

**INFORMATION AND COMMUNICATIONS ACT
CAP. 74:03 VOL. 12 LAWS OF THE GAMBIA, 2009**

BROADCASTING AND ONLINE CONTENT REGULATIONS, 2026

ARRANGEMENT OF REGULATIONS

REGULATION

PART I – PRELIMINARY

1. Citation
2. Interpretation
3. Application

PART II – OBJECTIVES AND GENERAL OBLIGATIONS

4. Objective of Regulations
5. Responsibility for Content
6. Compliance Obligations
7. Obligation to Monitor Content
8. Editorial Responsibility
9. Duty to Cooperate with the Authority
10. Application to Foreign Online Platforms

PART III – FUNCTIONS OF THE MINISTER AND THE AUTHORITY

11. Functions of the Minister
12. Functions of the Authority in relation to broadcasting and online content

PART IV- CONTENT COMPLAINTS COMMITTEE

13. Establishment of Content Complaints Committee
14. Functions of the Content Complaints Committee

PART V – LICENSING, REGISTRATION AND PROFESSIONAL STANDARDS

15. Licensing of Broadcasters
16. Designation of Public Broadcasting Infrastructure Provider
17. Obligations of a Public Broadcasting Infrastructure Provider
18. Non-Discrimination and Equitable Access
19. Separation from Editorial Control
20. Registration of Designated Online Content Providers
21. Prohibition of Unlicensed Broadcasting
22. Professional Standards for Content within Regulated Services
23. Registration of Journalists
24. Register of Journalists
25. Social Media Users with Significant Public Reach (SPURs)

26. Application and Registration Procedures for SPURs
27. Codes of Practice
28. Renewal of Licence
29. Suspension and Revocation

PART VI- CLASSIFICATION TIERS AND SPECIAL RESPONSIBILITIES

30. Classification Tiers for Online Actors
31. Internet Service Providers (ISP)
32. Link Provider
33. Online Content Hosting Providers (OCH)
34. Online Content Aggregator (OCA)
35. General Obligations for Social Media Use and Online Content
36. Duty to comply

PART VII - CONTENT MONITORING

37. Content Monitoring
38. Broadcasting Services
39. Minimum Broadcasting Standards
40. Prohibited Content
41. Duty to maintain record
42. General Content requirement
43. Protection of children
44. News reporting
45. Unconfirmed reporting
46. Correction of errors in reports
47. Reporting on Controversial issues
48. Religious Programmes
49. Political and Electoral Coverage
50. Broadcasting of Internal Political Party Processes
51. Equitable treatment of political parties and organisations during election period
52. Bias and equal coverage in election period
53. Conduct of interviews
54. Rules for live broadcasting
55. Commentaries
56. Disclosure of identity of victims of sexual offences
57. Consent to broadcast
58. Programme sponsorship
59. Prohibited payments
60. Advertisements
61. Watershed period
62. Content for persons with disabilities
63. Mandatory sign language and aids for persons with disabilities
64. Programme Classification

PART VIII- PROMOTION OF LOCAL CONTENT

65. Local content

PART IX- COVERAGE OF PUBLIC EVENTS

66. Parliamentary proceedings

67. National events

PART X – PUBLIC SERVICE BROADCASTING

68. Designation of Public Service Broadcaster

69. Public Service Mandate

70. Editorial Independence

71. Universal Access Obligation

72. Public Accountability

PART XI - WATERSHED PROGRAMMING, PROGRAMMING FOR CHILDREN, PUBLIC SAFETY AND PRIVACY

73. Adult programming

74. Programming for children

75. Public safety

76. Privacy

PART XII- COMPLAINTS HANDLING PROCEDURE AND RELATED MATTERS

77. Content complaints

78. Investigation of content complaints

79. Directions to act on complaint and remedy breach

80. Complaints handling procedure

81. Inspection

82. Appeals against decision of Authority

PART XIII — ENFORCEMENT AND SANCTIONS

83. Enforcement

84. Failure to comply with directive

85. Administrative sanctions

86. Procedural fairness

87. Fees and Cost Recovery

88. Daily penalties

89. Exceptions to compensation payment

90. Enforcement actions by the Authority

91. Enforcement of decision of the Authority by Court

PART XIV – MISCELLANEOUS PROVISIONS

92. Transitional Provisions

93. Guidelines and Directions

94. Saving and Repeal

95. Application of Schedules

96. Entry into Force

SCHEDULES

SCHEDULE 1: MINIMUM BROADCASTING STANDARDS

SCHEDULE 2: PROHIBITED CONTENT

SCHEDULE 3 CLASSIFICATION TIERS AND SPECIAL RESPONSIBILITIES

SCHEDULE 4: PROGRAMME CLASSIFICATION

IN EXERCISE of the powers conferred on the Minister in charge of broadcasting content under section 226(1) of the Information and Communications Act and in consultation with the Authority, these Regulations are made.

