANDARDS

The broadcasting objectives will be best achieved if all those involved in the production and transmission of programmes adhere to the following laws:

- a. The Constitution of the Federal Republic of Nigeria
- b. NBC Act 1992 No. 38; as amended by NBC Act 1999 of No. 55.
- c. NTA Cap. 329 LFN 1990 as amended by section 22(1) of the NBC Act;

- d. FRCN Act Cap. 140 LFN 1990 as amended by section 22 (1) of the NBC Act;
- e. Wireless Telegraphy Act Cap. 469 LFN 1990 as amended by section 22(2) of the NBC Act;
- f. Laws of libel and sedition;
- g. Laws relating to matters pending before the law courts or judicial bodies;
- h. The official Secrets Act Cap. 335 LFN 1990;
- i. The Copyright Act Cap. 68 LFN 1990 and the amendment;
- j. APCON Act and Code of Practice;
- k. NFVCB Act No. 38 of 1993;
- l. Relevant sections of the Electoral laws and guidelines;
- m. Relevant sections of the NAFDAC Act 1993 No. 38;
- n. Any other Federal laws relating to broadcasting;
- o. International treaties/obligations relating to broadcasting, to which Nigeria is a signatory.

1.8.0 **STATION IDENTIFICATION/CALL SIGN**

<p>The Commission recognizes that call signs/station identification logo/slogans are meant to establish the broadcast identity for stations.</p>	
<p>1.8.1 Before being put to use, such call signs/identification logo/slogans shall be registered with and approved by the Commission on the basis of first come first served and shall broadcast every 30 minutes, or at the next available programme junction.</p>	
<p>1.8.2 For television, cable retransmission, MMDS and satellite transmission, the station identification logo shall be permanently displayed.</p>	
<p>1.8.3 With the exception of legitimate information captions, only station's logo shall be permanently displayed. Programmes titles shall be displayed at the beginning, bridging point and at the end if the need arises.</p>	<p>CLASS C</p>
<p>1.9.0 LOGGING OF TRANSMISSION</p>	
<p>1.9.1 All transmissions of a station, including test transmissions, shall be logged in accordance with paragraph 6 of the Third Schedule of Act No. 38 and paragraph 7 of Acts No. 55.</p>	<p>CLASS C</p>
<p>1.9.2 Pursuant to 1.9.1, all stations shall maintain the following operations log book containing:</p>	<p>CLASS C</p>

<ul style="list-style-type: none"> a. a daily transmission log book; b. programmes; c. music; d. advertisement; e. studio operation and maintenance; f. transmitter operation and maintenance; g. links operation and maintenance 	CLASS B
<p>1.9.3 A station shall be responsible for any misrepresentation in its log books.</p>	
<p>1.10.0 CONTINUOUS OFF-AIR RECORDING OF TRANSMISSION AND INSPECTION</p> <p>1.10.1 Pursuant to paragraphs 6 and 7 of the third schedule of Act No. 38 and Paragraph 7 of Act No. 55, every broadcast shall be recorded off transmission, and such recordings retained by the station for not less than three (3) months.</p>	
<p>1.10.2 In compliance with the regulatory and supervisory functions of the Commission, stations are to produce, on demand to the Commission, the script and recorded tape of any transmitted programme.</p>	CLASS B
<p>1.11.0 DECODER</p> <p>In consonant to section 2(L) (m) in NBC Act No. 38 of 1992 and amended Act No. 55 of 1999, all licenses that provide</p>	CLASS B

<p>encryption service shall avail the Commission all the facilities required for monitoring.</p> <p>a. forward to the Commission all monitoring equipment(s) including decoders, dish, antenna, poles etc for each programme channel on their bouquet.</p> <p>b. avail the Commission the viewing of all channels at all times.</p>	<p>CLASS B</p>
<p>1.12.0 QUALITY CONTROL</p> <p>For the purpose of quality control, stations shall constitute an internal monitoring mechanism to preview and certify every programme as fit for broadcast and scheduled in its appropriate belt, according to the provisions of the Code.</p>	<p>CLASS B</p>
<p>1.13.0 STATIONS' RESPONSIBILITY TO STAKE HOLDERS</p> <p>1.13.1 Pursuant to section 2(1)(d) of Act No. 38 expanded by section 2(1)(u) of Act No. 55, each station shall discharge its financial, and social responsibilities and commitments to all stakeholders.</p>	
<p>1.13.2 Such obligations include the following:</p> <p>a. regular payment of staff;</p> <p>b. regular payment of the stipulated financial obligations to all its stakeholders;</p> <p>c. timely and accurate financial returns to the Commission;</p>	<p>CLASS B</p>

- d. job security for staff;
- e. protection of staff against the vagaries and hazards of their professional functions;
- f. reasonableness in the review of advertising, subscription and other charges/rates.

CLASS B

1.14.0 APPROVAL OF MAJOR ACTIVITIES

Before stations shall forward to the Commission for consideration any broadcast-related agreement or transaction that affects the terms of the licence of a broadcast station.

1.15.0 PROGRAMME SCHEDULE

Broadcast stations shall forward to the Commission the programmes schedule and synopsis of new programmes, on quarterly or monthly basis. Such programme schedule and synopsis shall be submitted to the Commission, at least three weeks before a new quarter.

1.16.0 EXCLUSIVITY OF PROGRAMME SOURCING

1.16.1 In Nigeria the coverage of sporting and other major national events shall not be exclusive to any station. Such programme shall be made available to other operators under mutually negotiated terms.

CLASS B

1.16.2 Where the Commission needs to arbitrate its decision shall be

CLASS C

<p>final and binding on all parties.</p> <p>1.17.0 DECLARATION</p> <p>The National Broadcasting Commission affirms that it shall co-operate with, encourage and protect stations, but firmly ensure that they adhere to all provisions of all laws and the Code governing broadcasting in Nigeria.</p>	<p>CLASS B</p>
<p>Chapter Two</p> <p>LICENSING</p> <p>CONTENTS</p> <p>2.0.0 LICENSING PROCEDURE</p> <p>2.1.0 CATEGORIES OF LICENCES</p> <p>2.2.0 APPLICATION FOR LICENCE</p> <p>2.3.0 TERMS OF LICENCE</p> <p>2.4.0 COMMUNITY BROADCASTING</p> <p>2.5.0 CAMPUS BROADCASTING</p> <p>2.6.0 NETWORKING</p> <p>2.7.0 AFFILIATION POLICY</p> <p>2.8.0 SYNDICTION</p> <p>2.9.0 CHANGE OF EFFECTIVE CONTROL OF OWNERSHIP OF BROADCAST STATION</p> <p>2.10 DIRECT BROADCAST SATELLITE (DBS) (DIRECT-TO-HOME)</p>	<p>CLASS B</p>

2.11.0	TRANSBORDER DIRECT TRANSMISSION AND RECEPTION IN NIGERIA	
2.13.0	BROADCAST EQUIPMENT DEALERS' LICENCE	
2.14.0	PROCEDURE FOR PUBLIC HEARING	
2.15.0	PUBLIC HEARING FOR COMPLAINTS	
2.16.0	COMPLAINTS	
2.17.0	SUSPENSION OF PROCEEDINGS	
2.18.0	MODE OF PUBLIC HEARING	
2.0.0	CATEGORIES OF LICENCE	
2.0.1	<p>The Commission shall consider applications for licences in the following categories:</p> <ul style="list-style-type: none"> a. networking; b. affiliations; c. syndication; d. satellite broadcasting (local, regional and global); e. free to air radio FM, AM, SW; f. free to air television (Terrestrial); g. cable satellite/cable/retransmission/MMDS; h. direct broadcast satellite (Direct-to-home and Direct-to-Dish); community broadcasting; <ul style="list-style-type: none"> i. campus broadcasting ii. rural broadcasting i. wireless programme distribution 	

- j. equipment dealership licence; and
- k. manufacturing licence

2.2.0 APPLICATION FOR LICENCE

In addition to requirements of section 9, 11 and 25 of Act No. 38 and Act and Act No. 55, applicants are also to fulfil other conditions provided for in the Code.

2.2.1 Where there are more interests than the available frequencies, there shall be an auction process on conditions to be determined by the Commission from time to time.

2.3.0 TERMS OF LICENCE

The terms of licence shall be provided for in the Third Schedule of Act No. 38 and other provisions in the Code, which shall be complied with at all times.

2.4.0 COMMUNITY BROADCASTING

Due to its immense benefit to communal life, community broadcasting is desirable.

2.4.1 Pursuant to section 2(1)(b) and (c) of Act No. 38, a community broadcast station shall be licensed subject to the following conditions:

- a. operations shall be community based;
- b. programme content shall cater to the communal needs;

<p>c. key operatives of the station shall as much as possible, be members of the community.</p>	<p>CLASS B</p>
<p>2.4.2 Where a licensee decides to transmit programmes, except as otherwise provided under a condition of its licence, the licensee shall not convey on the community channel any programming service other than:</p> <ul style="list-style-type: none"> a. community programming; b. an announcement promoting broadcasting services that the licensee is authorised to provide; c. a public service announcement; d. an information programme funded by and produced for a Federal, State or Local government or agency or a public service organisation; e. a feedback programme of the government or administration or legislature of the local government or community in which the undertaking is located; f. a commercial message that mentions or displays the name of a person who sponsored a community event or the goods, service or activities sold or promoted by the person, if the mention or display is in the course of, and incidental to the production of, community programming relating to the event; g. an oral or a written acknowledgement contained in community programming that mentions no more than the name of a person, the goods, services or activities that are 	<p>CLASS A</p>

being sold or promoted by the person and their address and telephone number, if the person provided direct financial assistance for the community programming in which the acknowledgement is contained.

- h. an oral or written acknowledgement contained in community programming that mentions no more than the name of a person, the goods or services provided by the person and their addresses and telephone numbers, if the person provided the goods and services free of charge to the licensee for use in connection with the production of the community programming in which the acknowledgement is contained.

2.4.3 Other conditions as may be determined by the Commission from time to time.

2.5.0 **CAMPUS BROADCASTING**

Campus broadcasting is a form of community broadcasting.

2.5.1 In addition to the provisions of Acts No. 38 and 55, the conditions for licensing a campus broadcast outfit shall include:

- a. transmission within the confines of the campus area only;
- b. campus broadcast shall conform to all the provisions of the Code;
- c. it shall be used basically to promote learning;

<p>d. shall avoid as much as possible, foreign contents, except for instructional purposes;</p> <p>e. there shall be no campus transmission, installation of equipment or any form of broadcasting activity without the consent of the Commission.</p>	
<p>f. campus broadcast shall not be more than six hours daily;</p>	<p>CLASS A</p>
<p>g. the Head of broadcast-related Departments shall be the operational head of the station;</p>	<p>CLASS B</p>
<p>h. the authority to run the station shall be a corporate body registered under the Companies and Allied Matters Act, whose shares shall be wholly owned by the University;</p>	<p>CLASS A</p> <p>CLASS C</p>
<p>i. the University Council must give an undertaking to use the station to promote learning, peace, unity, cohesion and not to incite, intimidate, threaten or disrupt peaceful co-existence on the campus.</p>	<p>CLASS A</p> <p>CLASS B</p>
<p>2.6.0 NETWORKING</p> <p>Given her size, culture and religious diversity, commercial and National interests, networking, is desirable in Nigeria.</p>	<p>CLASS A</p>
<p>2.6.1 Pursuant to the provision of section 2(1)(b) and (c) of Act No. 38, the Commission shall recommend for the grant of all</p>	<p>CLASS A</p>

<p>licence for every form of Network.</p> <p>2.6.2 Subject to 2.6.1 above where the Commission proposes to recommend the grant of a licence for Networking, it shall, in consideration of an application, be satisfied that the applicant:</p> <ul style="list-style-type: none"> a. is a Nigerian company licensed for broadcast operations; b. is a corporate body registered under the Companies and Allied Matters Act and whose majority shares are owned by citizens of Nigeria; c. ensure that shares ownership shall spread across the country; d. has operated a broadcasting station for at least ten years; e. has effective financial, professional and technical profile and capability in terms of personnel and broadcast equipment; f. has programming profile that fosters national unity, cohesion, stability and respects local sensitivities; g. is necessarily national, with affiliates to cover the geographical spread of Nigeria, i.e. there shall be no permanent regional Network; h. accepts pluralism of ideas and opinion as a guiding principle; i. accepts that all Grade A broadcasts, sports and entertainment may be transmitted on network; and j. observes other conditions for operations of a network which shall be determined by the Commission from time to time for inclusion in a Memorandum of Understanding. 	<p>CLASS B</p>
--	-----------------------

2.6.3 The responsibility for every network broadcast shall be collectively borne by all affiliates of the Network;	
2.6.4 In consonance with section 10 of Act No. 38 there shall be no religious or political network broadcast.	
2.6.5 The Commission shall determine from time to time the number of networks appropriate for Nigeria.	
2.7.0 AFFILIATION POLICY	
2.7.1 A licensee shall not enter into an affiliate agreement with any station or person without the approval of the Commission.	CLASS B
2.7.2 An affiliate with a broadcast license shall continue to discharge its responsibilities to its primary target audience, based on terms of its original license.	CLASS A
	CLASS B
2.7.3 Other conditions for affiliation as may be determined by the Commission from time to time.	
2.8.0 SYNDICATION	CLASS B
2.8.1 Pursuant to section 2 (1)(b), and (c) and (d) of Act No. 38, all broadcast programmes syndicating companies operating within Nigeria, shall be licensed.	CLASS A
2.8.2 Stations within a syndicate shall not transmit same	

<p>or a person who has, directly, or indirectly, effective control of the license, or</p> <p>iv. who owns less than 50 percent of the issued common shares of a person who has, directly or indirectly, effective control of the licence, owning 50 percent or more of those shares but not having, directly or indirectly effective control of the license;</p> <p>c. a person together with an associate</p> <p>i. who controls less than 30 percent of voting interest of the license, having control of 30 percent or more of those interests</p> <p>ii. who control less than 30 percent of the voting interest of a person who has, directly or indirectly, effective control of the license, having control of 30 percent or more of those interests</p> <p>iii. who owns less than 50 percent of the issued common shares of the license, owning 50 percent or more of those shares but not having, directly or indirectly effective control of the licence.</p> <p>2.9.3 A licensee shall notify the Commission, within 30 days thereafter, of the occurrence of any act, agreement or transaction that, directly or indirectly, resulted in:</p> <p>a. a person alone</p>	
---	--

<p>i. who controls less than 20 percent of voting interests of the license, having control of 20 percent or more but less than 30 percent of those interests</p> <p>ii. who controls less than 20 percent of the voting interests of a person who has, directly or indirectly, effective control of the license, having control of 20 percent of those interests</p> <p>iii. who control less than 40 percent of the voting interests of a person who has , directly or indirectly, effective control of the license, having control 40 percent or more but less than 50 percent of those interests but not having directly or indirectly, effective control of the license, or</p> <p>b A person together with an associate</p> <p>i who control less than 20 percent of the voting interest of the license , having control of 20 percent or more but less than 30 percent of those interest</p> <p>ii who control less than 20 percent of the voting interest of a person who has , directly or indirectly, effective control of the license , having control of 20 percent of those interests</p> <p>iii who control less than 40 percent of the voting interests of the license, having control of 40 percent or more but less than 50 percent of those interests but not having, directly or indirectly, effective control of the license, or</p> <p>iv who controls less than 40 percent of the voting interests</p>	<p>CLASS A</p>
---	-----------------------

<p>of a person who have directly or indirectly, effective of the license, having control of 40 percent or more but less than 50 percent of those interests, but not having, directly or indirectly, effective control of the license.</p> <p>2.9.4 A notification referred to in subsection (2) shall set out the following information:</p> <ul style="list-style-type: none"> a. the name of the person or the names of the persons and the associate; b. the percentage of the voting interests controlled by the person or by the persons and the associate; c. a copy or a complete description of the act, agreement or transaction. <p>2.10.0 DIRECT BROADCAST SATELLITE (DBS) (DIRECT-TO-HOME)</p> <p>2.10.1 Satellite Broadcasts shall be licensed by the Commission in the following categories:</p> <ul style="list-style-type: none"> a. national; b. regional; 	<p>CLASS A</p>
---	-----------------------

c. global.	CLASS A
2.10.2 In consonance with its mode of operations, a DBS license shall be granted under the following conditions:	
a. signals shall be encoded; i.e. received through a decoder	
b. signals shall not be opened to terrestrial stations for live broadcasts.	CLASS B
2.11.0 TRANSBORDER DIRECT TRANSMISSION AND RECEPTION IN NIGERIA	CLASS B
2.11.1 Pursuant to section 2(1) (k) of Act 38, where the signals of a foreign station are received and transmitted by stations operating in Nigeria, such foreign stations shall be licensed in accordance with section 2(1)(b) and (c).	CLASS B
2.11.2 Nigeria stations transmitting the signals of a foreign station shall obtain prior approval from the Commission.	CLASS B
2.11.3 With the exception of programmes on special religion and sports, Nigeria stations shall not hook on live to foreign programmes.	CLASS B
2.11.4 In both cases the agreement between the Nigerian and foreign stations shall be approved by the Commission.	CLASS A
2.11.5 The onus of prove of any breach therefrom shall be on the Nigerian station relaying such broadcast.	

<p>2.11.6 The principle of reciprocity in programme exchange shall be adhered to in this matter.</p> <p>2.12.0 BROADCAST EQUIPMENT DEALERS LICENCE</p> <p>2.12.1 Pursuant to the provisions of section 14 sub-section 4 of Act No. 55, the Commission shall licence broadcast-related equipment manufacturers, dealers, marketers and handlers. Therefore, interested persons shall:</p> <ul style="list-style-type: none"> a. register with the National Broadcasting Commission; b. pay licence fee; c. allow inspection visits to their premises; d. keep the register of broadcasting sets manufactured, imported, or offered for sale, indicating year of manufacture, design, serial number and other relevant information; <p>2.12.2 For purposes of standardization and quality control, all broadcast equipment manufactured, imported, installed or offered for sale, shall comply with the technical standards, provided in the Code, or as stipulated by the Commission from time to time.</p> <p>2.13.0 LICENCE RENEWAL</p> <p>2.13.1 In all cases, the renewal of licences shall be entertained.</p> <p>2.13.2 Pursuant to paragraph 2 of the Third Schedule of Act No. 38 of 1992 and paragraph 2A and 2B of Act No. 55 of 1999, the</p>	<p>CLASS A</p>
---	-----------------------

following conditions shall apply:

- a. the breaches profile and level of adherence to the Code shall be strong determinants in the bid for licence renewal;
- b. where an interview is required regarding a licence, the licensee and head of operations shall attend;
- c. public hearing shall take place within the locality of the station to enable the community make an input into the renewal process.

2.14.0 **PROCEDURE FOR PUBLIC HEALING**

2.14.1 Where the Commission proposes to hold a public hearing, it shall cause the licensees, at their own expense, to broadcast over their own facilities a notice of the public hearing, stating:

- a. the day fixed for the commencement of the public hearing;
- b. the nature of the matters to be heard at the public hearing.

2.14.2 The Commission shall establish a public hearing Committee;

2.14.3 The Commission shall notify the station of the date and place for the hearing as the chairman of the committee shall direct.

2.14.4 The Commission shall publish a notice on the application in one or more newspapers within the area normally served by the station to which the public hearing relates.

2.14.5 No application may be amended or varied and no supplementary or additional document may be filed, after a notice in respect thereof has been published except with permission of the Commission and upon such terms and conditions as may be determined.

