

FOR IMMEDIATE RELEASE

URCA issues Statement of Results on the Content Regulation: Process for Developing Codes of Practice

The Utilities Regulation and Competition Authority (URCA) has issued its Statement of Results on the Content Regulation: Process for Developing Codes of Practice consultation. This follows a public consultation on the subject that began on 3 February 2010. The deadline for submitting responses was 12 March 2010. The Statement of Results gives an overview of the responses that were received and seeks to give clarity on the roles of the industry, the public and URCA in developing the Codes.

After receiving and reviewing the responses, URCA is now moving forward with the establishment of a Working Group to develop Codes of Practice on content regulation. After conferring with the broadcasting industry, and considering the responses from the consultation, URCA agrees that it would be appropriate to convene sub-groups to look at particular aspects of the Codes.

The new Codes are intended to replace the Interim Code of Practice for Political Broadcasts and the Interim Code of Practice for Broadcasting Content which URCA issued in January and April 2010 respectively. The new Codes, when published, will apply to the state-owned broadcaster ZNS and to private radio and television broadcasters operating in The Bahamas as well.

Although it is anticipated that it will take some months to develop the draft Codes, the help of the industry Working Group and subgroups will ensure there is widespread input from different interest groups in the development of the Codes before they go to public consultation.

When URCA issued the Interim Codes, there was a high level of public interest. However, the lack of broadcasting industry responses to the consultation highlights the need for URCA to carefully manage and ensure industry participation in the Working Group to develop the Codes. There are also implications for the likelihood and extent to which industry participants might be granted additional roles as part of any ongoing regulatory system. Broadcasters and other stakeholders will need to demonstrate to URCA that they have the commitment to actively engage in any co-regulatory system covering the entire process of drafting, developing, consulting and enforcing compliance of the Codes.

It should be noted that prior to the Communications Act (Comms Act) coming in effect, Broadcasting Rules were in place under the Broadcasting Act and its subsidiary legislation. These former rules remained in place for most of the last two decades, up to the repeal of the Broadcasting Act and its subsidiary legislation by Section 120 (1) of the Comms Act in 2009. Therefore, Codes for broadcasting content are not by any means a new concept to The Bahamas.

While URCA could develop the Codes without any assistance from a Working Group (i.e., statutory regulation), URCA believes that a co-regulatory system is a better method to develop the Codes. Therefore, URCA will engage these groups for full participation and involvement.

Furthermore, URCA will conduct town meetings in New Providence and a few Family Islands on the draft Codes and complaints handling procedure to ensure they are open to widespread discussion and consultation. URCA encourages and looks forward to receiving comments from the industry,

stakeholders and the public on the draft Codes and complaint handling procedure once they are published .

The documents can be downloaded at www.urcabahamas.bs under the Publications tab “Results”.

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