

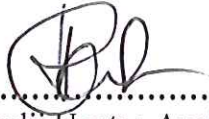
SAMOA
**BROADCASTING (STANDARDS AND POLICY,
LICENCE CATEGORIES AND CONDITIONS)
RULES 2019**

Arrangement of Provisions

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PURSUANT to section 7(1)(o) of the Broadcasting Act 2010 (“the Act”), the Regulator, **MAKES** the following Rules:

DATED this *10th* day of *October* 2019.



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(Lefaoalii Unutoa Auelua- Fonoti)

REGULATOR

RULES

**PART 1
PRELIMINARY**

1. Citation and commencement - These Rules may be cited as the Broadcasting (Standards and Policy, Licence Categories and Conditions) Rules 2019 and commence on the date signed by the Regulator.

2. Interpretation - In these Rules, unless the context otherwise requires:

“commercial television broadcast licence” means a licence whereby the provision of a television broadcasting services is on a for-profit and free-to-air basis;

“community television broadcast licence” means a licence whereby a provision of television broadcasting services on a not-for-profit and free-to-air basis

“commercial radio broadcast licence” means a licence whereby a provision of radio broadcasting services is on a for-profit basis;

“community radio broadcast licence” means a licence whereby a provision of radio broadcasting services is on a not-for-profit basis;

“digital multiplex service licence” means a licence whereby a provision of digital multiplex services to holders of licences under the Act;

“subscription television broadcast licence” means a licence whereby a provision of a television broadcasting services is on a for-profit and free-to-air basis.

PART 2 STANDARDS AND POLICY

3. Standards and policy-(1) A licensee under section 22 of the Act must comply with:

- (a) the standards and policy requirements relating to broadcast times and content published by the Regulator; and
- (b) broadcasting policies approved by the Minister in accordance with section 29 of the Act.

(2) A licensee under section 22 must take all reasonable steps to establish and respect the:

- (a) community standards in determining the content of the material that it causes to be broadcast;
- (b) time of the broadcast, and
- (c) sensibilities of the audience that can reasonably be expected to hear or view the material at those times.

PART 3 INDIVIDUAL AND CLASS LICENCES

4. Individual and class licence-(1) Pursuant to section 24 of the Act, the following services require an individual licence:

- (a) commercial television broadcast licence;
- (b) subscription television broadcast licence;
- (c) commercial radio broadcast licence; and
- (d) digital multiplex service licence.

(2) The following services are categorised under the class licence:

- (a) community television broadcast licence; and
- (b) community radio broadcast licence.

PART 4 LICENCE CONDITIONS

5. Conditions of individual licences - A licensee under section 22 of the Act shall be entitled to:

- (a) provide broadcasting service to the public for direct or indirect compensation; and
- (b) own or operate a broadcasting facility used to provide a broadcasting service for the sole purpose of delivering broadcast program, control content and signals to another licensee.

6. Standard licence conditions - A licensee under section 22 of the Act must:

- (a) comply with the laws of Samoa, including and without limitation, rules, regulations, orders and codes of practice made in accordance with Samoan laws;
 - (b) pay licence fees due when notified by the Regulator; and
 - (c) comply with any legal direction of the Regulator in relation to the operation of the broadcasting service as authorised by the licence.
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