



# **Cable Television Service Regulation 2007 (Unofficial Translation)**

**Ministry of Legal Reform, Information and Arts  
Republic of Maldives**



# Cable Television Service Regulation 2007

## (Unofficial Translation)

### Introduction and title (1)

- a) This Regulation provides for the formation and the implementation of Maldives Cable Television Services; and for the industrious delivery of the services to subscribers in a competitive and a fair environment, and for all that is to be done for the development of such Services.
- b) This Regulation may be cited as the "Cable Television Services Regulation". This regulation is made under section 7 (b) of the Act No. 1/96 (Consumer Protection Act)

### Object (2)

- a) The object of this Regulation is to establish and develop a Cable Television Services policy in the Maldives for that purpose to:
  1. Enhance the opportunity for education, entertainment and to disseminate news and information to the public through modern technology;
  2. Create a competitive environment in providing the Cable Television Services to the subscribers for a reasonable price; maintaining policies to curb the opportunity for monopoly;
  3. Establish a system to resolve complaints lodged while the Cable Television Services is being provided or with regard to the manner in which the Service is being provided.
  4. Take proper action against those who break the law and regulation while providing cable television services.
  5. Provide for policies to receive contents of Cable Television Services in a fair manner by all subscribers and to curb exclusivity in the industry.

### Providing Services (3)

- a) Cable Television Services shall be provided in the Maldives in accordance with the policies set out in this regulation, after acquiring "Cable Television License" issued by the Ministry.
- b) Except for individual purposes, the sources for a Cable Television Service or such a system shall not be utilized to provide services to a group of people unless in accordance with this regulation.
- c) Application to provide Cable Television Services shall be submitted via "application form for Cable Television License" stipulated in Annex 1 along with other documents mentioned in this regulation.
- d) Application for a Cable Television License shall be void where, allotments stipulated in Column 4 of Table 1 is filled for the applied area, or if a document stipulated in this regulation is not submitted, or if a condition stipulated in section 11 is not satisfied.
- e) The Ministry shall inform the reasons for canceling an application, to the applicant, within at least 7 (Seven) days of when the application becomes void or of canceling such application.

### Service Name and Logo (4)

- a) An applicant for Cable Television License shall register their commercial name and logo in the relevant Government Authority and submit a copy of such registration to the Ministry along with the "application form for Cable Television License" stipulated in Annex 1 of this regulation.
- b) A Cable Television Licensee must have a Logo, and a color depiction and a soft copy of such label, must be submitted to the Ministry along with the "Application form for Cable Television License" stipulated in Annex 1 of this regulation.

### Accountability (5)

- a) Every Cable Television Licensee and every applicant for such license must appoint in writing a Maldivian citizen of 18 years and above to be accountable for the Service provided, and complete and submit to the Ministry, the "Information of the Person Accountable" stipulated in Annex 2 of this regulation, along with the "Application form for Cable Television License" stipulated in Annex 1 of this regulation.
- b) When completing the "Information of the Person Accountable" stipulated in Annex 2 of this regulation, it must include the signature and the fingerprint of the appointed person to be accountable along with the seal of the company and a signature on behalf of the company showing that person's appointment. A copy of the National Identity Card of the person appointed to be accountable and an appointment letter must also be submitted along with the form.
  - c) If for any reason, the person appointed to be accountable shall change, the Cable Television Licensee and the person who take over the responsibilities of the person appointed to be accountable, shall complete those mentioned in sub section (1) of this section, and within 15 days from the date of change in person, complete the form on "Information of the person Accountable" in Appendix B, and submit it to the Ministry.
- d) The person appointed to be accountable under this section shall be held responsible for;
  1. Abiding by this regulation.
  2. Abiding by the directions of the Ministry.
  3. Submitting the documents to the relevant Government Authorities with regard to the Services undertaken and signing such documents.
  4. Attending Government Authorities when directed to do so by such Authorities, and answering such question as maybe put forward with regard to the Services undertaken.
  5. Any mishap caused due to the negligence of a staff or for any other reason.
- f) Every License holder shall establish a system of accountability to their subscribers, which must include the following;
  1. Establish a communication system at all times, between the Service provider and the subscribers.

2. Appoint staff's to be answerable.
3. Provide for the resolutions of the complaints lodged by the subscribers.

#### **Sources of the Service provided (6)**

Cable Television Services shall be provided in the Maldives according to the provisions of this regulation, through the sources made available by Telecommunication Authority of the Maldives for that purpose. A copy of the License for the sources, issued by the Telecommunication Authority must be submitted along with the application for the Cable Television Services.

#### **Areas where the Services can be provided (7)**

The areas where the Cable Television Service can be provided in the Maldives are as follows;

1. An atoll separated by nature or by administration.
2. A whole inhabited Island.
3. Geographically connected Islands.
4. Male'.
5. Tourist Resorts and Tourist Hotels.

