

APPENDIX - C. EXPLANATORY NOTE ON THE PEMRA RULE ON CROSS MEDIA OWNERSHIP

The company took the matter to the courts because the PEMRA Ordinance 2002 contained clause **2.3 “Exclusion of monopolies”** in which it was given

“ 2.3 (2) In granting a license the Authority shall ensure that as far as possible open fair competition is facilitated in the operation of more than one channel in any given unit of area or subject and the undue concentration of media ownership is not created in any city town or area and the country as a whole by virtue of the applicant for a broadcast or CTV operation license already owning or operating as sole joint shareholder of any other broadcast or CTV station printed newspaper or magazine.” As such the Company has no problem with this clause but PEMRA in its **Rules 2002 introduced a twist in its Rule 17 detailing in-eligibility for getting a license. It states “A license to establish or operate a broadcast or cable TV network station will not be granted and under sub clause (5) A person who already owns, operates, as sole or joint shareholder any other broadcast or cable TV network station, printed news paper or magazine or an advertising agency.**

Then to further strengthen its hand the government introduced under the Rule 30 of the PEMRA Ordinance, another batch of rules. These Rule introduce a set of regulations called **PEMRA (Media Ownership and Control) Regulation 2002 in which further define the eligibility/ineligibility of persons who are already in the media business.**

The Rules define as to what is meant by an “associated person”.

An associated person means two or more persons with one person having a relationship with another as father or mother or son or daughter or wife or brother or sister.

It also spells out **what circumstances constituting cross media ownership** which states that cross media ownership is deemed to exist if a person or associated persons or associated undertakings

Own or control both a newspaper and a radio broadcast station or

Own or control both a newspaper and a TV Broadcast station or

Owens or control both a TV broadcast station and a Radio broadcast station or

Owens or controls both a TV broadcast station and a Advertising Agency

Owens or controls both a Radio broadcast station and a Advertising Agency