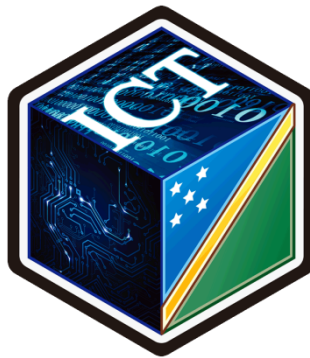


NATIONAL BROADCASTING POLICY



MINISTRY OF COMMUNICATIONS,
AVIATION AND INFORMATION
TECHNOLOGY

SOLOMON ISLANDS GOVERNMENT

NATIONAL BROADCASTING POLICY
2015

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EXECUTIVE SUMMARY

1. This *National Broadcasting Policy* sets out the policy of Solomon Islands Government with respect to meeting the broadcasting needs of Solomon Islands.
2. The aim of this *National Broadcasting Policy* is to provide policy to direct decisionmaking in respect of broadcasting for the benefit of people and organizations in Solomon Islands, and which:
 - Can in practice be implemented to yield tangible benefits for Solomon Islands; and
 - Can be monitored, evaluated and improved on, consistent with the methods favoured by the Solomon Islands Government and its principal development partners.
3. The *National Broadcasting Policy* is structured in three Parts. **PART ONE** comprises:
 - **Vision and Mission** – stating the national Vision and Mission for broadcasting in Solomon Islands, consistent with the DCCG vision of a “Peaceful, United and Progressive Country of Solomon Islands.”¹
 - **Background** – describing the importance of broadcasting and broadcasting policy for Solomon Islands and current circumstances in the broadcasting sector.
 - **Policy Principles** – setting out the principles which have guided the Government in determining this *National Broadcasting Policy*, to assist in its interpretation and in making the various choices that will be required in its implementation, including as to priorities for reform, the actions to put strategies into effect, and the indicators to measure the degree to which success is achieved.
4. **PART TWO** sets out the Government’s broadcasting objectives, together with its strategies for achieving those objectives. These objectives and strategies are at the heart of the *National Broadcasting Policy*. The eight broadcasting objectives are:
 - **Broadcasting Sector Development:** Encourage the further development in Solomon Islands of a broadcasting sector that is competitive, efficient, responsive to audience needs and preferences, and attractive for investment.
 - **Effective Regulation of Broadcasting:** Establish a Broadcasting and Media Board with responsibility for the transparent, objective and independent regulation of radio and television broadcasting in the Solomon Islands.

¹ Democratic Coalition for Change Government *Policy Statement* (Office of the Prime Minister and Cabinet, January 2015) para 5.0.

- **Audience Welfare:** Establish policy, laws and institutions that are effective to protect and promote the welfare of Solomon Islands audiences in the context of domestic broadcasting.
- **Accessible Broadcasting Services:** To promote equality of access to broadcasting for individuals and communities throughout Solomon Islands, for participation in education, entertainment, cultural activity, business and democracy.
- **Culturally Relevant Content:** Support the creation, recording, preservation and broadcasting of locally created and locally relevant content.
- **Competitive Commercial Broadcasting:** Create an environment conducive to investment in and competition between broadcasters and broadcast-related businesses in Solomon Islands.
- **Efficient Management of Broadcasting Spectrum:** Ensure Solomon Islands radiofrequency spectrum is managed and used in a manner that is efficient, pro-competitive, consistent with international obligations and national security, and conducive to social and economic progress.
- **New Broadcasting Technologies:** Create an environment conducive to investment in and use of new broadcasting technologies in Solomon Islands, including for digital terrestrial television broadcasting.

5. **PART THREE** provides for the implementation, review and improvement of the *National Broadcasting Policy* over time:

- **Implementation of the *National Broadcasting Policy*** – The Government intends that the *National Broadcasting Policy* will be implemented in accordance with specific action plans, and that implementation will be properly monitored and reported. The international commitments which Solomon Islands has made in relation to broadcasting will continue to be supported. This section also outlines how the funding and budget requirements of the *National Broadcasting Policy* will be addressed.
- **Review and Development of the *National Broadcasting Policy*** – Qualitative and quantitative monitoring of implementation, consistent with the “logical framework” approach endorsed by Government, will enable independent review of the impacts of this *National Broadcasting Policy* and fine-tuning of it in subsequent iterations.

6. The approach taken in preparing this *National Broadcasting Policy* has involved identifying the needs and preferences of Solomon Islands people and organizations, and developing

broadcasting objectives and strategies that will contribute to fulfilling those needs and preferences, having regard to relevant context provided by:

- The DCCG’s 2015 *Policy Statement*;
- The DCCG’s 2015 *Policy Strategy and Translation*;
- Solomon Islands objectives for development, particularly as expressed in the *National Development Strategy*;
- The framework for investment defined by the *National Infrastructure Investment Plan*;
- Existing laws and institutions in Solomon Islands;
- Multilateral commitments previously entered into by Solomon Islands; and
- The “Logical Framework” approach for sector and programme planning.

7. As economic growth and technological development proceed it will be necessary to review and update the *National Broadcasting Policy*, to ensure it continues to be relevant and appropriate to meet the changing needs of Solomon Islands.

NATIONAL BROADCASTING POLICY

PART ONE

A. Vision and Mission

1. Broadcasting plays a vitally important role in the life of Solomon Islands. This *National Broadcasting Policy* supports the further development of audio-visual broadcasting in the Solomon Islands with the aim of encouraging the positive contribution that broadcasting makes to the social, cultural, economic and political lives of the people of Solomon Islands.
2. The Government has the following Broadcasting Vision for Solomon Islands:

Broadcasting Vision:

A peaceful, united and progressive Solomon Islands participating in, enjoying and learning from broadcasting that is accessible to all.

3. This Vision reflects the contribution that broadcasting makes to achievement of the Government's *Policy Strategy and Translation* and national development goals for Solomon Islands. In particular, the Government identifies in this *National Broadcasting Policy* a range of objectives that are key to the DCCG Policy Statement vision of a **"Peaceful, United and Progressive Country of Solomon Islands."**²
4. The Solomon Islands Government adopts as its Mission in relation to broadcasting:

Broadcasting Mission:

To provide a policy and framework in which broadcasting is available, affordable and accessible to all in Solomon Islands,

² Democratic Coalition for Change Government *Policy Statement* (Office of the Prime Minister and Cabinet, January 2015) para 5.0.

**in order to support equal participation by all in the social, cultural, economic
and political life of Solomon Islands.**

5. This *National Broadcasting Policy* applies to radio and television broadcasting activities generally, whether analogue or digital, regardless of wavelength, and regardless of whether they are provided on a subscription or free-to-air or other basis.
6. Technological innovation over the last thirty years has very greatly increased the amount of information and entertainment available for consumption and multiplied the channels by which it can be made available. Broadcasting is no longer confined to traditional radio and television services. Audio and video content may be “broadcast” on mobile telephony networks or the public Internet, for example.
7. The Government is alert to the ongoing process of media convergence and its implications for policy and regulation. At this point in the development of media and ICT in Solomon Islands the Government does not propose either a fully converged policy or a fully converged regulatory apparatus. The Government will be vigilant, however, to ensure policy, law and regulation are technologically apt and, to the extent possible, technologically neutral. The Government will periodically review whether policy, law or regulation presents any obstacle to the development of new media and make appropriate changes as required.
8. Broadcasting utilising new media brings many of the benefits – and many of the hazards – that are associated with traditional broadcasting media. While experience globally in regulation of new media is in its infancy, the Solomon Islands Government is concerned not to impose regulation that may have unintended consequences, including delaying or inhibiting the roll-out of new media in the Solomon Islands. Accordingly, this *National Broadcasting Policy* shall not at first apply to the distribution of content by means of the public Internet. The Government will monitor the use of the Internet and new IP-based media for distribution of audio-visual content in Solomon Islands and will extend the application of the *National Broadcasting Policy* and relevant laws to new media, as and when the need to do so is established.

B. Background

9. Radio and television broadcasting has long been important to the life and economy of the Solomon Islands. While the print media play a very important role in the Solomon Islands, the broadcast media – radio and television – are more readily accessible to many members of the community. Room exists, however, for extension of radio and television coverage, for better protection of audiences’ interests, and for facilitating the future development of responsible broadcasting by current and new media.

Importance of broadcasting

10. Broadcasting provides entertainment, information (on political, business and local news matters) and employment for Solomon Islanders. The broadcasting industry is a large, influential and economically important part of the economy in virtually all developed countries. Broadcasting arguably is even more influential and important in developing countries where a larger fraction of the population does not read.
11. The people of the Solomon Islands rely heavily on broadcast services for their entertainment and information. Broadcast content includes:
- local and imported music, on radio and television;
 - local and imported drama, comedy and sports on radio and television;
 - domestic and international news, on radio and television;
 - talkback or “chat” radio programmes;
 - radio and television interview programmes;
 - religious programming and music, on radio and television;
 - Parliamentary debates, on radio and television;
 - commercial advertising, on radio and television;
 - weather reports, warnings and disaster management announcements, on radio and television; and
 - “service announcements,” on radio.
12. Broadcasting may also contribute in diverse ways to the education of children and adults; promoting public health; building national and community identity; preserving and developing traditional arts and culture; upholding democracy and good governance; and benefiting many other aspects of the national life. Increasingly, also, audio-visual content is

shared and received by means of new technologies, including mobile telephone handsets and Internet-connected personal computers and hand-held devices.

13. The Government considers that there is room for the broadcasting industry in the Solomon Islands to grow and develop and for the services it delivers to improve. Although people in most of Solomon Islands are able to receive at least some radio broadcasts, much of the country still cannot receive FM radio or terrestrial television services. Community involvement in creating audio-visual content for broadcasters is still limited. And broadcasters are concerned about outdated and incomplete regulation.
14. The further development of broadcasting in the Solomon Islands faces a variety of challenges. Part of the role of the Telecommunications and ICT Development Project has been to identify and understand those challenges and identify ways to address them. In the broadcasting sphere, particular challenges include:
 - limited availability of staff locally with skills in broadcast journalism and broadcasting technology;
 - geographically dispersed population;
 - finite advertising budgets among local businesses;
 - numerous spoken languages; and
 - limited reach and relatively high cost of mains electricity supply.
15. In developing a *National Broadcasting Policy* it is necessary to take full account of the challenges that broadcasting faces in order to promote the development of broadcasting in the public interest. There is strong demand among the public for broadcast services: “[t]here is a thirst for more. More channels, more programs, more local news, fresher news and more broadcasting hours.”³ It is the responsibility of Government to determine policy that will enable broadcasters to satisfy the public demand in an efficient and sustainable manner.

Current legal and policy framework

16. Broadcasting policy works together with broadcasting law and broadcasting regulation to support the operation of markets for broadcast services and the inputs that go into their

³ “Everyone seems to want more. People are seeking more debate and stimulation. They want more balance and so coverage of more sides of the same story. They want more variety in content and greater topic coverage. For radio this includes greater variety in the music being played.” Tebbutt Research “Audience Market Research in Solomon Islands: Qualitative and Quantitative Research Report” prepared for SOLMAS (2010) (“**Tebbutt Report**”), p 6.

production. This *National Broadcasting Policy* should be read together with the *National ICT Policy*. Relevant legislation currently in force includes the following:

- the *Telecommunications Act 2009*;
- the *Television Act (Cap. 116)*; and
- the *Broadcasting Act (Cap. 112)*.

17. The Solomon Islands Telecommunications and ICT Development Project is a technical assistance project set up with the assistance of funding from the World Bank and Australian Commonwealth Government, through the Pacific Region Infrastructure Facility (“PRIF”). The objective of the project is to remedy a perceived lack of law and policy in support of development of modern communications beyond fixed and mobile telephony services in Solomon Islands. The project has supported the Ministry of Communications, Aviation and Information Technology (“MCAIT”) in the development of a comprehensive *National ICT Policy* for the Solomon Islands. This *National Broadcasting Policy* is a related element of Government policy on communications.
18. As a first step in the development of a *National Broadcasting Policy*, meetings were held with public sector and private sector stakeholders, which led to the publication of an *Issues Paper: National Broadcasting Policy*,⁴ for public comment. Written or verbal submissions were received from a range of interested persons, including broadcasters, content providers, advertisers, educators, and members of the public.⁵ This *National Broadcasting Policy* has been developed taking into account all information and comments made in submissions.
19. The *National Broadcasting Policy* is now issued for the guidance of public officials, broadcasters and members of the public. The Government intends that its implementation will be monitored and subject to an independent review in three to five years’ time. The *National Broadcasting Policy* will develop in light of changing market conditions, growing experience in broadcast regulation, innovation in broadcasting technologies, and developing audience needs and preferences. The Government encourages the continued engagement, input and support of broadcasters, content providers, advertisers and audience members in matters of broadcasting policy.

Commercial broadcasters

⁴ This issues paper is available online at www.ictsolomons.info, or by request from the offices of MCAIT.

⁵ Some submissions are available online at www.ictsolomons.info, though some submissions are treated as confidential, at the request of the persons providing them.

20. Two main commercial television broadcasters currently operate in the Solomon Islands: Telekom Television Limited⁶ and SatSol Limited.⁷ One News Limited, has recently been granted a terrestrial television broadcasting licence but has yet to commence broadcasting operations. The Seventh Day Adventist Church is licensed to provide free-to-air terrestrial television broadcasting nationally and currently is broadcasting to Honiara and its immediate environs. The Eternity Broadcasting Network is licensed to provide free-to-air and subscription terrestrial television broadcasting and has recently purchased transmitter equipment but is not yet in operation.
21. Six FM radio broadcasters currently operate in the Solomon Islands.⁸ Additionally, SIBC broadcasts radio services in the AM and shortwave bands.

Solomon Islands Broadcasting Corporation

22. The Solomon Islands Broadcasting Corporation (“SIBC”) was established in 1976 by the *Broadcasting Act* (Cap. 112). The *Broadcasting Act* contemplates SIBC engaging in television broadcasting but does not require it to use any specific medium or technology. SIBC’s statutory mandate is to broadcast news and current affairs (*Broadcasting Act*, s 25(2)).
23. SIBC currently operates the following FM, AM, and AM short-wave radio services:
- Radio Happy Isles – broadcasting on AM and AM shortwave, from Honiara.
 - Wantok FM – broadcasting on FM, from Honiara.
 - Radio Happy Lagoon – broadcasting on FM, from Gizo.
 - Radio Temotu – located in Lata, currently not broadcasting.
24. SIBC’s various services target different communities and demographics, delivering news, music, sport, and special interest programming. SIBC regularly broadcasts “service announcements” which have been an important means of contact between individuals and

⁶ Telekom Television provides free-to-air Television services in Honiara, Auki, Gizo, Noro and plans to commence service at Lata. Telekom Television’s services include channels broadcasting television content sourced from the BBC, Australia Network, and Al Jazeera News.