PART I – PRELIMINARY

1. Citation

These Regulations may be cited as the Broadcasting and Online Content Regulations, 2026.

2. Interpretation

In these Regulations, unless the context otherwise requires –

“**Act**” means the Information and Communications Act 2009.

“**Adult**” means person who has attained the age of eighteen (18) years.

“**Adult listening or viewing period**” means the time devoted to broadcasting programs suitable for adults that is the period between 22:00 hours and 05:00 hours.

“**Advertising**” means any commercial paid promotion of goods, services, political messages, or announcements through a broadcasting service or designated online platform.

“**Authority**” means the Gambia Public Utilities Regulatory Authority.

“**Aggregator**” means a person or entity that collects, organises, indexes, or repackages audiovisual or news content from multiple sources for dissemination to the public, whether or not editorial control is exercised.

“**Broadcaster**” has the meaning assigned to it under the Information and Communications Act and refers only to persons licensed to provide broadcasting services.

“**Broadcasting**” has the meaning assigned to it under the Information and Communications Act.

“**Broadcasting service**” means a service which provides regular broadcasting.

“**child**” means a person under the age of eighteen (18) years.

“**Commercial Content Creator**” means an individual or entity that produces and disseminates audio, visual, or audiovisual content to the public through a broadcasting service or designated online platform in return for payment, sponsorship, advertising revenue, brand partnerships, monetisation, or any other form of direct or indirect financial benefit.

“**Content**” means audio, visual, or audiovisual material intended for public dissemination through broadcasting or designated online services under these Regulations.

“**Content Application Service Provider**” means a provider of content-based electronic communications services, including subscription broadcasting, free-to-air broadcasting, webcasting, or streaming services, licensed or authorised under the Act.

“**content provider**” means a person or entity providing content services, whether individually licensed or for the benefit of a licensee.

“**content creator**” means an individual or entity producing and sharing original content, either for entertainment, education, or promotional purposes.

“**content services**” means audiovisual material made available to the public by a content provider through a broadcasting service or a designated online content service.

“**Designated**” means designated by the Minister by Gazette notice in accordance with the Act.

“**Designated Online Content Provider**” means any online service, platform, or person formally designated under these Regulations for the purposes of applying content standards to public-facing audiovisual material.

“**Designated Online Communication Service**” means an online content service formally designated by the Minister, by legal notice, as subject to content standards under these Regulations.

“**Designated Online Hosting Service**” means an online platform that stores and publicly disseminates user-uploaded audiovisual content and has been formally designated under these Regulations.

“**Digital Media**” means audio, visual, or audiovisual content made available to the public through online platforms.

“**Editorial control**” means responsibility for the selection, organisation, and presentation of content made available to the public.

“**Electoral Commission**” means the Electoral Commission established by section 42 of the Constitution.

“**election period**” means the period determined by the Electoral Commission as the period during which nomination, update and display of vote’s registers, campaigning, voting and declaration of results shall take place.

“**electronic service**” means service that –

- (a) enables end-users to access or communicate content on the Internet using that service, including a point-to-multipoint service; or
- (b) delivers content on the Internet to persons having equipment appropriate for receiving that content, where the delivery of the service is by a service provider.

“**Internet Access Service Provider**” means a service provider who provides users with access to the internet including (but not limited to) the World Wide Web.

“**influencer**” means a person who disseminates paid or sponsored content to the public through an online platform.

“**infomercial**” means any advertising broadcast in visual or audio form lasting for more than two minutes which may contain demonstrations of the use of the product or service advertised, entailing direct offers to the public in return for payment, in monetary terms or otherwise.

“**licensed area**” means a defined geographical area that is authorized by a broadcasting licence issued to a licensee.

“**license period**” means the valid term of any broadcasting licence issued to a person.

“**licensed service**” means the services offered by a licensee.

“**license**” has the meaning assigned to it under the Information and Communications Act.

“**licensee/operator**” means any person licensed to provide broadcast content service in The Gambia.