#### **Number of Licenses issued per region (8)**

- a) Number of Licenses issued for areas other than 5 of section 7 shall be determined as follows, depending on the number of households per area as issued by Ministry of Planning and National Development;
  1. 1 license where the number of households per area is less than 101.
  2. Maximum 2 licenses where the number of households per area is more than 100 and less than 601.
  3. Maximum 3 licenses where the number of households per area is more than 600 and less than 2,701.
  4. Maximum 4 licenses where the number of households per area is more than 2,700 and less than 20,001.
  5. Maximum 5 licenses where the number of households per area is 20,000 and more.
- b) The number of Cable Television licenses to be issued per area, in accordance with subsection (a), is stated in Column 4 of Table 1 of this regulation.
- c) Changes brought to the column 4 of table 1 of this regulation, depending on the information on households derived from statistics of the census conducted by Ministry of Planning and National Development, or for any other reason, shall be made by the Ministry.
- d) A single license shall be issued to areas stipulated in 5 of section 7.

#### **Licenses (9)**

- a) Cable Television License shall be issued to the following only;
  1. Companies with 100% Maldivian shareholders; or
  2. Corporations with a 100% Maldivian shareholders; or
  3. Tourist Resorts; or
  4. Tourist Hotels.

#### **Application for License (10)**

- a) Application for a Cable Television License shall be made by completing and submitting the "Application form for Cable Television License" as stipulated in section 3 (c), along with the following documents, proving that the applicants fall within the ambit of section 9;
  1. Where the applicant is a company, a copy of the company's Article of Association and Memorandum of Association sealed by Ministry Economic Development and Trade; and
  2. A copy of the Company's Registry.
  3. Where the applicant is a corporation, a copy of the constitution of that corporation sealed by Ministry Economic Development and Trade; and
  4. A copy of the Corporation's Registry.
  5. Where the applicant is a tourist resort or a hotel, a copy of the permit issued by Ministry of Tourism to operate such resort or hotel; and
  6. A copy of an official document issued by the Ministry of Tourism, illustrating the proprietor of, and the number of beds in such resort or hotel.
- b) Licenses issued with respect to the 5 areas stipulated in section 7 shall be valid only for those areas and the Licensees registered to such areas shall not provide Cable Television Services outside those areas.

#### **Conditions, the Licensees must satisfy (11)**

- a) Applicants for Cable Television License, except those stipulated in section 9(a) (3) and (4), must satisfy the following conditions;
  1. Must consist of 100% Maldivian shareholders.
  2. Must not be a company promoting any political party.
  3. Must not be a company with a shareholder who also holds a post in the Ministry or in the industry that falls within the Ministry, which requires that person to formulate policy.
  4. Must not be a company or a corporation which holds more than 20% of the shares in a company or a corporation that provides Cable Television Services.
  5. Must not be a company with a broadcasting license.
  6. Must not be a company or corporation with a shareholder who also holds shares in more than 1 company or corporation that provides Cable Television Services or Broadcasting services.

7. Must not be a company or corporation with more than 1 shareholder who also holds shares in a company or a corporation that provides Cable Television Services or Broadcasting services.
8. Must not be a company or a corporation with a shareholder who has been convicted of a criminal offence and sentenced for more than 3 (Three) years, within the last 5 (Five) years.
9. Must not be a company or a corporation with a shareholder who has been convicted of an offence of drug trafficking, or child molestation, or sexual conduct against persons with special need, or rape, or murder of child after giving birth.
10. Must not be a company or a corporation with a shareholder who has been convicted and punished in the last 5 (Five) years for treason or a Had punishment prescribed in Islam.
11. Must not be someone who's Cable Television License has been canceled and 12 (Twelve) months has not elapsed since the cancellation.

#### **Permit to Continue working (12)**

- a) Where the applicant is qualified to be a Cable Television Service provider, a permit to continue working in order to make preparations, shall be issued before the commencement of the Services, within 30 days after the application is made.
- b) This permit shall be issued only after the conditions set out in this section has been satisfied within the 1 (One) to 12 (Twelve) month period granted by the Ministry after a plan on how the Cable Television Services will be provided to the preferred areas, in accordance with provisions of this regulation, has been submitted to the Ministry as stipulated in section 3(c), and upon the payment of the administrative fee stipulated in section 37 (a).
- c) A Cable Television Service provider upon receiving the permit stated in subsection (a) shall satisfy the following, before commencing the Services within a period stipulated by the Ministry.
  1. Receive a Channel License in accordance with sections 17, 18 and 19 of this regulation.
  2. Pass the fees for the Services in accordance with section 34 of this regulation.
  3. Make the service packages in accordance with section 32 of this regulation.
  4. Prepare the agreement in accordance with section 16 (b) of this regulation.
  5. Provide for the Service provider's logo in the aired channels.
- d) Where conditions are not satisfied within the granted period due to reasonable cause after the permit to continue working has been issued, the Ministry must be informed of the fact 10 (Ten) days before the granted period elapses. The Ministry may grant a further period of not more than 6 (Six) months after, considering the work done so far and the reasons for incompleteness.
- e) The permit issued under subsection (a) shall be cancelled, where work has not been completed within the periods stipulated in subsections (b) and (d).
- f) Notwithstanding the permit issued under subsection (a), work shall only be carried out after acquiring the required

permits from other relevant Government authorities.