2.15.0 **PUBLIC HEARING FOR COMPLAINTS**

2.15.1 Each station shall be made to adhere to the Code through:

- a. monitoring by the National Broadcasting Commission; and
- b. observations and complaints by an individual, a broadcast station or corporate body.

2.15.2 Complaint(s) originating from 2.15.1(b) to the Commission shall contain the following:

- a. the **name** of the station;
- b. the **title** of the programme;
- c. the **day** and **date** of the broadcast;
- d. the **time** of the broadcast;
- e. the **essence** of the complaint or observation, such as objectionable content, absence of fairness, obscenity, technical shortcomings, etc.

2.16.0 **COMPLAINTS**

2.16.1 Where a person wishes to lodge a complaint to the

<p>Commission with respect to any matter within the powers of the Commission, he shall mail or deliver to the Secretary to the Commission a brief written submission signed by him.</p> <p>2.16.2 Where the Commission is satisfied that it would be in the public interest to hold a public hearing in connection with a complaint, the Commission shall notify the person(s) or Station(s) against whom the complaint is made, the date and place of the hearing.</p> <p>2.16.3 Where a complaint is made on behalf of a group of person(s) or an organisation, such a representative shall file such evidence of his authority to speak on behalf of the group or organisation, as the Commission may require.</p> <p>2.17.0 SUSPENSION OF PROCEEDINGS</p> <p>2.17.1 The Commission may require any person, who is a party to any proceedings before it, to provide such information, particulars or documents as it may require and may adjourn the proceeding until such a time as it receives such materials.</p> <p>2.18.0 MODE OF PUBLIC HEARING</p> <p>2.18.1 Public hearing shall take place in public and in the locality of the station.</p> <p>2.18.2 However, part of the hearing may be conducted in private, if the Commission is satisfied that:</p>	
---	--

- a. evidence that may be given is of a confidential nature;
- b. the evidence of a public hearing may constitute a danger to public or national security.

2.18.3 Witnesses at a public hearing may be examined orally upon oath or affirmation.

2.18.4 Only affirmative evidence of relevance to the subject of public hearing may be adduced before the committee.

2.18.5 The Commission may, where it deems it advisable, direct that written briefs or oral argument be adduced and such shall be admitted by the committee.

2.18.6 The Commission shall publish the outcome of the public hearing within two weeks of the hearing and the decisions shall become effective from the date of the publication or on such date as may be stated.

2.18.7 The outcome of the public hearing is binding on all parties

Chapter Three

<p>PROGRAMMING</p> <p>CONTENTS</p> <p>3.0.0 PROGRAMMING</p> <p>3.1.0 PREAMBLE</p> <p>3.2.0 STRAIGHT DEALING</p> <p>3.3.0 GENERAL GUIDELINES</p> <p>3.4.0 ACCURACY, OBJECTIVITY AND FAIRNESS</p> <p>3.5.0 INTEGRITY</p> <p>3.6.0 AUTHENTICITY</p> <p>3.7.0 GOOD TASTE AND DECENCY</p> <p>3.8.0 MORALITY AND SOCIAL VALUES</p> <p>3.9.0 WOMEN</p> <p>3.10.0 CRIME, LAW AND ORDER</p> <p>3.11.0 VIOLENCE, CRUELTY AND HORROR</p> <p>3.12.0 NEGOTIATION OF FOREIGN AND LOCAL CHARGES</p> <p>3.0.0 GENERAL GUIDELINES</p> <p>3.1.0 PREAMBLE</p> <p>3.1.1 In furtherance of its responsibility of ensuring that radio and television stations produce and transmit broadcast materials</p>	
---	--

<p>that serve the interest of the nation and its constituent group, the Commission establishes these guidelines for Programmes, News and Current Affairs, Sponsorships Promotion as well as Technical Outputs.</p>	CLASS B
<p>3.2.0 STRAIGHT DEALING</p> <p>The objectives of broadcasting in Nigeria are designed to further the goals of democracy and socio-economic development. These objectives challenge the broadcasting industry to assume a major role in the establishment of democratic culture in Nigeria. One of the ways to do this is that all programmes produced and/or broadcast, shall display a transparent concern for fair-play, honesty and integrity. Straight dealing requires that all the objectives of a programme be clearly evident at every stage of its production.</p>	CLASS A
<p>3.3.0 PROGRAMMING GUIDELINES</p> <p>3.3.1. As contained in paragraph 4 of the Third Schedule of Act 38 as amended by Act No. 55 "a licensee shall be responsible for the contents of the station's broadcast".</p> <p>3.3.2 Piracy and all copyright related offences are unethical and therefore prohibited.</p> <p>3.3.3 Each programme shall be introduced by continuity announcement or visual aid.</p>	CLASS B

3.3.4 No programmes shall be cut off mid-way except in the event of technical failure or to make way for Breaking News. All such interruptions shall be logged.	CLASS B
3.4.0 ACCURACY, OBJECTIVITY AND FAIRNESS	CLASS B
3.4.1 Any information given in any programme, in whatever form, shall be presented accurately.	CLASS B
3.4.2 All sides to any issue of public interest shall be adequately presented to ensure fairness.	CLASS A
3.4.3 A broadcaster must acknowledge his or her own inherent biases and prejudices, and transparently rise above subjective mindsets.	CLASS B
3.4.4 The Right of Reply shall be guaranteed to any person(s) or body with a genuine claim to misrepresentation.	CLASS A
3.4.5 It is professionally mandatory to forthrightly admit a mistake once clearly established and fully effect reasonable remedy.	CLASS A
3.5.0 INTEGRITY The inclusion of elements within any programme, dictated by factors other than professional requirements, is forbidden. In particular, quiz and similar programmes that are presented as	

contests of knowledge, information, skill or luck, must be genuine and the results must not be controlled by collusion with, or amongst contestants, or any other action, which will favour one contestants against any other.	CLASS A
3.6.0 AUTHENTICITY	CLASS B
3.6.1 Fictional events or non-factual materials shall not be presented as real.	CLASS B
3.6.2 Presentations that are deceptive or misleading are forbidden.	
3.6.3 Archival or library materials shall be clearly identified.	CLASS B
3.7.0 GOOD TASTE AND DECENCY	CLASS B
3.7.1 Obscene, pornographic or vulgar language, expressions, presentations and representations are forbidden.	
	CLASS B
3.7.2 The sanctity of marriage and family life shall be promoted and strictly upheld.	
3.7.3 Physical and mental disability shall not be exploited or presented in a manner embarrassing to the disabled or member of their family.	CLASS B
3.7.4 The use of lewd or profane expressions, except in an especially relevant situation, shall be avoided.	CLASS B

<p>3.8.0 MORALITY AND SOCIAL VALUES</p>	<p>CLASS B</p>
<p>3.8.1 X-rated programmes shall not be broadcast.</p>	<p>CLASS B</p>
<p>3.8.2 Cruelty, greed, selfishness and revenge shall not be portrayed as desirable human values.</p>	<p>CLASS B</p>
<p>3.8.3 programmes belts shall be strictly respected especially children and the family belt.</p>	<p>CLASS B</p>
<p>3.8.4 Drunkenness, drug addiction, and robbery shall not be presented, except as destructive habits to be avoided or denounced.</p>	<p>CLASS B</p>
<p>3.8.5 Sex-related crimes such as adultery, prostitution, rape bestiality, homosexuality, lesbianism, incest etc shall not be presented, except as destructive practices to be avoided or denounced.</p>	<p>CLASS B</p>
<p>3.8.6 Criminal tendencies shall be presented as undesirable while programmes promoting orderliness and righteous living shall be extolled.</p>	<p>CLASS B</p>
<p>3.8.7 Excessive portrayal of physical suffering and pain or dead bodies or blood, except for the purpose of conveying a message, which must be processed with a caution, shall be avoided.</p>	<p>CLASS B</p>

3.8.8 Liquor consumption and smoking shall be shown only when consistent with plot and character development.	CLASS B
3.8.9 Suicide shall not be treated as an acceptable solution to human problems.	CLASS B
3.8.10 The portrayal of nudity and sexual scenes and expression is justifiable only in context; however, it shall be presented with tact and discretion.	CLASS B
3.8.11 Ostentatious life-style shall not be extolled.	CLASS B
3.9.0 WOMEN	CLASS B
3.9.1 Womanhood shall be presented with respect and dignity.	
3.10.0 CRIME, LAW AND ORDER	CLASS B
3.10.1 Language or scene likely to encourage or incite to crime, or to lead to disorder is forbidden.	CLASS B
3.10.2 The treatment of commission of crime in a frivolous manner, or in a manner seeming to condone it, is forbidden.	
3.10.3 Law enforcement shall be upheld at all times in a manner depicting that law and order is socially superior to, or more desirable than crime.	CLASS B

3.11.0 VIOLENCE, CRUELTY AND HORROR	CLASS B
3.11.1 the portrayal of violence or horror for its own sake shall be avoided.	
3.11.2 Violence shall not be portrayed as a desirable trait or preferred means to an end.	CLASS B
3.11.3 Depicting of violence should be relevant to character development or to the advancement of the theme or plot.	CLASS B
3.11.4 Violence should not be depicted as glamorous.	CLASS B
3.11.5 Consequences of violence on the perpetrators shall be depicted.	CLASS B
3.11.6 Scenes showing excessive pain or physical suffering are not acceptable.	
3.11.7 The portrayal of dangerous behaviour, which could invite imitation, should be avoided.	CLASS A
3.11.8 In times of tension, broadcasters shall employ tact and good judgement in programming to allay fears, calm frayed nerves and emphasize tolerance, patience and peaceful resolution of disagreement.	

<p>3.12.0 NEGOTIATION OF FOREIGN AND LOCAL PROGRAMME CHARGES</p> <p>3.12.1 The National Broadcasting Commission shall regulate charges for foreign programmes where it is established that owners are charging either differentially, or unreasonably, compared with what obtains in other comparable parts of the world, or where one or a number of interested stations are being deliberately denied right to participate.</p> <p>3.12.2 A similar regulatory process shall be applied in the case of local programmes.</p> <p>Chapter Four</p> <p>PROGRAMMES</p> <p>CONTENTS</p> <p>4.0.0 PREAMBLE</p> <p>4.1.0 DISCUSSION PROGRAMMES</p> <p>4.2.0 CHILDREN'S PROGRAMMES</p>	<p>CLASS A</p>
--	-----------------------

4.30	RELIGIOUS PROGRAMMES	
4.4.0	EDUCATIONAL AND CULTURAL PROGRAMMES	
4.5.0	MUSIC AND MUSICALS	
4.6.0	LOCAL CONTENT	
4.7.0	FOREIGN CONTENT	
4.8.0	RECORDING BY FOREIGN ENTITIES	
4.0.0	PREAMBLE	
	All programmes including News and Current Affairs shall adhere to the general guidelines of legality decency and truthfulness, as well as general guidelines enumerated in chapter three.	
4.1.1	Nigerian folklores and values shall be promoted.	
4.1.2	Programmes in foreign languages shall not be transmitted without sub-titles in the official language, except sports where the audio is only complementary, or religious programmes where the foreign language is easily understood by the adherents.	CLASS B
4.1.3	Transmission of local programmes in Nigerian languages shall have sub-titles in the official language to allow a general audience appeal.	CLASS C

4.1.4 Any movie not classified as Suitable For Broadcast (SFB) shall not be transmitted.	CLASS C
4.1.5 Any content classified as Not To Be Broadcast (NTBB) is prohibited.	
4.1.6 At least 20 percent of the material for television programmes shall be produced directly or indirectly by the stations.	CLASS B
4.2.0 DISCUSSION PROGRAMMES	CLASS B
4.2.1 Panellists in a discussion programme shall reflect the various viewpoints.	
4.2.2 Panellists shall be of comparable status.	CLASS C
4.2.3 Where a discussion excludes any important or newsworthy area, or where further developments have taken place after the recording, it shall be stated at the beginning of the broadcast.	CLASS C
4.3.0 CHILDREN'S PROGRAMMES	CLASS C
4.3.1 Materials likely to adversely affect the sensitivities and sensibilities of children shall be avoided.	
4.3.2 Any programme which violates social values, shows disrespect for law and order, or departs from an honourable life-style, is for-	CLASS C

bidden.	
4.3.3 X-rated programmes shall not be broadcast.	CLASS B
4.3.4 Swearing or blasphemous language of any kind shall be avoided.	CLASS B
4.3.5 The depicting of conflict shall be handled with sensitivity and maturity.	
4.3.6 Children shall be protected from racial inferiority or other complexes resulting from careless or deliberate comparison or information.	CLASS B CLASS B
4.3.7 Violence and crime shall not be glamourised, or go unpunished in children's programmes.	CLASS B
4.3.8 Foreign folklores and values shall be presented with care to avoid undue influence on children at an impressionable age.	CLASS B
4.3.9 Symbols shall be designed to denote children and adult programmes.	CLASS B
4.3.10 Television stations shall devote at least one hour daily to children's programmes.	CLASS C

4.3.11 The identity of children involved in crime or other negative social incidents shall be protected in news and programmes.	CLASS C
4.4.0 RELIGIOUS PROGRAMMES	
4.4.1 PREAMBLE	CLASS B
Opportunities for religious programming shall be made available to various religions in the community.	CLASS B
4.4.2 Equitable airtime shall be provided to the various religions in the community	
4.4.3 Religious programmes shall be presented respectfully and accurately.	CLASS B
4.4.4 Religious broadcasts, over whose content members of a specific religion exercise control, shall be presented by responsible representatives of the given religion or sect.	CLASS B
4.4.5 Religious broadcasts shall not contain any attack on, or ridicule any other religion or sect.	CLASS B
4.4.6 Religious broadcasts shall be particular in terms of content to its creed, and shall not be presented in a manner to mislead the public.	CLASS B

4.4.7 A programme promoting religion in any form, shall present its claim, especially those relating to miracles, in such a manner that is provable and believable.	CLASS B
4.4.8 Religious rites or rituals involving cruelty and obscenity, shall be avoided, except in programmes designed specifically to teach the beliefs of a religion.	CLASS B
4.4.9 Notwithstanding the above, religious broadcast shall not exceed 10% of the total weekly airtime of any station.	CLASS B
4.5.0 EDUCATIONAL AND CULTURAL PROGRAMMES	CLASS B
4.5.1 Instructional programmes shall be presented with accuracy and decency.	CLASS B
4.5.2 A person producing or presenting an instructional programme shall be adequately qualified to do so.	CLASS B
4.5.3 All programmes shall reflect the Nigerian educational curricular and shall promote academic knowledge among scholars and students.	CLASS B
4.5.4 Treatment of subjects shall avoid sensationalism or appeal to the prurient interest or morbid curiosity of the audience.	CLASS C
4.5.5 Programmes presenting genuine artistic or literary materials shall	

avoid sensationalism or exploitation of artists.	CLASS C
4.6.0 MUSIC AND MUSICALS	
4.6.1 A station shall exercise responsibility, good taste and decency in the choice of lyrics, which, in any case, shall not contain lewd, profane or vulgar expressions.	CLASS C
4.6.2 A station shall maintain an accurate log of every music it broadcasts, detailing the name of the piece, the artiste, the duration, the date and the time of broadcast. This shall be preserved for at least 12 calendar months.	CLASS C
4.6.3 Professionalism and good judgement shall be employed in the use of musicals as filler.	CLASS C
4.6.4 Music shall constitute a part of a station's local/foreign content ratio.	CLASS C
4.7.0 LOCAL CONTENT	
4.7.1 Preamble	CLASS C
Stations shall adhere strictly to the local content provisions in the Acts and the Code towards promoting and sustaining Nigerian diverse cultures, moral and community life through broadcasting.	
Stations are to ensure that local content constitutes at least 60 per cent of their daily total hours of programmes transmission.	CLASS C

<p>4.7.2 Pursuant to Section 4.6.4 of the Code, and for the purpose of clarity, local content means a television or radio programme produced by: a broadcast licensee; or</p> <p>a a person who is a citizen of and permanently resident in Nigeria; or</p> <p>i. a juristic person, the majority of the directors, shareholders or members of who are citizens of and permanently resident in Nigeria; or</p> <p>ii. in a co-production in which persons referred to in Sub- paragraphs (i), (ii) or have at least a 50 percent financial interest; or</p> <p>iii. persons referred to sub-paragraphs (i), (ii), (iii), or (iv), in circumstances where the prescribed number of the key personnel who are involved in the production of the programme are citizens of and permanently resident in Nigeria, or</p> <p>iv. persons referred in Sub-paragraphs (i), (ii), (iii), or (iv), in circumstance where the prescribed percentage of production costs are incurred in the Federal Republic of Nigeria;</p> <p>v. to a limited extent, a programme not covered by subsection (a) (i-vii) of this section and which is of relevance to Nigeria.</p> <p>b. Independent production means a production of local television or radio content:-</p> <p>i. not produced by or on behalf of a station;</p> <p>ii. by a person not directly or indirectly employed by any broadcasting licensee; or</p>	<p>CLASS B</p>
--	----------------

<p>iii. by a person who is not controlled by or not in control of any broadcasting license;</p> <p>c. A musical work broadcast by a broadcasting service referred to in sub- 4.6.2 shall qualify as 'Nigerian music' if such work complies with at least two of the following requirements, namely:</p> <p>i. if the lyrics (if any) were written by a Nigerian citizen or derived mainly from Nigerian folklore;</p> <p>ii. if the music was written by a Nigerian citizen;</p> <p>iii. if the music or lyrics was or were principally performed by musicians who are Nigerian citizens;</p> <p>iv. If the musical work consists of a performance which is broadcast live or recorded wholly in the Federal Republic of Nigeria.</p> <p>4.7.3 The Commission shall in respect of a broadcast license impose and specify therein such conditions, as prescribed regarding local content and independent production which without derogating from the generality of the fore-going, may include any condition requiring the broadcasting licensee –</p> <p>a. Annually to expend a specified sum of money subject to a reasonable yearly increase or; alternatively a specified</p>	<p>CLASS B</p>
--	----------------

<p>minimum percentage of its gross revenue or programmes which have local contents.</p> <p>b. To allocate a specified minimum percentage of its local broadcasting time to television and radio programmes which have local content;</p> <p>c. In the case where it has state or local affiliates, to allocate a specified minimum percentage of broadcast time to programmes which have been produced in the relevant state or locality;</p> <p>d. To allocate a specified minimum portion of the percentage referred to in paragraphs (a), (b) or</p> <p>e. Whichever is applicable, to a prescribed diversity of television or radio programmes which are of independent production.</p>	
<p>4.7.4 The Commission shall, in relation to a broadcasting service which devotes significant proportion of its time to music, prescribes a condition whereby the licensee is required to broadcast a specified minimum percentage of musical works which qualify as Nigerian music.</p>	<p>CLASS B</p>

4.7.5 In prescribing any amount or percentage referred in sub-section 4.7.3 or 4.7.4, the Commission may consider the application thereof with regards to:-

- a. any of the categories of broadcast licences referred to in section 23 (2) and (4);
- b. defining the viewing and listening times where applicable;
- c. various categories of programmes, where applicable;
- d. the period within the broadcasting, licensee shall comply with the provisions of this section.