⁷ SatSol broadcasts a variety of news and entertainment television content to a combination of subscription customers and non-subscription customers (the latter paying only a once-off fee for reception equipment, and receiving a limited selection of the channels available to subscribers). SatSol operates a digital UHF network, broadcasting from an elevated site west of Honiara with approximately 40km range. Satsol currently offers up to 35 channels to subscribers.

⁸ G-FM (Gold Ridge, Guadalcanal: 88.6 MHz); Gud Nius FM (Honiara: 89.2 MHz); Power FM (Honiara: 97.7 MHz); Power FM (Auki, Malaita province: 101.7 MHz); Wantok FM (Honiara: 96.3 MHz); and Z-FM (Honiara: 99.5 MHz).

families. SIBC has also played an important role in disaster response, by broadcasting information on behalf of the Government and disaster relief agencies.

25. The 2010 Tebbutt Report summarised the importance of SIBC: “The [media] market is all about radio, and radio is all about SIBC.”⁹ The media market is all about radio because of the affordability, access, and infrastructure issues that other media currently face. Radio continues to be the only medium to which many people in Solomon Islands have access and is a lifeline for some communities.¹⁰ Importantly, SIBC currently has the widest reach of broadcasters in the Solomon Islands, with almost nationwide coverage. However, while around 95% of people in Honiara, Guadalcanal and Malaita are able to listen to radio, access is more limited in other regions, where signal or equipment are unavailable.¹¹
26. Although it is well-regarded by its audience, SOLMAS identified that SIBC has had issues with archiving¹² and periodic loss of transmission.¹³ More generally, SIBC faces competitive pressure from commercial broadcasters and new media. The advent of mobile telephony and SMS messaging has had an impact on its service announcement business. Historically, SIBC has derived revenue from Government allocations, sale of advertising, sale of production services, and sponsored broadcast activities. In recent years, SIBC has come under considerable financial pressure, and its challenges have been compounded by turnover among management personnel. With new board members and leadership now in place, SIBC is endeavouring to stabilise its financial position.
27. The near-national coverage of the SIBC network,¹⁴ the experience of its personnel, and the esteem in which SIBC is held by the community give it an especially important place in Solomon Islands broadcasting. The Government considers the national interest requires SIBC to be able to operate sustainably, while maintaining or improving on its present radio service coverage and quality. SIBC currently is examining (with support from PACMAS) the feasibility of extending its operations into nationwide television broadcasting.

Community broadcasting

⁹ Tebbutt Report (2010) p 26.

¹⁰ See, Tebbutt Report (2010) pp 23 – 26.

¹¹ “[J]ust 54% are able to listen in the Western Province, 70% in Makira, and 87% in Isabel (with those unable to listen lacking either a radio signal or having no radio to listen to, even at the community level)”, Tebbutt Report (2010) p 8.

¹² SOLMAS Study (2012) p 41.

¹³ SOLMAS Study (2012) p 8.

¹⁴ In a 2010 survey, 93% of audience respondents identified having access to the national broadcaster (Tebbutt Report, 2010).

28. Community broadcasting can play a vital role in a wide range of development objectives and make an important contribution to national life. In relation to development, community broadcasting may inform and educate people (e.g. about beneficial practices and norms); may improve public knowledge about issues in local and national government; and may assist community consultation and debate on specific initiatives.
29. To date, community broadcasting in Solomon Islands has meant community radio broadcasting but in future community television may play an important part in addressing local information needs, supporting local languages and local culture.
30. Isabel Province has led in community broadcasting in Solomon Islands, with the establishment in 2006 of eight community FM radio stations by the Isabel Provincial Government and UNDP. The stations, each based on a FM “Radio-In-A-Box” solution designed by Rukmin Wijemanne and developed by UNESCO, were located at Buala, and the Tataba, Sigana, Lelegia, Kolotubi, Susubona, Samasodu and Kia villages. The FM stations are networked and, since 2009 have adopted a more educational focus, reflected in the new name “Isabel Learning Network”:

The overall aim of the Isabel Learning Network is to encourage community ownership of their education, development and participation in local governance structures, to be a platform to raise awareness and involve Isabel citizens in social change, and to advocate for voices of women, youth and community within the provincial and national contexts.¹⁵

31. Although the eight community FM stations were established with the expectation that their operating costs could be met through revenues earned locally (e.g. from sale of advertising and messaging services), this has not been the case to date. Ownership issues and funding constraints have affected continuity of operation with several of the stations currently off the air. The Isabel Learning Network continues to work on its business model and developing a market for local advertising. In addition to the Isabel Learning Network, various other community broadcasters have operated from time to time in the Solomon Islands.¹⁶
32. While equipment costs for low-power transmission continue to fall, meeting the running costs of their station continues to be a significant challenge for the communities that seek to

¹⁵ “About the Isabel Learning Network” (p 2), available online at:
<<http://communitymediasolomons.wordpress.com/isabel-learning-network/#comment-312>>.

¹⁶ These include: a low power FM transmitter operated by Don Bosco Technical College at Tetere (East of Guadalcanal), broadcasting “Radio Bosco” until late 2010; a community FM station in Honiara operated until 2010 by the Solomon Islands Development Trust (“SIDT”); and a community FM station currently operating in Lata, Temotu Province, from 7 am to 6 pm each day, primarily with the purpose of broadcasting announcements and community awareness notices regarding distribution of aid in respect of the tsunami that affected Santa Cruz Island.

broadcast. The Government will continue to work on understanding what drives success in community broadcasting and seek to overcome challenges to community broadcasting in Solomon Islands.

C. Broadcasting Policy Principles

33. The Government considers that broadcasting policy and regulation in Solomon Islands should be guided by the following principles:

- **Development orientation**
- **Nationwide access to broadcast services**
- **Local content, nationally**
- **Competitive industry conditions**
- **Technology neutrality, Technology aptness**
- **Transparent and unbiased regulation**
- **Evaluation to drive improvement**

34. The following paragraphs expand on these policy principles.

Development orientation

35. This *National Broadcasting Policy* supports the further development of audio-visual broadcasting in the Solomon Islands, with the objective of enhancing the ability of broadcasting to make a positive contribution to the social, cultural, economic and political lives of the people of the Solomon Islands.

36. The *National Broadcasting Policy* must also support the economic and social goals of the Solomon Islands. With this in mind, the Government has been concerned to ensure that the *National Broadcasting Policy* is consistent with the Government's strategy for national development. In particular, the Government seeks to promote the valuable contribution made by broadcasting to preservation and development of the traditional arts and culture of the Solomon Islands and, thereby, to promote national unity and peace in Solomon Islands.

37. The Government will ensure that any new laws are enforced and complied with but recognises that expert regulatory staff are scarce and staffing and operating regulatory agencies is costly. The Government is also concerned that policy, law and regulation should not impose unnecessary costs on businesses. A fundamental concern of the *National*

Broadcasting Policy, therefore, is to minimise the compliance burden on regulated businesses and the administrative overhead that Government must bear. Accordingly, the Government will place self-regulatory responsibilities on broadcasters – subject to the supervision and authority of the broadcasting sector regulator.

38. The Government identifies the need for substantial development in broadcasting-related skills and capacity as critically important to the achievement of its broadcasting objectives. Without the skilled personnel to carry out the required actions, little if anything can be accomplished. And Solomon Islands currently faces a skills shortage in the broadcasting sector. Accordingly, strategies for capacity-building in the broadcasting sector are a key component of this *National Broadcasting Policy*.

Nationwide access to broadcast services

39. Given the ability of broadcasting, noted above, to make a positive contribution to the social, cultural, economic and political lives of the people of the Solomon Islands, it is important that such contribution should be available nationwide.
40. Only SIBC’s radio broadcasting network provides nationwide coverage (or nearly so). The topography of Solomon Islands is challenging for broadcasting purposes. The Government considers, however, that ubiquitous broadcasting coverage is highly desirable as a goal of policy.
41. In addition to the challenge of promoting wider signal coverage of Solomon Islands, additional related challenges arise concerning the availability of power for broadcasting and receiving equipment and the affordability of receivers for many people.
42. Beyond the issue of nationwide access for audiences to receive broadcasters’ signals, it is in the national interest of the Solomon Islands for community groups to have the opportunity to participate in local, regional or national broadcasting, and transmit content chosen or created by them. Such community broadcasting provides an important platform for local issues to be articulated, helps to reduce gaps between communities (rural and urban, different provinces), helps to stimulate the development of local content, and promotes development of the community.
43. Opportunities to participate in broadcasting at all levels must be equally available to women and men, and to all ethnic groups, on a non-discriminatory basis.

Local content, nationally

44. The availability of content that meets the demands and preferences of radio and television audiences is crucial to the growth and success of those media. The production of more broadcast content locally will help broadcasters to meet audience demand for locally relevant content. Broadcasters themselves can foster the creation of local content. And the production of content locally can become an important revenue stream for a range of artists, performers, and others involved in the creative process.
45. While a very large amount of broadcasting content is available internationally, local people are very much interested in local content. People are interested to hear the news in their own town, to enjoy coverage of their local sporting teams, to watch drama and music performed locally, and to learn information and skills relevant to their local agriculture or other occupations. The Government considers that the people of Solomon Islands should have the opportunity of enjoying broadcasting content that is locally made or locally relevant, wherever they live in Solomon Islands.
46. The Government does not wish to dictate what content broadcasters should transmit. As the community are eager for local content, however, and broadcasters have indicated they are keen to broadcast local content, the Government will seek to facilitate the production of local content.

Competitive industry conditions

47. The Government considers that broadcasters and broadcasting-related enterprises should develop in open, competitive markets. Competition is fundamental to the emergence of sustainable businesses and choice for consumers (i.e. viewers and listeners).
48. The Government will take necessary steps to ensure that barriers to entry to (and exit from) the broadcasting markets are low and that broadcasters can compete, so far as possible, on a level playing field.

Technology neutrality, Technology aptness

49. So far as practicable, radio and television broadcasting should be regulated alike and under a common framework.

50. Policies concerning technology commonly insist on “technological neutrality.” This expression is “a sweeping statement that can be put to many uses”.¹⁷ By itself, “technological neutrality” will seldom provide clear guidance on policy choices. To the extent that it requires one kind of technology not to be given favourable, or different, treatment relative to another, it must be qualified. While the near-ubiquity of the Internet Protocol means that virtually any content may be reduced to similar form and transmitted “digitally”, this does not necessitate that all content and all media be treated alike. Different kinds of content, different kinds of media, and different transmission infrastructure have very different social implications, different economics, and require to be regulated in different ways.
51. For the purposes of the *National Broadcasting Policy*, it is considered that policy and regulation should be “technologically apt”, foremost, and “technologically neutral” to the extent that is possible. Policy and regulation are “technologically apt” when they are appropriate to achieving the ends that are sought for, in relation to the technology or technologies concerned. To be apt, policy and regulation must in some cases be non-neutral, as between technologies.
52. In promulgating the *National Broadcasting Policy* and *National ICT Policy*, the Government has had regard to the difference between measures appropriate for the services and content that users consciously seek out and choose for themselves (“pull media”) and those over which users have a lesser degree of control (“push media”). As the *National ICT Policy* reflects, the general law of Solomon Islands provides the governing framework within which users’ exercise their choices in respect of “pull media.” Additional requirements may be appropriate in relation to “push media” distributed by means of broadcasting.
53. New technologies offer the promise of new forms of broadcasting in the future, which may facilitate delivery of broadcast services at lower cost to previously under-served areas. The Government considers policy for broadcasting must erect no unnecessary barrier to the deployment of new broadcasting technologies.
54. Steps have been taken by many countries to prepare for, or implement, a migration to digital terrestrial television broadcasting. Having regard to the costs of migration to broadcasters and consumers (i.e. viewers and listeners), the Government will plan for, but does not

¹⁷ Koops B, “Should ICT Regulation be Technology Neutral?” in Koops B, Lips M, Prins C and Schellekens (eds) *Starting Points for ICT Regulation: Deconstructing Prevalent Policy One-Liners* (Asser Press, 2006) at 103.

propose to mandate, migration from analogue to digital terrestrial television broadcasting. The regulatory framework must present no obstacle to digital migration occurring in due course. Broadcasters should be actively engaged in the process of planning for digital migration, which the Government has commenced with the assistance of the ITU.¹⁸

Transparent and unbiased regulation

55. Broadcasting must be regulated in a manner that is transparent, objective and free from undue business or political influence. Differences in the regulatory treatment of different broadcast media must be objectively justified.
56. An important study by the World Bank proposed ten key principles of regulatory governance. In summary these are:¹⁹
- Independence;
 - Accountability;
 - Transparency and public participation;
 - Predictability;
 - Clarity of roles;
 - Completeness and clarity in rules;
 - Proportionality;
 - Requisite powers;
 - Appropriate institutional characteristics; and
 - Integrity.
57. Among the general laws of Solomon Islands that apply to broadcasting, the *Constitution* protects values that are cherished by the people of Solomon Islands. Broadcasting can provide positive support for those values. It is essential that the *National Broadcasting Policy* and laws that implement it must be consistent with the terms and spirit of the *Constitution*. Section 12(1) of the Solomon Islands *Constitution* provides:

12. (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purposes of this section the said freedom includes the freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference and freedom from interference with his correspondence.

¹⁸ International Telecommunications Union *Roadmap for the Transition from Analogue to Digital Terrestrial Television Broadcasting in Solomon Islands* (June 2014).

¹⁹ Brown AC, Stern J, Tenenbaum B *Handbook for Evaluating Infrastructure Regulatory Systems* (World Bank, 2006) pp 59 – 63.

58. A broadcasting industry that is accessible to the public, editorially independent and economically sustainable can provide substantial support for the freedom of expression and freedoms to hold opinions, receive information and communicate without interference.
59. Importantly, however, the *Constitution* does not mandate unrestricted freedom of expression: the freedom of expression is qualified by the responsibility to comply with laws that provide for matters such as public morals, public health, defence, defamation, privacy, *et cetera*, provided those laws are “reasonably justifiable in a democratic society” (section 12(2) of the *Constitution*). In conformity with the requirements of the *Constitution*, the *National Broadcasting Policy* must uphold constitutionally protected values. It should support both freedom of expression and respect for laws that are reasonably justified in a democratic society.
60. The broadcasting sector plays a key role in the democratic process in Solomon Islands. Broadcasts are a vitally important means by which the public gather information and form opinions about public issues, candidates for public office, and the work of their representatives. Journalistic skill and integrity are important factors in the ability of the broadcast media to make this contribution.