#### **Issuance of the License. (13)**

- a) License to provide Cable Television Service shall only be issued, upon submitting to the Ministry, the "Document to show the completion of work" stipulated in Annex 3 of this regulation, following the completion of work within the time line provided in the permit issued under section 12 of this regulation, the Ministry finds the following to be satisfied;
  1. The infrastructure is licensed by the Telecommunication Authority of the Maldives.
  2. Sources for censoring are in order and usable.
  3. Arrangements are made for the temporary disconnection of the Service for prayer times.
  4. Television and the Radio channels under section 31 are included.
  5. A monitoring system has been set up in the infrastructure, for the number of channels that can be aired.
  6. Staffs are employed for censoring and monitoring the channels.
  7. License has been acquired for the channels aired under section 19 of this regulation.
  8. The channels are packaged in accordance with section 32 of this regulation.
  9. A fee has been passed under section 34 of this regulation, for providing Services.
  10. Arrangements have been made for monitoring personals under section 27 of this regulation.
- b) Cable Television License shall be issued, after the administrative fee under section 37 (a) and the annual fee under section 38 of this regulation, has been paid.
- c) License shall be issued within 7 (Seven) days of application, after the conditions stipulated in subsections (a) and (b) are satisfied.
- d) The Cable Television License or a copy of which must be available at the Control room of the Service, for the Ministry or any other Government Authority for examination.

#### **Renewal of License (14)**

- a) Cable Television License shall be valid for 1 (One) year.
- b) If Cable Television Service is to be provided for the consecutive year, application to renew the License must be submitted, 15 days before the 1 (One) year period elapses. The application must be made after completing and submitting the "Application form for Cable Television License" stipulated in Annex 1 of this regulation.
- c) Cable Television License shall become invalid,

where the first 100 points issued along with that License for the 1 (One) year period reaches 50 points due to deductions. The validity of such license will resume in accordance with section 41 of this regulation.

- d) Cable Television License shall not be renewed for a consecutive year, where points have been awarded to a licensee on 2 (Two) occasions within a year, and the points awarded for the second time reaches 50 points due to deductions.
- e) Cable Television Licenses shall be renewed with a new set of 100 points, where it is renewed for a consecutive year after the previous 1 (One) year period of the license elapses. Extra points or deductions shall not be counted in to the consecutive year.
- f) Cable Television Licenses must be renewed within 30 days, where such license are lost or damaged.

#### **Test Signal (15)**

- a) Test signals may be transmitted during the period provided in the permit issued under section 12 of this regulation, in order to test the service.
- b) Test signals shall be transmitted, only after informing the Ministry of the fact, before 10 (Ten) days of doing so, by completing the "Information on transmission of test signals" stipulated in Annex 10 of this regulation, and it shall be transmitted for not more than 30 (Thirty) days from the date stated in the form as the date of transmission.
- c) A single audio channel and a single television channel shall be transmitted as a test signal.
- d) Channels aired as test signals must be licensed under section 19 of this regulation. And all the provisions of this regulation applied for channels being aired shall also be applicable to channels aired as test signals.
- e) No fee or payment shall be charged for test signals.

#### **Commencement of Service (16)**

- a) Cable Television Service must be instigated within at least 30 (Thirty) days after acquiring a license in accordance with section 13 of this regulation. The public, in the area where the service is being provided, must be notified of the fact, before 15 (Fifteen) days of commencing with the service. And the Ministry must be notified in writing, at least 3 (Three) days in advance.
- b) Cable Television Services shall be commenced only after, an agreement, stipulating the responsibilities of the Cable Television Service provider and the subscribers, and the responsibilities of both parties in providing and receiving the services, has been signed.
- c) The agreement stipulated in Subsection (b) shall be drafted so that services are provided and

received in an equal and fair manner.

- d) An employee appointed on behalf of the service provider may sign in the agreement stipulated in Subsection (b). A subscriber however, may not appoint another person to sign the agreement.
- e) A copy of the agreement stipulated in this section shall be submitted to the Ministry before the commencement of Services. And the Ministry must be notified of any alteration to the agreement.
- f) Parties mentioned in section 7 (5) is exempt from this section.

#### **Channel Agreement (17)**

- a) Cable Television License holder shall not air or sub-license any channel, except the free to air channels mentioned in section 20 of this regulation, unless after submitting to the Ministry, an agreement made to that affect, between the proprietors of the channel and the license holder, and acquiring a channel license in accordance with section 19 or a permit to sub-license in accordance with section 18 of this regulation. The said agreement must satisfy the following;
  1. Full information on the channel proprietors including their contact information.
  2. The sources agreed upon to air the channels have been licensed in the Maldives.
  3. A clause included in the agreement which states, whether or not the channel stipulated in the agreement will be aired commercially to a group of people.
  4. A clause included in the agreement which states, whether or not the channel stipulated in the agreement maybe sub-licensed to other Cable Television license holders in the Maldives.
  5. Duration of airing the channel, and the starting and the final date of this duration must be stipulated.
  6. The contents in the channel agreed must not fall within the list of prohibited contents stipulated in section 28 of this regulation.
  7. No clause that offers exclusivity to a Maldivian license holder shall be included.
  8. Total amount of monthly payments to be made to the proprietor and the house hold to whom the payments are directed, must be stated.
- b) If the Ministry has any inquiry, upon submission of the agreement, the Ministry has the discretion to do so in writing to the proprietors.
- c) The Ministry shall not accept any agreement made between a Maldivian Cable Television license holder and a foreign proprietor of a channel who, upon inquiries made by the Ministry under

subsection (b), denies any information or is proven to be fraudulent.