4.7.6 A condition imposed in terms of 4.7.3 in respect of any broadcast license shall become binding and enforceable on the licensee concerned on the expiration of a reasonable period not shorter than 18 months, as shall in each case be determined by the Commission and specified on the relevant licence

4.7.7 With a view to exercising its powers in terms of sub-section 4.7.3; 4.7.4, and 4.7.5, the Commission shall, as soon as may be reasonably

practicable, after the commencement of this Act, conduct an inquiry in accordance with the provisions of Section 13 of this Act.	CLASS B
4.8.0 FOREIGN CONTENT	CLASS B
4.8.1 Foreign programmes are permissible only if they convey intrinsic relevance to the enlightenment of the citizenry.	CLASS B
4.8.2 The selection of foreign programmes shall reflect the developmental need of the nation, ensure and respect Nigerian cultural sensibilities.	CLASS B
4.8.3 Stations relaying foreign programmes shall ensure proper acquisition of such programmes. Records of such acquisitions shall be tendered on demand by the Commission.	CLASS B
4.8.4 Licensees of the Commission shall not engage in acts of piracy or violate copyright laws.	CLASS B
	CLASS A

<p>4.8.5 Programming shall observe the approved ratio of not more than 40% for terrestrial and 80% for cable stations in foreign programmes. Music shall constitute a part of a station's local/foreign content ratio.</p>	<p>CLASS A</p>
<p>4.8.6 Stations engaged in Satellite transmission originating in Nigeria are to evolve at least 60% Nigerian and 25% African content in their daily transmission.</p>	<p>CLASS B</p>
<p>4.9.0 RECORDING BY FOREIGN ENTITIES</p> <p>4.9.1 Any recording done by a foreign based entity originating in Nigeria for the purpose of broadcast must be approved by the Commission.</p> <p>4.9.2 At least 60% of its recording crew and facilities shall be Nigerian.</p> <p>4.9.3 Having met the above conditions, such a programme shall qualify as local content.</p>	

Chapter Five

NEWS AND CURRENT AFFAIRS PROGRAMMES

CONTENTS

5.1.0 PREAMBLE

5.2.0 PRESENTATION

5.3.0 POLITICAL COVERAGE

5.4.0 LIVE COVERAGE

5.5.0 NEWS INTERVIEWS

5.6.0 COVERAGE OF CRISES AND EMERGENCIES

5.7.0 NEWS AND CURRENT AFFAIRS

5.1.0 **PREAMBLE**

<p>A broadcast station has a duty to report development and issues of public interest in its news, and is obliged to analyse and comment on them, and shall provide a forum for members of the public to discuss matters arising therefrom.</p>	CLASS B
<p>News and Current Affairs coverage, whether live or recorded, calls for familiarity with the subject, and a clear demonstration of an understanding or appreciation of all sides to the issues, and shall show neither biased involvement nor indifference.</p>	CLASS A
<p>5.1.1 Whether archival or library materials must be used to illustrate a current event, such shall be used with discretion and clearly identified to avoid confusion and causing emotional pain, offence, embarrassment or defamation.</p>	CLASS B
<p>5.1.2 In fulfilment of 5.1.0, each station shall allot to news and related programmes at least 5% of the total daily airtime.</p>	CLASS B
<p>5.1.3 A station approved for monothematic operations may carry only news relating to its theme.</p>	CLASS B
<p>5.1.4 A terrestrial station shall not relay foreign news content directly.</p> <p>This does not preclude the universal practice of using excerpts for news, whose duration shall not exceed three minutes.</p>	CLASS B

5.1.5 Delayed broadcast of news and related programmes from foreign stations shall be permitted only when scripts are re-written and voiced locally.	CLASS B
5.1.6 Sources shall be duly acknowledged.	
5.1.7 News and Current Affairs programmes shall be guided by ethical standards of journalism.	CLASS B
	CLASS B
5.1.8 News stories and special reports shall be factual, presented accurately and impartially.	
	CLASS B
5.1.9 In news, facts shall be sacred, and sources shall be attributed as far as permitted.	
	CLASS B
5.1.10 Commentary or editorializing shall not be passed as news. The use of devices such as "analysts", "observers" etc, shall not be accepted as attributions in a news report.	
	CLASS B
5.1.11 Programmes devoted to the discussion of controversial public affairs shall ensure fairness and balance of views.	
	CLASS C

5.1.12 The selection of news stories shall emphasize good taste, thereby avoiding morbid, sensational, shocking or alarming details that are not essential to conveying the essence of the events being reported, especially stories on politics, crime or sex.	CLASS B
5.1.13 Where language or picture(s) that might offend the public must be used to convey the essence of the message, appropriate warning shall be given prior to the broadcast.	CLASS B
5.1.14 News materials shall not be recreated. However, where a re-enactment of an event becomes necessary, it shall be so stated.	CLASS B
5.1.15 News, commentaries, analyses and editorials shall be clearly identified as such.	CLASS B
5.1.16 Commercials in News and Public Affairs programmes shall be clearly identified and presented in a manner that shall make them clearly distinguishable from the programme content.	CLASS B
5.1.17 The promotion of an organisation, a product or a service of commercial interest shall not be treated as news analysis.	CLASS C
5.1.18 The placement of advertisements in a programme shall be done such that it does not distort the essence of the programme	CLASS C

5.1.19 News is universally accepted as sacred. Sponsorship of news detracts from its integrity and predisposes a bias in favour of the sponsor. Therefore, newscasts shall not be sponsored by the use of commercial backdrops or other devices.	CLASS B
5.2.0 PRESENTATION	
5.2.1 A presenter or anchor on television shall be decently attired.	
5.2.2 Wearing Nigerian attire shall be encouraged to promote Nigerian Culture.	CLASS C
5.2.3 A presenter/anchor handling a phone-in Programmes shall be courteous, and display maturity and sound judgement to ensure that the programme does not lose focus.	CLASS C
5.2.4 A presenter/anchor shall not express an opinion in the Programme.	CLASS B
5.2.5 Such an anchor shall be a purveyor of opinion, and not seek to impose opinion on callers.	CLASS B
5.2.6 A presenter or anchor shall pay careful attention to the correct pronouncement of words and names of persons and places as a matter of professional ethics.	CLASS B

5.2.7 In the event of signals failure, a station shall show respect for The sensibilities of its audience by tendering appropriate apologies.	CLASS C
5.2.8 A programme or news presentation, a continuity or spot announcement shall be properly scripted and rehearsed and presented clearly, accurately and responsibly in keeping with broadcast ethics. Where an unscripted presentation becomes inevitable, every precaution shall be taken by the supervisor to ensure that it is done in a professional manner.	CLASS C
5.3.0 POLITICAL COVERAGE	
5.3.1 PREAMBLE	
5.3.1.0.1.1 Political programmes shall observe the provisions of extant Acts and Electoral laws.	CLASS B
5.3.1.0.1.2 Partisan political broadcasts shall be only those in which the parties seek to explain their views and policies.	CLASS B
5.3.1.0.1.3 Political broadcasts shall be in decent language.	CLASS B
5.3.1.0.1.4 Political broadcasts shall be clearly identified as such, and shall not be presented in a manner that would mislead the audience to believe that the programmes are of any other character.	CLASS B
5.3.1.0.1.5 Stations shall, in using politics as a ready material for news,	

avoid taking inflammatory and divisive matter in its provocative form.	CLASS B
5.3.1.0.1.6 In adherence to the principles of pluralism of ideas and opinion, equal opportunity and air time shall be provided all political parties or views, with particular regard to amount of time and belt during electioneering campaign period.	CLASS B
5.3.1.0.1.7 At campaign periods a log shall be kept by each station's News Division at a level not below Controller or its equivalent, showing the allocation of time to each party with dates, title of programme and other information as may be requested by the Commission, to ensure fairness.	CLASS B
5.3.1.0.1.8 All partisan political broadcasts shall be pre-recorded and the tapes preserved for at least 45 days after first broadcast.	CLASS B
5.3.1.0.1.9 All partisan political broadcasts, campaigns, jingles and announcements shall end not later than twenty-four hours before polling day.	CLASS A
5.3.1.0.1.10 A station or its staff shall not at electioneering time, broadcast the collated sum of votes obtained at different polling stations, or from exit polls, to project or speculate on the candidate who, at airtime, was leading or doing better or worse than his opponent.	CLASS A

5.3.1.0.1.11 A station shall broadcast election results, or declaration of the winner of an election only as announced by the authorized electoral officer for the election	CLASS A
5.3.1.0.1.12 In the interest of fairness and balance and to prevent the monetization of political broadcasts, any form of commercialisation of political news or coverage is prohibited.	CLASS B
5.3.1.0.1.13 However, stations shall take jingles of politicians of all shades of opinion and political parties of not more than 60 seconds.	
5.3.1.0.1.14 While a broadcast producer may interact with politicians in the course of his professional duties, this interaction shall not be such as to lead to the belief that he is either a member or sympathizer of any political party	CLASS B
	CLASS B
5.3.1.0.1.15 It is the responsibility of every station to produce and broadcast activities in the political arena and such productions shall be objective, fair and balanced.	CLASS B
5.3.1.0.1.16 It shall be the duty of broadcast stations to highlight the activities of government. But this shall not be reduced to glamourising persons or personalities or resort to praise singing or denial of access to those with contrary views or or political leaning.	CLASS B

5.3.1.0.1.17 News and programmes shall promote public discussion of political issues.	CLASS B
5.3.1.0.1.18 Panellists shall be of comparable status.	
5.3.1.0.1.19 A station shall adhere strictly to the rules given by the electoral body from time to time.	CLASS A
	CLASS B
5.3.1.0.1.20 A station shall set up a Committee to examine all complaints and appeals from political parties and the general public on political broadcasts during electioneering campaigns, and make appropriate decisions, including the granting of a Right of Reply . The committee's proceedings shall be forwarded to the Director General of the Commission within 24 hours.	CLASS B
5.4.0 LIVE COVERAGE	
5.4.1 Live coverage of public events shall be fair and balanced.	
5.4.2 The live coverage of public events, especially of demonstrations and disturbances, shall be fair and balanced and just enough for the enlightenment of the citizenry. It shall not sensationalise or glamourise the event or exploit broadcasting's unique advantages to the detriment of national interest and security.	CLASS C
	CLASS C
5.5.0 NEWS INTERVIEWS	

5.5.1 All News interviews shall be guided by ethical standards of journalism.	CLASS C
5.5.2 Where a news interview excludes an important or newsworthy area of the issue under discussion this shall be stated during the broadcast.	CLASS C
5.5.3 Where an interview entails an agreement to: <ul style="list-style-type: none"> a. submit questions in advance, b. exclude an important or newsworthy area concerning the subject, c. or where further development have taken place after the recording, this shall be stated at the beginning of the broadcast. 	CLASS C
5.5.4 A vox pop shall not be contrived, and shall be randomly conducted outdoors except where the respondent is handicapped	CLASS C
5.6.0 COVERAGE OF CRISES AND EMERGENCES	
5.6.1 Stations shall promote dialogue and ventilation on contentious issues, giving every view a fair hearing, to resolve them before they lead to crisis.	CLASS B
5.6.2 Sensationalism shall be prohibited in conveying content related to conflict, disputes and, or, controversies.	

5.6.3 News or commentary on conflicts shall contribute to, and emphasizes, peaceful initiatives.	CLASS B
5.6.4 During crisis, presentation of morbid or graphic details of fatalities, injuries or exaggerated census of casualties are prohibited, so as to avoid panic, escalation or reprisals.	CLASS B
5.6.5 Stations shall not broadcast divisive rhetoric that threaten the indivisibility and indissolubility of Nigeria as a sovereign state.	CLASS B
5.6.6 A broadcaster reporting conflict shall be thorough and neutral in strict adherence to the professional ethics of Fairness, Accuracy and Truthfulness.	CLASS B
5.6.7 The coverage of disasters and national crisis shall include information on public safety and relief.	CLASS B

Chapter Six

SPORTS AND OUTSIDE BROADCAST

CONTENTS

6.0.0 GENERAL

6.1.0 ADVERTISEMENT IN LIVE COVERAGE

6.2.0 EXCLUSIVITY

6.0.0 **SPORTS AND OUTSIDE BROADCAST**

6.1.0 **GENERAL**

6.1.1 Coverage of these public events for news and other programmes

shall be guided by the general requirements for Programmes, News and Current Affairs.	
<p>6.2.0 ADVERTISEMENTS IN LIVE COVERAGE</p> <p>6.2.1 The placement of advertisements shall not obstruct, compromise or disrupt the essence of the event.</p>	CLASS B
<p>6.3.0 EXCLUSIVITY</p> <p>6.3.1 In Nigeria the coverage of sporting and other major national events shall not be exclusive to any station. Such a programme shall be made available to other operators on mutually negotiated terms.</p>	CLASS C
<p>6.3.2 Where the Commission needs to arbitrate, its decision shall be final and binding on all parties.</p>	CLASS A
<p>6.3.3 Any foreign organisation wishing to market broadcast related products and services in Nigeria shall be licensed.</p>	CLASS B
<p>6.3.4 The Commission shall ensure that the costs are fair and equitable.</p>	CLASS A
Chapter Seven	

SPONSORSHIP

CONTENTS

7.0.0 PREAMBLE

7.1.0 IDENTIFICATION

7.2.0 RESTRICTIONS

7.0.0 PREAMBLE

Sponsored programmes shall comply in all respects with the

Code. The general principle that shall govern them is that they be legal, decent and truthful.	CLASS A
7.1.0 IDENTIFICATION	
7.1.1 A sponsored programme shall be clearly identified as such.	
7.1.2 The sponsor shall only be indicated at the opening and the closing segments of a programme of not more than 30 minutes, and at the opening, middle and closing segments for longer programme.	CLASS C
7.2.0 RESTRICTIONS	CLASS C
7.2.1 A station shall not abdicate responsibility for either the content or the scheduling of a programme to a sponsor.	
7.2.2 Reference to the sponsor, his message, product or service is forbidden within the programme being sponsored, except in respect of prizes donated for game shows. This is without prejudice to the commercial spots of the sponsor.	CLASS B
7.2.3 News is universally accepted as sacred. Newscasts, therefore, shall not be sponsored.	CLASS C
7.2.4 Sponsorship of programmes and events by alcoholic beverages	CLASS B

and tobacco producers shall be allowed only to the extent that the content conforms to the theme of the programme. Such sponsorship must be of corporate identification only.	CLASS B
7.2.5 Sponsorship of programme or event targareted at children/ teenage audiences by alcoholic beverages and tobacco manufacturers is prohibited.	CLASS B
7.2.6 Branding is prohibited. Therefore, backdrops and logos of a sponsor shall not be displayed on a permanent basis in a sponsored programme set.	CLASS B
7.2.7 Products of a sponsor shall not be used or consumed on the programme by presenters.	CLASS B
7.2.8 The sponsor shall be entitled only to an agreed number of spot advertisements.	CLASS C
Chapter Eight	

ADVERTISING

CONTENTS

8.0.0 PREAMBLE

8.1.0 ADVERTISING AND BROADCASTING STANDARD

8.2.0 CHILDREN AND ADVERTISEMENT

8.3.0 CONTESTS

8.4.0 MEDICAL

8.5.0 ALCOHOLIC AND TOBACCO

8.6.0 RELIGIOUS ADVERTISEMENT

8.7.0 POLITICAL ADVERTISEMENT

ADVERTISING

8..0.0 PREAMBLE

<p>The general principle that shall govern all advertisements for broadcast is that they shall be legal, honest, decent and truthful.</p>	
<p>8.1.0 ADVERTISING AND BROADCAST STANDARDS</p>	<p>CLASS B</p>
<p>8.1.1 Advertisements shall conform to the code, especially the programming guidelines</p>	
<p>8.1.2 Advertisements shall comply, in every respect, with advertising ethics and also with the law, whether common or statutory.</p>	<p>CLASS B</p>
<p>8.1.3 An agency advertisement shall be accepted for broadcast if it is accompanied with a certificate of approval from the Advertising Practitioners Council of Nigeria.</p>	<p>CLASS B</p>
<p>8.1.4 No advertisement material shall bring broadcasting into contempt or erode confidence in advertising as a service to industry and to the public.</p>	<p>CLASS A</p>
<p>8.1.5 An advertisement shall not contain any item likely to encourage, incite to crime, lead to disorder, be offensive to public feeling, or contain an offensive reference to any race, person, alive or dead, or generally, be disrespectful to human dignity.</p>	<p>CLASS B</p>
<p>8.1.6 There shall be no broadcast of an advertisement capable of</p>	

offending the generality of the community.	
8.1.7 The advertiser shall be clearly identified in all advertisements.	CLASS B
8.1.8 Responsibility for the observance of advertising regulations in the Code rests with the station.	CLASS C
8.1.9 An advertisement shall be clearly identified, and distinct from the main programme, and shall not directly or indirectly, be presented as the programme	CLASS B
8.1.10 The time for non-payment material, especially advertisement, shall not exceed 15% of total programme duration. Thus, there is 4½%-minute limitation for advertisement in a 30 minute programme, and a 9-minute limitation in a one-hour programme.	CLASS B
8.1.11 The expression “News flash”, or similar expressions generally used to denote important news and public service announcements, shall not be used in advertisements.	CLASS C
8.1.12 An advertisement featuring actors exploiting their dramatic roles shall be packaged in such a way that the viewer/listener is not confused as to whether he/she is listening to or watching a programme or an advertisement except where the advertisement, is designed to promote the programme.	CLASS B
	CLASS C

8.1.13 An advertisement parodying a programme may be accepted provided different performers are used from those who appear in the programme itself, and it is readily apparent that the advertisement is no more than a parody.	CLASS C
8.1.14 An advertisement featuring a leading performer (such as an actor or musician) in a programme shall not be scheduled in breaks within, or air time adjacent to that programme.	CLASS C
8.1.15 Every effort shall be made to keep the advertising message in harmony with the content and general tone of the programme in which it appears.	CLASS C
8.1.16 Descriptions, claims or illustrations relating to verifiable facts shall be such as can be easily substantiated.	CLASS B
8.1.17 Statistics shall not be presented to imply a greater validity than they really have. Also, scientific jargons and irrelevances shall not be used to make a claim appear to have a scientific basis or universality it does not possess.	CLASS C
8.1.18 A newscaster personifies the sacredness of news. Therefore, a	

<p>person who regularly presents news or current affairs programmes or similar factual programmes shall not feature visually or vocally, in any advertisement.</p>	CLASS B
<p>8.1.19 Testimonials shall be genuine and provable.</p>	
<p>8.1.20 The price of every advertised product shall be stated where the price is nationally standardized.</p>	CLASS C
	CLASS C
<p>8.1.21 Visual or verbal presentation of prices shall be accurate for such products or a range of products.</p>	
	CLASS C
<p>8.1.22 Any information in the form of captions, whether standing alone or superimposed, shall be in a clearly readable text and held long enough for the viewer to read.</p>	CLASS C
<p>8.1.23 An advertisement shall offer a product or service on its positive merit and refrain from discrediting, disparaging or unfairly attacking competitors or their products, other industries professions or institutions.</p>	CLASS C
<p>8.1.24 An advertisement shall not be accepted if there is good reason</p>	

to doubt its integrity or the truth of its representation or its compliance with all applicable legal requirements.	CLASS B
8.1.25 An advertisement shall not be framed in such a manner as to exploit superstition.	CLASS C
8.1.26 The advertising of fortune telling or astrology is prohibited.	CLASS C
8.1.27 An advertisement shall not be calculated to play on fear to induce people to purchase the article or service advertised.	CLASS B
8.1.28 An advertisement shall not contain any misleading description, claim or illustration, directly or by implication, about the product or service being advertised.	CLASS C
8.1.29 The use of fireworks and firearms in advertising is acceptable provided it is inevitable in the delivery of the message.	CLASS C
8.1.30 The advertising of fireworks and firearms is prohibited.	CLASS C
8.1.31 The lawful advertising of organizations, which conduct award-winning competitions or legalized lotteries, is acceptable, provided such advertising does not extort the public or unduly exhort them to engage in betting.	CLASS B

