

Issues for Consultation

Question 1:

Should licensing of the satellite TV channels be done on case to case basis or through bidding?

Explanatory Note 1:

Satellite TV (STV) channels are Pakistani TV channels licensed by the Authority (PEMRA) for uplinking/ originating from within Pakistan for distribution to the viewers in Pakistan. These TV channels (hereinafter referred to as Pakistani Channels in short) are required to carry at least 90% of indigenous (Pakistani origin) programmes/content and a maximum of 10% foreign content during the 24 hour transmission including repeats. Examples of STV channels are Hum TV, Geo News, Samaa TV, AVT Khyber, ARY News etc.

Explanatory Note 2:

- a. Case to case base licensing means the applicant companies meeting the eligibility criteria will be awarded licenses on 1st come 1st served basis on completion of legal requirements which, inter alia, include security clearance from Ministry of Interior, public hearing and provincial consultation (where broadcast station/TV channel is to be established) and payment of requisite fee & taxes.

- b. Licensing through bidding means the shortlisted applicant companies meeting the eligibility criteria are invited for bidding/ auctioning, the successful bidders are awarded licenses on completion of legal requirements which, inter alia, include security clearance from Ministry of Interior, public hearing and provincial consultation (where broadcast station/TV channel is to be established) and payment of applicable license fee determined through bidding & taxes. In this case number of licenses to be awarded are pre-determined by the Authority (PEMRA) and bidding is held only when the number of applications exceed the number of licenses to be issued.

Question 2:

Should the existing categories of satellite TV channels licenses i.e. News & Current Affairs, Entertainment, Sports, Regional Language, Education, Health, Agriculture, Specialized Subject (Non-commercial educational) as given in Table I of Schedule B of PEMRA Rules 2009 be reviewed? If yes, what should be the possible categories of STV licenses?

Explanatory Note:

STV licensees are required to carry content in consonance with the approved category of license e.g. an STV channel with news & current affairs category is required to carry major part of its content e.g. upto 70% content related to news & current affairs while it can air upto 20% commercials and upto 10% public service messages during 24 hours transmission. Similarly an STV channel with entertainment category is required to carry major part of its content e.g. upto 70% content related to entertainment i.e. drama, movies, soaps, music etc. while it can air upto 20% commercials and upto 10% public service messages during 24 hours transmission.

Question3:

Should the Authority (PEMRA) allow the change from one category to another of STV channels i.e. change of category from entertainment to News & Current Affairs & vice versa or from education to entertainment or sports etc. on payment of fee equal to the difference of upfront fee for two categories?

Explanatory Note:

Regulation 6 (5) of the PEMRA (Television Broadcast Station Operations) Regulations-2012 does not allow the change of category e.g. from entertainment to news & current affairs or sports etc. or vice versa and a license once issued for a particular category cannot change its category for any reason whatsoever for the entire duration of license i.e. 15 years.

Question 4:

What factors should be considered while determining the applicable license fee/base price & annual fee for various categories of satellite TV licenses (the existing base prices for various categories is given in Annex-I to this questionnaire)? Please support your reply with justifications / reasons.

Response time/Deadline for Submission of Comments:

For any queries related to the questionnaire /issues of consultation, undersigned may be contacted at telephone number, fax number or e-mail address, given below. PEMRA laws i.e. the PEMRA Ordinance 2002 (Amendment Act 2007), PEMRA Rules 2009 & PEMRA (Televisions Broadcast Station Operations) Regulations-2012 can be accessed by visiting www.pemra.gov.pk. The questionnaire/ issues for consultation can also be accessed directly online by visiting <https://goo.gl/ob87sT>

Response to the above questions and any other additional points related to the issue under consideration along with reasons & justification may be submitted in writing, through fax or e-mail latest by **15th December, 2017, till 1600 hrs PST** at the following address:

Director General Licensing (Broadcast Media & DTH)

4th Floor PEMRA Headquarters, Mauve Area,

Sector G-8/1 Islamabad 44000, Pakistan.

Phone: +92-51-9107117

Fax: +92-51-9107165

e-mail: licensing@pemra.gov.pk

Annex-I

Base Price for Bidding of Satellite TV Licensing (as per PEMRA Eligibility Criteria & Bidding Procedure for Satellite TV Licensing) Regulations-2014

S . No	Category	Base Price (in Rs. In Million)	Annual Fee (Rs.)
1	News & Current Affairs	50	1 Million + 5% annual gross advertisement revenue (AGAR)
2	Entertainment	40	0.7 Million + 7.5% of AGAR
3	Sports	30	0.7 Million + 5 % of AGAR
4	Education	10	0.3 Million+ 5% of AGAR
5	Agriculture	10	0.3 Million + 5% of AGAR
6	Health	10	0.3 Million+ 5% of AGAR
7	Regional Language	10	0.5 Million+ 5% of AGAR
8	Specialized subject	1	0.3 Million

Note: The case of Annual Gross Advertisement Revenue (AGAR) is currently sub-judice.