- d) Anything done by increasing the charges in the agreement mentioned in this section, in order to deceive the Ministry, is an offence. The Ministry has the discretion to fine such offenders to an amount not more than RF 100,000/- (Rufiyaa Hundred Thousand).
- e) If a Maldivian Cable operator is given the right to air a foreign channel, a second similar Maldivian Cable operator must also be given the same right, with the same financial benefits, depending on the number of their households.
- f) Where it is proven to the Ministry that a foreign channel in contradiction to Subsection (e), the Ministry has the discretion to prohibit the airing of such channel, until such time as the Ministry may determine or until the issue is resolved.

### **Sub-licensing (18)**

- a) A Cable Television License holder shall sub-license a channel acquired through the agreement stipulated in section 17 of this regulation, only after acquiring a permit to sub-license from the Ministry following the fulfillment of the preconditions stipulated in this section. Application for a permit to sub-license shall be made by completing and submitting the "Application for a permit to sub-license" stipulated in Annex 5 of this regulation.
- b) When applying for a permit to sub-license, the Ministry shall be informed of the maximum fee charged per household, while sub-licensing a channel. A channel shall be sub-licensed for a fee acceptable to the Ministry or for a fee determined by the Ministry. The fee must not be more than that prescribed in section 35 (a) (5).
- c) The Agreement made between the proprietor of the channel and the applicant for a permit to sub-license, stipulated in section 17 shall be submitted to the Ministry along with the application for the permit to sub-license.
- d) Fees charged in sub-licensing shall be determined in accordance with the charges prescribed in section 35 (5), taking in to account the total number of house holds remaining, after the number of house holds for a given area stipulated in Column 3 of Table 1 is distributed among the numbers prescribed in Column 4 of Table 1.
- e) Where a Cable Television License holder applies for a sub-license of one particular channel or a number of channels, a separate sub-license for each channel shall be issued in accordance with general principles without any exception.
- f) Sub-licenses shall not be issued so that it offers exclusivity to a Maldivian party.
- g) The permit to sub-license shall be issued after the administration fee prescribed in section 37 (c) has

been paid.

- h) An applicant to a sub-license shall have the right to bring an action against a party with permission to sub-license, where that party issues a sub-license in violation of Subsections (d), (e) and (f).
- I) When issuing a sub-license, the fee of the license, the directed house hold, and the fee of the decoder or the set top box, must be included in the sub-license. And the decoder or the set top box released along with the sub-license shall be registered under the Cable Television License holder.

### **Channel License (19)**

- a) Cable Television License holder shall air channels, only after satisfying the following, and submitting to the Ministry the completed "Application form for channel license" stipulated in Annex 4 of this regulation, along with the necessary documentation to satisfy the following, and after the Ministry has issued a separate channel license for each channel;
  - 1. An agreement made under section 17 of this regulation, or
  - 2. Has acquired a sub-license from a party with permission to sub-license in accordance with section 18 of this regulation, or
  - 3. Completed the document necessary before airing free to air channels under section 20 of this regulation.
  - 4. Where the channel is new to Maldives, the document showing the classification and categorization of such channel, issued from National Bureau of Classification.
- b) Channel License shall be issued for a period, as has been determined by the proprietor of the channel in the agreement stipulated in section 17 of this regulation, or by the party with permission to sub-license, in the sub-license specified in section 18 of this regulation.
- c) Channel license must be renewed 15 (Fifteen) days before end of the period granted in the channel license to air that channel. No channel shall be aired without renewing the channel license where the license has expired.
- d) If the channel license cannot be renewed for any reason, the channel must be disconnected with the expiration of the period after informing the subscribers of the fact 30 (Thirty) days before the expiry date.
- e) Channel license shall be issued upon application; after the administration fee prescribed in section 37 (b) has been paid.

### **Airing free to air channels (20)**

Cable Television License holder shall include free to air channels in their service package, only after acquiring a

Channel License under section 19 of this Regulation, and after completing and submitting the "Agreement to take responsibility for free to air channel" stipulated under Annex 6 of this Regulation, to the Ministry, taking full responsibility for any complaint or action from the proprietor of that free to air channel, that may ensue from using that channel commercially.

### **Local Channels (21)**

- a) Cable Television License Holder shall include in their service package, local channels broadcasted under the Maldivian broadcasting license without exception, until the fulfillment of the allotment stipulated in subsection (b), as follows;
  1. A fee not more than that is stipulated in section 35 (a) (9) maybe charged for local channels operated without any subscription fees, for every household permitted for a Cable Television License holder.
  2. Where the local channel is operated with a subscription fee, the Cable Television License holder and the proprietor of that local channel may agree to include that channel in the Cable Television License holder's service package. The subscription fee stipulated in such an agreement shall be one approved for the proprietor by the Ministry.
- b) Every Cable Television License holder shall reserve 15 % of their network for local channels.
- c) Local channels operating without any subscription fee shall be arranged in the order of channel 2 and above without giving preference to any one channel.
- d) Any channel except those stipulated in section 31 as that which must be included from among the channels broadcasted with a Maldivian broadcasting license, shall be included in the service package under an agreement between the Cable License holder and the broadcaster. A copy of such agreement must be submitted to the Ministry within 7 days of inclusion of that channel.

### **Content (22)**

- a) With the exception of local channels, all content aired by a License holder shall be in accordance with the "Regulation on classification and categorization" of National Bureau of Classification
- b) Cable Television License holder shall air content as down linked without any alteration to the feed, except where omissions are made to comply with subsection (a).
- c) Cable Television license holders shall not alter the local content aired.
- d) With the exception of Picture 1 of this Regulation aired at Prayer times, and Picture 2 of this Regulation for reason stated under Section 23, and content stated under Section 51, Cable Television License holder shall not air their own content for such purposes.