8.1.32 The advertiser who markets more than one product shall not use an advertisement devoted to an acceptable product for the purposes of publicizing the brand name or identification of another product, which is not acceptable in the same advertisement.	CLASS C
8.1.33 The use of advertising device, such as slogan, labeling or packaging of goods, that is likely to mislead the listener or viewer is prohibited.	CLASS B
8.1.34 The word “guarantee”, should be used only with due regard to its legal meaning. The limits and terms of the guarantee being offered shall be the guarantee can be obtained stated clearly or information given as to where the full terms of the guarantee can be obtained.	CLASS C
8.1.35 An advertisement shall not be inserted into any GRADE A broadcast, such as Presidential, National or State broadcast. In other special broadcasts, discretion shall be employed in the placement of advertisements.	CLASS B
8.1.36 The advertisement of regulated professions shall be allowed only with the approval of the relevant professional body.	
8.1.37 The advertisement for potentially poisonous products shall carry the necessary word of caution.	CLASS B

3.1.38 Alcoholic beverages and tobacco products shall not be port-rayed in any advertisement as enhancing performance in sports	
8.1.39 The use of logo of tobacco or alcoholic products as a backdrop for sports programme is prohibited as this contradicts and violates the straight dealing principles of broadcasting.	CLASS B
8.1.40 Alcoholic and tobacco products advertisement shall not be aired immediately before or after a children's or youth's programme.	CLASS B
8.1.41 Unless it is so specified in a networking agreement, it shall be a breach for a station to insert local commercials in a network programme.	CLASS B
8.2.0 CHILDREN AND YOUTH ADVERTISEMENTS	CLASS B
8.2.1 Exploitation of children and youths in any form shall be avoided.	
8.2.2 Special caution shall be exercised with the content and presentation of advertisements placed in or near programmes designed for children and youths.	CLASS B
8.2.3 An advertisement directed at children and youths shall not mislead as to the product's performance and usefulness.	
8.2.4 Particular care shall be taken to ensure that an advertisement	

targeted at children contains nothing which might result in physical, mental or moral harm, or which exploits their natural credulity.	CLASS B
8.2.5 Children and youths shall not be used for demonstrating a Product recognized as potentially dangerous, except under proper adult supervision.	CLASS B
8.2.6 An advertisement shall not encourage children and youths to enter strange places, converse with or receive gifts from strangers.	CLASS B
8.2.7 Direct sales appeals or exhortation shall not be made to children unless the products advertised are such that children can reasonably afford them.	CLASS B
8.2.8 An advertisement of a commercial product or service shall not contain any appeal which suggests in any way that unless a child buys or uses the products, he/she will be failing in some duty or lacking in loyalty towards some person or organisation.	CLASS B
8.2.9 An advertisement shall not lead children to feel inferior to others because they or their parents do not own the product advertised, or that they are liable to be held in contempt or ridicule, for not owning it.	CLASS B

8.2.10 In offering a gift or a premium in a competition for children, the emphasis of the advert shall be only on the product offered or if the need be those of the sponsor with which the offer is associated.	CLASS C
8.2.11 In advertising a competition for children and youths, the rules shall be published or information given as to where the terms of the rule can be obtained.	CLASS B
8.2.12 The value of prizes and the chances of winning shall not be exaggerated in children's and youth's programmes.	CLASS C
8.3.0 CONTESTS	CLASS C
8.3.1 In advertisements relating to contests, a station shall ensure that: <ul style="list-style-type: none"> a. contests are conducted with fairness to all competitors, and shall comply with all pertinent laws and regulations, b. all contest details, including the rules, eligibility requirements, opening and termination dates, etc, shall be adequately announced and the winners' names released as soon as possible. 	CLASS B
8.3.2 There shall be no misleading description or visual misrepresentation of any promises or gifts, which would distort or inflate their value in the minds of the audience	CLASS B

8.3.3 Assurances shall be obtained from the advertiser that prizes or gifts offered are available and are not harmful to persons or property.	CLASS B
8.3.4 Prizes, which appeal to superstition, such as "Luck-bearing" articles, shall not be accepted.	CLASS B
8.4.0 MEDICAL	
8.4.1 A medical advertisement, orthodox, traditional, or any other, shall conform with the provisions of the Code.	CLASS B
8.4.2 Advertisements of medical products shall be presented only in the acceptable format prescribed by the relevant regulatory agencies.	CLASS B
8.4.3 In the advertising of medical products, claims that a product will effect a cure and the indiscriminate use of such words as "safe", "without risk", "harmless" or terms with similar meaning shall not be accepted unless so certified by the appropriate authority.	CLASS B
8.4.4 An advertising material, which describes or dramatizes distress or a morbid situation in an offensive manner, shall not be accepted.	CLASS B

8.4.5 An advertisement shall not be broadcast if it contains an offer of a medicine or product, or an advice relating to the treatment of serious disease, complaints, indications or symptoms, which should rightly receive the attention of a registered medical practitioner.	CLASS B
8.4.6 An advertisement of products, medicines treatment for disorders or irregularities peculiar to women shall not contain expressions such as "inducing abortion", "Never known to fail" etc.	CLASS B
8.4.7 An advertisement shall not be exaggerated by the improper use of words, phrases or expressions, such as "magical", "miracle", "miraculous", etc.	CLASS B
8.4.8 An advertisement shall not be broadcast if it offers any product or treatment for beauty, slimming, weight reduction or figure control, without stating the likely side effects.	CLASS B
8.4.9 An advertisement shall not be broadcast if it contains any offer to diagnose or treat complaints or conditions by hypnosis.	CLASS B
8.4.10 An advertisement shall not be broadcast if it is calculated to induce fear in the viewer/listener that he is suffering, or may, without treatment, suffer, or suffer more severely, from any ailment, illness or disease.	CLASS B

8.4.11 An advertisement which offers to diagnose, and, or treat by correspondence, any ailment, illness, disease or symptom shall be prohibited.	CLASS B
8.4.12 A drug advertisement which offers to refund money to dissatisfied users shall be prohibited.	CLASS B
8.4.13 An advertisement shall not be broadcast if it contains the words "clinic", "institute", "laboratory" or similar terms, unless an establishment corresponding to the description used, does, in fact, exist.	CLASS B
8.4.14 An advertisement shall not be broadcast if it contains any reference to "doctor", "hospital test" etc, unless such a reference can be substantiated by independent evidence	CLASS B
8.4.15 An advertisement shall not be broadcast if it contains, in the name of the product the title "Doctor" or "Dr." unless that is the registered trade mark.	CLASS B
8.4.16 An advertisement shall not be broadcast if it contains any material offering cure for cancer, AIDS, venereal disease or any other ailment which requires the attention of a medical practitioner.	CLASS B
8.4.17 Advertisements for the cure of terminal diseases shall not be accepted for broadcast.	CLASS B

8.4.18 An advertisement of a product or service shall not be accepted if it purports to increase sexual virility or correct sexual weakness.	CLASS B
8.4.19 An advertisement shall not be broadcast if it contains any material that offers cure for diseases listed in the schedule of the NAFDAC ACT.	CLASS B
8.5.0 ALCOHOLIC AND TOBACCO	CLASS B
8.5.1 An advertisement or the offer of a “gift” item promoting an alcoholic or tobacco product shall not be broadcast in a children’s or sports programme.	
8.5.2 Children, sportsmen/women and expectant mothers shall not be used as models in alcohol or tobacco advertisement.	CLASS B
8.5.3 An advertisement of an alcoholic or tobacco products shall respect religious sensitivities.	CLASS B
8.5.4 Advertisement of an alcoholic or tobacco product shall not be aired between 6.00am and 8.00pm on radio, and between 6.00am and 10.00pm on television.	CLASS B
8.5.5 Corporate sponsorships of programmes and events by alcohol	

and tobacco companies are allowed, but the content must respect all other clauses of the Code.	CLASS B
8.6.0 RELIGIOUS ADVERTISEMENT	
8.6.1 An advertisement promoting religion in any form shall:	
<ul style="list-style-type: none"> a. present its claims, especially those relating to miracles, in such a manner that is provable and believable; b. not use the peculiarities of broadcast technology to mislead the viewer/listener; c. not cast aspersions on any other religion or sect; and d. not be seen to try to exploit the weaknesses, handicaps, shortcomings or state of desperation of members of the public. 	CLASS B
	CLASS B
8.7.0 POLITICAL ADVERTISEMENT	
8.7.1 A political advertisement shall be guided by the Code and other relevant regulations.	CLASS B
	CLASS B
8.7.2 A stations shall be free to sell airtime for the purpose of political campaigns provided that:	
<ul style="list-style-type: none"> a. all messages shall be in form of spot announcements or jingles not exceeding 60 seconds; b. no station shall be involved in the production of such announcements or jingles; 	CLASS A
	CLASS A

<p>c. no voices of members of staff of any stations shall be used in political jingles;</p> <p>d. all jingles shall conform to the standards of truth, decency, good taste and morality.</p>	
<p>8.7.3 No advertisement shall be accepted in a partisan political programme.</p>	
<p>8.7.4 No advertisement shall contain anything which amounts to subversion of constituted authority, or compromises the unity or corporate existence of Nigeria as a sovereign state.</p>	
<p>8.7.5 The advertiser shall be clearly identified in all advertisements.</p>	CLASS A
<p>8.7.6 Equal opportunity shall be given to every political party to pay for its advertisement.</p>	CLASS A
<p>8.7.7 Every breach of any political advertisement provision of the Code shall attract a CLASS A sanction.</p>	CLASS A
<p>Chapter Nine</p> <p>TECHNICAL</p> <p>CONTENTS</p> <p>9.0.0 PREAMBLE</p>	CLASS A

9.1.0	SAFETY REGULATIONS	
9.1.2	RADIOLOGICAL PROTECTION	
9.1.3	SAFETY REQUIREMENT FOR RADIO TRANSMITTING EQUIPMENT	
9.1.4	SHIELDING	
9.1.5	DANGER SIGN	
9.1.6	INTERLOCKING	
9.1.7	LIGHTNING PROTECTION	
9.1.8	ELECTRICAL/MECHANICAL PROTECTION	
9.2.0	ANTENNA SUPPORT STRUCTURES REGULATIONS	
9.2.1	STRUCTURE DESIGN	
9.2.1.1	MAST SITE	
9.2.1.2	MAST & TOWER	
9.3.0	AVIATION REGULATIONS	
9.3.1	HEIGHT CLEARANCE	
9.3.2	RELOCATION	
9.3.3	SAFETY INSTALLATION	
9.4.0	POWER SUPPLY REGULATIONS	
9.5.0	BROADCAST REGULATIONS	
9.5.1	LOCATION	
9.5.2	CHANGE TRANSMITTING FACILITY	
9.5.3	COVERAGE AREA	

9.5.4	MODIFICATION OF COVERAGE AREA	
9.5.5	COVERAGE AREA FIELD STRENGTH	
9.5.5.1	URBAN AREAS	
9.5.5.2	RURAL AREAS	
9.5.6	RELOCATION OF RF CHANNEL	
9.5.7	CHANNEL ASSIGNMENT	
9.6.0	BROADCASTING OPERATION	
9.6.1	PROHIBTION	
9.6.2	BAND DESIGNATION	
9.6.3	TELEVISION SYSTEM	
9.6.4	CABLE TELEVISION	
9.6.5	SOUND SYSTEMS	
9.6.6	DOWNLINKING; UPLINKING AND SIGNAL STREAMING	
9.7.0	TRANSMISSION SYSTEMS	
9.7.1	SOUND TRANSMISSION	
9.7.1.1	HIGH FREQUENCY BROADCASTING (HFBC)	
9.7.1.2.0	DOUBLE SIDE BAND	
9.7.1.3.0	SINGLE SIDE BAND	
9.7.1.4.0	MEDIUM FREQUENCY MF	
9.7.1.4.1	SPECTRAL OCCUPANCY	
9.7.1.4.2	SPURIOUS AND HARMONIC EMISSION	
9.7.1.4.3	TRANSMITTER CARRIER FREQUENCY	

9.7.1.4.4	SIGNAL COMPRESSION	
9.7.1.4.5	PROGRAMMED MATERIALS	
9.7.1.4.6	DATA SIGNAL	
9.7.1.4.7	SUPPLEMENTARY SIGNALS	
9.7.1.5.0	FREQUENCY MODULATED (FM) BAND	
9.7.1.5.1	DIRECT BROADCAST SATELLITE (DBS)	
9.8.0	TRANSMITTER SYSTEMS	
9.8.1	TELEVISION	
9.8.2	TRANSMITTER SITE	
9.8.3	STUDIO TO TRANSMITTER LINKS	
9.8.4	REPEATERS, TRANSMITTERS, TRANSPOSERS AND BEAM BENDERS	
9.9.0	TRANSMISSION STANDARD	
9.9.0.1	MISSION NOT TO INTERRUPT WITH OTHER WIRELESS EQUIPMENT	
9.9.2	IDENTIFICATION SIGNAL	
9.9.3	RADIATED ENERGY	
9.9.4	CLASS OF EMISSION	
9.9.5	FREQUENCY TOLERANCE	
9.10.0	FREQUENCY SPECTRUM REGULATIONS	
9.10.	FREQUENCY AUTHORISATION	

9.11.0	FREQUENCY SPECTRUM MONITORING AND INSPECTION	
9.12.0	FREQUENCY SPECTRUM ENFORCEMENT	
9.12.1	RIGHT TO ENTER PREMISES FOR INSPECTION	
9.12.2	FREQUENCY STABILISATION	
9.13.0	TRANSBORDER TERRESTRIAL EMISSION	
9.13.1	FREQUENCY COORDINATION	
9.14.0	BROADCASTING EQUIPMENT LICENCE	
9.14.1	LICENSE LAPSE	
9.14.2	LICENSE WITHDRAWAL	
9.14.3	DEALERS LICENSE	
9.15.0	DIGITAL BROADCASTING	
9.15.1	DIGITAL TERRESTRIAL TELEVISION BROADCAST (DTTB)	
9.15.2	SERVICE MULTIPLEX AND TRANSPORT METHOD	
9.15.3	VIDEO CODING FOR DTTB	
9.15.4	DIGITAL VIDEO BROADCASTING (DVB)	
9.16.0	PRE-COMMISSIONING OF TRANSMITTERS	
9.17.0	DOCUMENTATION	

9.18.0	ENGINEERING STAFF	
9.19.0	BROADCAST EQUIPMENT MEASUREMENT PERFORMANCE	
9.20.0	TEST METHOD	
9.21.0	LOG REPORT	
9.21.1.	DAILY PRE-TRANSMISSION LINE-UP REPORT	
9.21.2	TRANSMISSION REPORT	
9.21.3	EQUIPMENT PREVENTIVE MAINTENANCE REPORT	
9.21.4	EQUIPMENT FAULT REPORT	
9.22.0	TOOLS AND TEST GEARS	
9.23.0	MONITORING EQUIPMENT	
9.0.0	PREAMBLE	
<p>Pursuant to NBC Act as related to the power under the Wireless Telegraphy Act 1996. CAP 469 and Regulation made there-under, in so far as they relate to broadcasting shall, be vested in the Commission.</p>		

<p>9.0.1 No person shall offer for sale, sell or have in his possession with a view to sell in the course of his business any installation, mechanism, instrument, material or other apparatus constructed for the purpose of or intended to be used for broadcasting except under and in accordance with a licensed Dealer in that behalf.</p> <p>9.0.2 Any other person other than the holder of a dealer's license shall notify the Commission in writing of the importation and furnish particulars of the equipment imported prior to the clearance of such equipment imported into the country.</p> <p>9.0.3 No person shall establish, install or use any equipment or apparatus for the transmission, re-distribution of broadcast signal except as licensed by the Commission.</p> <p>9.0.4 No person shall operate a broadcast system which uses frequencies in the Federal Republic of Nigeria or operate any wireless equipment that uses broadcast frequencies unless authorized to do so through the assignment of a frequency channel by the Commission.</p> <p>9.0.5 Any person who contravenes any of the above provision shall be guilty of an offence.</p> <p>9.0.6 It shall be the responsibility of the licensee to ensure:</p>	<p>CLASS B</p>
--	----------------

<ul style="list-style-type: none"> a. compliance with the Provisions of this Code, b. adhere to the Technical Characteristics set out in it, c. the Engineering Manual and d. to comply with any other specific requirement which may be notified by the Commission from time to time in the subsequent publications. 	CLASS B
<p>9.1.0 SAFETY REGULATIONS</p>	CLASS A
<p>9.11. INDUSTRIAL SAFETY</p> <p>A broadcasting station shall operate within strict safety conditions as provided by the National Safety Regulation and International Convention on industrial safety.</p>	
<p>9.1.1.1 Specifically, there shall be, conspicuously displayed in the operational area of a station the following:</p> <ul style="list-style-type: none"> a. Industrial Safety Cards b. Functional Fire Alarms c. Fire extinguishers d. Emergence exists. Any other safety measures as may be specified periodically by the Commission. 	<p>CLASS A</p> <p>CLASS B</p>
<p>9.1.2 RADIOLOGICAL PROTECTION</p>	

<p>Ionising radiation caused by X-ray radiated from the transmitters may constitute a radiation hazard for workers and the public if the level of radiation is higher than specified by the National Radiological Regulation (including adherence to specification by the International Electro-technical Commission Regulation (215).</p>	
<p>9.1.3 SAFETY REQUIREMENT FOR RADIO TRANSMITTING EQUIPMENT</p> <p>Stations shall ensure that operators and members of the public are not exposed to an electromagnetic Field in excess of that recommended;</p> <ul style="list-style-type: none"> a. For band II VHF frequencies 6.6 Watts/square meters for continuous exposure (greater than 6mins), which equates to an electric field of 154 dB(micro Volt per meter). b. For MF band, maximum permitted levels fall with frequency, and at the top of the band are as low as 424 Watts per meters square which is 172 dB (micro Volt per meter). c. For HF Specific Absorption Rate (SAR) of 0.4 W/kg for 30 minute is generally accepted for workers and 0.8 W/kg for public. <p>9.1.4 SHIELDING</p>	<p>CLASS A</p> <p>CLASS B</p> <p>CLASS B</p>

<p>a. Efforts shall be made to ensure that radiation exposure in all broadcast operational areas is reduced to the barest minimum and maximum radiation allowable in all cases shall be 0.005mW/sq.cm</p> <p>b. A Station shall reduce the X-ray radiation to acceptable level by additional shielding of the Transmitter.</p> <p>9.1.5 DANGER SIGN</p> <p>At High Frequency (HF) and Medium Frequency (MF) transmitter installations, the antenna site shall be fenced and danger signs shall be conspicuously displayed round the fence size.</p> <p>9.1.6 INTERLOCKING</p> <p>Interlocking switching shall be installed on all broadcast transmitter to prevent personnel exposure to the transmission radiation and danger to the physical damage from mechanical or electrical system.</p> <p>9.1.7 LIGHTNING PROTECTION</p> <p>Lightning arrestors shall be provided to protect personnel and equipment from Lightning:</p> <p>a. Building and other structures shall be protected against lightning damage by installing a system of earth terminals</p>	<p>CLASS A</p>
--	----------------

