



Ministry of Communication
and Information Technology

NATIONAL BROADCASTING POLICY 2017



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FOREWORD

On behalf of the Government of Samoa, I am pleased to present the National Broadcasting Policy for Samoa. It is an attempt by the government for the development of the Broadcasting Industry with the main aim to facilitate the growth for broadcasting, and similar services in Samoa.

This policy is aligned to the current national vision for 2016-2020 Samoa Development Strategy in ***“Accelerating Sustainable Development and Broadening Opportunities for All”***. It is believed that this will provide a clear direction and drive for any national development including broadcasting services. The key element in this process is the management of the transition to adjoin the Information Technology (IT) and Communications Sector. Samoa has a high demand for Information Communications Technology (ICT) services mainly Internet which is expected to satisfy following the arrival and implementation of the second submarine cable, (Tui-Samoa) later on in this year.

Furthermore, it plays a vital role in preservation of national, cultural and heritage norms for our country. It is why a policy should be in place to encourage the preservation of national heritage, tradition and culture at the same time provide opportunities for everyone to enjoy technological benefits alongside other advance countries and the rest of the world.

I trust that the provision of this National Broadcasting Policy will provide not only a strong partnership between Government and everyone involved for a resilient and prosperous broadcasting sector.

Soifua



Honorable Afamasaga Lepuia'i Rico Tupa'i
MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY

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1. ACRONYMS

BYU –Brigham Young University

CCTV –China Central Television

EFKS – Ekalesia Faapotopotoga Kerisiano Samoa

FM – Frequency Modulation

ICT – Information and Communication Technology

MCIT – Ministry of Communications and Information Technology

NBP – National Broadcasting Policy

OOTR – Office of the Regulator

SDS – Strategy for the Development of Samoa

STB – Set Top Box

TV - Television

2. INTRODUCTION

Radio and Television broadcasting has long been an important aspect of life to the overall development of Samoa. It has made influence economically, socially and technologically. Since its first establishment in the late 40s in terms of audio and later in early 90s for television, there have been significant developments in the communication sector in terms of accessibility and technological improvements.

This Broadcasting Industry plays an important role for the people of Samoa through the provision of entertainment, information and employment opportunities amongst others. Moreover, it plays an important role to improve communication to the portion of the population who has difficulty to read, and it is an easily accessible service for anyone in the community.

In developing this National Broadcasting Policy, it is necessary to take full account of the challenges facing the broadcasting in the public interest. It is the responsibility of the government to determine a policy that will enable broadcasters to satisfy public demand for information in an efficient and sustainable manner. The policy will also provide a platform which focuses on provisions to facilitate an enabling environment for effective competition, encourage private sector participation, and improves universal service/access and market liberalization; develop a regime on foreign ownership for broadcasting networks and to connect the people of Samoa. It will also guide the switch of television from analogue to digital, as the new means for broadcasting services.

The policy recognizes the crucial role of competition and private enterprise for the growth of broadcasting industry, it promotes the attainment and maintenance of the highest standards of quality services, responsibility and objectivity. It clearly highlights the need for the quick application of the law in the promotion of national unity and economic growth; and it aims to provide the necessary legal and regulatory certainty for all players in the industry.

A review was carried out on the **NATIONAL BROADCASTING POLICY 2005** to make the necessary adjustments and modifications to keep the industry in line with developments nationally, regionally and internationally. Due to the technological development, programs of many international media are now available in Samoa with the help of satellite technology and the submarine cable. Radio and television of modern world air/broadcast creative programs from other sources in addition to their own productions, and this trend helps create a competitive platform for producing creative and quality programs.

This policy document addresses general matters of broadcasting, such as;

- ❖ The growth and responsible development of the broadcasting sector;
- ❖ The role of stakeholders in the broadcasting sector to enhance strong social cohesion and national development;
- ❖ The legal and regulatory framework for broadcasting in this age of digitization;
- ❖ The provision of broadcasting service and the production of content;

In line with the abovementioned viewpoints, this policy has been formed to develop a free, open, multi-dimensional, liable and effective broadcast sector in the country.

3. BRIEF HISTORY OF BROADCASTING:

The first ever broadcaster, Radio 2AP 540 AM established in 1948 as a Government medium for public broadcasting. It later operated under the Broadcasting Ordinance 1964 and formed the Broadcasting Department. It was the only broadcaster in the country for 40 years, until a private commercial FM radio station, Radio Polynesia was established in 1988. In 1991, television broadcasting was introduced to Samoa, an initiative by the Government so the public could watch the Rugby World Cup held in Wales, where the national rugby team played its first world cup tournament.

