

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

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

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

It is hereby enacted as follows: -

1. Short title and commencement.— (1) This Act shall be called the Pakistan Electronic Media Regulatory Authority (Amendment) Bill, 2023.

(2) It shall come into force at once.

2. Amendments of preamble, Ordinance XIII of 2002. — In the Pakistan Electronic Media Regulatory Authority Ordinance, 2002 (XIII of 2002), hereinafter referred to as the said Ordinance, in the preamble,—

(i) for clause (ii), the following shall be substituted; namely:--

“(ii) enlarge the choice available to the people of Pakistan in the media for authentic news, current affairs, religious knowledge, tolerance, art, culture, science, technology, economic and energy development, social sector concerns, music, sports, drama, children content and other subjects of public and national interest;”;

(ii) in clause (iii), the word “and”, occurring at the end, shall be omitted;

(iii) in clause (iv), after semi-colon, at the end, the word “and” shall be added and thereafter the following new clause shall be added, namely:-

- “(v) ensure timely payment of salary to the electronic media employees working with the licensee of the Authority;”.
- (iv) after proposed clause (v), the following new clause shall be added, namely:-
- “(vi) ensure fair, transparent, and independent rating to broadcasters for their TV channels.”.

3. Amendments of section 2, Ordinance XIII of 2002. — In the said Ordinance, in section 2,—

- (i) in clause (g), for the expression “Ordinance, 1984 (XLVII of 1984)”, the expression “Act, 2017 (XIX of 2017)” shall be substituted;

- (ii) the existing clause (ha), shall be renumbered as clause (haa), and after clause (h), the following new clause shall be inserted, namely:-

“(ha) “disinformation” means verifiably false, misleading, manipulated, created or fabricated information which is disseminated or shared with the intention to cause harm to the reputation of or to harass any person for political, personal, or financial interest or gains without making an effort to get other person’s point of view or not giving it proper coverage and space but does not include misinformation;”;

- (ii) the existing clause (la), shall be renumbered as clause (laa), and after clause (l), the following new clause shall be inserted, namely:-

“(la) “misinformation” means verifiable false content or information that is unintentionally disseminated or shared;”;

- (iii) after clause (hc), the following new clause shall be inserted, namely: -

“(hd) “electronic media employee” shall mean and include a person working as an employee with the licensee of the Authority;”;

(iv) in clause (r), for the word "corporation", the expression
",corporation or public body" shall be substituted;

(v) after clause (u), the following new clause shall be inserted,
namely: -

"(ua) "severe violation" means a violation of this
Ordinance or violation of Article 19 of the
Constitution of the Islamic Republic of Pakistan;"

(vi) in clause (v), the word "and", occurring at the end, shall be
omitted; and

(vi) after clause (v), amended as aforesaid, the following new clause
shall be inserted, namely: -

"(va) "timely payment of salary" means the payment of salary
when made to the electronic media employee within two
months; and".

3A. Amendment of section 4, Ordinance XIII of 2002.- In the
said Ordinance, in section 4, after sub-section (3), the following new sub-
section shall be added, namely:-

"(4) The Authority by registering rating companies shall
ensure that a fair, transparent, and independent forums
shall issue rating to the licensees."

4. Amendments of section 6, Ordinance XIII of 2002.— In the
said Ordinance, in section 6, for sub-section (4A), the following shall be
substituted; namely:-

"(4A) The remaining two members shall, by the
division to which business of this Ordinance stands
allocated, be appointed on need basis on recommendation
of the Chairman and they shall be non-voting honorary
members, one from broadcasters and one from Pakistan
Federal Union of Journalists (PFUJ).

5. Amendments of section 8, Ordinance XIII of 2002.— In the
said Ordinance, in section 8,—

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

“(3A) Meetings of the Authority may also take place through modern devices including but not limited to video link.”; and

- (ii) in sub-section (5), the words “and shall identify the determination of the Chairman and each member separately” shall be omitted.

6. Amendment of section 11, Ordinance XIII of 2002.— In the said Ordinance, in section 11, for the words “it may deem fit”, the words “may be prescribed by regulations” shall be substituted.

7. Substitution of section 13, Ordinance XIII of 2002.— In the said Ordinance, for section 13, the following shall be substituted, namely:-

“13. Delegation.— The Authority may delegate to the Chairman or a member or officer of the Authority, any of its powers, responsibilities or functions under this Ordinance as it may by regulations prescribe:

Provided that the delegation of such power shall not include the power to grant, revoke or cancel a broadcast media or distribution service licence except cable TV:

Provided further that to the extent of suspension of broadcast media licence, the Authority may delegate its power to Chairman and two members of the Authority.”.

8. Amendment of section 20, Ordinance XIII of 2002.- In the said Ordinance, in section 20,-

- "(a) in clause (e), the expression "and such content will be in addition to preamble, and the licensee will also submit an annual compliance report to this effect or as and when required by the Authority;" shall be added at the end; and
- (b) after clause (i), for the full stop, at the end, a semi-colon shall be substituted and thereafter the following new clauses shall be added, namely:-
- (j) not air disinformation;