<p>(lightning rods) and grounding conductors to conduct lightning strokes to ground.</p> <p>b. All underground cables runs shall have bare grounding counter poise conductor installed above each underground run to intercept lightning strokes to the ground directly above the cable.</p> <p>c. The counter poise shall provide an equipotential surface above each run to limit the flow of damaging currents along the ground associated with lightning strokes.</p> <p>d. Lightning arrestors (surge arrestors) shall be installed at the end of all overhead power supply lines at the point where they connect to the stations underground lines to prevent voltage surges due to lightning strokes to the overhead lines</p> <p>e. Arrestors shall be connected to a copper or aluminum plates at each of the Mast trays and at the base or at each of the two legs of the Mast and buried to the ground.</p> <p>f. Earth resistance shall not exceed One (1) Ohms, where high resistance is inevitable, elaborate precautionary measure shall be applied.</p> <p>9.1.8 ELECTRICAL/MECHANICAL PROTECTION</p>	<p>CLASS A</p> <p>CLASS A</p> <p>CLASS A</p> <p>CALSS A</p>
--	---

<p>9.1.8.1 In technical areas where there are electrical or mechanical equipment in operation such as moving machines, transmitters, production equipment, generators etc, at least TWO technical personnel shall be on duty during operation/maintenance of the equipment at all times.</p>	CLASS A
<p>9.1.8.2 a. Adequate fire fighting equipment shall be provided and maintained regularly.</p> <p>b. Monthly fire drills shall be conducted in all stations.</p> <p>c. Rubber mats shall be provided at least 1 meter round every transmitter cabinet and, or high voltage equipment, with an insulation capacity of at least 20% greater than the highest voltage within the equipment in all operational areas.</p>	CLASS A
<p>A statutory Registered Engineer shall certify all Electrical and Mechanical project and designs.</p>	CLASS A
<p>9.1.9 FIRST AID KITS</p> <p>First Aid Kits shall be provided in all technical areas and shall contain necessary drugs and dressings for the treatment of burns, cuts, shocks etc.</p>	

<p>a. There shall be quarterly First Aid training for all technical staff, this shall be recorded in a log book.</p> <p>b. The victim of an accident in a technical area shall be immediately referred to a hospital for proper medical attention after first aid has been administered.</p>	CLASS A
<p>9.2.0 ANTENNA SUPPORT STRUCTURES REGULATIONS</p>	CLASS B
<p>9.2.1 STRUCTURAL DESIGN</p> <p>A COREN registered Structural Engineer shall certify all foundation design, works and the erection of a mast or tower as to specification and within standard.</p>	
<p>9.2.1.1 MAST SITE</p> <p>Where mast or tower is to be situated within half a mile of the boundary of an airport, the height of the antenna support structure shall not exceed fifty feet above the ground level.</p>	CLASS B
<p>9.2.1.1.1 a. For a guyed mast the minimum site radius allowed from the mast centre shall be 0.8 of the mast height.</p>	CLASS A

<p>b. For self supporting lattice tower the base square allowed shall range between $h/10$ and $h/7$ where h is the structural height.</p>	CLASS B
<p>9.2.1.3 MAST & TOWER</p> <p>Before Installation of any antenna support structures, the following shall be submitted to the Commission for approval:</p> <p>a. Soil test of site for the mast/tower</p> <p>b. A certified structural design (viz antenna load, wind load, foundation and structural members)</p>	CLASS B
<p>9.2.1.4 Towers and Mast shall meet all the requirement of Structural Standards for:</p> <p>a. Steel transmitting antennae</p> <p>b. Supporting steel tower</p> <p>Additionally, the following shall be required for tower and mast:</p> <p>(a) All fabricated steel shall be hot dipped galvanized after fabrication.</p>	CLASS A

<p>(b) All bolts shall be high strength type with suitable washers and locking devices.</p> <p>(c) All members shall be depth stamped.</p> <p>(d) Self supporting towers shall be provided with safety ladder system over its full length.</p> <p>(e) Climbing and safety devices shall be provided to the top of all structures installed.</p> <p>(f) Rest platform shall be provided at suitable intervals of 45 metres.</p>	<p>CLASS B</p> <p>CLASS B</p>
<p>9.2.2.6 The height of the mast/tower shall be:</p> <p>a. subject to the approval of the Commission,</p> <p>b. such as to meet an Effective Radiated Power (ERP),</p> <p>c. high enough to enable the station cover its assigned area.</p>	<p>CLASS B</p>
<p>9.3.0 AVIATION RREGULATIONS</p>	
<p>9.3.0.1 HEIGHT CLEARANCE</p> <p>Height Clearance Certificate from the Nigerian Civil Aviation Authority shall be submitted to the Commission before the commencement of mast/tower erection.</p>	<p>CLASS B</p>

<p>b. Broadcasting stations shall conduct yearly inspection and maintenance of mast/towers as specified in the manuals.</p>	
<p>9.3.2.3 Report on such an exercise shall be submitted to the Commission by the 31st of March every year.</p>	CLASS A
<p>9.4.0 POWER SUPPLY REGULATIONS</p> <p>Power Supply installations shall conform to Electricity Regulations in Nigeria. The standard power supply in Nigeria is as follows:</p> <ul style="list-style-type: none"> a. Single-phase 230V \pm 6% (line to neutral) b. Phase to phase 4.15V \pm 6% (line to line) c. Frequency 50Hz + 1% <p>NB: There are certain situations in which variations from public Power supply could be higher than specified.</p>	CLASS A
<p>9.5.0 BROADCASTING REGULATIONS</p> <p>The establishment and use of Terrestrial broadcasting system (SOUND or TELEVISION) on boardship, aircraft or any other moveable, floating airborne object is PROHIBITED.</p>	CLASS A
<p>9.5.1 LOCATION</p> <p>Before the commencement of construction/installation of a station, prior approval for the usage of a site shall be obtained</p>	CLASS A

from the Commission.	CLASS A
9.5.2 CHANGE IN TRANSMITTING FACILITY	
No Change shall be made to	CLASS B
<ul style="list-style-type: none"> a. Transmitter power b. Aerial c. Mast height d. Location that may affect the radiated power e. RF distribution f. Power level g. Spurious or harmonic emission without the approval of the Commission. 	CLASS A
9.5.3 COVERAGE AREA	
A broadcast station shall limit itself to only the coverage area prescribed by the Conditions of its Licensed.	
9.5.4 MODIFICATION OF COVERAGE AREA	CLASS A
The Commission shall give prior approval for:	
<ul style="list-style-type: none"> a. Increase in transmitter power b. Extending the original coverage area of a station. 	
9.5.5 COVERAGE AREA FIELD STRENGTH	CLASS A

<p>A broadcast station shall maintain specified minimum values of field strength in its coverage area depending on its mode of transmission and its location. Accordingly, the acceptable minimum values shall be as indicated below:</p>	
<p>9.5.5.1 URBAN AREAS</p> <p>MF Sound Broadcasting 72dBu micro V/M</p> <p>VHF- FM Sound Broadcasting 60dBu micro V/M</p> <p>VHF- Television Broadcasting 60dBu micro V/M</p> <p>UHF- Television Broadcasting 70dBu micro V/M</p>	CLASS A
<p>9.5.5.2RURAL AREAS</p> <p>MF Sound Broadcasting 66dBu micro V/M</p> <p>VHF- FM Sound Broadcasting 48dBu micro V/M</p> <p>VHF-Television Broadcasting 49dBu micro V/M</p> <p>UHF- Television Broadcasting 60dBu micro V/M</p>	CLASS B
<p>9.5.6 RELOCATION OF RF CHANNEL</p> <p>The relocation of assigned channel station shall be with prior approval of the Commission with detailed survey map and the field strength measurement at the intended location.</p> <p>9.5.7 CHANNEL ASSIGNMENT</p> <p>The Commission shall, unless dictated by special circumstance, assign frequency channel as follows:</p>	CLASS B

<ul style="list-style-type: none"> a. one channel for Sound broadcast license b. one channel for Television license c. three channels for MMDS (Cable) license 	CLASS B
<p>9.6.0 BROADCASTING SYSTEMS</p>	
<p>9.6.1 PROHIBITION</p> <p>The establishment and use of terrestrial broadcasting system (SOUND or TELEVISION) on board ship, aircraft or any other moveable, floating or airborne objects is PROHIBITED.</p>	
<p>9.6.2 BAND DESIGNATION</p> <ul style="list-style-type: none"> a. Band I Channel 2-4 (47MHz-69MHz) b. Band II Channels FM (88MHz-108MHz) c. Band III Channels 5-12 (174MHz-230MHz) d. Band IV Channels 21-34 (470MHz-582MHz) e. Band V Channels 35-68 (862MHz-854MHz)) f. Medium frequency MF or MW (510KHz-1605KHz) g. High Frequency HFBC Short Wave 5900KHz-26100KHz h. MMDS (BSS Community Reception) (2.5GHz-2.7GHz) i. Direct Broadcast Satellite (Television) Down Link 11.7GHz-12.2GHz-C Band j. Direct broadcast Satellite (Television) Down Link 14.5GHz-4.7GHz-KU Band k. Direct Broadcast Satellite (Audio) 467MHz-1492MHz-KA Band 	<p>CLASS A</p> <p>CLASS B</p>

9.6.3 TELEVISION SYSTEMS

The technical standard for Television system in Nigeria are:

- a. Colour television based on 625 line system
- b. Pal System B for VHF with 7MHz bandwidth
- c. Pal System G for UHF 8MHz bandwidth
- d. Video bandwidth 5.5MHz
- e. Field frequency nominal value 50Hz

CLASS A

9.6.3.1 The approved mode of Television broadcasting service are:

- a. Broadcast Television Service (Terrestrial)
- b. DVB-T Digital Video Broadcast Television
- c. Broadcast Satellite (Community Reception) or MMDS Cable transmission
- d. DBV-C Digital Broadcast Video Cable
- e. Broadcast Satellite (individual Reception) or TVRO
Television Reception only.
- f. Broadcast Satellite (Direct to Home) DTH
- g. DVB-S Digital Video Broadcast Satellite

9.6.4 CABLE TELEVISION SYSTEM

9.6.4.1 There shall be two modes of operations:

<p>a. Fibre Optics and or, coaxial</p> <p>b. Microwave Multipoint Distribution System.</p> <p>9.6.4.2 Transmission in both modes shall be SCRAMBLED, such that subscribers are addressable (i.e. the station shall be able to remotely switch subscribers ON and OFF).</p> <p>9.6.4.3 External duplex carrier shall be employed to reduce out of band interference products.</p> <p>9.6.4.4 Voltage Standing Wave Ratio VSWR shall be 1.25 to 1.</p> <p>9.6.4.5 Frequency Stability shall be $\pm 25\text{KHz}$</p> <p>9.6.4.6 To meet the requirement for local content and other programmes sources, the following facilities shall be installed.</p> <p>a. Character Generator to superimpose colour test over detailed picture.</p> <p>b. CRs for play back of local programme.</p> <p>c. Video Camera for broadcast into the distribution system.</p> <p>9.6.4.7 Licensees shall obtain from the Commission the output channel frequency of their decoder in all locations.</p>	<p>CLASS B</p>
---	----------------

<p>9.6.4.8 Maximum power per channel shall not exceed 20 Watts at each approved location.</p> <p>9.6.4.9 Channels shall be used for the services and purposes for which the license conditions specified.</p> <p>9.6.4.10 Prior approval shall be obtained from the Commission for a in the terms of the license.</p> <p>9.6.4.11 Cable transmission licenses are granted per city and three channels in segment.</p> <p>9.6.4.12 The entirety of the technical tolerance are outlined in the Manual.</p>	
<p>9.6.5 SOUND SYSTEMS</p> <p>The approved modes of AUDIO broadcasting are:</p> <ul style="list-style-type: none"> a. Medium Wave (MW) or Medium Frequency (MF) b. Short Wave (SW) or High Frequency (HF) c. Frequency Modulated (FM) or Very High Frequency (VHF) d. Direct Broadcast Satellite e. Digital Audio Broadcast (DAB) 	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>

<p>9.6.6 DOWNLINKING, UPLINKING AND SIGNAL STREAMING</p>	
<p>9.6.6.1 A LICENCE SHALL NOT:</p> <p>a. Downlink any programme and/or channel for the purpose of retransmission without the approval of the Commission.</p> <p>b. Undertake any up linking activity for the purpose of retransmission without the approval of the Commission.</p> <p>c. Engage in signal streaming for the purpose of retransmission.</p>	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS A</p> <p>CLASS B</p>
<p>9.7.0 TRANSMISSION SYSTEMS</p>	
<p>9.7.1.0 SOUND TRANSMISSION</p>	
<p>9.7.1.1 HIGH FREQUENCY BROADCASTING (HFBC)</p> <p>HFBC or Short Wave (SW) in Nigeria shall be licensed by the Commission in adherence with the Radio Regulation.</p> <p>9.7.1.1.1 All HFBC transmitter put into service after 1st January, 2004 shall have the capability to offer digital modulation.</p> <p>9.7.1.1.2 The use of the HFBC bands 5900KHz-26000KHz shall be based</p>	<p>CLASS A</p>

on principle given in Article 12 of the ITU Radio Regulations.	
<p>a. HFBC shall be in conformity with Seasonal planning based on a co-ordination procedure between administrations (which a broadcasting organisation or broadcaster may be authorized) to act on its behalf in this co-ordination.</p>	CLASS A
<p>b. HFBC station shall, twice yearly, submit their projected seasonal broadcasting schedule in the relevant frequency band.</p>	CLASS A
<p>c. All broadcasting requirements, national and international shall be treated on an equal basis, with due consideration of the differences between these two kinds of broadcasting requirement.</p>	CLASS A
<p>d. HF broadcaster shall notify and co-ordinate to resolve incompatibilities on bilateral, multilateral basis prior to and after submitting its schedule in the tentative High Frequency Schedule.</p>	CLASS A
<p>9.7.1.3.0 SINGLE SIDE BAND</p>	
<p>Amplitude Modulation (AM) transmitters imported as from the year 2002 shall be Single Side Band (SSB).</p>	CLASS A
	CLASS A

<p>a. As stipulated by the ITU, all emissions from Double Side Band (DBS) shall cease not later than 31st December 2015 at 23-59 hours UTC.</p> <p>b. The upper limit of the audio-frequency bandwidth (-3dB) of the transmitter shall not exceed 4.5KHz with a further slope attenuation of 35 dB/KHz.</p> <p>c. The lower limit shall be 150Hz with lower frequencies attenuated at a slope of 6dB per Octave.</p> <p>d. The necessary bandwidth shall not exceed 4.5KHz</p> <p>e. The audio-frequency signal shall be processed to .that the modulating signal retains a dynamic range of not less than 20dB.</p> <p>f. Excessive amplitude compression, together with improper peak limitation, leads to excessive out-of-band emission and thus adjacent, channel interference, and is therefore shall be avoided.</p>	CLASS A
<p>9.7.1.1.3 It shall be exceedingly important to use audio processor on the input to the transmitter during operation.</p>	CLASS B
<p>9.7.1.1.4 When a HFBC station shall decide to cease its broadcasting</p>	

service in the HF bands, it shall notify the Commission promptly for appropriate action.	CLASS B
9.7.1.2.0 DOUBLE-SIDE BAND	
9.7.1.2.1 Emission Characteristics	CLASS B
a. The normal spacing shall be 10KHz	
b. The normal Carrier frequencies shall be integral in multiples of 5KHz.	CLASS B
c. The upper limit of the audio frequency band shall be (at - 3dB) of the transmitter and shall not exceed 4.5KHz.	CLASS B
	CLASS B
d. The lower limit shall be 150Hz, with lower frequencies attenuated at a slope of 6dB per octave.	CLASS B
e. If audio frequency signal proceeding is used, the dynamic range of the modulating signal shall not be less than 20dB.	CLASS B
f. The necessary bandwidth shall not exceed 9KHz.	CLASS B

<p>9.7.1.3.0 SINGLE SIDE BAND</p> <p>9.7.1.3.1 The upper sideband shall be used.</p> <p>9.7.1.3.2 The degree of suppression of the unwanted (lower) sideband and intermediation product in that part of the transmitter spectrum shall be at least 35dband, whenever possible , exceed 40dB, relative to the wanted sideband signal level.</p> <p>9.7.1.3.3 The carrier reduction relative to peak-envelope power shall be 12dB (6dB until the end of the transition period).</p>	CLASS A
<p>9.7.1.4.0 MEDIUM FREQUENCY MF</p> <p>MF or Medium Wave (MW) transmission in Nigeria shall be Solid state and have the following features:</p> <ul style="list-style-type: none"> a. Parallel modular configuration, which provides true active reserve without need for Engineering Intervention. b. On-air serviceability, which allows module removal without interruption in broadcasting. c. Built-in duplicate exciter to offer complete back up of critical low level control circuitry; and 	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>

<p>d. The carrier shall not be modulated beyond 100%</p>	
<p>9.7.1.4.1 Spectrum Occupancy Sideband shall not exceed a level with respect to the steady state carrier, of,</p> <p>a. 20dB for sideband components more than $\pm 75\text{KHz}$ from normal carrier frequency</p> <p>b. 40dB for sideband components more than $\pm 9\text{KHz}$ from nominal carrier frequency.</p>	<p>CLASS B</p> <p>CLASS A</p> <p>CLASS B</p>
<p>9.7.1.4.2 Spurious and Harmonic Emission With the transmitter operating at any level up to that required to radiate the maximum (EMRP) into its designed load impedance or into the aerial system, the power of any spurious or harmonic emission shall not exceed a level 40dB below carrier (compliance may be assessed off-air, taking advantage of the added filtering effect of the aerial's owned tuned characteristic.</p>	<p>CLASS A</p>
<p>9.7.1.4.3 Transmitter Carrier Frequency The carrier frequency shall remain within $\pm 10\text{Hz}$ of the nominal value. In some cases, notably where synchronous operation of more than one co-frequency transmitter is</p>	<p>CLASS A</p>

implemented, more stringent limit may be specified.	CLASS B
<p>9.7.1.4.4 SIGNAL COMPRESSION</p> <p>Compression shall be employed at the input of the transmitter to reduce the dynamic range of the programme.</p>	CLASS B
<p>9.7.1.4.5 Programmed Materials</p> <p>Unless otherwise specified, programmed material shall comprise analogue audio signals confined to the nominal frequency range (-3dB) 0 to 5KHz.</p>	
<p>9.7.1.4.6 DATA SIGNAL</p> <p>The Transmission of data signals, or any scrambled signals, shall be Prohibited.</p>	
<p>9.7.1.4.7 Supplementary Signals</p> <p>No phase or frequency modulation of the carrier shall be permitted. The specifications shall be as outlined in the Manual.</p>	
<p>9.7.1.5.0 FREQUENCY MODULATED (FM) BAND</p>	
<p>9.7.1.5.1 The Frequency Modulated (FM) transmission in Nigeria shall be in compliant with ITU Recommendation 450-2, adhering to certain options and additional provisions therein as</p>	CLASS A

