

Malawi faults Zambia on TV licence

The Malawian government has faulted Zambian president Michael Sata for granting the former president of Malawi a television broadcasting licence.

 By Gregory Gondwe: @Kalipochi 27 Oct 2011

Government of Malawi switched off former president Bakili Muluzi's Joy-TV, claiming it had no licence to operate television services in the country, this is after president Michael Sata granted Muluzi a [television broadcasting licence](#).

The Malawi government through the Malawi Communications Regulatory Authority (MACRA) has said they have realised that some prospective local broadcasters are intending to introduce originating broadcasting services in Malawi without their authorisation.

Not according to the law in Malawi

Director general of MACRA, Charles Nsaliwa said according to relevant broadcasting laws, rules and regulations, this practice is illegal in Malawi.

In order to justify his position on these claims, Nsaliwa cited Article 4 of the International Telecommunications Union (ITU), Radio Regulations (2008), Clause 4.2 which states that, "Member states undertake that in assigning frequencies which are capable of causing harmful interference to the services rendered by the stations of another country, such assignments are to be made in accordance with the Table of Frequency Allocations and other provisions of these regulations."

"This requires that where a transmitted broadcasting signal is covering two bordering countries such countries are supposed to co-ordinate the assignment of their frequencies to avoid interference with respect to the existing regulations of such countries," Nsaliwa said.

Nsaliwa further said that the Regional Radio communications conference 2006 (RRC-06) and the resulting Digital Broadcasting Plan (GE06), existing analogue assignments were converted to the digital plan and in this regard, any new analogue assignments must be in accordance with the plan as well as Clause 4.3 of Article 4 of ITU Radio Regulations (2008).

Nsaliwa also stated that Article 6 of the ITU Radio Regulations (2008) relating to Special Agreements, Clause 6.1 requires two or more member state to conclude Special Agreements regarding frequency sub allocation for any service of such countries.

"Following the said Article, the Communications Regulators Association Southern Africa (CRASA) strongly recommends that there should be cross-border frequency co-ordination between bordering countries in case which are likely to have service spill-over into another country," he added.

Nsaliwa said, it is therefore the expectation of MACRA, that any prospective broadcasters that want to originate their broadcasting services from a foreign country, should seek their approval and authorisation in accordance with the powers granted to it by Sections 5 and 33 of the Communications Act.

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