- e) Where a Cable Television License holder wishes to air a local audio channel, they may transmit a logo registered to that channel for identification.

### **Classification and Categorization (23)**

- a) Channels aired under Cable Television Service shall be monitored constantly so as to comply with the standard stipulated in section 22 (a) of this regulation.
- b) Any content that does not fall within the ambit of section 22 (a) must be removed immediately. And the deletion of that content shall be illustrated by using Picture 2 of this regulation, or by the color bars.
- c) Any channel permitted to be aired in Maldives through Cable Television must be classified and categorized by National Bureau of Classification.
- d) 18+R Channels among the classified channels shall be permitted to be aired in accordance with section 29 of this regulation.
- e) All channels currently aired through out Maldives must be classified and categorized within 90 (Ninety) days of this regulation coming in to force.
- f) Cable Television License holder shall conduct awareness programs directed towards their subscribers in a given area with regard to the classification and categorization of channels. Such programs shall be conducted with the advice of National Bureau of Classification.

### **Prohibited Content (24)**

Cable Television License holders shall not include the following in the channels aired;

1. Any content prohibited by the Religion of Islam, the Constitution and the Laws of Republic of Maldives.
2. Any content that preaches religion other than Islam or which promotes separatism or extremism within the religion.
3. Pornographic content and any visual or audio content that illustrates sexual intercourse; or audio and video contents which illustrates sexual organs, and any content that illustrates any such material used for sexual conduct and resembles sexual organs.
4. Video, audio, photographs, drawings or writings or any other such material that promotes sexual conduct or sexual intercourse.
5. Audio and video illustrating Messengers of God and the Four Caliphates.
6. Any individual creation or content which is not permitted under this regulation.

### **Prayer Times (25)**



Picture 1 or the color bar must be aired for 30 (Thirty) seconds during prayer times.

### **Displaying the Logo (26)**

- a) Every Cable Television License holder must display the logo registered to them at all times on top every channel aired.
- b) A local channel broadcasted after receiving Broadcasting license in the Maldives, shall not be subject to subsection (a).
- c) Cable Television License holders shall, at least within 1 (One) year of this regulation coming in to effect, display the logo in accordance with subsection (a).

### **Monitoring (27)**

- a) Cable Television License holders shall arrange for the monitoring of their Service, if a law enforcement authority in the vicinity wishes to do so.
- b) A fee passed by the Ministry except a monthly fee maybe charged from the Cable Television License holder, for monitoring in accordance with subsection (a).
- c) A connection granted in order to monitor, shall not be utilized for any other use except for monitoring and recording for that purpose.
- d) The Monitoring personals shall have the discretion to order a Cable Television License holder to remedy any violation of this regulation, where such violation is noticed.
- e) Where the Service is being provided in violation of this regulation or if the violation has not been remedied even after being ordered to do so, the "document to show violations of the regulation" stipulated in Annex 7 of this regulation, must be completed and submitted to the Ministry, and a copy of which to the Service Provider within 24 (Twenty Four) hours.
- f) A Cable Television License holder has the right to bring an action in a court of law along with undisputable evidence, where a connection granted for monitoring has been used in violation of this section.
- g) Law enforcement authority mentioned in this section means any party who wishes to monitor and permission to that effect has been granted by the Ministry.

### **Controlling channels (28)**

- a) With the advice of National Bureau of Classification, the Ministry shall monitor a list of channels prohibited in the Maldives, or channels that shall not be permitted to be aired unless it is done through a system which includes parental lock or any other such control.
- b) Cable Television License holders who provide

services without any such system as stipulated in subsection (a), shall not be given license to air channels in the list mentioned in subsection (a).

### **Introducing new channels (29)**

- a) Permission to air new channels shall be issued, after the programs of such channels has been classified and categorized by National Bureau of Classification, as suitable to be aired in the Maldives.
- b) Where a Cable Television License holder wishes to introduce a new channel into Maldives, it is the responsibility of the Cable Television License holder to provide the National Bureau of Classification with the content to be classified and categorized.
- c) Parties who broadcast in the Maldives under a broadcasting license in Maldives are exempt from this section.

### **Basic Channels (30)**

In addition to channels mentioned in section 29 of this regulation, every Cable Television Service provider with a license, shall include in their service, a Dhivehi or English channel of the following types;

1. News channel
2. Educational or informative channel
3. Sports channel
4. Children's channel

### **Public Media (31)**

- a) Every Cable Television license holder shall air a television and a radio channel, determined by the Ministry from among video and radio channels broadcasted by the public media, without including them in any particular package.
- b) Channels from public media under subsection (a) shall be arranged in the order so that channel 1 shall be the television channel and if it is analog, the last channel shall be the radio channel, and if it is digital, the radio channel shall be included as the first channel.
- c) Contents from other channels shall not replace the channels mentioned in subsection (a) at times when feeds of those channels are not available.
- d) Channels stipulated in subsection (a) shall be aired without encryption, free of charge. And those channels must be made available even if the service has been disconnected, so long as it has not been completely terminated.