Evaluation to drive improvement

61. The Government intends that the *National Broadcasting Policy* should evolve over time, to reflect experience with the regime and changes in technology, industry structure, and audiences’ needs.
62. The effects of this *National Broadcasting Policy* should be monitored and evaluated over time. The outcomes of those processes of monitoring and evaluation should feed into consideration of how the National Broadcasting Policy can be improved in future. The Government will commission an independent review of the *National Broadcasting Policy*, within a fixed period after it has taken effect, to consider any changes it may be desirable to incorporate. The objective of this will be to improve the *National Broadcasting Policy*, in light of developing experience with it and in response to changes in technology and surrounding circumstances.

PART TWO

Objectives and Strategies

63. The Government has adopted eight broadcasting objectives, derived from consultations with Solomon Islands broadcasters, content providers, regulators, advertisers and audience members; from objectives determined through the *National Development Strategy* process; consideration of the constraints and challenges to expansion of broadcasting in Solomon Islands; and consideration of the opportunities for broadcasting to benefit Solomon Islands.
64. In order to accomplish the Government’s broadcasting objectives, a range of strategies must be adopted and carried out. The *National Broadcasting Policy* sets out proposed strategies for achieving each objective.
65. It is not feasible to implement all of the broadcasting strategies at once: it is necessary to identify priorities among them. The strategies adopted as part of the *National Broadcasting Policy* must subsequently be elaborated in greater detail in action plans, which will set out specific action items, the parties responsible for each, and timelines.

D. Broadcasting Sector Development

66. An independent, pluralistic and responsible media sector is crucial to both democracy and economic development. The over-arching objective of the Government, therefore, is to support the growth of a vibrant and independent broadcasting sector that encourages participation by the public in the life of the nation, supports informed choices by the public, and promotes accountability among public leaders.

Broadcasting Objective 1

Encourage the further development in Solomon Islands of a broadcasting sector that is competitive, efficient, responsive to audience needs and preferences, and attractive for investment.

Enkarisim samfala moa difelopmen insaed Solomon aelan lo brodkastin wea

67. A broad range of issues and objectives connect directly to the future development of broadcasting in Solomon Islands, including investment, regulation, and network coverage. Subsequent sections of this National Broadcasting Policy address these issues. Particularly critical to the future development of broadcasting in Solomon Islands will be the availability of local broadcast content and the availability of skilled broadcasting personnel. The Government also recognises the importance of its continuing partnerships with international donors and expert bodies.

Solomon Islands content

68. Production of local content in Solomon Islands for broadcasting purposes is occurring but output is still at a relatively low volume. For example, the Isabel Learning Network has produced pre-recorded educational content on health and customs; One News has produced news content and coverage of Parliamentary proceedings; and SIBC has recorded and archived culturally important material.
69. Issues, objectives and strategies relating to misleading advertising, advertising to young people and undesirable content are discussed under heading “**F. Audience welfare,**” below.
70. Issues, objectives and strategies relating to the production and broadcasting of local content are discussed under heading “**H. Culturally relevant content,**” below.

Human capital and gender equity

71. The Solomon Islands Government is concerned that broadcasters report difficulty in recruiting and retaining individuals with strong broadcasting-related skills, including skilled reporters, production personnel and technicians. The Government recognises that the future *development of broadcasting in the Solomon Islands critically depends on the availability to broadcasters of skilled personnel.*
72. Broadcasters report that they experience difficulty in recruiting and retaining individuals with strong broadcasting-related skills, including skilled reporters, production personnel and technicians. The Government recognises that the future development of broadcasting in the Solomon Islands critically depends on the availability to broadcasters of skilled personnel.
73. The 2012 SOLMAS “Media Research Study” made a number of important findings in relation to the media sector skills base. In relation to the survey group:

- 62% of media practitioners were less than 29 years of age;
 - 63% of media practitioners have worked in the industry for less than four years;
 - Only 11% of media practitioners have more than 15 years' experience (all of whom work at SIBC);
 - only 17% of media practitioners had completed a university qualification.²⁰
74. The Government has in recent years worked together with its aid partners to develop and resource practical programmes to expand the broadcasting skills base in the Solomon Islands.²¹
75. Compounding human capital constraints, the broadcasting sector in Solomon Islands is affected by a significant gender bias. The SOLMAS study found “a pervasive gender imbalance” in the media industry. SOLMAS reported that:
- The content analysis captured information about reporter gender where available. Only 3% of female reporters working in TV were identified, while 68% were identified as male and 29% were unknown. [...] The percentage of women in radio was much higher with 32% of reporters at SIBC being female.²²
76. The Government is concerned that a gender imbalance in the media industry is likely to adversely affect the quality of broadcasting service provided in the Solomon Islands.
77. The Solomon Islands Government proposes to support the development of skilled broadcasting personnel by:
- encouraging the development of broadcasting skills courses in secondary and tertiary education;
 - establishing scholarships for the further training of promising broadcasting sector talent;
 - supporting in-work training for personnel employed by broadcasters;
 - encouraging the broadcasting industry to give public recognition to the accomplishments of staff.

²⁰ SOLMAS Study (2012) p 14.

²¹ For example, SOLMAS provided social media training for journalists; ran a workshop on working with the media for leaders; established a media and journalism certificate programme; and undertook capacity-building with media organizations.

²² SOLMAS Study (2012) p 44.

78. The Solomon Islands Government will work together with its aid partners to develop and resource practical programmes to expand the broadcasting skills base in the Solomon Islands.

International aid partners

79. The Government acknowledges the generous support provided by its aid partners in recent years, from which broadcasting in the Solomon Islands has benefitted.

80. A number of aid projects have benefitted broadcasting and communications in the Solomon Islands directly or indirectly, including the Solomon Islands Media Assistance Scheme²³ (“SOLMAS”). The Government considers that the work performed by SOLMAS, PacMAS,²⁴ and other projects supported by aid partners plays a crucial role in the continuing development of broadcasting in the Solomon Islands.

81. The Government will seek to continue to work in partnership with international donors for the successful implementation of the *National Broadcasting Policy*.

Broadcasting Objective 1		
Reference	Broadcasting Strategy	Actions
1.1	Build the broadcasting-related skills base in Solomon Islands. (Refer also strategy 5.2, below.)	<ul style="list-style-type: none"> ▪ Encourage the development of broadcasting skills courses in secondary and tertiary education. ▪ Develop a programme to support capacity building for women in broadcasting and women’s access to the broadcasting and media sectors. ▪ Establish scholarships for the further training of promising broadcasting sector talent. ▪ Support in-work training for personnel employed by broadcasters. ▪ Encourage the broadcasting industry to give public recognition to the accomplishments of staff.
1.2	Modernize the regulatory framework for broadcasting in Solomon Islands	<ul style="list-style-type: none"> ▪ Refer Section E, below.
1.3	Ensure adequate protection of audiences in relation to broadcast content.	<ul style="list-style-type: none"> ▪ Refer Section F, below.
1.4	Expand broadcasting coverage and	<ul style="list-style-type: none"> ▪ Refer Section G, below.

²³ SOLMAS, the Solomon Islands Media Assistance Scheme, is an AUSAID funded initiative via the Regional Assistance Mission to the Solomon Islands (RAMSI) launched in 2008. The key objective of SOLMAS is to deliver improvements to both the reach and quality of media within the Solomon Islands.

²⁴ E.g., PACMAS has supported workshops, training for media professionals, and recent work in preparation for the expansion of SIBC into television broadcasting.

	accessibility.	
1.5	Promote the broadcasting of locally relevant content.	▪ Refer Section H, below.
1.6	Create a business environment for broadcasting that is competitive and attractive to investment.	▪ Refer Section I, below.
1.7	Ensure efficient management of spectrum resources.	▪ Refer Section J, below.
1.8	Ensure openness of broadcasting environment to new broadcasting technologies, including digital television.	▪ Refer Section K, below.

E. Effective Regulation of Broadcasting

82. The Government is committed to ensuring that the institutions that have a role in relation to the regulation of broadcasting are effective and perform their functions in a manner that is transparent, objective and independent. While the Television Board has served the community diligently in the past, it is necessary now to establish a new institution to fulfil the developing needs of Solomon Islands in respect of broadcasting regulation.

Broadcasting Objective 2
Establish a Broadcasting and Media Board with responsibility for the transparent, objective and independent regulation of radio and television broadcasting in the Solomon Islands.
Solomon aelens. Establisim wanfala bod fo brodkastin en media fo karem responsibiliti fo transparen, objektif en indipendent regulesin of redio en televisin brodkastin insaed Solomon aelan.

The Television Board

83. The Television Board was established by s. 4 of the *Television Act* (Cap. 116). In recent years, the Board has been chaired by an official of the office of the Telecommunications Commission of the Solomon Islands, supported by five to seven Board members. The functions of the Television Board under the *Television Act* include:
- granting broadcasting licences;
 - conducting inquiries;

- making determinations for suspension, revocation or non-renewal of broadcasting licences;
- issuing codes of practice for technical standards;
- inspecting and testing technical equipment;
- issuing codes of practice for programming and advertising standards;
- issuing dealers' licences;
- issuing television receivers' licences;
- collecting satellite dish fees; and
- prohibiting broadcasts of certain materials.

84. The Government is committed to ensuring that broadcasting is regulated in a transparent, objective and independent manner. Several different models for enforcing broadcasting were canvassed in consultations. The Government has determined that the current Television Board should be reconstituted as a Broadcasting and Media Board, to reflect inclusion of radio broadcasting among its responsibilities, with revision of its membership and functions.

Broadcasting and Media Board

85. The Television Board will be reconstituted as a Broadcasting and Media Board, with revised membership and functions. The “board” model has the advantage of combining the expertise of several individuals who can serve in a part-time capacity. The Broadcasting and Media Board shall report to and be accountable to Parliament.

86. The Broadcasting and Media Board will comprise not less than three and not more than five members, one of whom must be a sitting or retired judge of the Supreme Court and one of whom must be the Telecommunications Commissioner (or his or her delegate).

87. Radio broadcasting in the Solomon Islands has until now been largely unregulated, except for spectrum usage licensing. The Broadcasting and Media Board, however, will have responsibility for administering broadcasting regulation applicable both to radio and terrestrial television broadcasting in the Solomon Islands and such other media regulation as legislation may in future place under its control.

88. The particular responsibilities of the Broadcasting and Media Board shall include:

- educating broadcasters and members of the public in the Solomon Islands about their rights and responsibilities in relation to broadcasting and the role of the Broadcasting

and Media Commission;

- reviewing applications for, granting, varying, suspending and revoking broadcasting licences;
- monitoring licensees' compliance with applicable laws and licence terms and, in appropriate cases, taking enforcement action;
- reviewing, endorsing, amending or making codes of practice;
- inspecting and testing broadcasting facilities and equipment;
- conducting investigations on its own initiative or on request by the Prime Minister, and reporting to Parliament on the findings;
- overseeing the development and implementation of industry codes in respect of advertising standards and broadcasting content standards;
- investigating compliance with, and enforcing, standards and codes of practice applicable to broadcast programming and advertising; and
- monitoring and reporting annually to Parliament on the broadcasting industry and broadcasting activities in the Solomon Islands, including ownership and control of broadcasters.

- 89.** The Broadcasting and Media Board may engage its own staff or may enter into arrangements with the Telecommunications Commission to obtain secretarial support for its operations. The Broadcasting and Media Board may (by formal process) delegate the performance of certain of its functions to an individual or body but the Commission will remain responsible for those functions and no commitment the delegate proposes to enter into will be effective until ratified by the Commission.
- 90.** The activities of the Broadcasting and Media Board may be funded fully, or in part, by a levy charged on the revenues of broadcasting service providers. The Government will initiate a quantitative study to examine projected costs and funding models. The amount of the levy shall be capped by legislation and shall be set, within the statutory maximum, at a level that is sufficient to meet the reasonable operating expenses of the Broadcasting and Media Board and not a barrier to market entry or expansion.
- 91.** The Broadcasting and Media Board should, however, be able to impose a reasonable levy on broadcasters in future, to provide funding for its budgeted costs. In the view of the Government, any levies, fees, rents or royalties charged to broadcasters must not operate as an entry barrier or deterrent to prospective broadcasters. The Government does not consider

that fees or levies should be charged to community broadcasters. Broadcasting levies might be established on a similar basis to levies for provision of telecommunications services, i.e. based on operator revenues. The Telecommunications Commission, for example, currently is authorised to prescribe an annual licence fee, payable by telecommunications service providers, which is to be “set at a level intended to cover the Telecommunications Commission’s budgeted costs” and which “shall not exceed two percent ... of a service provider’s gross revenue for such financial year” (*Telecommunications Act 2009* s 20).

92. The Government intends that the Telecommunications Commission shall continue to have responsibility for administering and enforcing the *Telecommunications Act 2009*, including so far as that Act applies to “broadcasting station licence” holders and to telecommunications services ancillary to establishing and operating a television broadcasting service (see *Telecommunications Act* s 5; *Telecommunications Regulations* s 5; *Television Act* s 6(3) and (4)). The Telecommunications Commission should also continue to have responsibility for managing the radiofrequency spectrum in the Solomon Islands and licensing its use.

Licensing

93. It is conventional for regulation to provide for the licensing of broadcasters and broadcasting equipment. In Solomon Islands, the *Television Act* (Cap. 116) currently provides for licensing of television broadcasters, dealers, and receivers (ss 5, 24, and 26).
94. Under the *Television Act* a licence is obligatory for operation of a “television broadcasting station” or a “television broadcasting service” in the Solomon Islands (s 5). Such a broadcasting licence may be issued subject to various conditions and a fee, rent or royalty may be imposed by the Television Board (s 6). A licence may be suspended by the Television Board or revoked by the Minister, in specified circumstances (ss 10, 11). At the present time, a licence is not required in order to operate a radio broadcasting station or provide a radio broadcasting service.
95. The Government considers that, having regard to the public interests involved (including broadcasters’ use of public radiofrequency spectrum, public safety, and the public interest in broadcasting of appropriate content), television broadcasters *and radio broadcasters* should in general be regulated in a similar manner. The Government therefore proposes to bring radio broadcasters within the broadcasting regulatory framework.
96. The operation of a broadcasting station or the provision of a broadcasting service is an activity for which regulation is justified, to protect various public interests. Such regulation

should be no more than is necessary, however, to protect the public interests that are affected. Regulation should not operate to restrict entry to the broadcasting market or inhibit innovation by broadcasters. The Government therefore proposes to licence radio broadcasters by means of a general authority (or “class licence”), rather than by requiring them to obtain individual licences from the regulator. Authorisation as a radio broadcaster will be unrestricted except that:

- a person proposing to operate a radio broadcasting station or provide a radio broadcasting service would have to notify the regulator of certain details regarding their proposed operation and contact points; and
- while operating a radio broadcasting station or providing a radio broadcasting service a person would be bound to comply with relevant obligations.