In 1993, the Samoa Broadcasting Corporation (SBC) was established to operate the Government television station, with plans for privatization. In the late 2006, access to telecommunications technology significantly improved at the onset of the 3G cellular mobile markets, with Digicel Samoa and Bluesky Samoa being the main and the only operators.

Major Government reforms in 2002 of all ministries and government agencies reduced ministries from 26 to 15, and part of the broadcasting sector reforms was Radio 2AP becoming part of SBC. In 1999 MCIT was previously known as the Ministry of Post and Telecom, then later in 2003 the Ministry of Communication and Information Technology (MCIT) was formed and the Broadcasting Department was dissolved. The Office of the Regulator was set up in July 2006, initially for the telecommunication and broadcasting market, but functions have extended to include electricity. In 2008, SBC was privatized, but the Government decided to retain Radio 2AP under MCIT for national broadcast during natural disasters and Parliament proceedings for the people of Samoa to be well versed with progress of national development and initiatives. The following services such as Cable TV, VHF, UHF (Analogue), IP TV and Satellite TV are all available in Samoa.

The Government's liberalization of Broadcasting Service in 2009 to present saw the establishment of other 15 FM radio stations and eight (8) television stations;

- ✓ Broadcasting television for national coverage is categorized into three, namely Commercial Services, Non-Commercials Service and Subscriptions Services;
- ✓ Five institutions operated commercially for national coverage are (Samoa Quality Broadcasting Limited (TV1), Apia Broadcasting Limited (TV3), TV2 EFKS TV, Worship Centre TV (Kingdom TV), Catholic Media Communication (Upumana TV);
- ✓ Non-Commercial are Upumana TV, Good News TV (TV7), CCTV and BYU TV;
- ✓ In addition, there are two subscriber TV's (Bluesky Moana TV and DigicelSkyPacific);
- ✓ Geographically the coverage for broadcasting television is from 60% to 80% of the country;
- ✓ In 2014, SQBL Broadcasting Station launched an Internet based broadcasting (TV online);
- ✓ The Broadcasting FM stations needs improvement in providing national coverage to the general public for infrastructure & equipment.

4. PURPOSE OF THE POLICY

The National Broadcasting Policy 2017 provides a sound framework for driving the development and management of a growing broadcasting industry that will bring benefits to all Samoans. It will also assist the Government and everyone involved in the smooth migration to digital for the broadcasting industry by end of 2017.

This National Broadcasting Policy intends to:

- Provide a vision to guide the development of the broadcast and media sector in Samoa;
- Conduct awareness, promote and facilitate the introduction of the digital transition to the people of Samoa;
- Manage the changes and its increasingly influence to Samoa;
- Clarify the roles of different institutional and major players, including Ministry of Communication and Information Technology, Office of The Regulator, and the Broadcasting Industry; and
- Sets rules in a number of areas with a view to promote a broadcasting media that is free, independent and diverse, and serve the values and principles of fair price system rather than simply the political/commercial interests of media owners.

5. SCOPE OF THE POLICY

This National Broadcasting Policy 2017 applies to all stakeholders within the broadcasting value chain. This includes radio and television broadcasting and other related broadcasting platform in Samoa. It also includes subscribers, commercial and non-commercial broadcasters as indicated in the following table.

Table 1. Commercial Radio Broadcasting;

Radio Polynesia Limited	FM Radio	Talofa FM
		K-Lite
		Magic FM
		Star FM
		Malo FM
Samoa Quality Broadcasting	FM Radio	My FM
		ABC Australia
		Chinese International Radio FM
TV2 Network (EFKS TV)	FM Radio	EFKS FM
Catholic Media Communication	FM Radio	Aiga Fesilafai Radio
Worship Centre	FM Radio	Shower of Blessing
Power FM Radio	FM Radio	Power FM
Talamua Media	FM Radio	FM Radio
Ministry of Communication & IT	AM Radio	2AP National Radio

Table 2. Non-Commercial Radio Broadcasting

Good News Trust	FM Radio	Hope
Youth for Christ	FM Radio	Laufou ole Talalelei
R & M Meredith Family Trust	FM Radio	FM Radio
Catholic Radio	FM Radio	Aiga Fesilafai
Salafai Radio	FM Radio	Salafai FM

Table 3. Community Radio

National University of Samoa	FM Radio	NUS FM
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Table 4. Commercial Television