### **Channel Package (32)**

- a) Cable Television Service providers with license shall have the discretion to package the channels aired in groups. Where packages are not made, all individual channels aired, shall be counted as one whole package.

b) After packaging the channels, the "application form to make packages" stipulated in Annex 8 of this regulation, containing the information on fees charged for the packages and the channels included in those packages, must be filled and submitted to the Ministry, after which the fees must be passed.

c) Packages must be prepared by Cable Television Service providers with license, in such a way so that channels containing similar contents, according to their classification by the National Bureau of Classification, are in the same package.

d) Where the fees of such packages exceed RF 150/- (Rufiyaa Hundred and Fifty), Cable Television Service providers have the discretion to sell to their customers, at least RF 150/- (Rufiyaa Hundred and Fifty) worth of packages. Notwithstanding this, subscribers shall be given the opportunity to choose packages.

e) Local channels decided to be aired free of charge shall not be included in any package. Any other local channel maybe included in packages in accordance with an agreement made between the Service provider and the proprietor of the local channel.

### **Altering Packages (33)**

a) Alterations shall be brought to the packages after applying in writing and acquiring permission from the Ministry, and after informing the subscribers.

b) Where a channel is removed from a package in accordance with subsection (a), another similar channel determined by the Ministry shall replace the deleted channel, or the charge of that package must be decreased to an amount determined by the Ministry.

### **Determining the fees of the Service (34)**

a) Cable Television Service providers with license, in providing the services shall submit a fee or a charge to be taken from their subscribers via "application to determine the fees for services" stipulated in Annex 9 of the regulation, to the Ministry and determine a charge for each of the following;

1. Installation fee
2. Decoder fee
3. Monthly fees for the service or price of packages.
4. Re-installation fee
5. Sub-licensing fees.

b) The Cost of delivery for each service shall be submitted with the relevant documents along with the application to determine the fees for the Services.

c) In determining the fees for a Service, the documents stipulated in subsection (a) shall be assessed and a lower amount than the cost incurred in providing a service shall not be passed as the fees for that service.

### **Controlling the fees for the Services (35)**

a) The fees determined shall not exceed the following, in determining the fees in accordance with section 34;

- |  |            |
|--|------------|
| 1. Installation fees                             | RF 500/-   |
| 2. Monthly decoder fees                          | RF 50/-    |
| 3. Price of decoder                              | RF 1,200/- |
| 4. Service fee (All channels) per month          | RF 400/-   |
| 5. Price of package (All packages) per month     | RF 400/-   |
| 6. Reinstallation fees                           | RF 250/-   |
| 7. Sub-licensing fees (per house hold)           | RF 15/-    |
| 8. Free to air channel per month                 | RF 3/-     |
| 9. Local channel per house hold (non-commercial) | RF 4/-     |

b) Cable Television Service provider shall not alter a fee passed by the Ministry, and provide service and charge the subscribers for the service.

### **Quality of Service (36)**

Audio and Video images provided as service by Cable Television Service providers with license, must fall within the following minimum standard when they are received by the subscribers;

1. The video must not be blurred or noised when received by subscribers.
2. The video must not freeze and it must be received continuously.
3. Audio and the volume of all channels must be stable.
4. The audio and the video transmitted must correspond with each other.
5. A signal of one channel must not overlap with the other.

### **Administrative fee (37)**

a) The Ministry shall be paid RF 100/- (Rufiyaa Hundred) as administrative fee, for the issuance of Cable Television License and every time the license is being altered for any reason.

b) The Ministry shall be paid RF 5/- (Rufiyaa Five) as

administrative fee, for the issuance of Channel License and every time the license is being altered for any reason.

- c) The Ministry shall be paid RF 50/- (Rufiyaa Fifty) as administrative fee, for the issuance of Sub-license and every time the license is being altered for any reason.
- d) The Ministry shall be paid RF 10/- (Rufiyaa Ten) as administrative fee, for the making packages and every time the package is being altered for any reason.

#### **Annual fee (38)**

- a) Every Cable Television License holder shall, pay Annual fee, in accordance with this section, for every year for which the license has been issued, and the fee shall be paid for the consecutive year before the end of each year.
- b) Annual fee for parties stipulated in section 9 (a)(3) and (4) shall be, for every year, RF 15/- (Rufiyaa Five) per bed, and it shall be determined after taking in to consideration, the number of beds permitted to them by Ministry of Tourism.
- c) Annual fee for all parties except those mentioned in section 9 (a)(3) and (4) of this regulation, shall be the total amount resulting from charging RF 15/- (Rufiyaa Fifteen) per household remaining after distributing the total number of households in the area in which the service is being provided, among the allots available for that area. The total amount of fee, as such is provided in Column 5 of Table 1.
- d) The Ministry shall inform a Service provider within 30 (Thirty) days, where annual fee is to be changed for the consecutive year, depending on the information on households derived from statistics of the census conducted by Ministry of Planning and National Development.
- e) Where annual fee is to be changed, the fee charged must be consistent with the notice given under the subsection (d).

#### **Payment of Annual fee (39)**

- a) New licensees under section 13 of this regulation shall pay the annual fee in whole for the consecutive year, before acquiring the license.
- b) Where annual fee is not paid in accordance with section 38 of this regulation, the fee shall then only be received with a fine for every month, depending on the fee payable per month from the annual fee.
- c) Cable Television License shall be cancelled, if the annual fee has not been paid within 6 (Six) months, from the date of fine in accordance with sub section (b) of this section. If the annual fee has not been paid within 60 (sixty) days, from the date of the cancellation of the Cable Television License, the Ministry shall have the discretion to take the matter to the relevant Court of Maldives.