97. Such a “class licence” regime will serve to prevent licensing becoming a ‘bottleneck’ or restriction on new radio broadcasters entering the Solomon Islands market or existing broadcasters varying their operations. It is expected to place only a small administrative burden on the regulatory authority and only a small compliance burden on radio broadcasters. At the same time, radio broadcasters will continue to be subject to certain conduct requirements and to more stringent intervention by the regulator if they fail to comply with the Act or Regulations. Orderly transitional arrangements will be developed in respect of radio broadcasters.
98. A “dealers licence” currently is required by persons who deal in television receivers or who “install, maintain or work any television broadcast receiver” (ss 5 and 24). A “receiver’s licence” is required by any person who “...shall receive any television broadcast or be in possession of any television broadcast receiver in any premises or dwelling-house...” (s 26). To install or maintain a satellite dish a licence is not required but the Television Board may require payment of a fee (s 28). To be a dealer or possess a television without a licence, or to install a satellite dish without paying the prescribed fee to the Television Board, is an offence punishable by fine or imprisonment.
99. The Government considers that these provisions of the *Television Act* providing for the dealer’s licence and receiver’s licence are *no longer appropriate and should be repealed*. Similarly, the Government considers that the requirement to pay a fee to the Television Board for installing or maintaining a satellite dish is no longer appropriate and should be repealed.

- 100.** The Government does not consider it necessary or desirable to control end-users' ability to access broadcasting services. It might in future become necessary to take steps to protect consumers from poor-quality or dangerous equipment or installation work. In case of this, the Government proposes to empower the Broadcasting and Media Board to propose and technical standards which the Minister may formalize as Regulations, and which the Board may subsequently enforce.

Technical standards and codes

- 101.** Broadcasting regulators internationally have responsibility for setting technical standards and determining codes of practice, which govern the operations of broadcasters. In Solomon Islands, the following technical regulatory powers currently exist:
- The Television Board has previously been required to prepare a “transmission plan,” which could specify frequencies for broadcasting, transmitter power limits, transmitter locations, antenna heights and antenna radiation patterns (*Television Act* s 14).
 - The Television Board can issue Codes of Practice relating to technical standards of broadcasts, which licensees are required to maintain (*Television Act* s 15(2)).
 - The Television Board can direct a broadcaster to provide specified transmission equipment, buildings and other facilities at its transmitter or translator sites (*Television Act* s 16).
 - The Television Board can test broadcasters' production and transmission equipment to ascertain whether it complies with technical requirements (*Television Act* s 17).
 - The Minister can, by regulation, specify technical requirements for broadcasters to comply with (*Television Act* s 15(1)).
- 102.** Up to the present time, the Television Board has not found it necessary to exercise any of these powers. Nor has the Minister made regulations for technical requirements.
- 103.** The Government is concerned that regulation – including technical requirements – should not be imposed unless it is needed. Unnecessary regulation is likely to impose costs on broadcasters and deter entry or constrain innovation. Nevertheless, the Government considers that the powers to regulate technical standards and codes of practice are necessary and should remain in force. The Broadcasting and Media Board should also have the expertise and resources to recommend or adopt technical standards and codes of practice, and enforce them, where those prove to be necessary.

Advertising and content complaints handling

104. The effectiveness of content regulation depends on the ability of audience members to raise complaints and the ability of broadcasters or, ultimately, the broadcasting regulator to investigate and respond appropriately to complaints.
105. The *Television Act* (Cap. 116) does not at present provide for a system for complaints to be made to the Television Board (although individual broadcasters may have their own procedures in place for responding to complaints they receive).
106. The Government considers that complaints should in the first instance be addressed by audience members to the broadcaster concerned. The broadcasters may, as a group, determine whether an industry content complaints body should be established. The Broadcasting and Media Board shall, however, be required to receive and respond to complaints made by members of the public in relation to possible code infringements, in the event that the complainant is dissatisfied with the response of the broadcaster concerned.

Policy capacity

107. The Government recognises the need for development within its executive branch of adequate institutional capacity to support implementation of this *National Broadcasting Policy* and policy input to Government in respect of broadcasting generally. Such policy capacity must be separate from, and independent of, the regulatory function. This means that the broadcasting policy function must be located not with the Broadcasting and Media Board but elsewhere.
108. MCAIT previously proposed to recruit policy staff in respect of ICT and broadcasting policy functions. Upon establishment of the proposed National Information Office, it is proposed that broadcasting policy expertise should be located in that Office.

Broadcasting Objective 2		
Reference	Broadcasting Strategy	Actions
2.1	Establish a new Broadcasting and Media Board as the broadcasting industry regulator.	<ul style="list-style-type: none">▪ Amend legislation to reconstitute the Television Board as the Broadcasting and Media Board.▪ Appoint initial members of Broadcasting and Media Board.▪ Undertake a quantitative study to examine projected costs and funding models.▪ Amend legislation to provide for funding of Board by levy on revenues of broadcasting licensees.
2.2	Reform broadcasting licensing to	<ul style="list-style-type: none">▪ Extend licensing regime to apply to radio

	promote market entry.	<p>broadcasters.</p> <ul style="list-style-type: none"> ▪ Introduce class licensing for radio broadcasters. ▪ Abolish requirements for dealer's licence and television receiver licence.
2.3	Review and, if necessary, amend statutory powers in respect of technical standards for broadcasting.	<ul style="list-style-type: none"> ▪ Review legislation in respect of technical standards to ensure Broadcasting and Media Board has adequate powers. ▪ Make provision in establishment and budget of Broadcasting and Media Board for access to expertise and resources for making and enforcing technical standards.
2.4	Empower Broadcasting and Media Board to receive and resolve complaints.	<ul style="list-style-type: none"> ▪ Amend legislation to give new Broadcasting and Media Board adequate powers to receive and resolve audience members' complaints against broadcasters.
2.5	Implement measures appropriate to achieve prompt resolution of complaints of interference to broadcasting services.	<ul style="list-style-type: none"> ▪ Amend relevant legislation to give the Broadcasting and Media Board and the Telecommunications Commission adequate powers for investigation and resolution of interference issues.
2.6	Build broadcasting policy capability within Government.	<ul style="list-style-type: none"> ▪ Recruit and train policy staff, within proposed National Information Office, with specialist expertise in broadcasting policy.

F. Audience Welfare

109. The Solomon Islands Government is committed to ensuring that the welfare of Solomon Islands audiences is protected and promoted by responsible broadcasting, under a system of supervised self-regulation.

Broadcasting Objective 3
Establish policy, laws and institutions that are effective to protect and promote the welfare of Solomon Islands audiences in the context of domestic broadcasting.
Establisim wanfala bod fo brodkastin en media fo karem responsibiliti fo transparen, objektif en independent regulesin of redio en televisin brodkastin insaed Solomon aelan.

110. Audio-visual material that is made available by broadcasting can be beneficial to its audience (e.g. educational, spiritual or humorous content) or can potentially be harmful to

its audience (e.g. violent, pornographic or hateful content). The laws of Solomon Islands have provided for controls on broadcast content for some years (see, *Television Act* Part IV), however content controls have not been applied formally, so far. The purpose of such controls has been described as follows:

Regulation of the content of broadcast material is about protection: protecting viewers and listeners from being harmed or offended, and – in their role as consumers – protected against misleading advertising claims.²⁵

111. Section 20 of the *Television Act* (Cap. 116) provides that broadcasting licensees must ensure they:

- comply with any regulations made by the Minister establishing standards for programmes (under s 21);
- comply with any Codes of Practice issued by the Television Board relating to programmes and advertising standards;
- comply with any directions by the Television Board to take action with regard to the content of programmes or advertisements as the Board considers necessary to comply with the Act or any Code of Practice (under s 30); and
- maintain a proper balance in their subject matter and a high general standard of quality.

112. In addition to its power (under s 30) to issue directions to broadcasting licensees, the Television Board has the power under the *Television Act* to prohibit the broadcasting of any programme or part of a programme, where the Board is of the opinion that “the peace or good order of Solomon Islands is threatened” (s 31). The Television Board may prohibit, also, the broadcasting of “any material tendered, passed or selected” by a person named in the order (s 32).

113. The Government considers that broadcasters have self-regulated their broadcasting of content that is likely to be regarded as undesirable by the community and commends them on having done so successfully to date. As broadcasting grows and new media become available, the Government wishes to ensure means are available to protect vulnerable groups in society from content that is likely to be harmful. The Government is also concerned to ensure that content broadcast in the Solomon Islands is consistent with

²⁵ Salomon, E. *Guidelines for Broadcasting Regulation* (2nd edn, London, 2008) p 41.

international commitments to which the Solomon Islands is a party, including commitments in relation to observance of intellectual property rights.

Advertising and sponsorship

114. Advertising and sponsorship revenue is crucial to the commercial viability of broadcasting service providers. Broadcasters report that there is keen competition between television, radio and print media for a finite amount of domestic advertising revenue. The market for broadcast advertising may be inhibited by the absence at the present time of ratings data. The Government is concerned to ensure that a freely competitive market for advertising services should operate in the Solomon Islands.
115. Broadcast advertising has the potential to influence powerfully the purchasing behaviour of consumers, particularly children and young people. Content regulation may involve protecting viewers and listeners in their capacity as consumers from advertising claims that are misleading. Under the *Consumer Protection Act* (Cap. 63) traders and others are prohibited from engaging in “conduct that is misleading or deceptive or is likely to mislead or deceive” (s 24). This prohibition includes misleading or deceptive advertising, by a trader or other person.
116. Advertising of certain prohibited or restricted goods or services may also be controlled by broadcasting regulation. For example, some countries prohibit (or restrict) the advertising of alcohol, tobacco products, “adult” services, firearms, or prescription drugs. In some countries, particular rules apply in relation to advertising directed at children, to avoid children putting pressure on parents to buy what may be unsuitable or unhealthy products.
117. The Government considers that broadcasters are responsible for ensuring that their broadcasts of advertising content conform to content rules generally, including regarding applicable standards of decency or scheduling to comply with a “watershed”, for example.
118. The Government is also concerned that television viewers and radio listeners should be protected from confusion between advertisements and programme content, by requiring broadcasters to include an *audible or visual sign* that advertising is commencing, so audiences know when they are being advertised to. Some countries also apply particular rules to sponsorship of programmes. The fact that a programme is sponsored may have to be indicated clearly. Particular kinds of businesses (e.g. tobacco companies) may be prohibited from sponsoring children’s programmes. Sponsorship of news and current affairs programmes may be prohibited, to protect the editorial integrity of those programmes.

119. To address concerns regarding misleading or inappropriate advertising and sponsorship, the Government will require:

- Licensed broadcasters (other than community broadcasters) to participate in the development of a Radio and Television Advertising Standards Code, including a process for the handling of complaints;
- The Broadcasting and Media Board to review and approve or amend any Radio and Television Advertising Standards Code submitted to it (or prepare a Code if none is submitted to it within a reasonable period);
- All broadcasters that carry advertising to comply with the requirements of the Radio and Television Advertising Standards Code.
- The Broadcasting and Media Board to establish a procedure for responding to complaints under the Radio and Television Advertising Standards Code that cannot be resolved by the broadcaster(s) concerned.

Undesirable content

120. The Tebbutt Report found concern in the community regarding parents' ability to protect their children from accessing harmful or offensive content:

Mothers worry that their own ability to gatekeep what their children are exposed to is eroded by a society that lets 'taboo' in through the media.²⁶

121. The Government considers that broadcasters have up until now self-regulated their broadcasting standards, and refrained from broadcasting content they anticipated was likely to be regarded as undesirable by the community. In the Government's view, broadcasters have generally been successful in self-regulating, though some members of the community may have been disappointed at some times. Some audience members, for example, consider that talkback programmes on some commercial FM radio stations have included speech that was at times disrespectful or otherwise not a positive influence on impressionable young people.²⁷

122. As broadcasting in the Solomon Islands expands and new media become available, the Government considers it desirable to ensure means are available to protect vulnerable groups in society from content that is likely to be harmful to them. The Government is also concerned that broadcast audio and audio-visual content should not be harmful to the values

²⁶ Tebbutt Report (2010) p 61.

²⁷ Tebbutt Report (2010) p 35.

or peace, order and good government of the Solomon Islands. At the same time, the Government does not wish to impose on broadcasters a regime for content regulation that is needlessly complex or that would require broadcasters to bear substantial compliance costs.

- 123.** The Government is concerned that audio-visual content that is broadcast should not be harmful to the values or peace, order and good government of the Solomon Islands. In relation to radio and television broadcasting, the Government considers that the objective of policy should be to protect children and young people from material which would or could harm them morally, psychologically or physically. Apart from the possibility of broadcast content being harmful to children or young persons, content might also be harmful to adults' health and safety, or offend community standards of taste and decency, or incite crime and disorder, or incite hatred. Regulation in most countries aims to prevent the broadcasting of such material.
- 124.** The Government considers that the protection of children from undesirable broadcast content is, in the first instance, a responsibility best carried out by those who are entrusted with the care of children. In the home, the family bears this responsibility. At school, teachers and school administrators must accept responsibility. At clubs, libraries and "cyber-cafes" to which children have access, the owners or occupiers of those premises are responsible. The Government proposes to assist people who are responsible for children's viewing to manage children's access to content.
- 125.** To assist parents, teachers, youth leaders and the providers of public computers to protect children from harmful content, the Government will require the Broadcasting and Media Board to provide parents, teachers, cyber cafes, etc. with readily accessible information (e.g. pamphlets, posters, public talks) regarding responsible control of children's use of broadcasting.
- 126.** Secondly, parents may be provided some signal as to content that is likely to be unsuitable for children or young people, so they can be alert for the need to exercise supervision. This approach, of providing information to parents regarding the kind of content that is about to be broadcast, is intended to help parents to make informed decisions about whether it is or is not suitable for children or young people in their care to watch or listen to. Such information could be provided by a classification systems (e.g. "PG" or "R18", as for films) or by "viewer advisory" statements (e.g. "The following programme contains strong language and nudity. It may be unsuitable for young viewers."). Such a system may be used in combination with the "watershed" technique.