Samoa Quality Broadcasting	Fee Per View TV	TV1
		China TV
Apia Broadcasting Limited	Free Per View TV	TV3
Catholic Media Communication	Free Per View TV	Upumana TV
TV2 Network (EFKS TV)	Free Per View TV	EFKS TV
Worship Centre	Free Per View TV	Kingdom TV (KTV)
Bluesky Samoa Limited	Subscription IP TV	Moana TV
Digicel (Samoa) Limited	Subscription Satellite TV	Digicel and Sky Pacific

Table 5. Non Commercial Television

Good News Trust	Free Per View TV	TV 7
BYU TV	Free Per View TV	BYU

5.1 Obligations under the Broadcasting Act 2010

Development and adoption of common policies and regulations in advance stages. This harmonization hopefully will improve efficiency in service delivery and promote national integration.

VISION

“All people residing in Samoa to have access to quality broadcasting services, which promotes the social-economic, political and cultural values and well-being of the people of Samoa”

MISSION

“To provide a clear policy framework for a coordinated broadcasting industry”

6. POLICY OBJECTIVES

The following is a set of key objectives identified to achieve the vision for the Broadcasting sector. It will also identify the new development of digitalisation of the broadcasting industry that government envisages will bring benefits to all the Samoans.

The key objectives of the Policy are:

1. Promote and Safeguard content;
 - a. To promote and safeguard national culture and national identity;
 - b. To provide the wide range of programmes which meets the informational, spiritual and entertainment needs of the public as a whole;
 - c. To ensure that broadcast media promotes the values of Local contents within their airing or broadcasting programs;
2. Ensure the provision of quality broadcasting infrastructure and compliance;
 - a. To ensure that the provisions of services, including the quality of broadcasting transmission, are high and complies with ITU specifications;
 - b. To develop licensing requirement that suit the new entity or multiples operator within the broadcasting chain;
 - c. To create an enabling environment for a smooth transition from analogue to digital broadcasting by putting in place common measures to ensure cost-effective that will benefit both customers and suppliers;
 - d. To ensure that broadcasting services via the radio and television reaches all homes in Samoa (in terms of coverage)
 - e. Ensure devotion to social responsibility by encouraging the development of and respect for codes of practise by all broadcasting licensees;
3. To promote fair competition and investment;
 - a. To promote fair competition, innovation and investment in the broadcasting industry;
 - b. To promote competition and to ensure the spectrum is made available for new technologies and services;

4. Build Human Resource development in the Broadcasting Sector of competence and professionalism;
 - a. Build Human Resources Development capacity in the Broadcasting Sector,
 - b. Ensure the availability of competence and professionalism in all areas of work by staff within the broadcasting industry;
5. Natural Disaster preparedness;

To achieve these objectives, the Government through the Ministry of Communications and Information Technology together with the Office of the Regulator, and the Broadcasting Industry are obligated under this Policy to execute the following:

a. The Ministry of Communications and Information Technology will:

Ministry of Communications and Information Technology	Develop and amend appropriate regulations that will give effect and recognition to the policy according to issues raised from the industry, the Office of the Regulator and the viewers.
	Advise the Minister on policy for the broadcasting sector;
	Put in place an implementation plan to assist with the review of the policy.
	Coordinate consultation with the broadcasters to ensure development of appropriate code of practice or code of framework for the broadcasting industry.

b. The Office of the Regulator will:

Office of the Regulator	Develop appropriate rules and regulations that give effect to the policy.
	Monitor and evaluate new technologies and service trends in the broadcasting sector.
	Ensure appropriate allocation of spectrum.
	Grant license to the new entity (multiplexer).
	Coordinate an awareness campaign and training adapted to the use of digital equipment and new services. In particular, measures should be taken to enable the elderly and the persons with disabilities to understand the use of digital technologies.
	Grant and renew license to content providers in a fair and transparent behavior emphasizing clear obligations and criteria which include diversity in ownership and content.
	Ensure procedures for handling complaints from industry and public is in place.
	Ensure coordination and consultation with stakeholders.

	Publish or approve codes of practice to facilitate implementation of this Policy and monitor and enforce compliance of the codes of practice by licensees;
	State the terms of license in the license and have three different licenses for the sector. <ol style="list-style-type: none"> 1. Commercial Broadcasting 2. Non-Commercial Broadcasting 3. Subscription Broadcasting

c. Market Structure

The Samoan broadcasting market structure is subject to market and competitive forces; with proportionate Government intervention where markets are not realizing the bottom objectives;

- ❖ The Samoan broadcasting market is open to entry;
- ❖ Private and community interests are encouraged to assume greater responsibility for the development of the sector and meeting public policy objectives;
- ❖ Foreign interests are encouraged to enter and assist in building and developing broadcasting and content services in Samoa.