- d) The license after being cancelled shall only be renewed, after all the payments to that point are made and the annual fee for the consecutive year has been paid.

#### **Record keeping (40)**

- a) Cable Television license holders except those mentioned in section 9 (a) (3) and (4), shall maintain records of the following with regard to their subscribers. No alteration shall be made to the information introduced while record keeping.
  1. Full name, address and the particulars on the service received by subscribers.
  2. Payment details of subscribers.
  3. Complaints lodged by the customers and how they were resolved.
- b) The records stipulated in subsection (a) shall be made available to the Ministry on application.
- c) The Ministry has the discretion to confiscate the records stipulated in subsection (a).

#### **Awarding Points (41)**

- a) Cable Television Licensees shall be awarded 100 points on two occasions every year in every 6 (Six) months, with relation to the license issued.
- b) Where the 100 points awarded for the first time, as mentioned in subsection (a), does not reach 50 points after deductions, during the period for which it has been awarded, another 100 points shall be awarded for a second time, and the extra points remaining from the first 100 points awarded shall be cancelled.
- c) Cable Television License shall be confiscated for the period stipulated in section 43 of this regulation, where the 100 points awarded for the first time, as mentioned in subsection (a), reaches more than 50 points, or the total number of points remaining becomes less than 50, due to deductions, before the end of the period for which it has been awarded. The license shall then only be released after the end of the period stipulated in section 43 or after the payment charges amounting to that period.
- d) 100 points shall be awarded once more for 6 months upon a license becoming valid after being confiscated in accordance with subsection (c). The agreement, however shall only be renewed if the deducted points from the awarded 100 points is not more than 50, or the remaining points from the 100 points awarded for the second time, is more than 50.
- e) As stipulated in subsection (a), the duration of the 100 points awarded on two occasions a year is 6 (Six) months. No extra points remaining after deductions or even if no deductions has been made during the 6 (Six) months of the 100 points awarded, shall be counted into the next 100 points awarded after the end of the initial 6 (Six) months.

Nor will any deduction have an effect on the newly awarded 100 points.

#### **Deducting points (42)**

- a) Deductions under subsection (b) shall be made, from the points awarded to Cable Television License holders, for reasons stipulated in Table 2 of this regulation, as follows;
- b) The Ministry shall inform in writing to the Cable Television License holder, the amount of points deducted and the reason for deduction.
- c) The Ministry shall answer to any complaints lodged by Cable Television Service providers due point deduction.
- d) A Cable Television License holder shall have the right to bring an action in a court of law in order to regain any points deducted within 60 (Sixty) days, if they are not satisfied with the answer given by the Ministry.
- e) Where points need to be deducted for reasons other than those stipulated in Table 2 (Table on awarding and deduction of points), the Ministry has the discretion deduct points after inserting such reasons in to that table.

#### **Duration and Price of Confiscation of license (43)**

- a) Following are the duration of the confiscation of license, and the prices that can be paid instead, in accordance with section 41 (c).

Points	Duration	Charges.
49 to 45	6 days	RF 6,000/-
44 to 40	12 days	RF 12,000/-
39 to 35	18 days	RF 18,000/-
34 to 30	24 days	RF 24,000/-
29 to 25	30 days	RF 30,000/-

#### **Cancellation of License (44)**

- a) Where license has been confiscated once and the points deducted from the 100 points issued upon re-validating reaches more than 50, before the end of the year of before the 6 (Six) month period of the points awarded elapses.
- b) Cancellation of license upon application from the Cable Television License holder.
- c) The Company or the Corporation providing Cable Television Service becomes bankrupt.
- d) Discontinuation of services for more than 30 (Thirty) days without due reason.
- e) Does anything to infringe National security.
- f) Where Cable Television License holder fraudulently misrepresents to the Ministry anything in relation to this regulation.

#### **Providing Service without license (45)**

- a) It is an offence under this regulation to provide

Cable Television Services without a Cable Television License. Actions shall be brought against such offenders in a court of law and they shall be punished in accordance with the sentence of the court. The Ministry shall have the discretion to confiscate the materials used to provide the Service until the conclusion of the case.

- b) Cable Television Service providers who's license has expired or has been cancelled, shall also be treated as stipulated in subsection (a). They shall also be deemed as Service providers without license.

#### **Consolidating two license holders (46)**

- a) Two Cable Television License holders maybe merged in to one license or the services permitted to them maybe consolidated into one, provided that both parties offer their services to the same area and provided also that there is at least one other party with Cable Television license, who has been providing services in the same area for 18 months, so that services can be provided in a competitive manner, even after the parties or their services has been merged as one.
- b) The parties merged under this regulation shall have been providing services for at least 5 (Five) years.

#### **Temporary disconnection of services (47)**

- a) Cable Television License holders shall disconnect their services temporarily only after informing the subscribers 3 (Three) days in advance, of the date of disconnection, the reason for disconnection and the date of re-connection.