<p>follows:-</p> <ul style="list-style-type: none"> a. The maximum frequency deviation applied to the radio-frequency carrier shall not exceed $\pm 75\text{KHz}$ by more than 5 positive-going or 5 negative-going excursion in any 5 second period of programmed service. b. Where an excursion above $\pm 75\text{KHz}$ exceed 10msec duration, it shall be divided into discrete 10msec periods (rounded up) and counted accordingly. c. The amplitude of the unpopulated carrier shall not exceed 1% dept of modulation. d. The pre-emphasis characteristic of the sound signal(s) must be identical to the admittance-frequency curve of a parallel resistance-capacitance circuit having a time constant of 50microsec = 2microsec. 	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>
<p>9.7.1.5.2 Under no circumstances is the deviation to exceed $\pm 80\text{KHz}$ other than by anomalous behaviour.</p> <ul style="list-style-type: none"> a. All FM stations shall employ a low distortion limiter to be placed at appropriate point in the input equipment to the 	<p>CLASS B</p>

transmitter. Such limiters shall be installed as close along the signal path, as is practicable, to the transmitter.	CLASS B
b. Even where this is prior to the programmed link to the transmitter (including off-air Band II signals for relaying) the Commission shall hold the licensee responsible for any breach of this Code that may result from noise, instability, inherent characteristics, failure of, or interference to the programmed distribution system.	CLASS B
9.7.1.6.0 DIRECT BROADCAST SATELLITE (DBS) The International Convention of the ITU recognizes the sovereign right of each country to regulate broadcast satellite operations within its territory.	CLASS B
9.7.1.6.1 Pursuant to section 2 (l)(b) and (c) of Act No. 38, and in keeping with the International Regulations, the Commission shall properly license the service provider for the following:	CLASS A
a. Satellite Point-to point transmission (TVRO)	
b. Direct Satellite to Home (DTH)	
c. Direct Satellite to Multipoint (DSTV)	
9.7.1.6.2 Applicants for Direct Broadcast Satellite DBS shall submit to	

<p>the Commission with full technical details both for the feeder link and downlink of satellite of choice.</p>	<p>CLASS A</p>
<p>a. No broadcasting satellite service using frequency in the 11.7-12.2GHz shall occupy a national orbital a position further west than 37 degrees or further east than 146 degrees.</p> <p>b. A satellite network filing due diligence administrative procedure shall be as outlined in the Manual.</p> <p>c. Nigerian Orbital Parameters shall be as outlined in the Manual.</p> <p>d. The basic characteristics requirements to be furnished in relating to space stations in the broadcasting satellite shall be submitted to the Commission as outlined in the Manual.</p>	<p>CLASS A</p>
<p>9.7.1.6.3 All operators of Satellite broadcasting shall abide by the legal, financial and regulatory requirement of the Commission.</p>	
<p>9.8.0 TRANSMITTER SYSTEMS</p>	
<p>9.8.1 TELEVISION</p> <p>The transmitter shall operate in accordance with the</p>	<p>CLASS A</p>

<p>Consultative Committee International Radio (CCIR). Regulations on the transmission of Colour Television PAL Standard.</p> <p>a. The input shall be composite video, 1 volt peak to peak.</p> <p>b. The transmitter shall operate with input level that vary between $\pm 3\text{dB}$.</p> <p>c. The blanking level stability shall not worse than 2% of total picture.</p> <p>d. Spurious Radiation shall not be more than $- 50\text{dB}$ with reference to unpopulated carrier power.</p> <p>e. Harmonic Radiation shall not exceed $- 60\text{dB}$ with reference to un-modulated carrier power.</p> <p>f. Voltage Standing Wave Ration VSWR shall not exceed 1:1:1.</p> <p>g. Power output of the vision to sound carrier shall be 5:1.</p> <p>h. Opening frequency deviation shall be $\pm 50\text{KHz}$, but it shall be possible to test the transmitter with peak deviation up to</p>	<p>CLASS A</p> <p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>
--	---

<p>$\pm 75\text{KHz}$ by increasing the audio input. The deviation shall remain within 10% of the set value for a Constant audio input.</p> <p>i. The characteristics of this system shall be as outlined in the Manual.</p>	
<p>9.8.2 TRANSMITTER SITE</p> <p>At each transmitter site, the station shall keep</p> <p>a. stock of A-Level, B-Level and C-Level spares, the total worth shall not be less than 10% of the total cost of times;</p> <p>b. programme input equipment rack that shall house programme processing, monitoring and test equipment;</p> <p>c. an Engineering Log Book with recordings of daily, weekly, monthly, quarterly and yearly maintenance schedules and results.</p> <p>d. a FAULT maintenance log book..</p>	<p>CLASS B</p>
<p>9.8.3 STUDIO TO TRANSMITTER LINKS</p> <p>Studio to Transmitter links shall operate in accordance with the CCIR Recommendation 402.</p>	<p>CLASS B</p>

9.8.4.1 For earth Studio-to-Transmitter-Link (STL) and temporary uplink requirements for frequency, power, location and direction, prior approval shall be obtained from the Commission.	CLASS B
9.8.4.2 A link transmitter for Outside Broadcast (OB) purpose shall be Frequency agile.	CLASS B
9.8.4.3 Prior approval for Studio to Link frequency shall be sought from the Commission for all OB events except for stadium that are fixed venues.	CLASS B
a. The nominal video input level of the transmitter shall be 1 volt peak to peak.	CLASS B
b. Video input level adjustment shall be from -7dB to ± 3 dB input level in 1dB step.	CLASS B
c. The nominal audio input to the transmitter for maximum deviation shall be 0dB and gain control shall be adjustable between ± 10 dB in 1dB step.	CLASS B
d. The audio frequency response shall be ± 0.3 dB from 30Hz to 15KHz.	CLASS A
e. Harmonic Radiation shall be better than -40dB with respect to the carrier level.	

- f. The VSWR shall not be worse than 1:1:1 over the operating RF channel width.

9.8.5 REPEATERS, TRANSITTERS, TRANSPOSERS AND BEAM BENDERS

The Use of repeater transmitters, transposers and Beam Benders shall be subject to approval by the Commission.

9.8.5.1 An application for the use of Repeater Transmitters, and Beam Benders shall be accompanied by:

- a. technical feasibility study
- b. its proposed extension

9.9.0 TRANSMISSION STANDARD

Pursuant to section 13c of Act 38 and with the objective of hitch free transmission, adherence to national and international standards to avoid interference in transmission and reception shall be strictly observed.

9.9.0.1 A broadcast station shall ensure that the equipment comprised in a station shall be so designed, constructed, maintained and used in such a way that the station does not cause interference with any other wireless equipment.

<p>9.9.1 EMISSION NOT TO INTERFERE WITH OTHER WIRELESS EQUIPMENT</p> <p>Every precautionary measure shall at all times be taken to keep radiated energy within the narrowest possible frequency bands.</p> <ul style="list-style-type: none"> a. having regard to the class of emission in use b. radiation harmonics and other spurious emission shall be suppressed to such level that cause no interference. c. test shall be carried out from time to time with a view to ensuring that the requirements of these clauses are met. 	<p>CLASS A</p>
<p>9.9.2 IDENTIFICATION SIGNAL</p> <p>All broadcasting stations shall carry identification when in operation.</p> <p>9.9.2.1 Broadcasting with false or misleading identification is PROHIBITED.</p> <p>9.9.2.2 When a broadcasting station uses more than one frequency in the international service and national service, each frequency</p>	<p>CLASS A</p> <p>CLASS B</p>

<p>channel shall be identified by a separate identification used solely for this frequency or by some other appropriate means, such as announcing the name and location and the frequency in use.</p>	CLASS B
<p>9.9.3 RADIATED ENERGY</p> <p>Broadcasting station shall radiate only approved power necessary to ensure satisfactory service in its coverage area.</p> <p>a. Broadcast station shall employ all technical means to ensure that radiation is reduced to the maximum across its area of coverage.</p>	CLASS B
<p>b. Out of bound emission of a broadcast station shall not cause harmful interference in the adjacent channel.</p>	
<p>9.9.4 CLASS OF EMISSION</p> <p>Broadcast station shall conform to the Class of emission Approved for its services.</p>	CLASS A
<p>a. A3EGN Sound Broadcasting</p>	CLASS A
<p>b. F3E Monophone Sound Broadcast</p>	
<p>c. A3E Double Side Band Sound Broadcast</p>	

<p>d. J3E Single Side Band Sound Broadcast</p> <p>e. F8E & F9E Stereophone Sound Broadcast</p>	
<p>9.9.5 FREQUENCY TOLERANCE</p> <p>Broadcast station shall conform to the maximum frequency tolerance;</p> <p>a. Television 500Hz</p> <p>b. Radio 2000KHz</p>	<p>CLASS B</p>
<p>9.9.5.1 Broadcast station shall conform to the maximum permitted spurious power level.</p>	
<p>9.9.5.2 Broadcasting station shall strictly adhere to the standard set for its type of broadcasting.</p>	<p>CLASS B</p>
<p>9.9.5.3 All stations shall ensure that any un-authorized emission observed on their channel is reported promptly to the Commission.</p>	<p>CLASS B</p>

<p>a. Broadcasting station using frequency below 5060KHz or above 41MHz shall not employ power exceeding an effective national service.</p> <p>b. Broadcasting service of the band 2300KHz-2498Hz is restricted to tropical zone with Carrier Power of the transmitter RESTRICTED to 50KWs.</p>	CLASS B
<p>9.9.5.4 No broadcasting satellite service shall be used in Nigeria unless, with a licence issued by the Commission.</p>	CLASS B
<p>9.9.5.5 All broadcasting satellite services shall abide by the legal, financial and regulatory requirement of the Commission.</p>	CLASS B
<p>9.10.0 FREQUENCY SPECTRUM REGULATIONS</p> <p>Frequency Spectrum usage shall conform with the technical specifications and general conditions of the National Frequency Plan and Regulation as approved by the National Frequency Management Council in accordance with the International Conventions.</p>	CLASS B
<p>9.10.1 FREQUENCY AUTHORISATION</p> <p>A frequency authorization does not confer ownership.</p>	CLASS B

a. monopoly or permanent assignment right on the use of the frequency,	CLASS B
b. be construed as conferring any right continuing tenure in respect to the frequency,	CLASS B
c. all frequency assignment are subject to renewal at such intervals as any be specified in the license condition.	CLASS A
9.10.1.1 Any frequency authorization not used within the time frame specified in the license condition shall automatically lapse without any compensation, unless the reason for the non-usage of the spectrum is beyond the control of the holder as will be determined by the Commission.	CLASS A
9.10.1.2 A frequency authorization are concessions and shall:	
a. not be sold	
b. transferred	CLASS A
c. leased	CLASS A
d. or sublet to a third party without a written consent from the Commission.	CLASS A

9.10.1.3 The Commission shall withdraw a frequency authorization where the licensed operator has not complied with any or all terms and conditions of its broadcast license.	CLASS A
9.10.1.4 A frequency authorization withdrawn shall not be entitled to compensation in respect of any damage which he may suffer as a result of the withdrawal.	CLASS A
9.10.1.5 A holder of a frequency authorization may be moved from one part of the spectrum to another due to overriding public interest or for the clearing of a spectrum space for new service or technology. Fair treatment and adequate notice shall be considered in all cases. However, financial compensation, if any, arising from the relocation shall be at the discretion of the Commission.	CLASS A
<p>9.11.0 FREQUENCY SPECTRUM MONITORING & INSPECTION</p> <p>A broadcast station shall monitor:</p> <ul style="list-style-type: none"> a. actual spectrum occupancy; b. frequency deviation c. depth of modulation 	<p>CLASS A</p> <p>CLASS A</p>

<p>d. center frequency</p> <p>e. bandwidth and report any emitter interference noticed on the channel.</p> <p>9.11.0.1 The Commission shall reserve the right to conduct such other tests as it may be deemed fit, including measurement of the licensee's transmission with notification.</p> <p>9.11.0.2 Regardless of how recently or frequency the Commission may have tested a transmission system, it shall be the licensee's responsibility to ensure in context.</p> <p>a. adequate monitoring of critical transmission parameters,</p> <p>b. to provide either for the signal to be switched off or to be transferred to complaint system in the event of drift or other failure.</p>	<p>CLASS B</p>
<p>9.12.0 FREQUENCY SPECTRUM ENFORCEMENT</p> <p>9.12.1 RIGHT TO ENTER PREMISES FOR INSPECTION</p> <p>An officer or Agent of the Commission authorized in that behalf may at all reasonable times enter any premises, station on which equipment or apparatus for broadcasting is known or suspected to be installed for the purpose of examining the</p>	<p>CLASS B</p>

license under which such equipment is installed and may examine or test the apparatus and the working or use thereof.	CLASS B
<p>9.12.2 Any person who:</p> <p>a. obstruct any person in the exercise powers conferred on him under this section; or</p> <p>b. fails or refuses to give any such person any assistance which he is under the section under duty to give to him; shall be guilty of an offence.</p>	CLASS B
<p>9.12.3 FREQUENCY STABILISATION</p> <p>A satisfactory method of frequency stabilization shall be employed in transmitting equipment for frequency measurement capable of verifying that the transmitting equipment is operating with emission within the authorized frequency bands shall be provided by the licensee.</p>	CLASS B
<p>9.13.0 TRANSBORDER TERRESTRIAL EMISSION</p> <p>A broadcast station shall ensure that under no condition shall terrestrial:</p> <p>a. emission from its transmitter go beyond the Nigerian International boundary;</p>	CLASS A

<p>b. or littoral state without authorization.</p> <p>9.13.0.1 A broadcast station whose operating coverage area is near or adjacent to Nigeria's international border, must ensure that its emission are contained within the geographical boundaries of the Federal Republic of Nigeria.</p> <p>9.13.1.0 FREQUENCY CO-ORDINATION</p> <p>Where frequency co-ordination is required with neighbouring countries. The licensee must make a written application for such co-ordination to the Commission.</p> <p>9.13.1.1 Broadcast stations are encouraged to:</p> <p>a. implement frequency co-ordination in conjunction with other users in adjacent frequency;</p> <p>b. or bands in order to come into agreement to avoid mutual interference.</p> <p>9.13.1.2 A broadcaster emission that constitutes a major interference to another station's operation, which in the opinion of the</p>	<p>CLASS B</p> <p>CLASS A</p> <p>CLASS A</p> <p>CLASS A</p>
--	---

<p>Commission is within the reasonable control of the interfering station, the reasonable control of the interfering station, shall be:</p> <p>a. required to remove the source of interference within 24 hours;</p> <p>b. failing which the station will be in breach.</p>	CLASS A
<p>9.13.1.3 Where frequency is issued within a coverage area or other such coverage area as may be delineated by the Commission as specified in the license conditions, the emission leaking into adjacent frequency band of other license coverage area shall not cause harmful interference in such area or frequency band.</p>	CLASS B
<p>9.14.0 BROADCAST LICENSE</p> <p>9.14.0.1 A license shall only be used for the type of broadcast services approved in the condition of license.</p> <p>9.14.0.2 A licensee shall be subject to the provisions, regulations from time to time made under the Act so far as they are applicable</p>	CLASS B

to the license, and those provisions shall be deemed to be incorporated in the license.	CLASS B
9.14.0.3 A licensee shall comply strictly with the conditions of the license and any civil wrong resulting from the infringement of the conditions by the licensee shall be the sole responsibility of the licensee. He shall be liable to forfeit the license.	
9.14.0.4 A license granted under the Act shall not empower the licensee or his agents to do any act, or make any omission to he detriment of other persons and any licensee who so uses his apparatus so as to affect others adversely or injuriously shall be solely responsible for any claim brought against Commission.	CLASS A
9.14.0.5 Neither the Commission or its staff shall be liable or responsible for an infringement by a licensee, in the exercise of his license, of copyright in any work or of any patent for an invention or for any breach of the law arising out of the exercise of the license and nothing in the Act shall effect the liability of the licensee in respect of any act done by him.	CLASS A
9.14.0.6 A broadcast station shall ensure that its equipment meet all the required standard and specifications before thecommence-	CLASS A

ment of operations.	
9.14.1 LICENSE LAPSE	CLASS A
9.14.1.1 A broadcast equipment license shall automatically lapse if it is not used within 24 months of its issuance.	
9.14.1.2 A broadcast equipment license shall be withdrawn if for 12 consecutive months the licensee cease to provide the service for which it was issued a license.	CLASS A
9.14.2.0 LICENSE WITHDRAWAL	
9.14.2.1 A broadcast license shall be withdrawn if: <ul style="list-style-type: none"> a. the licensee enters into liquidation b. or is otherwise declared insolvent; c. bankrupt; d. or is in receivership. 	CLASS A
9.14.2.2 Where a broadcast licensee is withdrawn:	CLASS B

<p>a. the Commission may take over the equipment;.</p> <p>b. pay the depreciated cost;</p> <p>c. or auction it;</p> <p>d. or ask the licensee to dispose of it under the supervision of the Commission.</p>	<p>CLASS A</p>
<p>9.14.3.0 DEALERS LICENSE</p> <p>9.14.3.1 The license shall include permission to operate receiving equipment for the receipt and broadcast programmers for the purpose of demonstrating the work of receivers, but not for any other purpose of financial gain.</p> <p>9.14.3.2 The license holder shall display same conspicuously in the premises.</p>	<p>CLASS A</p>
<p>9.14.4.0 ONUS OF PROOF</p> <p>9.14.4.1 Any person who is in possession of any apparatus for broadcasting shall be deemed, unless the contrary is proved, to have used the same.</p>	<p>CLASS A</p>

<p>9.15.0 DIGITAL BROADCASTING</p>	
<p>9.15.1 DIGITAL TERRESTRIAL TELEVISION BROADCASTING (DTTB)</p> <p>The Basic Elements of a worldwide common family system for DTTB standard and specification shall be as recommendation ITU-R BT 1299, as outlined in the manual.</p>	<p>CLASS A</p>
<p>9.15.2 SERVICE MULTIPLEX AND TRANSPORT METHOD</p> <p>DTTB system shall be as recommendation ITU-R 1300 as outlined in the Manual.</p>	<p>CLASS B</p>
<p>9.15.3 VIDEO CODING FOR DTTB</p> <p>The Video coding standard applicable shall be as recommendation ITU-R BT 1208-1 as outlines in the Manual.</p>	<p>CLASS A</p>
<p>9.15.4 DIGITAL VIDEO BROADCASTING (DVB)</p> <p>DVB service transmission technique offers better spectrum efficiency including error protection and shall be flexible configured to cope with specific satellite bandwidth and power resources.</p>	<p>CLASS A</p>
<p>9.15.4.1 DVB-S</p> <p>Framing structure, channel coding and modulation method,</p>	

shall be as recommended by the European Telecommunication Standard ETS and shall be considered in converging to a worldwide standard for introducing digital multi-programme television services from satellite operating in the 11/12 GHz down link.	CLASS A
<p>9.16.0 PRE-COMMISSIONING OF TRANSMITTERS</p> <p>The Commission or its appointed agents shall carry out test on transmitting equipment.</p> <p>a. before a licensee is permitted to start transmission;</p> <p>b. test shall be done on dummy load.</p>	CLASS B
<p>9.16.1.1 The Commission shall be informed in writing (in exceptional circumstance) where these test may be undertaken by the agent of a licensee.</p>	CLASS B
<p>9.16.1.2 In all cases, a representative of the Commission shall be present for all testing to be conducted on new alignment transmitting equipment.</p>	CLASS B
<p>9.16.1.3 A licensee shall ensure that pursuant to permission granted to transmit, such test transmission shall be made over a period of at least two weeks in advance of the on-air date, in order to facilitate identification and resolution of possible in-</p>	

compatibilities with other broadcasting services.	CLASS B
9.16.1.4 Where permission has been granted and partial or full report of the commissioning test is required at the instance of the Commission, a fee shall be payable to the Commission to offset additional administrative costs.	CLASS B
9.17.0 DOCUMENTATION Two weeks prior to pre-commissioning test by the Commission, a licensee shall provide an accurate block diagram of the complete installation, aerial radiation pattern and the system again calculation.	CCLASS B
9.17.1 a. Detailed information concerning system design b. Equipment handbooks and c. Operation instructions for the setting up and adjustment of the transmitter shall be made available at reasonable notice to the Commission.	CLASS B
9.18.0 ENGINEERING STAFF The Engineering staff of a station shall be: a. exposed to on-the-job orientation;	CLASS B