7. SPECTRUM MANAGEMENT

The radio spectrum is a natural resource that should be controlled and managed efficiently and effectively to maximize its use. OOTR is charged with the responsibility under the Telecommunication Act 2005 as amended, section 8 (1) h; (“Act”) to establish a radio spectrum plan and manage radio spectrum for the telecommunication sector. OOTR has established processes for issuing spectrum license for broadcasters and in the process, includes an open consultation where applicants demonstrate their financial support as well as technical capability to operate requested frequencies.

OOTR prepares the Principle of Frequency Assignment which includes guidelines to ensure effective management of the spectrum, encourage development and operation of communications for the national interest taking into account international implications. All conditions on the use of radio frequency are as stated in the license.

The Principle Frequency Assignment addresses, the general principles to be applied in the allocation and assignment of frequencies to providers. It further includes the associated plan which addresses its implementation mechanisms. The allocation and the supply of the spectrum are governed by the recommendations and resolutions of the International Telecommunications Union (ITU) and The World Radio Conference (WRC). These allocations are based on the three ITU regions and Samoa is in Region 3.

There are four main areas of work involved in the Spectrum Management;

- ✓ System planning for the allocation of the different parts of the frequency spectrum to specified uses in accordance with international agreements and standards, technical specifications and national priorities and policies.
- ✓ Spectrum Authorization which involves granting access under certain conditions to spectrum resources by various types of communication devices and the certification of radio operators. This is in accordance with the Telecommunication Act 2005.
- ✓ Spectrum Engineering involves the development of electromagnetic compatibility standards for equipment that are type approved.
- ✓ Spectrum Monitoring and Compliance involves the monitoring of the use of the radio spectrum and the implementation of measures to control unauthorized use and interferences.

8. DIGITAL SWITCHOVER

Policy Statement:

OOTR in consultation with broadcasters and other interested parties will develop and implement an analogue to digital television switchover plan.

Justification:

An analogue to digital television switchover plan needs to be developed to ensure Samoans will continue to enjoy access to broadcast television services after the analogue transmission at the end of 2017. This will provide opportunity to extend the range of services available to Samoans by co-locating transmitters and multiplexing signals.

a. Implications of Digital Migration;

Under the current analogue terrestrial television, one frequency carries one program channel, whereas digital terrestrial television (DTT) uses one frequency to carry multiple program channels thereby allowing for transmission of many television programs using fewer frequencies and at lower cost.

In summary, these are:

- **More broadcasting channels can be accommodated**
Digital broadcasting provides more program channels than analogue broadcasting using the same frequency resources.
- **Savings in Infrastructure Costs**
Reduce requirements for transmitters per site mean reduced cost for provision of service and maintenance.
- **Better picture and sound quality**

The digital technology provides improved picture quality; allow for high definition television, high quality for sounds and features such as multiple languages.

- **Improved coverage**

Coverage signal will be equally distributed across the islands depending on where the transmission sites are located.

- **Provision of value added services**

Digital television allows for the inclusion of value added services like electronic Program Guides, parental guides for parent control, accessing the Internet, television shopping, weather forecasts, and electronic newspapers.

- **New broadcasting business model**

Digital technology allows for the packaging of services (channels) which can be accessed on a subscription basis.

- **Mobile broadcasting can be introduced**

Digital technology allows for delivery of service to receivers in motion (in a car, bus, or train) and to portable devices such as cell-phones, tablets and laptops.

- **Spectrum Efficiently utilized**

Digital television use twenty times less spectrum compared to analogue broadcast.

- **Television sets upgrade**

One disadvantage for migration from analogue to digital television broadcasting would be the need to upgrade the receivers used, either with new fully digital television sets or by purchasing “set-top boxes”.

b. Technical Benefits of digital Broadcasting

Digital Broadcasting offers Samoa with great opportunities to efficiently manage the frequency spectrum. This is by allowing content from different broadcasting providers to be carried in a single frequency channel. It also offer superior video and good quality audio.

Digital broadcasting lowers transmission costs as less power is consumed by the transmitters as compared to analogue. The digital transmission allows for optimal utilization since the content broadcasters share the same multiplex platform. The biggest advantage of digital broadcasting is its positive impact on the environment due to reduced construction of broadcasting transmission infrastructure.