127. Thirdly, content unsuitable for children and young people may be restricted from being shown or aired at times of the day when children or young people are likely to be watching television or listening to the radio. This is implemented by forbidding the screening of adult content prior to a specified “watershed” time of the evening (e.g. before 9:00pm).²⁸
128. This approach requires that if broadcasters wish to broadcast content not suitable for children, they transmit that content after the relevant “watershed” hour and not before it. It also requires that parents are aware of the watershed hour and what it means.
129. The Government does not wish to impose on broadcasters a regime for content regulation that is needlessly complex or that would require broadcasters to bear substantial compliance costs. Measures based on a “watershed” hour must also make allowance for broadcasts that originate in different timezones.
130. To address concerns regarding the broadcasting of undesirable content, the Government will require:
- Licensed broadcasters (other than community broadcasters) to participate in the development of a Radio and Television Broadcasting Standards Code, including a process for the handling of complaints;
 - The Broadcasting and Media Board to review and approve or amend any Radio and Television Broadcasting Standards Code submitted to it (or prepare a Code if none is submitted to it within a reasonable period);
 - All broadcasters that carry advertising to comply with the requirements of the Radio and Television Broadcasting Standards Code.
 - The Broadcasting and Media Board to establish a procedure for responding to complaints under the Radio and Television Advertising Standards Code that cannot be resolved by the broadcaster(s) concerned.

Premium content

131. Some broadcast content – such as coverage of premier sporting events – is of particularly strong interest to audiences in Solomon Islands. In relation to such “premium content”, the

²⁸ “The intention is that parents can generally be satisfied that their children will not be able to view inappropriate or potentially harmful material if they are watching television before the watershed. Past the watershed, responsibility passes from the broadcaster to the parents. Parents who allow their children to watch television late at night know that they might come across material which is unsuitable for them. It is the parents’ responsibility to look after their children at this time.” Salomon, E. *Guidelines for Broadcasting Regulation* (2nd edn, London, 2008) p 43.

Government proposes to investigate the role of anti-siphoning laws as a means of ensuring that the Broadcasting and Media Board is able to take action in the event that any single broadcaster secures exclusive broadcasting rights and seeks to confine access to a subsection of the public.

Broadcasting Objective 3		
Reference	Broadcasting Strategy	Actions
3.1	Require self-regulation by the broadcasting industry of fair and appropriate advertising and sponsorship.	<ul style="list-style-type: none"> ▪ Engage the broadcasting sector in development of an industry code of advertising standards (addressing, e.g., misleading advertising, advertising of alcohol and tobacco, and sponsored content). ▪ Empower the Broadcasting and Media Board to oversee the terms of the code, its administration, and complaint resolution. ▪ Publicise the code and complaints procedure.
3.2	Require self-regulation by the broadcasting industry of content standards.	<ul style="list-style-type: none"> ▪ Engage the broadcasting sector in development of an industry code of broadcast content standards (addressing, e.g., excluded conduct, watershed hours, content advisory notices). ▪ Empower the Broadcasting and Media Board to oversee the terms of the code, its administration, and complaint resolution. ▪ Publicise the code and complaints procedure.
3.3	Support parents and care-givers to shield children from unsuitable broadcast content.	<ul style="list-style-type: none"> ▪ Make guidance and information available for families, teachers and child caregivers regarding means of protecting children from unsuitable broadcast content.
3.4	Facilitate access by the general public to “premium content”	<ul style="list-style-type: none"> ▪ Investigate legislative amendments to establish anti-siphoning regime and empower the Broadcasting and Media Board to declare specified content subject to anti-siphoning provisions.

G. Accessible Broadcasting Services

132. The Solomon Islands Government considers that the extension of radio and television broadcasting coverage to all populated areas of the nation is important to Solomon Islands' continuing social, cultural, economic and political development.

Broadcasting Objective 4
To promote equality of access to broadcasting for individuals and communities throughout Solomon Islands, for participation in education, entertainment, cultural activity, business and democracy.
Promotim evriwan fo aksesim brodkastin evriwea lo Solomon aelan fo waka tugetha lo edukesin, entateinmen, kaolja, bisnis en demokrasi.

Audience access to broadcasting services

133. A crucial issue in Solomon Islands broadcasting is the limited coverage currently provided by all networks, except SIBC's shortwave radio service. There are a number of reasons why coverage is not ubiquitous, including Solomon Islands' widely dispersed population, equipment costs, lack of grid electricity in many areas, and the costs of overcoming topographical challenges.²⁹
134. At present, access to radio is not yet universal and access to television is low in some areas.³⁰ Shortwave radio has the most extensive coverage, being available nationwide, or almost so, though receivers are unaffordable for a segment of the potential audience. FM radio coverage is provided by multiple stations, in Honiara and other main population centres. Analogue and digital terrestrial television services are provided in Guadalcanal and limited areas outside of Guadalcanal. Satellite television services carrying content emanating from overseas can be received nationwide. Some communities have participated in community radio broadcasting, in recent years.

²⁹ "A key barrier emerging to ownership of both radio and TV is lack of affordability, with half of residents citing this as the reason they don't own a radio (50%) and more than one third as the reason why they don't own a TV (36%). For nearly two in five residents with no TV, further key barriers to ownership of a TV including having no access to a clear signal due to lack of TV stations or poor reception (39%) and lack of electricity (36%)." Tebbutt Report (2010) p 80.

³⁰ In Honiara 88% have access to TV, but this reduces to less than half in other provinces, and is just 2% in Makira-Ulawa. Access to radio is almost universal in Honiara, Guadalcanal and Malaita, but just 58% and 70% in the Western and Makira-Ulawa Provinces, respectively. Tebbutt Report (2010) p 63.

135. The extension of radio and television broadcasting coverage to all populated areas of the nation will be beneficial to the continuing social, cultural, economic and political development of the Solomon Islands. The Government is committed to supporting existing and new broadcasters in expanding the coverage of broadcasting services in the Solomon Islands. The Government will seek to minimise regulatory or other barriers to the entry of new broadcasters or the expansion of existing broadcasters to serve rural and remote areas of the Solomon Islands. While the Government recognises that nationwide television broadcast coverage is a long-term objective, the Government is concerned to identify ways in which coverage can be progressively extended to areas that currently lack coverage.
136. As discussed under heading “**I. Competitive commercial broadcasting**”, the Government considers that a competitive broadcasting marketplace will best ensure the continuing development of sustainable broadcasting services in the Solomon Islands. Competition in broadcasting can be promoted by the easing of barriers to market entry and exit, including fees, and by enhancing the certainty and transparency of regulation.
137. The affordability barrier is best addressed by the Government’s continuing efforts to promote economic development and employment in the Solomon Islands. In relation to the issue of availability of electricity, the Government will continue in its efforts to improve the coverage and reliability of the electricity distribution network.

Community access to broadcasting opportunities

138. Community broadcasting, which emphasises the local community’s participation in and ownership of local broadcasting, is widely recognised as playing a vital part in economic and political development. The President of the World Association for Community Radio Broadcasters has described how community broadcasting empowers expression and increases access to information.³¹ Community broadcasting may also contribute positively to economic development.³²

³¹ “People and groups who face social and economic marginalisation, especially those in rural areas, are often poorly served or not served at all by private commercial media, and they lack easy access to finance capital to establish their own services. Community broadcasting provides an alternative social and economic model for media development that can broaden access to information, voice and opinion. [...] Community media have become a vital means by which the voiceless are able to exercise their right to freedom of expression and access to information.” Steve Buckley “Community Broadcasting: good practice in policy, law and regulation” paper presented at UNESCO World Press Freedom Day (2008).

³² “Experience from community radio suggests that a local broadcast (or narrowcast) which is run by the people for the people can create the best dialogue that adds to development processes and empowers people. Audio-visual media that can be produced through participation of the community, and that creates a supportive social cultural environment would be a strong contributor to development processes.” Department for International Development “Community Television for the poor – A Scoping Study: Final Technical Report” (London, 2005) p 12.

- 139.** In the Solomon Islands, Isabel Province has led in community broadcasting, with the establishment in 2006 of eight community FM radio stations by the Isabel Provincial Government and UNDP.³³ In addition to the Isabel Learning Network, various community broadcasters have operated from time to time in the Solomon Islands.³⁴
- 140.** The Government is supportive of community broadcasting in Solomon Islands, which will assist in achieving objectives including fostering a greater sense of national unity whilst maintaining our varying cultural identity, addressing and meeting the basic needs of people in rural areas, and generating jobs.³⁵ In particular, community broadcasting offers the ability to serve particular language communities (which national broadcasters are less able to do), to articulate local concerns and interests, and to stimulate development dialogue.
- 141.** As a practical matter, the ability to establish and sustain operation of community broadcasters depends in particular on:
- Regulation – the regulatory regime must accommodate low-power transmitters and local broadcasters without imposing undue obligations on them and must provide for allocation and allotment of frequencies at low cost.
 - Finance – while equipment costs are falling, running costs are significant for local communities. Community broadcasters must be able to earn revenue within the bounds of being not-for profit (i.e. without becoming commercial broadcasters), as government or donor funding is not likely to be provided over an extended period.
 - Personnel – local communities have a wealth of creative talent but people with skills as technicians, accounts staff, producers and managers are in short supply.
- 142.** To support community broadcasting, the Government will seek to address the challenges typically faced by community broadcasters. In particular, the regulatory framework and Spectrum Plan will take into account the objectives and resources of community broadcasters and in order to minimise or eliminate barriers to entry. Regulation (e.g. class

³³ The stations, each based on a FM “Radio-In-A-Box” solution developed by UNESCO, were located at Buala, and the Tataba, Sigana, Lelegia, Kolotubi, Susubona, Samasodu and Kia villages. The FM stations are networked and, after 2009, adopted a more educational focus, reflected in the new name “Isabel Learning Network.” See, “About the Isabel Learning Network”, available online at: <<http://communitymediasolomons.wordpress.com/isabel-learning-network/#comment-312>>.

³⁴ Don Bosco Technical College operated a low power FM transmitter at Tetere (East of Guadalcanal), broadcasting “Radio Bosco” until late 2010. The Solomon Islands Development Trust (“SIDT”) previously operated a community FM station in Honiara, until it closed down in 2010. A community FM station is currently operating in Lata, Temotu Province. The station operates from 7 am to 6 pm each day, primarily with the purpose of broadcasting announcements and community awareness notices regarding distribution of aid in respect of the tsunami that affected Santa Cruz Island.

³⁵ Democratic Coalition for Change Government *Policy Statement* (2015) para 1.4.

licences for radio broadcasters) will be designed with a view to enabling community broadcasters to derive revenue from advertising, content licensing or other means. The Government will task the National Information Office with planning for capacity building in relation to broadcasting skills for participating communities.

Public service broadcasting

143. UNESCO defines public service broadcasting as having the following characteristics:

[Broadcasting] made, financed and controlled by the public, for the public. It is neither commercial nor state-owned. It is free from political interference and pressure from commercial forces. Through PSB, citizens are informed, educated and also entertained.³⁶

144. The SIBC defines its role as “a public service broadcaster which facilitates educational programs, recording and promotion of local music and the unity of diverse cultures in a scattered island nation.”

145. The Government supports public service broadcasting as conducive to achieving its objectives of national unity, national consciousness and ownership of the country, and meaningful reconciliation between our people, as well as economic and social development goals.³⁷ SIBC makes an important contribution to democratic development by providing fair and impartial coverage of news and elections.

146. Having canvassed opinions on the possibility and given consideration to all issues and objectives, the Government does not propose privatisation of SIBC at this time. The Government recognises that a public service broadcaster has a unique role in broadcasting content of a different nature or quality to that of advertising-funded broadcasters. In order to maintain the important role of SIBC, its future financial security is a matter of importance. The Government will consider legislative amendments to confirm the independence of the SIBC and the principles on which it operates, and reform of powers to direct broadcasters in circumstances of national security or national emergency. The Government will work with SIBC, including in connection with its possible entry into television broadcasting.

Broadcasting Objective 4		
Reference	Broadcasting Strategy	Actions
4.1	Improve the accessibility and affordability of broadcasting services for people throughout Solomon	<ul style="list-style-type: none"> ▪ Minimise uncertainty in regulatory framework for broadcasting. ▪ Maintain a stable, pro-competitive

³⁶ UNESCO *Media Development Indicators* (2008).
³⁷ Democratic Coalition for Change Government *Policy Statement* (2015) para 1.4.

	Islands.	regulatory framework for broadcasting. <ul style="list-style-type: none"> ▪ Continue efforts in respect of economy-wide economic development and job creation.
4.2	Promote access by communities to opportunities to broadcast.	<ul style="list-style-type: none"> ▪ Make provision in the Spectrum Plan for allocation and assignment of spectrum for community broadcasting. ▪ Formulate a general authority / class licence for community broadcasters. ▪ Work with development partners to develop financial support plans for sustainable community broadcasting, including opportunities for revenue-earning activity. ▪ NIO to develop a plan for capacity-building to support community broadcasting.
4.3	Promote public broadcasting.	<ul style="list-style-type: none"> ▪ Ensure continued financial support for public service broadcasting functions of SIBC. ▪ Consider Broadcasting Act amendments to confirm the independence of the SIBC and the principles on which it operates. ▪ Consider Television Act amendments to powers to direct broadcasters in circumstances of national security or national emergency. ▪ Ensure regulation is enabling for SIBC entry to television broadcasting.

H. Culturally Relevant Content

147. Broadcasting has an important role to play in the preservation and development of the arts and culture of the Solomon Islands. The recording and production of local content for broadcast can assist to support local performers and local production companies, while also satisfying local audiences' demand for more local news and other local content.

Broadcasting Objective 5
Support the creation, recording, preservation and broadcasting of locally created and locally relevant content.
Sapot fo krietim, rekodim, lukafta en brodkastim oketa lokol nius, toktok, en storis.

148. Much of the content currently broadcast in the Solomon Islands by radio and television operators is imported content, including music, drama, sports, current events and comedy programming from overseas. The Government considers that audiences in the Solomon Islands should have access to high-quality international broadcast content. While it can be expensive for local operators to acquire rights to broadcast high-quality overseas content, a very large supply of such content is available. The Government also considers that audiences in the Solomon Islands should have access to high-quality locally created and locally relevant broadcast content.