<p>b. familiar with electronic test equipment;</p> <p>c. measurement and basic maintenance.</p> <p>9.1.8.1 Engineering staff shall be trained constantly in the:</p> <p>a. basic</p> <p>b. intermediate</p> <p>c. and advance course at a broadcasting training college to keep abreast with modern broadcast engineering technologies.</p>	CLASS B
<p>9.18.2 All Engineering staff shall be required to register to practice Engineering Profession in Nigeria, in accordance with the Council of Regulation of Engineering in Nigeria. (COREN) Act in any of the following cadre:</p> <p>Registered Engineer "Engineer" or "Engr."</p> <p>Registered Engineering Technologist "Engineering Technologies"</p> <p>Registered Engineering Technicians "Engineering Technician"</p> <p>Registered Engineering Craftsmen "engineering Craftsman"</p>	<p>CLASS B</p> <p>CLASS B</p>

<p>9.18.3 Only a Registered Engineer shall be assigned the responsibility for:</p> <ul style="list-style-type: none"> a. approving the design specifications b. evaluation c. commissioning and d. inspection of projects as provided in the COREN Act. 	CLASS A
<p>9.18.4 At least one COREN-registered Engineer shall be in the employment of a broadcast Station to carry out any certificate of project evaluation.</p>	CLASS B
<p>9.19.0 BROADCAST EQUIPMENT MEASUREMENT</p> <p>Measurement of equipment performance in broadcasting shall be made primarily with:</p> <ul style="list-style-type: none"> a. the object of ensuring high technical excellence b. and uniform standards in all forms of broadcasting. <p>9.19.1 The Commission's laid down tolerance limits for equipment Performance Standard shall be applicable whether or not the circuit incorporates any form of digital coding/decoding transmission, processing or Storage.</p> <p>9.20.0 TEST METHOD</p>	CLASS B

<p>Measurement shall be made on analogue output of circuit under-test to realize the limits specified on a day to day basis as outlined in Engineering Manual.</p>	
<p>9.20.1 VHF/UHF TELEVISION TRANSMITTER</p> <p>Performance test method shall comply with the appropriate CCIR recommendation.</p>	CLASS B
<p>9.20.2 VHF SOUND TRANSMITTER</p> <p>All VHF sound transmitter and transposer measurement shall be carried out with 50 micro-second de-emphasis network in circuit.</p>	CLASS B
<p>9.21.0 LOG REPORTS</p> <p>At each transmitter site, the following engineering log report books shall be kept for inspection by the Commission:</p> <ul style="list-style-type: none"> a. daily line up/Pre-transmission report; b. transmission report; c. maintenance report; d. fault report. 	CLASS B
<p>9.21.1 DAILY PRE-TRANSMISSION LINE-UP REPORT</p> <p>Pre-transmission line-up shall report procedure. Vague description of trouble symptoms shall be avoided by providing specific details:</p>	

<ul style="list-style-type: none"> a. the pre-transmission line-up shall report line-up procedure requires that every section shall line up its equipment in accordance with the relevant daily maintenance schedules. b. Any equipment failure, which will interfere with a scheduled programme for more than five minutes, shall be reported to the appropriate maintenance office for remedy, and such shall be recorded in both Maintenance and operational logs. c. At the end of the pre-transmission line up, a test signals of: <ul style="list-style-type: none"> i. One volt peak composite and or ii. 0dBm 1KHz audio tone shall be transmitted for audience's alignment of their sets. iii. This shall be ON-AIR musical background for at least 30 minutes. Details as outline in the manual. 	CLASS B
<p>9.21.2 TRANSMISSION REPORT</p> <p>The daily transmission report shall contain the following measurements:</p>	CLASS B
<ul style="list-style-type: none"> a. Input level of video and, or audio signal parameters; b. Frequency deviation; c. Depth of modulation; d. Output frequency e. Output power 	CLASS B

<p>f. Reflected power</p> <p>g. Voltage standing, etc.</p> <p>These measurements are to be conducted at least hourly.</p> <p>9.21.2.2 The result obtained shall be compared with standard reading of the transmitter; any change shall be reported promptly for an immediate action.</p> <p>9.21.3 EQUIPMENT PREVENTIVE MAINTENANCE REPORT</p> <p>For trouble free operation, a broadcast station shall conduct a systematic preventive and corrective maintenance on transmitting equipment</p> <p>a. Daily</p> <p>b. Weekly</p> <p>c. Monthly</p> <p>d. Annually. (Details as outlined in the manual).</p> <p>9.21.3 EQUIPMENT FAULT REPORT</p> <p>A broadcast station shall keep a fault report with details nature of the fault and remedy to restore the equipment into working condition including spares used.</p> <p>9.22.0 TOOLS AND TEST GEARS</p> <p>Adequate test gears and tools kits (electrical/mechanical) shall</p>	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>
---	--

<p>be provided at each station and this shall be subject to inspection by the Commission. The necessary tools are outlined in the Engineering Manual.</p>	CLASS B
<p>9.23.0 MONITORING EQUIPMENT</p> <p>Each station shall have adequate monitoring equipment to ensure compliance with the standards provided in this Code, and shall be subject to inspection by the Commission.</p>	
<p>9.23.1 These shall include basic equipment:</p> <ul style="list-style-type: none"> a. Multimeter b. Spectrum analyser c. Frequency counter d. Oscilloscope e. Dummy load f. Modulation meter g. Power meter. (Details as outlined in the manual) 	<p>CLASS B</p> <p>CLASS B</p> <p>CLASS B</p>
<p>Chapter Ten</p>	CLASS B

REPORTING PROCEDURE AND SANCTIONS

CONTENTS

- 10.0.0 PREAMBLE
- 10.1.0 BREACHES
- 10.2.0 TECHNICAL
- 10.3.0 PROGRAMMES
- 10.4.0 SANCTION PROCESS
- 10.5.0 COMPLAINT FORMAT
- 10.6.0 RANGE OF SANCTIONS
- 10.7.0 ENFORCEMENT OF SANCTIONS
- 10.8.0 PUBLIC HEARING
- 10.9.0 WARNING
- 10.10.0 CLASSES OF SANCTION
- 10.11.0 CLASS A
- 10.12.0 CLASS B
- 10.13.0 CLASS C
- 10.14.0 BREACHES AND SANCTION GROUPING

10.0.0 **PREAMBLE**

There are penalties for the infringement of the provisions of
Acts No. 38, No. 55 and the Nigeria Broadcasting Code.

10.0.1 The responsibilities of a station, in relation to the regulatory powers of the Commission, are contained in paragraphs 1 to 7

<p>of the Third Schedule of Act No. 38, (Appendix I) and paragraphs 10a – 1 of Act No. 55 (Appendix II).</p> <p>10.0.2 The penalties for infringement of the responsibilities in 10.0.1 are contained in sections 8 and 9 of Acts No. 38 and 55.</p> <p>10.0.3 Pursuant to the provisions of Act No. 38, the Commission may, from time to time, institute other regulatory measures.</p> <p>10.1.0 BEACHES</p> <p>10.1.1 GENERAL</p> <p>10.1.1.2 Transmitting without a valid, or any licence.</p> <p>10.1.1.3 Offering for sale, selling or having possession for the purpose of sale, any installation, mechanism, instruments, materials or other apparatus constructed for the purpose of, or intended to be used for; broadcast for public reception without a licence, in that behalf.</p> <p>10.1.1.4 Non-compliance with section 14(2) of Act No. 38 and Act. No 55.</p>	<p>CLASS A</p>
--	----------------

10.1.1.5 Non-compliance with the Third Schedule of Act No. 38 and Act No. 55.																					
10.2.0 TECHNICAL																					
10.2.1 Deviation from assigned frequency.																					
10.2.2 Transmitting beyond assigned area.																					
a. Specification for coverage area are as contained in 9.5.3 of the Code with the following field strengths.																					
<table><tr><td>S/NO</td><td>RATIO dB</td><td>FIELD STRENGTH dB Micro volt/m</td><td>BAND</td><td>135 44</td></tr><tr><td>BAND II</td><td>35</td><td>54</td><td></td><td></td></tr><tr><td>BAND III</td><td>39</td><td>64</td><td></td><td></td></tr><tr><td>BAND IV</td><td>39</td><td>70</td><td></td><td></td></tr></table>	S/NO	RATIO dB	FIELD STRENGTH dB Micro volt/m	BAND	135 44	BAND II	35	54			BAND III	39	64			BAND IV	39	70			CLASS A
S/NO	RATIO dB	FIELD STRENGTH dB Micro volt/m	BAND	135 44																	
BAND II	35	54																			
BAND III	39	64																			
BAND IV	39	70																			
b. For radio, see section 9.6.2 of the Code.																					
c. For Cable, see section 9.6.4. and 9.6.4.3 of the Code. Cable operators are allowed 20 watts per channel.																					
	CLASS A																				
10.2.3 Operating a transmitter above approved power without prior approval of the Commission.																					
	CLASS A																				
10.2.4 Poor quality transmission within assigned boundary, as specified in the Code.																					

10.2.5 Breach of installation and safety specifications.	CLASS A
10.2.6 Operating a broadcast station without a COREN registered Engineer.	CLASS A
10.2.7 Failure to comply with equipment and operations specifications as stated in the Code.	
10.3.0 PROGRAMMES	
10.3.1 Broadcast of information immediately leading or likely to lead, to a breakdown of law or order.	
10.3.2 Non-compliance with a closure or broadcast hour reduction order.	
10.3.3 Non-compliance with paragraph 2.5.6 and 7 of the Third Schedule of Act No. 38 and paragraph 4(b) 8(ii) (c) to (k) of Act No. 55.	CLASS A
10.3.4 Contravention of some or all the provisions guiding Programming, Programmes, News and Current Affairs, Sports and Outside Broadcast, Sponsorship and Advertisement specified in this Code.	CLASS B
	CLASS B

<p>10.4.0 SANCTION PROCESS</p> <p>Sanction for any breach of the Act or the Code shall be as set out hereafter, detailing the sanctioning and enforcement process.</p>	<p>CLASS B</p>
<p>10.4.1 The Code and sanctioning process shall give due consideration to the cultural background of the community in which a breach is reported, bearing in mind that what is objectionable in one socio-cultural setting may be viewed differently in another. However, a national standard shall be observed by the broadcast industry, as set out hereafter.</p>	<p>CLASS A</p> <p>CLASS A</p>
<p>10.5.0 COMPLAINT FORMAT</p>	
<p>10.5.0 Each station shall be made to adhere to the Code through:</p> <ul style="list-style-type: none"> a. monitoring by the Commission; and, b. observations and complaints made to the Commission by an individual, a broadcast station or a corporate body. 	<p>CLASS A</p> <p>CLASS B</p>
<p>10.5.2 All complaints and observations about breaches of the Code shall be in written form, and shall contain amongst other, the following:</p>	

- a. the **name** of the station
- b. the **title** of the programmes
- c. the **day** and **date** of the broadcast
- d. the **time** of the broadcast
- e. the **essence** of the **complaint** or observation, such as the absence of fairness, obscenity, or technical shortcoming, etc.

10.6.0 RANGE OF SANCTIONS

Depending on the gravity of a breach, a reproach to remedy range from **Admonition** to **Reprimand** to **Caution** to **Warning** and, or fines categorized as **Light, Heavy or Severe**.

Intransigence to a reproach for a remedy or to pay a fine automatically graduates to a higher sanction. After a Caution or Warning, or Heavy or Severe fine further intransigence shall lead to a Reduction in Broadcast Hours. A station stands the risk of revocation of its licence if it commits a serious breach of either the technical or non-technical aspects of the Code, as contained in paragraph 8 of the Act No. 38.

10.6.0.1 A sanction shall be carefully weighed against the gravity of the breach in line with broadcasting objectives.

10.6.0.2 A letter of Admonition or Reprimand or Caution or Warning (depending upon the severity of a breach) shall be written to a station to remedy or rectify a breach.

10.6.0.3 A breach shall be rectified expeditiously or within the period specified and measures taken to avoid a recurrence or others of its kind.

10.6.0.4 Failure to comply with an advice to rectify a breach shall lead to a higher sanction.

10.6.0.5 A Right of Reply shall be implemented within 24 hours. Other corrective action shall be carried out as specified by the Commission.

10.6.0.6 The Commission at any given time, even after a warning might have been issued, may decide upon a fine.

10.6.0.7 A fine must be paid by the due date; failure to comply shall lead to a higher fine being imposed. A further failure to comply shall lead to a sanction severe than the fine.

10.6.0.8 Where a station is sanctioned to shut down the Police shall enforce the order.

10.6.0.9 A station risks the revocation of its licence, if it commits a serious breach of provisions of the Code, and, or, paragraph 8 of the Third Schedule of Acts No. 38 and 55.

10.6.0.10 In the case of the revocation of a licence, the Commission may not consider reapplication.

10.7.0 **ENFORCEMENT OF SANCTIONS**

10.7.1 The payment of a fine shall be effected within 14 days of imposition.

10.7.2 Where necessary the Nigeria Police shall prosecute violators of the Code and, or, Acts No. 38 and 55.

10.7.3 Following the revocation of its licence a station shall dismantle Its equipment within the stipulated time or face forfeiture.

10.7.4 The enforcement of other sanctions shall be as specified in Section 10.5.5.

10.7.5 The range of fines shall include:

- i. Light N10,000 to N99,000;
- ii. Heavy N100,000 to N1,000,000;
- iii. Severe N1,000,000 and above.

10.8.0 **PUBLIC HEARING**

10.8.1 The Commission shall serve an erring station an order to show cause why a revocation or a "cease and desist" injunction should not be issued.

10.8.2 Where a Public Hearing becomes imperative, and the process, as contained in the Code, duly employed, the Commission's administrative costs shall be borne by the station in addition to eventual penalty, if any.

10.9.0 **WARNING**

10.9.1 Operating without a licence is a criminal offence.

10.9.2 Persistent refusal to comply with the provisions of the Code would lead to raising of a sanction to a higher class and shall affect status of the station for subsequent renewals.

10.10.0 **CLASSES OF SANCTION**

10.10.0.1 **CLASS A**

10.10.0.2 Suspension of licence with a re-commencement fee of not less than ~~N~~2 Million.

10.10.0.3 Immediate shutdown/seal up of the transmitter and sanction.

10.10.0.4 Revocation of Licence

10.10.0.5 Seizure and forfeiture of the transmitting equipment.

10.10.1.0 **CLASS B**

10.10.1.1 Written WARNING to remedy/rectify a breach within a reasonable time frame, failing which a fine of not less than ~~N~~100,000.00 shall be imposed.

10.10.1.2 Failure to comply attracts reduction of the daily broadcast hours for a given period; re-commence of full broadcast hours shall be subject to a fine of not less than ~~N~~500,000.00.

10.10.1.3 Suspension of licence for a given period with a re-commencement fine of not less than ~~N~~1,000,000.00.

10.10.2.0 **CLASS C**

10.10.2.1 A written Admonition, or Reprimand or Caution or Warning, depending on the severity of the breach, to remedy within a reasonable time.

10.10.2.2 Various categories of fine, Light, Heavy or Severe, including stiffer fines for non-compliance.

10.10.2.3 A graduated fine of ~~₦~~25,000.00 for each breach or offence not remedied within the time given.

10.10.2.4 For advertisements in breach, a fine of the value of the placements, plus 20% of that value.

10.10.2.5 Fine of ~~₦~~10,000.00 for every 1% in excess of the foreign, or religious content or for a shortfall of every 1% in local content allowed by the Code.

--	--

Chapter 11

GLOSSARY OF DEFINITIONS

CHAPTER TWO

Admonition: Verbal or written rebuke given in the first instance to a station to rectify a breach.

Advertising: Any form of communication on goods, services and facilities, placed at a cost, before, within or after a programme with the intention of attracting attention and patronage.

Affiliate: A member station of a broadcast network.

Breach: Any action or inaction on the part of a broadcast station which constitutes violation of, or non-compliance with, any provision of the NBC Acts and the Code.

Cable: **Mode of broadcasting through:**

- a. Fibre optic and, or co-axial cable
- b. Microwave Multi-point Distribution System (MMDS)

Campus Broadcasting: Campus broadcasting is a form of community broadcasting set-up in an academic departments/faculty for training potential broadcasters or students allied to communication arts.

Caution: An injunction foretelling severe consequence for a persistent breach; a higher form of reprimand.

Community Broadcasting: A broadcast operation set up by the members of a community within their locality, area, district or

neighbourhood, to serve their communal, developmental, economic, social and cultural objectives.

Convergence: The delivery and/or reception of broadcast and communication signals through one medium (ICT)

Free-to-Air: Delivery of unencrypted broadcast signals to Domestic Receivers.

Internet: An international computer network through which computer users communicate and exchange information.

Networking: A broadcasting network is a chain of affiliate stations that are inter-linked to transmit the same programme from one source at the same time. Networking may be permanent or occasional.

Sanction: A penalty or enforcement measure applied to any breach of the NBC Act or the Code.

Reprimand: Severe disapproval of a breach or a higher admonition.

Satellite Broadcast: Transmission of signals delivered to, or received from satellite facility.

Syndication: An arrangement where a broadcasting station or programme supplier makes its programme available to a chain of broadcasting stations for transmission simultaneously at mutually agreed charges.

Warning: Notice of severe sanction; a higher form of caution.

Trans-border Broadcast: Transmission of signals across national boundaries.

CHAPTER THREE

Breach: Any action or inaction constituting non-compliance with any provision of the NBC Act and Code on the part of any broadcast operator.

Code: The regulatory document of the National Broadcasting Commission as may be reviewed from time to time, under the provisions of Act No. 38 of 1992, Act No. 55 of 1999 and any amendment thereto.

Obscenity: A graphic presentation of lewd sexual activity, verbal or physical violence or bloodletting, portrayed in a socially offensive manner, especially if it is not indispensable in the total communication of an idea.

Pornography: Any material capable of causing excitement or offending cultural sensibilities.

Sanction: Sanction is a penalty or enforcement measure applied to any breach of the Code.

X-Rated Items: Programme items that depict explicit sexual acts or stimulate or encourage sexual activities, or acts of force, excessive and gratuitous violence against humans and animals, or graphically present human genital organs or human urinary or excretory functions.

CHAPTER FOUR

Programme: A unified presentation on radio, television or cable re-transmission that occupies a distinct period with a beginning and an end

Promotion: Any item of advert, publicity or sales promotion inserted in programmes and news broadcast by any station.

Sponsorship: Payment of the cost of a production or transmission or both, by any person or organisation to promote his or its public image, activities or any cause or public service.

Chapter Five

News: A presentation of a factual account of events and issues.

Current Affairs: A presentation of comments, opinion and analysis of topical events and issues.

Newscast: An assemblage and presentation of news stories, news analysis, as well as commentaries and special reports.

News Analysis: A balanced examination of a current issue of public interest, excluding the personal views of the analyst.

News Commentary: An expression of opinion personal to the commentator. A News Talk is another name for News Commentary.

Editorial: An expression of the opinion of the station.

News Interview and Discussion: A news interview or discussion to elicit informed opinion or fact concerning a matter of public interest

Vox Pop: A news interview of ordinary people, randomly taken in the streets, to comment on public interest.

Chapter Seven

Sponsorship: A sponsored programme is one whose production or transmission costs or both, are paid, in part, or whole, by a party other than the transmitting station, to promote its views, public image, activities etc.

CHAPTER EIGHT

Advertisement:

- a. For the purpose of this Code, the term “advertisement” shall be taken, in its broadcast sense, to embrace any form of communication on goods, services and facilities inserted, at a cost, within a programme with the intention of attracting attention and patronage.
- b. For the purpose of the Code a product is a good or service.