8.1 Broadcasting Environment:

1. The broadcasting environment shall be reviewed to reflect the new realities of digital broadcasting.
2. Review the frequency spectrum and broadcasting licenses to ensure analogue spectrum frequencies are revoked by switch off date and digital spectrum frequencies are assigned to broadcasters.

3. Facilitate the establishment of single shared multiplex platform and broadcaster regulations.
4. OOTR to develop and implement tariff and universal access guidelines.

9. LICENSING FRAMEWORK

OOTR is responsible for regulating the Broadcasting sector stipulated by the Broadcasting Act 2010. OOTR shall state the terms of license in the license and have three different licenses for the sector.

1. Commercial Broadcasting
2. Non Commercial Broadcasting
3. Subscription Broadcasting

9.1 Commercial Broadcasting License

Commercial Broadcasting License is issued to an entity primarily based on the practice of communications for profit. Coverage obligations for Commercial Broadcasting License are stated in the license.

9.2 Non Commercial Broadcasting License

Non-Commercial Broadcasting License is commonly used by individual or in various educational and non-profit organizations and will use for non-commercial purposes such as;

- School
- Library
- College
- University
- Museum
- Research Institute
- Church
- Charitable organization

9.3 Subscription Broadcasting License

Subscription Broadcasting License is a system where TV or Radio programs are transmitted to subscribers. Subscription television, premium television, or premium channels refer to subscription-based television services, usually provided by both analog and digital cable and satellite television, but also increasingly via digital terrestrial and internet television.

10. SINGLE SHARED MULTIPLEX PLATFORM

The single shared multiplex platform shall:

- Provide network infrastructure that will receive content after aggregation from broadcasters for multiplexing and transmission to audience.
- Meet the minimum medium field strength values required to ensure coverage across Samoa is achieved, established and operate a help desk service.
- Develop agreements with broadcasters which shall be non-discriminatory.

The single shared multiplex platform shall be responsible for transmitting content received from content service providers to designated sites and relevant audience.

11. SET TOP BOXES AND CONSUMER PROTECTION

OOTR to ensure protection for customer and guarantee to access information during the transition. Therefore OOTR ensures that;

- Set top box dealers are licensed to trade in Samoa.
- All Set top boxes must be type approved.
- Set top box dealers establish a wide sale point for STB's to ensure the consumer acquires STB's at a competitive and fair price.
- Single shared multiplex platform entity promotes consumer awareness on access and utilization of STB's.

12. PUBLIC AND BROADCASTING PROVIDERS AWARENESS

OOTR to ensure the public is aware through broadcasting service providers for awareness and promote smooth migration to digital terrestrial television broadcasting platform.

13. TRANSITIONAL ARRANGEMENTS

OOTR to adopt a phase approach to digital switch on and analogue switch off. There shall be a simulcast period. Transitional measures shall be as follows;

1. The current broadcasters with valid licenses shall be issued with broadcasting content service provider licenses up to the expiry date of their current licenses subject to appropriate fees.
2. License for single shared multiplex platform entity shall be issued before operation commences.
3. At the switch off date, broadcasting content service providers shall be required to sign agreements with single shared multiplex operator entity.

14. BROADCASTING CONTENT SERVICE PROVIDERS

Service providers shall be responsible for migrating their equipment and facilities to meet the digital requirements. The service providers shall also make arrangements to connect their facilities to the single shared multiplex platform.

15. LEGISLATIVE OBLIGATIONS

The relevant legislation, “Broadcasting Act 2010” and Broadcasting Amendment Act 2016 are silent on functions pertaining to content regulations or procedures for breaching any specified set of codes or standards. There is also a gap within these legislations on provision pertaining to the migration of television from analogue to digital television. So the Government is putting in place mechanisms and appropriate guidelines or a regulation to better manage this migration of television for Samoa.

There is an immediate need to review the existing Broadcasting Ordinance 1959 and the Broadcasting Act 2010, to establish empowering provisions for broadcasting management and to empower the implementation of the National Broadcasting Policy. Other enabling regulations will then follow dealing with other issues including: standards, terms and conditions of licensee, number of licenses to issue, universal access and the convergence of technological resources being used within the broadcasting industry.

16. POLICY IMPLEMENTATION

The proposed implementation of the National Broadcasting Policy is expected to take effect from the time it is approved by Cabinet. The Government recognizes the need for the establishment of enough institutional capacity to assist with the implementation of this Policy.

17. MONITORING, MAINTENANCE AND REVIEW

The National Broadcasting Policy will be reviewed on an annual basis to verify progress of implementation of the policy, and a full evaluation will be conducted or carried out after four years.