149. Local content may take a wide variety of forms but refers generally to broadcast content produced in the Solomon Islands and about Solomon Islands subjects. It is important to recognise that “local content” does not merely mean content produced in the Solomon Islands: content should also have “local” relevance for people in Solomon Islands, particularly in the provinces. The Tebbutt Report observed that: “[t]he media is perceived as Honiara-centric, even by those living in Honiara.”³⁸ Audiences located outside Honiara feel isolated by their exclusion from media coverage and express a desire for more journalists to be located in the provinces to cover provincial news and issues. The Tebbutt Report found that:

[P]eople love to see themselves and enjoy looking at news from their own country. They are enthusiastic about the concept and accept the product is in its early days of development. They would like longer news, greater coverage, especially including the provinces. They definitely wish to see more local content on TV, not just news.³⁹

150. Personal interest in issues covered by the media was found to be highest in relation to:

- Education
- Law and order
- Health
- Agriculture, farming and food production
- Climate change and environment
- Weather
- National and local news
- Youth issues⁴⁰

151. The Government considers that – on both cultural and economic grounds – the local production of broadcast content within the Solomon Islands is highly desirable. The production of local broadcast content will serve to protect and develop Solomon Islands indigenous culture, draw attention to social and political matters, and provide local audiences with local perspectives on domestic and international issues. It will contribute to

³⁸ Tebbutt Report (2010) p 57.

³⁹ Tebbutt Report (2010) p 49

⁴⁰ Tebbutt Report (2010) p 86.

the economy by providing jobs for Solomon Islanders, and by earning revenue from the sale of rights to overseas broadcasters.

- 152.** Promoting the creation and enjoyment of local content is fundamental to the Government’s guiding principle of “cherish[ing] and respect[ing] the diverse cultural traditions, worthy customs and Christian values within Solomon Islands to build a peaceful, united and progressive country.”⁴¹ It is also central to the Government’s objectives of economic advancement, private-sector led growth, generation of jobs, and promoting national consciousness.⁴²
- 153.** The broadcasting of local content in the form of quality local news and parliamentary and electoral coverage may also serve pro-democratic ends, contributing to good governance. Broadcasts of disaster warnings and information on disaster relief also play a critical role, for communities affected by natural disasters.

Content providers

- 154.** Content providers comprise a diverse category supporting the broadcasting sector. For present purposes they are regarded as spanning all phases of the chain in production and distribution of content for broadcasting, including (for example), musicians and performers; film-makers; editing, production and post-production providers; and rights distributors.
- 155.** Some local production of educational material is occurring. For example, the Isabel Learning Network has been active in production of pre-recorded educational content:

From 2009, the L4P and Healthy Communities projects have built the capacity to produce pre-recorded content. The local volunteer teams and youth group members were equipped with netbook computers installed with Audacity and playlist software, digital voice recorders and microphones. They were trained to record, edit and broadcast digital audio. The viability of local production was first proven by the Youth members during the L4P project, and a few early productions were aired on the subject of “highlighting our customs”, followed by the “Healthy Communities” series of programmes.

- 156.** One News Limited has played a significant role in production of local content. One News has created news programme content for broadcast on the commercial networks and, in doing so, has trained personnel in relevant skills. One News has also played a part in the broadcast of Parliamentary proceedings.

⁴¹ Democratic Coalition for Change Government *Policy Statement* (2015) para 1.3.

⁴² Democratic Coalition for Change Government *Policy Statement* (2015) para 1.4.

157. SIBC has been active in recording and archiving material, including custom stories and music, which are of vital cultural importance to Solomon Islanders.

Mandatory local content requirements

158. Overseas, some countries have sought to promote the production and broadcasting of local content by means of regulation. Examples of such regulation include:

- Rules requiring service providers to broadcast a minimum “quota” of locally-produced content (e.g. a certain number of hours per day or per year); or
- Rules requiring service providers to spend a certain fraction of their content budget on locally-produced content; or
- Rules requiring certain proportions of programming to be broadcast in local languages.

159. The Government is concerned that such rules, though they might stimulate local content production, would be likely to have substantial cost implications for broadcasters. Such rules might also be difficult for broadcasters to comply with, unless lengthy lead-times are allowed. It is also uncertain whether quota measures would provide audiences with the quality and diversity of programming they demand. The Government concludes that radio and television broadcasters in the Solomon Islands should not be obliged by regulation to broadcast a minimum quota of local content at this time.

160. In keeping with its pro-competitive approach to broadcasting in general, which stresses minimal intervention in markets, the Government proposes to promote the production and broadcasting of local content by removing or reducing regulatory and other barriers to this sector of the broadcasting market, rather than by imposing a local content “quota” or similar obligation on broadcasters. The Government also considers that measures to assist the building of human capital in the Solomon Islands broadcasting industry will assist the production and distribution of local content.

Broadcasting capacity building

161. The shortage of skilled broadcasting industry personnel is a significant constraint not only on creation of locally relevant content but on the operation of broadcasting generally, in Solomon Islands.
162. The Government will work with broadcasters and allied businesses to understand and address the skills gap, including by:

- encouraging the development of broadcasting skills courses in secondary and tertiary education;
- establishing scholarships for the further training of promising broadcasting sector talent;
- supporting in-work training for personnel employed by broadcasters;
- encouraging the broadcasting industry to give public recognition to the accomplishments of staff.

Legal environment

- 163.** Some broadcasters have observed that the current law on copyright and intellectual property (in particular, the *Copyright Act (Cap. 138)*) is out of date and inhibits the development of a market for locally-produced content. Some have said that the *Copyright Act* does not make sufficiently clear authors’ rights to receive payment for use of their works. The Government notes that a *Draft National IP Strategy* was prepared by an expert consultant in 2014 and is under consideration by the Government. Among other things, the *Draft National IP Strategy* proposes amending legislation and establishment of an Intellectual Property Office.
- 164.** Various measures might be adopted to promote locally relevant content. These include legal (as well as informal) measures to protect the rights of groups to the traditional styles, methods and works of which they are the custodians. Conventional intellectual property laws might or might not be ideal in this setting – further consideration must be given to this issue. The Government will consider possible legislative and non-legislative approaches to protecting traditional knowledge and traditional cultural expressions.

Broadcasting Objective 4		
Reference	Broadcasting Strategy	Actions
5.1	Encourage creation of locally relevant broadcast content.	<ul style="list-style-type: none"> ▪ Explore with content providers possible incentives or assistance to support local production of content such as news, local affairs and listener-participation programming. ▪ Investigate the revenue effects of tax rebates to incentivize local and foreign production located in Solomon Islands. ▪ Establish a national archive for traditional works and cultural expressions, with appropriate protection for traditional owners and system for broadcasters’ access to material.

		<ul style="list-style-type: none"> ▪ Develop programmes for capacity building among the creative community in relation to IP protection and publication/broadcasting of works.
5.2	Build capacity in relation to broadcasting.	<ul style="list-style-type: none"> ▪ Work with regional partners to develop regional broadcasting skills standards and certification. ▪ Work with broadcasters and allied businesses to develop training programmes for broadcasting technical and editorial skills. ▪ Develop a scheme for financial assistance (scholarship support) for overseas training of promising broadcasting professionals.
5.3	Review and reform relevant laws to promote locally relevant content.	<ul style="list-style-type: none"> ▪ Complete and implement the <i>National IP Strategy</i>. ▪ Reform intellectual property legislation to ensure it is effective in relation to broadcast and multimedia content. ▪ Investigate new approaches for giving protection to traditional owners and custodians of traditional works and cultural expressions. ▪ Investigate the introduction of tax concessions for Solomon Islands located production or post-production.

I. Competitive Commercial Broadcasting

165. The Government considers that competitive markets for broadcasting services provide the best assurance that broadcasting services will meet audiences’ needs and be delivered in a commercially sustainable way. Accordingly, the Government proposes to remove or minimise any barriers to free entry to (and exit from) the broadcasting market in the Solomon Islands.

Broadcasting Objective 6
Create an environment conducive to investment in and competition between broadcasters and broadcast-related businesses in Solomon Islands.
Mekem gud ples fo startim en kompit lo brodkastin bisnis insaed Solomon aelan

Competition, Pluralism and Diversity

- 166.** As people’s preferences differ, it is generally regarded as desirable that audiences should be offered a variety of broadcast content and points of view. The object of “diversity” in broadcasting is, in summary, to allow audience members the opportunity to select among diverse content and diverse points of view on topics of interest. The object of “plurality” is to ensure that diverse voices can be heard, generally by allowing or encouraging sufficiently numerous broadcasters to participate in the market. Pluralism is anticipated to result in “the fair, balanced and unbiased representation of a wide range of political opinions and views”.⁴³ Industry concentration and commercialisation are often characterised as detrimental to plurality and diversity.
- 167.** Economic incentives for broadcasters may lead broadcasters to merge their businesses (increasing industry concentration) or to target their programming at the most numerous groups in society, in order to appeal to the largest possible audience. As a consequence, the interests of minority audiences may be neglected.
- 168.** In response, regulation in some countries seeks to promote plurality of broadcasters and diversity in broadcasts. A variety of regulatory tools have been used in efforts to promote plurality and diversity, including:⁴⁴
- Limits on ownership of media companies (to promote fragmented ownership of broadcasters);
 - Limits on the number of licences a media company may hold (e.g. in the United Kingdom);
 - Limits on the market shares a media company may achieve (e.g. in Italy);
 - Limits on hourly or daily advertising (which influences the scale and numbers of broadcasters).
- 169.** Merger control may also play a relevant part in preventing the consolidation of broadcasters and consequent loss of plurality.
- 170.** The Solomon Islands is a nation of diverse peoples. The Government considers pluralism of broadcasters and diversity in broadcasting to be desirable outcomes. However the Government is also concerned that intervening directly in the market (such as by imposing various kinds of limits) might not promote plurality or diversity in Solomon Islands

⁴³ Michele Polo “Regulation for Pluralism in Media Markets” in P. Seabright and J von Hagen (eds) *The Economic Regulation of Broadcasting Markets* (Cambridge University Press, 2007) at 150.

⁴⁴ See, Polo, *ibid*, at 170 – 174.

broadcasting at the current stage of industry development but could in fact inhibit the further development of the industry, with adverse effects for both broadcasters and audiences.

171. The Government considers that the opportunity for diverse groups in Solomon Islands society to participate in broadcasting will make a positive contribution to national life while also enhancing diversity.
172. A general competition law is not in force in the Solomon Islands at the present time and the *Television Act* does not provide for explicit competition safeguards for broadcasting markets, as the *Telecommunications Act 2009*, in contrast, does for telecommunications markets (see, *Telecommunications Act 2009* s 60). The Government proposes that broadcasters should in future be required to comply with competition safeguards. Such safeguards might either be similar to those under s 60 of the *Telecommunications Act 2009* (but tailored to the broadcasting sector) or might operate under a generally applicable competition law. Whether industry-specific competition safeguards are required will be considered as part of the Government's forthcoming review of competition policy for Solomon Islands.

Foreign ownership of broadcasters

173. In many countries foreign ownership and control of broadcasting licensees is controlled by law. The object of such laws is to ensure broadcasting and news media, as strategically sensitive industries, are controlled by citizens.
174. The Solomon Islands Government considers that the quality and content of broadcasting in the Solomon Islands is not threatened at the present time by foreign ownership of local broadcasting licence holders. The Government is also mindful of its objective of encouraging direct foreign investment in Solomon Islands. The Government considers that, for the foreseeable future, the benefits that are likely to flow from increased foreign investment in the broadcasting sector are likely to outweigh the detriments.
175. Accordingly, the Solomon Islands Government does not propose to introduce foreign ownership restrictions on broadcasting licensees at the present time. The Broadcasting and Media Board, however, may review this question from time to time and report on the level and effects of foreign ownership of Solomon Islands broadcasting licensees. The Government will periodically review whether foreign ownership regulation is desirable for the broadcasting sector.

Cross-ownership of broadcasters and other media

176. In many countries, also, “cross-ownership” of different forms of media is controlled by law. Cross-ownership laws aim to promote media diversity by preventing common ownership of television, radio and newspaper businesses in the same market (e.g. a newspaper owner may not also acquire a TV station, unless specifically authorised to do so).
177. The Government is also aware that some cross-ownership currently exists between media in the Solomon Islands. For example, some newspaper owners also have investments in radio stations. The Government does not consider that the current level of cross-ownership has a detrimental effect on the quality of any media.
178. At present, cross-ownership of local broadcasting licence holders by the owners (or controllers) of other media in the Solomon Islands is not at a level that causes concern for the Solomon Islands Government. The Government does not consider that, at the present time, the quality and content of broadcasting in the Solomon Islands is adversely affected by ownership or influence of print media owners (for example).
179. Accordingly, the Solomon Islands Government does not propose to introduce restrictions on cross-ownership of broadcasting licensees at the present time. The Broadcasting and Media Board, however, may review this question from time to time and report on the level and effects of cross-ownership of Solomon Islands broadcasting licensees. The Government will periodically review whether cross-ownership regulation is desirable for the broadcasting sector.

Research and ratings

180. The development of the broadcast advertising market is of fundamental importance for the long-term sustainability of the broadcasting industry. At present, keen competition exists between print media, radio and television broadcasters for a finite pool of domestic advertising revenue. Audience research in Solomon Islands is intermittent at present, carried out by way of occasional studies. At present, media professionals report they rely heavily on informal feedback. As one party commented in consultations “ongoing audience research is most important for developing the broadcasting sector.” It appears that regular information-gathering on the composition of broadcasting audiences and their preferences (e.g. routine ‘ratings’ surveys) would materially assist broadcasters, including in relation to selling advertising airtime.

- 181.** Additionally, reliable data on Solomon Islands broadcasting audiences and their preferences is important for future policymaking. The Government considers that work to be undertaken to commence regular collection in Solomon Islands of quantitative data relating to broadcasting, audiences and audience behaviour. Such data will support the implementation, monitoring and evaluation of the *National Broadcasting Policy*, assist in the future revision and improvement of the *National Broadcasting Policy*, and support donors’ programme assessment activities.
- 182.** The Government will task the National Information Office with leading the development of plans for identifying and gathering relevant information on broadcasting and audiences.