#### **Termination of Services by service providers (48)**

- a) The Ministry shall be informed in writing 45 (Forty five) days in advance, where a service or a part of service is being terminated. And the subscribers shall be informed of the fact 30 (Thirty) days in advance.
- b) Where a date of termination has been determined, fees must be taken from the subscribers till that date only.
- c) Where fees has been taken for a period beyond the date mentioned in subsection (b), such fees must be returned within 90 (Ninety) days of termination of services.
- d) A subscriber shall have the right to remuneration in a court of law, where the subscriber has incurred any financial loss due to termination of services.

#### **Termination of services by the Ministry (49)**

- a) The Ministry has the discretion to invalidate the license of a Cable Television Service provider where that party loses their capacity to provide services or is proven to have repeatedly violated law and regulation.

- b) Cable Television license holder shall be responsible for any financial loss incurred by the subscribers due to termination of their services. And the subscribers shall have the right to remuneration in a court of law.
- c) Cable Television license holder shall have the discretion to bring an action in a court of law, where their service has been terminated in accordance with subsection (a).

**Changing License (50)**

- a) Where a Cable Television License holder shall fulfill the form prescribed in Annex 1 and submit along with it, following documentation, should they wishes to change the license to another party;
  - 1. If the service provider is a company or corporate society, a board resolution showing the decision to change the services. The resolution must include all the signatures of the shareholders present in the board meeting and the signature of the Secretary of the company.
  - 2. If the service provider is a tourist resort or a hotel, an official document issued by Ministry of Tourism showing the change of proprietorship of such resort or hotel.
  - 3. Documentation issued, under this regulation, to the party applying for change of license.
  - 4. Application specified in Annex 1 of this regulation, submitted by the recipient of the changed license.
  - 5. Document of the person to be accountable in providing services under the changed license.
- b) Where a Cable Television License holder changes their license, the recipient of that license shall satisfy the pre-requisites of a license holder under this regulation.
- c) In changing the Cable Television license, all the documents issued to the previous licensee must be changed under the name of the new owner.
- d) All agreements and other such communications made must be changed under the name of the recipient of the changed license within 60 (Sixty) days of changing the license.

**Procedure in State of Emergency (51)**

- a) Where the Government disseminates special messages and information in State of Emergencies and National disasters, such messages and information shall be aired as prescribed by the Ministry.
- b) Every Cable Television License holder shall abide by the directions of the Ministry or a party appointed by the President, where the President decides to announce State of Emergency under

section 144 of the Constitution.

**Listed Events (52)**

- a) The Ministry shall list out and inform the Cable Television Service providers of International events or such sports tournaments that are, or maybe of special interest to the public and which events the Government determines to be aired free of charge.
- b) Notwithstanding a Cable Television Service provider having the commercial rights to such an event, as mentioned in subsection (a), the Ministry shall have the discretion to arrange for the viewing of such event by the whole Country, so long as that service provider does not air that event for at least 85% of the total number of households in the Maldives.
- c) Where any event mentioned in subsection (a) could not be aired without charging additionally from the subscriber, the Ministry shall be informed of the fact and that event shall be aired as directed by the Ministry.

**Amendments (53)**

Any amendment to this Regulation shall be made by the Ministry.

**Implementation (54)**

This Regulation shall be implemented by the Ministry.

**Current Service Providers (55)**

Current Cable Television Service providers shall fulfill by the end of 31st March 2008, any such condition under this Regulation, which does not need to be completed within certain duration.

**Annual Report (56)**

Every Cable Television Service provider shall prepare and submit to the Ministry, a copy of their annual report before end of October every year.

**Interpretation (57)**

In this Regulation, unless the context otherwise indicates, the following words shall have the following meanings for the purposes of this Regulations.

“Service Provider” means any party who puts together a system of Cable Television and uses such system to transmit content.

“Subscribers” means any party who obtains, a Cable Television service from a service provider under this Regulation.

“Cable Television” mean a system prepared to carry contents containing audio and pictures or both, to the subscribers.

"Content"	means any audio or picture received by the subscriber when transmitted through Cable Television.	contents.
"Source"	means any form of technology that may be used in sending Cable Television signals to the subscribers.	"Censor"
"Ministry"	means the Government ministry responsible for determining the policies and is in charge of administering matters related to Cable Television Services. When this Regulation commences, this Ministry shall be Ministry of Legal Reform, Information and Arts.	means deleting or replacing picture or audio transmitted.
"Free to air channel"	means channels aired, with or without the use certain tools, and can generally be viewed or heard, free of charge.	"Local Channel"
"Records"	means the electronic system or the book prepared by Cable Television Service providers in order to maintain information in accordance with this Regulation.	means channels broadcasted with a license to broadcast in Maldives.
"Channel License"	means the permit to air channels issued by the Ministry, to Cable Television Service providers.	
"Sub-License"	means the permit to air channels issued commercially by the party holding the right to such channel, to other Cable Television License holders.	
"Decoder" or "Set top box"	means the sources or tools utilized to receive signals that cannot be received without a particular use of technology or tools.	
"Test signal"	means audio and video transmitted to make sure signals from a Cable Television system is received by the subscribers or to test the quality of signals received.	
"Package"	means a group of channels aired together, for a fee, under a certain name.	
"Parental Lock"	means a system whereby channels can be locked by using secret codes or such other technology in the decoders used by subscribers to receive pictures and audio transmitted by Service providers.	
"Channel"	means a frequency band used to spread content through a Cable Television system or parts of a single frequency set for different	



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