- c. Any illustration included in any advertisement is subject to the Code.

CHAPTER NINE

Analogue: A system in which signals vary continually.

Antennae: A device that collects (and transmit) and focuses electromagnetic energy i.e. contribute energy gain.

Auction: A form of spectrum pricing as well as spectrum assignment mechanism in which apparatus licenses or spectrum right are assigned to the winner(s) of a competitive process selected on the basis of price.

Boundary: A limit of frequency boundary allowed for a channel.

Broadband: Is a communication tool used for voice, data, radio and television, and can take many forms such as fibre, copper, wireless and satellite.

Broadcasting Service: Radio communication in which transmission are Wide-spread distribution for reception by the public.

Carrier Frequency: A frequency signal that is modulated to carry information.

C-Band: The range of frequencies that include 3.7 – 4.2GHz for downlink and 5.7 – 6.2GHz for up-link.

Channel: A segment of bandwidth used for one complete communication link.

Digital: A system in which signals vary in discrete steps.

Direct Satellite Broadcast (DBS): A term commonly used to describe KU-band broadcast via satellite directly to individual end user. This DBS band ranges from 11.7 – 12.2GHz.

Effective Radiating Power): ERP is the mean radio frequency power multiplied by the gain of the aerial in the horizontal plane.

Emission: The production of radiation by a transmitting station.

License: Authorisation to use a frequency spectrum.

Necessary bandwidth: For a given class of emission, the width of the frequency band which is sufficient to ensure the transmission of information at the rate with the quality under specified conditions.

Network: Simultaneous transmission on more than one channel.

Out of band Emission: Emission on a frequency immediately outside the necessary bandwidth resulting from the modulation process excluding spurious emission.

Radiation: The outward flow of energy from a source in the form of radio-wave.

Satellite: A body which revolves round another body of preponderant mass and whose motion primarily and permanently determined by force of attraction of that other body.

Satellite Network: a satellite system consisting of only one satellite and the co-operating earth stations.

Station: One or more transmitter or receivers or combination of both at one location for carrying out radio-communication services.

Spurious Emission: Emission of frequencies which are outside the necessary bandwidth and the level of which may be reduced without affecting corresponding transmission of information (these include harmonics, parasitic, intermediation products, frequency conversion products, excluding out of band).

Television Receiver Only (TVRO): A satellite system earth station that can only receive but not transmit signals.

Transponder: A microwave repeater, which receives, amplifies down-converts and re-transmits signals from a communication satellite

Type of Auction:

- English auction, where the auctioneer increases the price until a single bidder is left.
- The first price sealed bid auction, where bidders submit sealed bids and the highest wins.
- The second price sealed auction, where bidders submit sealed bids; the highest bidder wins but pays the second highest amount bid.
- Dutch auction, where the auctioneer announces a high price and reduces it until a bidder shouts "MINE".

Voltage Standing Wave Ration (VSWR): The relation between the minimum and Maximum voltages on a transmission line. It is a measurement of the percentages of reflected power to the total power impinging upon a transmission line.

Appendix I

NATIONAL BROADCASTING COMMISSION

ACT NO. 38 OF 1992

Commencement (24th August, 1992)

THE FEDERAL GOVERNMENT hereby enacts as follows:-

Establishment etc. of the National Broadcasting Commission

**Establishment of the
National Broadcasting
Commission**

1. There is hereby established a Commission to be known as National Broadcasting Commission. (In this Act referred to as "the Commission")

which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

Powers of the Commission

2. (1) The Commission shall have responsibilities of:
 - (a) advising the Federal Military Government generally on the implementation of the National Mass Communication Policy with particular reference to broadcasting;
 - (b) receiving, processing and considering applications for the ownership of radio and television stations including cable television services, direct satellite broadcast and any other medium of broadcasting;
 - (c) recommending applications through the Minister to the President, Commander-in-Chief of the Armed Forces for the grant of radio and television licences;
 - (d) regulating and controlling the broadcast industry;
 - (e) undertaking research and development in the broadcast industry;
 - (f) receiving, considering and investigating complaints from individuals and bodies corporate regarding the contents of a broadcast and the conduct of a broadcasting station;
 - (g) upholding the principles of equity and fairness in broadcasting;
 - (h) establishing and disseminating a national broadcasting code and setting standards with regard to the contents and quality of materials for broadcast;

- (i) promoting Nigerian indigenous cultures, moral and community life through broadcasting;
- (j) promoting authenticated radio and television audience measurements and penetration;
- (k) initiating and harmonising Government policies on trans- border direct transmission and reception in Nigeria;
- (l) regulating ethical standards and technical excellence in public, private and commercial broadcast stations in Nigeria;
- (m) monitoring broadcasting for harmful emission interference and illegal broadcasting;
- (n) determining and applying sanctions including revocation of licences of defaulting stations which do not operate in accordance with the broadcast code and in the public interest;
- (o) approving the transmitter power, the location of stations, areas of coverage as well as regulate types of broadcast equipment to be used.
- (p) Carrying out such other activities as are necessary or expedient for the full discharge of all or any of the functions conferred on it under, or pursuant to this Act;

(2) No person shall operate or use any apparatus or premises for the transmission of sound or vision by cable, television, radio, satellite or any other medium of broadcast from anywhere in Nigeria except under and in accordance with the provisions of this Act.

3. (1) The Commission shall consist of-

(a) A Chairman

(b) Nine other members as may be appointed to represent the following interests, that is:-

(i) law,

(ii) business,

(ii) Performing arts,

(iii) Education

(iv) Social science,

(v) Media

(vi) Public affairs, and

(c) the Director General of the Commission.

(2) The Chairman and other members of the Commission shall be persons of proven integrity, experience and specialised knowledge in the broadcasting industry or who by reason of their professional or business attainment are in the opinion of the Minister capable of making useful contribution to the work of the Commission.

(3) The Chairman and other members of the Commission shall be appointed by the President, Commander-in-Chief of the Armed Forces on the recommendation of the Minister.

(4) The Chairman and other members of the Commission shall be part-time members.

(5) The supplementary provisions contained in the First Schedule to this Act shall have effect with respect to the proceedings of the Commission and the other matters contained therein

Tenure of office .etc

4. (1) The Chairman and other members of the Commission shall hold office for three years renewable for on further period of three years only.

(2) The Chairman or a member of the Commission may resign his appointment any time by notice in writing under his hand addressed to the President, Commander-in-Chief of the Armed Forces.

(3) If a member of the Commission dies or resigns or otherwise vacates his office before the expiry of the term for which he is appointed, a fit and proper person shall be appointed for the remainder of the term of office of the predecessor, so however that the successor shall represent the same interest and shall be appointed by the President, Commander-in-Chief of the Armed Forces.

(4) A member of the Commission may be removed from office by the President, Commander-in-Chief of the Armed Forces, if he is satisfied that it is not in the interest of the Commission or the interest of the public that the member should continue in office.

STAFF OF THE COMMISSION

- 5 (1) There shall be appointed for the Commission, a Director-General who shall be the chief executive of the Commission.

**Director-General
and other staff of
the Commission**

(2) The Director-General shall be appointed by the President, Commander-in-Chief of the Armed Forces on the recommendation of the Minister.

(3) the Director-General shall be a person with wide knowledge and experience in broadcasting.

(4) The Director-General shall be responsible for the execution of the policies of the Commission and its day-to-day administration.

(5) The Director-General shall hold office in the first instance for a period of five years and shall be eligible for re-appointment for such further periods as the President, Commander-in-Chief of the Armed Forces may, from time to time, determine.

(6) Subject to this section, the Director-General shall hold office on such terms as to emolument and otherwise as may from time to time, be approved by the President, Commander-in-Chief of the Armed Forces.

(7) The Commission shall appoint a Secretary to the Commission who shall keep records, conduct correspondence of the Commission and carry out and perform such other duties as the Commission or the Director-General may, from time to time, direct.

(8) the Commission may appoint such other employees to assist the Director-General in the exercise of his functions under this Act.

Power of Minister 6.

Subject to the provisions of this Act, the Minister

To give directives		may give the Commission directives of a general Character relating generally to particular matters with regard to the exercise by the Commission of its functions under this Act and it shall be the duty of the Commission to comply with such directives.
Conditions of Service.	7.	The Commission shall develop and submit to the President, Commander-in-Chief of the Armed Forces appropriate conditions of service concerning remunerations, fringe benefits, pension scheme and other benefits for its employees.
Service in the Commission to be pensionable	8.	(1) Notwithstanding the provision of the Pensions Act, service in the Commission shall be approved service for the purpose of that Act and accordingly, officers and other persons employed in the Commission shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office. (2) For the purpose of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power to make regulation under section 23 thereof, is hereby vested in and shall be exercisable by the Commission and not by any other person or authority.
Cap. 346 LFN		
Power of the Commission to Grant licences	9.	(1) The Commission shall, in the consideration of an application or a licence under this Act, be satisfied that the applicant:
Cap. 59. LFN		

- (a) is a body corporate registered under the Companies and Allied Matters Act and whose majority shares are owned by citizens of Nigeria
- (b) can demonstrate to the satisfaction of the Commission that he is not applying on behalf of any foreign interest;
- (c) can comply with the provisions of the Second Schedule to the Transition to Civil Rule (Political Parties Registration and Activities) Act;
- (d) can comply with the objectives of the National Mass Communication policy as is applicable to the electronic media, that is, radio and television.
- (e) can give an undertaking that the licensed station shall be used to promote national interest, unity and cohesion and that it shall not be used to offend the religious sensibilities or promote ethnicity, sectionalism, hatred and disaffection among the people of Nigeria.

(2) The grant of a license by the Commission under this Act shall be subject to availability of broadcast frequencies.

(3) Compliance with the requirements specified in subsection (1) of this section shall not entitle an applicant to the grant of a licence, but the grant of a licence, by the Commission shall not be unreasonably withheld.

(1) In determining the grant of a licence the Commission shall consider the following, that is:-

- (a) The structure of shareholding in the broadcasting organisations;

(b) The number of shareholding in other media establishments;

(c) The distribution of those stations and establishments; as between urban, rural, commercial or other categorisation.

(5) It shall be illegal for any person to have controlling shares in more than two television stations.

Person disqualified from the grant of a licence

10. The Commission shall not grant a licence to:-

(a) A religious organisation; or

(b) A political party

Method of application for a licence

11. A request by a person for authority to own, establish or operate a radio, sound, television, cable or satellite station shall be by way of an application for a licence addressed to the Director-General of the Commission and in the form prescribed in the Second Schedule to this Act.

Terms and Conditions for A license

12 The grant of license shall be subject to the terms and conditions set out in the Third Schedule of this Act

Power of the Commission with respect to licences

13. (1) The Commission shall have power with respect to any licence granted under section 9 of this Act.

(a) to allocate broadcast frequencies generally (FM/MW for radio and UHF for television) to a licensed station

- (b) to approve the location of a station;
- (c) to regulate the technical specifications of equipment and standard of transmission;
- (d) to impose sanctions in accordance with paragraph 8 of the Third Schedule in this Act; and
- (e) to prescribe an appropriate fee payable.

(2) The Commission shall have the power to enter into the premises of any station and inspect or examine any apparatus of operation in the station in order to ascertain their conformity with the provisions of this Act.

(3) The Commission may exercise its power under this section of this Act through its agents.

Fund of the Commission

14 –(1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission.

(2) there shall be paid and credited to the fund established pursuant to subsection (1) of this section.

(a) such percentage of fees and levy to be charged by the Commission on the annual income licensed broadcasting stations

(b) such money as may from time to time, be lent or granted to the Commission by the Government of the Federation or of a State.

(c) all money raised for the purposes of the Commission by way of gifts, loans, grants-in-aid, testamentary disposition or otherwise;

(d) all other assets that may from time to time , accrue to the Commission

(3) The fund shall be managed in accordance with rules made by the Commission and without prejudice to the generality of the power to rules under this subsection, the rules shall in particular contain provisions-

(a) specifying the manner in which the assets or fund of the Commission are to be field and regulating the making of payments into and out of the fund; and

(b) requiring the keeping of proper accounts and records for the purpose of the fund in such forms as may be specified in the rules.

Expenditure of the Commission 15-(1) The Commission may from time to time, apply the proceeds of the fund established pursuant to section 14 of this Act to –

(a) the cost of administration of the Commission

(b) the payments of salaries, fees and other remuneration, allowances, pensions and gratuities payable to members or employees of the Commission.

Power to accept gifts . 16-(1) The Commission may accept money or other property and upon such terms and conditions, if any, as may be specified by the person or organization making the gifts, . provided that such gifts are not inconsistent to the

Objectives and functions conferred on it under this Act

Borrowing Power 17-(1) The Commission may with the consent of the Minister, borrow, on such terms, and conditions as

the Commission may determine such sums of money as the Commission may require in the exercise of the functions conferred on it under this Act.

Annual
estimates
Accounts
and
Audits

18-(1) The Commission shall not later than 1st October in each year, submit to the National Council of Ministers an estimate of its expenditure and income during the next succeeding financial year

(2) The Commission shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause its accounts to be audited not less than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor –General of the Federation.

Annual Reports

Miscellaneous and Supplementary

19-(1) The Commission shall prepare and submit to the Minister not later than 30th June in each year, a report in such form as he may direct on the activities of the Commission during the immediately preceding year, and shall include in such report a copy of the audited accounts of the Commission for the year and Auditor General' report thereon

Regulations 20-(1)

The Commission may, with the approval of the Minister, make regulations generally for the purpose of giving effect to provisions of this Act.

Savings 21

Pursuant of the provisions of section 9 of this Act, the power hitherto exercised by the Minister in so far as they relate to the grant of licenses in respect of cable

television services shall be deemed to have been performed by the Commission established by this Act

Repeat of certain sections of certain enactments Cap. 329 LFN Cap. 140 LFN Cap. 469 22-(1) Section 7(1) of the Nigerian Television Authority Act and section 6(1) of the Federal Radio Corporation of Nigeria Act are hereby consequently repealed (2)The power under the Wireless Telegraphy Act regulations made thereunder in so far as they relate to broadcasting shall, as from the commencement of the Act, vest in the Commission without further assurance than by this Act.

Interpretation 23. In this Act, unless the context otherwise requires, "Chairman" means the Chairman of the Commission; "Commission" means the National Broadcasting Commission established by section 1 of this Act, "Member" means a member of the Commission and includes the Chairman; "Minister" means the minister charged with the responsibility for information and "ministry" shall be construed accordingly. "Secretary" means the Secretary to the Commission. "Station" means a place or organization established for the purpose of distribution of radio or television programmes to the public through wireless or cable means.

Citation 24 This Act may be cited as the National Broadcasting Commission Act 1992

SCHEDULES

FIRST SCHEDULES

Section 3(5)

SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

Proceedings of the Commission

1. The Commission shall meet the conduct of its business at such times as the Chairman may determine.
2. The Commission shall have power to regulate its proceedings and may make standing orders for that purpose and subject to any standing orders and to paragraph 3 of the Schedule, may function notwithstanding:
 - (a) any vacancy in its membership or the absence of any member;
 - (b) any defect in the appointment of a member; or
 - (c) that a person not entitled to do so took part in its proceedings.
3. The quorum at any meeting of the Commission shall be a simple majority of the members
4. Where standing orders made under paragraph 2 of this Schedule provide for the Commission to co-opt persons who are not members of the Commission such persons may attend meetings of the Commission and advise it on any matter referred to them by the Commission but shall not count towards a quorum and shall not be entitled to vote at any meeting of the Commission.

COMMITTEES

5. The Commission may appoint one or more committees to advise it on the exercise and performance of its functions under this Act and shall have power to regulate the proceedings of its committees.

MISCELLANEOUS

6. (1) Any contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be made under seal may be entered into or executed on behalf of the Commission by any person generally or specifically authorized in that behalf by the Commission.

(2) Any member of the Commission or of a committee thereof, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Committee, as the case may be, shall not both on any question relating to such contract or arrangement.
7. (1) The common seal of the Commission shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Commission and recorded in the minutes of the meeting.

(2) The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or some other members authorised generally or specifically by the Commission to act for the purpose.

(3) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

SECOND SCHEDULE

Section II

FORM FOR APPLICATION FOR A GRANT OF LICENCE

1. Name of Applicant.....
2. Address.....
3. Names and Nationalities of Directors.....
4. Names and Nationalities of Shareholders and Shareholding.....
.....
5. Equity Structure.....
6. Types of Broadcast Licence required (Radio/TV, Cable TV, etc.....
7. Purpose of Licence.....
8. Duration for which Licence is required.....
9. Location.....
10. Coverage area.....
11. Target audience/Programme Profit.....
12. Applicant's interest in any other media organisation.....
13. Type and make of transmitters.....
14. Effective radiating power.....

15. Type of antenna and its characteristics.....
16. Distance between studio and transmitter station.....
17. Type of link system to be used.....
18. Method of reception (scrambled or open broadcast).....
19. Type, range and standard of programmes.....
20. Proportion of Nigerian content to the foreign content.....
21. Proposal for increase of local content over licensed period.....
22. Any special effort to promote indigenous talents.....
23. Evidence of financial and technical capabilities of applicant.....

UNDERTAKING

24. I/We..... hereby give an undertaking that upon a grant of a licence. I/We shall abide by the terms and conditions upon which the licence is granted.

Signed

25. An application shall be accompanied by the following:
 - (a) Certificate of Incorporation,
 - (b) Certificate Copy of Articles and Memorandum of Association,

- (c) Project Study including engineering design of system,
- (d) Evidence of the undertaking required under section 9 (c) of the Act.

THIRD SCHEDULE

Section 12

TERMS OF A LICENCE

1. A licence shall be valid for a period of five years in the first instance.
2. An application for the renewal of a licence shall be made to the Commission within a period of six months before the expiration of the licence.
3. A licence shall not be transferable and the licensed station shall not be changed without notifying the Commission of the intention and reasons for such change.
4. The holder of a licence shall be entitled to operate only one station in respect of a licence.
5. A licence shall:-
 - (a) contain a schedule of proposed programmes over a given period of time e.g. quarterly.
 - (b) a local programme content which shall not be less than 40%, and
 - (c) a schedule shall be accompanied by a synopsis of

each of the programme plans.

6. Each station shall keep a daily log of its transmitted programmes and the station log book shall include a transmitter output power and radiating frequencies.
7. Each station shall make available for inspection by the inspectorate staff of the Commission its broadcast facilities including equipment and station log books.
8. A licence may be revoked by the Commission in the following cases, that is:-
 - (a) where the prescribed fee has not been paid on the due date,
 - (b) where the licence has not been put to use within a period of one year after issuance,
 - (c) where it is found that the licence was obtained in breach of the provisions of section 13 of this Act or where it is found that the provisions of the said section are not being complied with, and
 - (d) Where in the opinion of the Commission the station has been used in a manner detrimental to national interest or where a complaint from the public has been upheld after a hearing instituted by the Commission and whose decision is upheld by a majority of members of the Commission.
9. The Commission may impose a lesser sanction such as a warning or the suspension of a licence as it may deem fit.

MADE at Abuja this 24th day of August 1992.

GENERAL I. B. BABANGIDA,

President, Commander-in-Chief of the Armed Forces, Federal Republic of Nigeria

EXPLANATORY NOTE

(This note does not form part of the above decree but is intended to explain its purpose).

The Act establishes the National Broadcasting Commission to, among other things, receive, process and consider application for the ownership of radio and television stations including cable television services, direct satellite broadcast and other medium of broadcasting.