Broadcasting “piracy”

- 183.** In recent years, disputes amongst the commercial television broadcasters regarding alleged unauthorized re-transmission of television content have on several occasions resulted in court proceedings. The Government is concerned that conflict between commercial television broadcasters may be wasteful of their respective resources and may constrain investment in service provision to the public. The Government will endeavour to reduce the scope for such controversies in future.
- 184.** In relation to the alleged broadcasting of proprietary content by a broadcaster who does not hold the requisite rights to broadcast the content in question, the Government will require the Broadcasting and Media Board to:
- clarify the rights and responsibilities of broadcasting licensees as and when necessary; and
 - enforce relevant licence terms, regulations and legislation in accordance with the law.

Broadcasting Objective 6		
Reference	Broadcasting Strategy	Actions
6.1	Establish market conditions for competition in broadcasting based on free market entry and open access to products and services.	<ul style="list-style-type: none"> ▪ Refrain from introducing foreign ownership or cross-ownership restrictions at this time. ▪ Include within the forthcoming review of competition policy consideration of competition safeguards in the broadcasting sector. ▪ Enact competition safeguards either under a generally-applicable competition law or on an industry-specific basis.
6.2	Encourage investment in broadcasting.	<ul style="list-style-type: none"> ▪ Consider measures to encourage foreign investment in the broadcasting sector and

		<p>broadcast-related businesses.</p> <ul style="list-style-type: none"> ▪ Periodically review the extent and effects of foreign ownership in the domestic broadcasting sector. ▪ Periodically review the extent and effects of cross-ownership in the domestic broadcasting sector. ▪ Investigate the impacts of waivers of duties, taxes and levies on broadcasting equipment, software, etc. ▪ Reduce or remove any trade barriers, duties, taxes or levies that limit the volume or increase the prices of broadcasting equipment, software, etc.
6.3	Support research and information collection in relation to broadcasting.	<ul style="list-style-type: none"> ▪ Formulate a plan for collection of information on broadcasting and audiences.
6.4	Promote observance of content rights requirements.	<ul style="list-style-type: none"> ▪ Amend broadcasting licences to extent necessary to ensure clarity in licence holders' rights and responsibilities. ▪ Enforce law, regulation and licence terms to ensure compliance with content rights requirements.

J. Efficient Management of Broadcasting Spectrum

185. Access to suitable bands in the radiofrequency spectrum, free from interference, is a crucial requirement for terrestrial radio and television broadcasters and broadcasters who uplink or downlink content to or from satellite transponders. Access to radiofrequency spectrum is also increasingly important for service to hand-held devices, such as mobile phones.

Broadcasting Objective 7
Ensure Solomon Islands radiofrequency spectrum is managed and used in a manner that is efficient, pro-competitive, consistent with international obligations and national security, and conducive to social and economic progress.
Manejim gud redio friquensi spektram fo hemi ifisent, promotim kompitisin wea hemi semsem waitem intanasinol oblikesin en nasinol sikuriti, en helpem sosol en ekonomik progres.

Responsibility for spectrum management

186. At present, the management of spectrum in the Solomon Islands is the exclusive responsibility of the Telecommunications Commission (*Telecommunications Act 2009* s 53). The Telecommunications Commission manages frequency allocations and licensing in accordance with international commitments and international planning and the domestic Spectrum Management Plan. A liaison committee established by the Telecommunications Commission addresses allocation and assignment for use in radio and television broadcasting (*Telecommunications Act 2009* s 56(a)).
187. In some countries, management of the spectrum used for broadcasting purposes is delegated to the authority that licences broadcasters. This has the advantage of providing broadcasters with a ‘one stop shop’. It has the disadvantage, however, of involving the broadcasting regulator as a second voice in spectrum management activities, while investigation and enforcement of interference or other infringements would likely still have to be carried out by the principal spectrum authority. Weighing the advantages and disadvantages of tasking the Broadcasting and Media Board with management of broadcasting frequency bands, the Government proposes to continue entrust the Telecommunications Commission with management of the broadcasting spectrum. As one submission observed during consultations, this approach entails “dual licensing”, by the Telecommunications Commission for spectrum use and by the Broadcasting and Media Board to broadcast, but close coordination between the two agencies will minimise any inconvenience from this. Close coordination will also reduce the risk of duplication of effort, or administrative inconsistency, as between broadcasting and other spectrum.
188. In light of the positive benefits associated with community broadcasting (as discussed under heading “**G. Accessible broadcasting services**”) the Government considers that the Solomon Islands Spectrum Plan should make provision for an adequate band of unallocated radiofrequency spectrum to be reserved for community broadcasters’ future needs.

Spectrum usage fees

189. Existing legislation in the Solomon Islands authorises the Television Board to require a broadcasting licensee to pay “a premium for the issue of the licence or such annual fee, rent or royalty as the Board may determine” (*Television Act* s 6(5)). The Telecommunications Commission is also empowered to prescribe annual fees for the right to use radio spectrum bands, though fees should be set “only in such manner and to such extent as is reasonably required to ration the use of radio spectrum bands for which the Telecommunications Commission reasonably expects demand to exceed supply” (*Telecommunications Act 2009* s 57). In the Solomon Islands demand for radiofrequency spectrum has not hitherto

exceeded supply and the Telecommunications Commission does not at present expect it to do so in any bands. Accordingly, it has not been the Television Board's practice in recent years to charge any premium, annual fee, rent or royalty for licences or spectrum rights.

- 190.** In many jurisdictions, substantial charges are levied against telecommunications and broadcasting operators for allocation to them of radiofrequency spectrum, on the basis that they are making commercial use of a scarce public resource. The Government considers that in the Solomon Islands the imposition of substantial spectrum usage fees would be likely to deter the entry or expansion of telecommunications and broadcasting service providers. The Government also considers that telecommunications and broadcasting operators, by offering their services to the public, are providing something of value to the public in return for their use of the public resource. The Government does not, therefore, propose to alter the existing law regarding spectrum usage fees at this time. The Broadcasting and Media Board must be funded sufficiently, however, to cover its reasonable costs. The Government will initiate a quantitative study to examine projected costs and funding models and will make legislative provision to enable imposition of a levy on broadcasters, at a level that is reasonable and not a barrier to market entry or expansion (see strategy 2.1, above).

Spectrum trading

- 191.** In a number of developed economies, a secondary market for radiofrequency spectrum has developed, following the creation of tradable "spectrum rights." Such a market is said to enable the efficient allocation of spectrum to users who value it most highly. In light of the relatively small number of spectrum users in the Solomon Islands at this time, the Government does not propose to introduce tradable spectrum rights. The necessary institutions and arrangements to support trading in spectrum rights would entail costs that are unlikely to be justified, having regard to the relatively small volume of transactions that are likely to take place.
- 192.** The Government proposes, however, that spectrum users should approach the office of the Telecommunications Commission if they wish either to transfer to a third party spectrum rights that they hold, or accept the transfer to them of spectrum rights that a third party holds. The Telecommunications Commission may exercise the powers provided for under s 59 of the *Telecommunications Act*.

Interference

193. The Government is aware that from time to time complaints have arisen regarding electromagnetic interference experienced by broadcasters. To date, it appears these complaints have generally been able to be resolved informally. Nevertheless, the Government is concerned that the Broadcasting and Media Board and the Telecommunications Commission should have adequate powers to investigate and deal expeditiously with interference complaints.
194. The Government intends that the Broadcasting and Media Boards should agree with the Telecommunications Commission a procedure for the Board to call on the Commission for assistance in investigating interference complaints where it has reason to believe that unreasonable interference is being caused and for making directions for the resolution of interference issues.

Broadcasting Objective 7		
Reference	Broadcasting Strategy	Actions
7.1	Ensure efficient management of radiofrequency spectrum resources in Solomon Islands.	<ul style="list-style-type: none"> ▪ Complete consultation on revised Solomon Islands Spectrum Plan. ▪ Formalize protocol for liaison on management of broadcasting spectrum between the Broadcasting and Media Board and the Telecommunications Commission. ▪ Review and, if necessary, amend the Telecommunications Commission's powers to investigate and respond to radiofrequency interference.

K. New Broadcasting Technologies

195. The continuing development of broadcasting technologies may provide new and unforeseen benefits and, equally, may bring new risks for the public and challenges for policy and regulation. The broadcasting environment in Solomon Islands should encourage investment in and use of new technologies, particularly technologies which can facilitate the availability, accessibility and affordability of broadcasting or promote other national development objectives.

Broadcasting Objective 8
Create an environment conducive to investment in and use of new broadcasting technologies in Solomon Islands, including for digital terrestrial television

broadcasting.

Mekem gud ples fo statim bisnis en usim niu teknologis fo brodkastin lo Solomon aelan, includim digital terrestriol brodkastin.

196. Traditionally, broadcasting policy, law and regulation have been concerned with radio and television broadcasting activities using the radiofrequency spectrum. Over the last three decades, however, technological innovation has vastly increased the amount of information and entertainment available for consumption and multiplied the channels by which it can be received. Broadcasting is no longer confined to radio and television services. Audio and video content may be “broadcast” on mobile telephony networks or by the public Internet, for example.
197. Broadcasting utilising new media brings many of the benefits – and many of the hazards – that are associated with broadcasting using traditional media. While experience globally in regulation of new media is in its infancy, the Government is concerned not to impose regulation that may have unintended consequences, including delaying or inhibiting the availability of new media in the Solomon Islands.
198. There appears to be strong public interest in new media, particularly those accessible by mobile phones, but access is constrained by the affordability of services, handsets, and computers and by availability of electricity, in some areas. The Tebbutt Report found that:
- The mobile phone market is ‘going crazy’. It seems everyone either has a mobile phone or wants a mobile phone. Mobile phones are a must buy item where affordability allows.⁴⁵
199. People in Solomon Islands who have the opportunity to experience the Internet have great enthusiasm for it but many people, especially the elderly, rural dwellers and non-working people have not yet seen or used it.⁴⁶ In urban areas, Internet access is most commonly at internet cafes, at work or school, or at PFNet (People First Network) access points.⁴⁷ Overall, however, internet availability is expanding but not yet widespread.⁴⁸
200. Much greater Internet availability is a key objective of the Government and is considered more fully in the context of the *National ICT Policy*. In the present setting, however, new

⁴⁵ Tebbutt Report (2010) p 55.

⁴⁶ Tebbutt Report (2010) p 51.

⁴⁷ Tebbutt Report (2010) pp 186 - 191.

⁴⁸ “The internet or PFNet is available to fewer than a third of people in any province – 31% in Malaita are aware of any place where they can use the internet or PFNet, compared to 15% in the Western province, 11% in Greater Honiara, 7% in Isabel, and 2% each for Makira and Guadalcanal.” Tebbutt Report (2010) p 8.

media are considered as an increasingly important new means by which audio and audio-visual content are being distributed. For example, internet-enabled smartphones can receive internet-distributed overseas radio stations. (Refer to section **K. New Broadcasting Technologies**, below.)

Internet content

201. Increasingly, the people of Solomon Islands are accessing audio and video content by means of the Internet (e.g. via personal computers or, more often, smartphones). Downloading of Internet content can be expected to increase, when the Solomon Islands gains connectivity via the proposed submarine fibre optic cable. Many families are concerned about children and young people having access to unsuitable content.⁴⁹ Overseas providers of audio and audio-visual content on the Internet are beyond the effective reach of Solomon Islands national regulation. But an understanding of the nature of the risks and awareness of the ways parents and child care-givers can reduce those risks is an important way of protecting our children and young people.
202. The Government considers that parents and others in positions of responsibility for children would benefit from better support to supervise and manage their children's use of media. Accordingly, the Government proposes to explore with parents' and teachers' groups what training or other support to them would best assist them in supervising and managing the use of new media by children and young people. (Please refer to *National ICT Policy, Strategy 6.2.*)
203. The Government will therefore support the development of programmes for training in how to supervise children's use of the Internet and new media for parents, teachers, and others responsible for children.

Digital terrestrial television

204. Many countries around the world have converted, or are in the process of converting, from analogue terrestrial broadcasting to digital terrestrial broadcasting systems. Because digital broadcasting makes more efficient use of the radiofrequency spectrum, this "digitalisation" often yields a "digital dividend" of spectrum that can be made available for other users or other purposes.

⁴⁹ "There is a lot of fear in the country about being able to appropriately gatekeep what teenagers and children listen to, view and read. [...] Mothers worry about keeping pace with the changes. If they cannot understand it, how can they control it?" Tebbutt Report (2010) p 61.

205. At present, the broadcasting spectrum is not under heavy pressure in the Solomon Islands but digitalization offers other benefits, such as higher-quality audio and video transmission, and the ability to broadcast audio-visual content to low-power and hand-held devices. Digital television systems may also (to some degree) help to bridge the ‘digital divide’, bringing some interactivity with information to communities or households that would otherwise be excluded from the information society.
206. The conversion to digital terrestrial broadcasting requires investment by broadcasters in new transmission equipment and by end-users in new reception equipment (e.g. new television sets or decoders). The Government does not propose at this time to mandate that broadcasters convert to digital terrestrial broadcasting, having regard to: the cost to end-users of updating their reception equipment; the cost to broadcasters of updating their transmission equipment; relatively low spectrum congestion in Solomon Islands; and the Government’s preference for non-intervention in markets except in circumstances where intervention is demonstrably necessary. However, the Government has commenced to explore, together with its aid partners, the feasibility of and possible benefits from establishing digital broadcasting in the Solomon Islands and the best means of managing the transition to digital broadcasting.⁵⁰ The Government will continue work on a roadmap for transition to digital terrestrial television broadcasting.

Broadcasting Objective 8		
Reference	Broadcasting Strategy	Actions
8.1	Create an enabling environment for new media.	<ul style="list-style-type: none"> ▪ Promote awareness of, and access to, open source software and free online tools. ▪ Make guidance, information and tools available for families, teachers and child caregivers regarding means of protecting children from harmful online content (including parental control software).
8.2	Plan for analogue-digital terrestrial television broadcasting migration.	<ul style="list-style-type: none"> ▪ Continue engagement with international experts and regional partners in relation to the strategy for analogue-digital terrestrial television switchover. ▪ Develop, in consultation with broadcasters and consumers, an analogue-digital switchover timetable and plan for Solomon Islands. ▪ Review legislation and amend any unnecessary impediments to the introduction of digital terrestrial television broadcasting and new media generally.

⁵⁰ The Government welcomes the work by the ITU in connection with digital broadcasting in Solomon Islands, leading to the report *Roadmap for the Transition from Analogue to Digital Terrestrial Television Broadcasting in Solomon Islands* (June 2014).

PART THREE

L. Implementation of the *National Broadcasting Policy*

207. The translation of policy to action will require funds, active management and the enactment of new legislation. This section sets out the Government's intentions in respect of the implementation of this *National Broadcasting Policy*.

New legislation

208. The Government will introduce to Parliament legislation to give effect to this *National Broadcasting Policy*.

209. The Government anticipates that draft legislation, including a new *Broadcasting and Media Bill*, will be prepared and introduced to Parliament in late 2015 or during 2016, which will:

- Update the *Broadcasting Act* (Cap. 112) (by replacing or substantially amending it);
- Update the *Television Act* (Cap. 116) (by replacing or substantially amending it);
- Abolish the licensing requirements for television broadcast receivers and for installing, maintaining, working on or dealing in television broadcast receivers (*Television Act* Part V);
- Reform the Television Board and reconstitute it as the Broadcasting and Media Board;
- Extend broadcasting regulation and jurisdiction of new Broadcasting and Media Board to radio broadcasting;
- Require broadcasters to develop and enforce relevant codes of practice, including in relation to advertising standards, programme content and complaints handling, under supervision by the Broadcasting and Media Board;
- Provide for the economically efficient sharing of telecommunications and broadcasting infrastructure by separate operators.

210. Any such new legislation will be the subject of public consultation, in accordance with the normal legislative process.

National Information Office

211. The Government will establish a National Information Office and appoint a Chief Information Officer (as set out under heading **E. Effective regulation of broadcasting**, above and further discussed in the *National ICT Policy*). The responsibilities and functions of the NIO and CIO will include the further development of broadcasting policy as well as ICT policy, and coordinating the implementation of this *National Broadcasting Policy*.

Budget and funding

212. Improvements in the extent and quality of broadcasting are expected to deliver material economic, social and cultural benefits. Achieving such improvements requires the commitment of funding. It is not practical for the Government to undertake all of the proposed broadcasting strategies at one time. Those strategies that offer the greatest promise of the greatest benefit must be selected and priorities determined among them.
213. The best approach to funding implementation of the *National Broadcasting Policy* will depend on the particular strategies that are identified to achieve the broadcasting Objectives, and the action plans that are determined to put those strategies into effect. While the details of those action plans will determine where the burdens of implementation will lie, the Government foresees that implementation work will be funded partly out of general budget allocations to Ministries and partly by grants from Solomon Islands' aid partners. The Government will work with its aid partners to agree the optimal approach to matters of funding for implementation.

M. Review of the National Broadcasting Policy

214. This *National Broadcasting Policy* has been the subject of extensive consultation with the public and industry stakeholders. The Government has taken into account all views and comments provided to it.
215. The Government recognises, however, that the needs of broadcasters and of audiences are likely to change as technologies, industry structure, broadcast content and audience demands continue to develop.
216. The Solomon Islands Government therefore proposes that this *National Broadcasting Policy* and its implementation should be the subject of an independent review, to be commenced not later than five years from the adoption of this Policy by Cabinet. A panel of experts independent of both the Government and the broadcasters will be appointed by the

Prime Minister and the report of the expert panel shall be tabled in Parliament and promptly made available to the public.

- 217.** The Government is cognizant of its commitments under the *Paris Declaration on Aid Effectiveness*, as successful implementation of the broadcasting Objectives is likely to require support from its aid partners. These commitments include to:

Endeavour to establish results-oriented reporting and assessment frameworks that monitor progress against key dimensions of the national and sector development strategies; and that these frameworks should track a manageable number of indicators for which data are cost-effectively available.⁵¹

- 218.** The Government therefore intends that the *National Broadcasting Policy* shall be implemented in accordance with explicit action plans and that particular projects must detail performance indicators allowing qualitative and quantitative monitoring of implementation, consistent with the “Logical Framework” approach endorsed by the Government, and consonant with *Paris Declaration* commitments.

- 219.** Data gathered by monitoring indicators under action plans will be made available to aid partners as well as being used to evaluate and fine-tune the *National Broadcasting Policy* and the various measures by which it is implemented.

⁵¹ *Paris Declaration on Aid Effectiveness* (2005), Clause 44.

APPENDIX 1

Glossary of Terms and Abbreviations

ICT	Information and Communications Technologies
ICTPTA	ICT Policy Technical Assistance
ISP	Internet Service Provider
MCAIT	Ministry of Communications, Aviation and Information Technology
MOFT	Ministry of Finance and Treasury
NBP	National Broadcasting Policy
NICTP	National ICT Policy
PRIF	Pacific Region Infrastructure Facility
SITICTDP	Solomon Islands Telecommunications and ICT Development Project
SIG	Solomon Islands Government

APPENDIX 2

ST = Short Term; MT = Medium Term; LT = Long Term

Reference	Broadcasting Strategy	Actions	Proposed Priority
1.1	Build the broadcasting-related skills base in Solomon Islands. (Refer also strategy 5.2, below.)	<ul style="list-style-type: none"> ▪ Encourage the development of broadcasting skills courses in secondary and tertiary education. ▪ Develop a programme to support capacity building for women in broadcasting and women's access to the broadcasting and media sectors. ▪ Establish scholarships for the further training of promising broadcasting sector talent. ▪ Support in-work training for personnel employed by broadcasters. ▪ Encourage the broadcasting industry to give public recognition to the accomplishments of staff. 	MT
1.2	Modernize the regulatory framework for broadcasting in Solomon Islands	<ul style="list-style-type: none"> ▪ Refer Section E, below. 	ST
1.3	Ensure adequate protection of audiences in relation to broadcast content.	<ul style="list-style-type: none"> ▪ Refer Section F, below. 	ST
1.4	Expand broadcasting coverage and accessibility.	<ul style="list-style-type: none"> ▪ Refer Section G, below. 	LT
1.5	Promote the broadcasting of locally relevant content.	<ul style="list-style-type: none"> ▪ Refer Section H, below. 	MT
1.6	Create a business environment for broadcasting that is competitive and attractive to investment.	<ul style="list-style-type: none"> ▪ Refer Section I, below. 	ST
1.7	Ensure efficient management of spectrum resources.	<ul style="list-style-type: none"> ▪ Refer Section J, below. 	ST
1.8	Ensure openness of broadcasting environment to new broadcasting technologies, including digital television.	<ul style="list-style-type: none"> ▪ Refer Section K, below. 	MT
2.1	Establish a new Broadcasting and	<ul style="list-style-type: none"> ▪ Amend legislation to reconstitute the Television Board as the Broadcasting and 	ST

Reference	Broadcasting Strategy	Actions	Proposed Priority
	Media Board as the broadcasting industry regulator.	<p>Media Board.</p> <ul style="list-style-type: none"> ▪ Appoint initial members of Broadcasting and Media Board. ▪ Undertake a quantitative study to examine projected costs and funding models. ▪ Amend legislation to provide for funding of Board by levy on revenues of broadcasting licensees. 	
2.2	Reform broadcasting licensing to promote market entry.	<ul style="list-style-type: none"> ▪ Extend licensing regime to apply to radio broadcasters. ▪ Introduce class licensing for radio broadcasters. ▪ Abolish requirements for dealer's licence and television receiver licence. 	ST
2.3	Review and, if necessary, amend statutory powers in respect of technical standards for broadcasting.	<ul style="list-style-type: none"> ▪ Review legislation in respect of technical standards to ensure Broadcasting and Media Board has adequate powers. ▪ Make provision in establishment and budget of Broadcasting and Media Board for access to expertise and resources for making and enforcing technical standards. 	ST
2.4	Empower Broadcasting and Media Board to receive and resolve complaints.	<ul style="list-style-type: none"> ▪ Amend legislation to give new Broadcasting and Media Board adequate powers to receive and resolve audience members' complaints against broadcasters. 	ST
2.5	Implement measures appropriate to achieve prompt resolution of complaints of interference to broadcasting services.	<ul style="list-style-type: none"> ▪ Amend relevant legislation to give the Broadcasting and Media Board and the Telecommunications Commission adequate powers for investigation and resolution of interference issues. 	ST
2.6	Build broadcasting policy capability within Government.	<ul style="list-style-type: none"> ▪ Recruit and train policy staff, within proposed National Information Office, with specialist expertise in broadcasting policy. 	ST
3.1	Require self-regulation by the broadcasting industry of fair and appropriate advertising and sponsorship.	<ul style="list-style-type: none"> ▪ Engage the broadcasting sector in development of an industry code of advertising standards (addressing, e.g., misleading advertising, advertising of alcohol and tobacco, and sponsored content). ▪ Empower the Broadcasting and Media Board to oversee the terms of the code, its administration, and complaint resolution. ▪ Publicise the code and complaints procedure. 	ST
3.2	Require self-regulation by the broadcasting industry of content standards.	<ul style="list-style-type: none"> ▪ Engage the broadcasting sector in development of an industry code of broadcast content standards (addressing, e.g., excluded conduct, watershed hours, content advisory notices). ▪ Empower the Broadcasting and Media Board to oversee the terms of the code, its administration, and complaint resolution. 	ST

Reference	Broadcasting Strategy	Actions	Proposed Priority
		<ul style="list-style-type: none"> Publicise the code and complaints procedure. 	
3.3	Support parents and care-givers to shield children from unsuitable broadcast content.	<ul style="list-style-type: none"> Make guidance and information available for families, teachers and child caregivers regarding means of protecting children from unsuitable broadcast content. 	ST
3.4	Facilitate access by the general public to “premium content”	<ul style="list-style-type: none"> Investigate legislative amendments to establish anti-siphoning regime and empower the Broadcasting and Media Board to declare specified content subject to anti-siphoning provisions. 	MT
4.1	Improve the accessibility and affordability of broadcasting services for people throughout Solomon Islands.	<ul style="list-style-type: none"> Minimise uncertainty in regulatory framework for broadcasting. Maintain a stable, pro-competitive regulatory framework for broadcasting. Continue efforts in respect of economy-wide economic development and job creation. 	LT
4.2	Promote access by communities to opportunities to broadcast.	<ul style="list-style-type: none"> Make provision in the Spectrum Plan for allocation and assignment of spectrum for community broadcasting. Fomulate a general authority / class licence for community broadcasters. Work with development partners to develop financial support plans for sustainable community broadcasting, including opportunities for revenue-earning activity. NIO to develop a plan for capacity-building to support community broadcasting. 	LT
4.3	Promote public broadcasting.	<ul style="list-style-type: none"> Ensure continued financial support for public service broadcasting functions of SIBC. Consider Broadcasting Act amendments to confirm the independence of the SIBC and the principles on which it operates. Consider Television Act amendments to powers to direct broadcasters in circumstances of national security or national emergency. Ensure regulation is enabling for SIBC entry to television broadcasting. 	ST
5.1	Encourage creation of locally relevant broadcast content.	<ul style="list-style-type: none"> Explore with content providers possible incentives or assistance to support local production of content such as news, local affairs and listener-participation programming. Investigate the revenue effects of tax rebates to incentivize local and foreign production located in Solomon Islands. Establish a national archive for traditional works and cultural expressions, with appropriate protection for traditional 	MT

Reference	Broadcasting Strategy	Actions	Proposed Priority
		<p>owners and system for broadcasters' access to material.</p> <ul style="list-style-type: none"> Develop programmes for capacity building among the creative community in relation to IP protection and publication/broadcasting of works. 	
5.2	Build capacity in relation to broadcasting.	<ul style="list-style-type: none"> Work with regional partners to develop regional broadcasting skills standards and certification. Work with broadcasters and allied businesses to develop training programmes for broadcasting technical and editorial skills. Develop a scheme for financial assistance (scholarship support) for overseas training of promising broadcasting professionals. 	MT
5.3	Review and reform relevant laws to promote locally relevant content.	<ul style="list-style-type: none"> Complete and implement the <i>National IP Strategy</i>. Reform intellectual property legislation to ensure it is effective in relation to broadcast and multimedia content. Investigate new approaches for giving protection to traditional owners and custodians of traditional works and cultural expressions. Investigate the introduction of tax concessions for Solomon Islands located production or post-production. 	ST
6.1	Establish market conditions for competition in broadcasting based on free market entry and open access to products and services.	<ul style="list-style-type: none"> Refrain from introducing foreign ownership or cross-ownership restrictions at this time. Include within the forthcoming review of competition policy consideration of competition safeguards in the broadcasting sector. Enact competition safeguards either under a generally-applicable competition law or on an industry-specific basis. 	ST
6.2	Encourage investment in broadcasting.	<ul style="list-style-type: none"> Consider measures to encourage foreign investment in the broadcasting sector and broadcast-related businesses. Periodically review the extent and effects of foreign ownership in the domestic broadcasting sector. Periodically review the extent and effects of cross-ownership in the domestic broadcasting sector. Investigate the impacts of waivers of duties, taxes and levies on broadcasting equipment, software, etc. Reduce or remove any trade barriers, duties, taxes or levies that limit the volume or increase the prices of broadcasting equipment, software, etc. 	LT
6.3	Support research and information collection	<ul style="list-style-type: none"> Formulate a plan for collection of information on broadcasting and 	MT

Reference	Broadcasting Strategy	Actions	Proposed Priority
	in relation to broadcasting.	audiences.	
6.4	Promote observance of content rights requirements.	<ul style="list-style-type: none"> ▪ Amend broadcasting licences to extent necessary to ensure clarity in licence holders' rights and responsibilities. ▪ Enforce law, regulation and licence terms to ensure compliance with content rights requirements. 	MT
7.1	Ensure efficient management of radiofrequency spectrum resources in Solomon Islands.	<ul style="list-style-type: none"> ▪ Complete consultation on revision Solomon Islands Spectrum Plan. ▪ Formalize protocol for liaison on management of broadcasting spectrum between the Broadcasting and Media Board and the Telecommunications Commission. ▪ Review and, if necessary, amend the Telecommunications Commission's powers to investigate and respond to radiofrequency interference. 	ST
8.1	Create an enabling environment for new media.	<ul style="list-style-type: none"> ▪ Promote awareness of, and access to, open source software and free online tools. ▪ Make guidance, information and tools available for families, teachers and child caregivers regarding means of protecting children from harmful online content (including parental control software). 	MT
8.2	Plan for analogue-digital terrestrial television broadcasting migration.	<ul style="list-style-type: none"> ▪ Continue engagement with international experts and regional partners in relation to the strategy for analogue-digital terrestrial television switchover. ▪ Develop, in consultation with broadcasters and consumers, an analogue-digital switchover timetable and plan for Solomon Islands. ▪ Review legislation and amend any unnecessary impediments to the introduction of digital terrestrial television broadcasting and new media generally. 	MT