“**link provider**” in relation to broadcasting means a licensed operator providing point-to-point or point-to-multipoint facilities for the transmission of broadcasting signals.

“**minimum broadcasting standards**” means the minimum broadcasting standards prescribed in Schedule 1 of these Regulations.

“**Minister**” means the Minister in charge of broadcasting content.

“**News**” means factual reporting of current or recent events.

“**Online**” means a networked environment accessible through the internet in which content is made available to the public.

“**Online Content**” means audio, visual, or audiovisual material made available to the public through a Designated Online Communication Service.

“**Online Service Provider**” means a provider of online services or network access, or the operator of facilities thereof, and includes but is not limited to an Internet service provider, news provider, entertainment provider, and e-government service providers.

“**Online Content Developer**” means a Code Subject who develops files of Content for the Code Subject or on behalf of others to be made accessible Online;

“**Online Content Hosting Provider (OCH)**” means a provider in its capacity of merely providing Access to Content which is neither created nor aggregated by itself, but which is hosted on its facilities;

“**political organization**” means any free association or organization of persons the objects of which include the influencing of the political process or sponsoring a political agenda whether or not it also seeks to sponsor or offer a platform to a candidate for election to a political office or to participate in the governance of The Gambia at any level.

“**political party**” means a political organization the objects of which include the influencing of the political process or sponsoring a political agenda, whether or not it also seeks to sponsor or offer a platform to a candidate for election to a political office or to participate in the governance of The Gambia at any level.

“**producer**” means a person or entity involved in creating broadcast or designated online content intended for public dissemination.

“**Prohibited Content**” has the meaning assigned in Schedule 2, subject to constitutional limitations including freedom of expression and non-discrimination.

“**programme**” in relation to a broadcasting service means sound, vision or a combination of both intended to inform, educate or entertain and includes text or data.

“Public Broadcasting Infrastructure Provider” means an entity designated under these Regulations to provide national broadcasting signal distribution or related broadcast transmission infrastructure services.

“Public Service Broadcaster” means a broadcaster designated under these Regulations as having a public service mandate.

“Public dissemination” means making content available in a manner intended for, or reasonably expected to reach, the general public.

“Public interest” means a matter that affects the welfare, rights, or safety of the public and includes matters of accountability, corruption, public health, public safety, and the proper functioning of public institutions.

“religious programme” means a programme which deals with matters of religion and spiritual belief as the central subject or significant portion of the programme.

“Social Media User with Significant Public Reach” or **“SPUR”** means a person who –

- (a) operates an account, channel, platform profile, or page through which audiovisual content is disseminated to the public;
- (b) has an accumulated audience reach exceeding a threshold prescribed by the Authority and whose content has demonstrable public impact; and
- (c) derives monetary gain or other commercial benefit from their online activities, including sponsored or paid content, advertisements, endorsements, partnerships, or product placement.

“Social media” - means an online platform or service whose primary purpose is public content-sharing or public interaction among users.

“Social media service” means an online service or platform whose primary purpose is enabling public content-sharing, public interaction, or the dissemination of user-generated content to the general public.

“User” has the meaning assigned to it under the Information and Communications Act.

“Subscriber” has the meaning assigned to it under the Information and Communications Act.

“Virtual Influencer” means computer generated characters or avatars who have realistic characteristics, features, and personalities of humans, and behave in a similar manner as influencers.

“Watershed” means the period from 05:00 to 22:00 during which content unsuitable for children shall not be broadcast.

3. Application

These Regulations apply to all licensed radio and television broadcasters, and to Designated Online Content Providers and Designated Online Hosting Services, with respect to content intended for public dissemination within The Gambia, as defined in Part I.

PART II– OBJECTIVES AND GENERAL OBLIGATIONS

4. Objective of the Regulations

The objective of these Regulations is to regulate broadcasting and designated online content services in accordance with the Act, while—

- (a) promoting accuracy, fairness, safety, child protection, and cultural development;
- (b) safeguarding and upholding constitutional rights, including freedom of expression, media freedom, editorial independence, and privacy;
- (c) ensuring that any regulatory measure is reasonable, proportionate, and does not amount to prior censorship;
- (d) promoting responsible content dissemination without restricting lawful expression; and
- (e) supporting the development of a diverse, competitive, and plural media environment.

5. Responsibility for Content

- (1) A broadcaster, a Designated Online Content Provider, a Designated Online Hosting Service, a SPUR, and any other person subject to these Regulations shall be responsible for content that it originates, produces, publishes, rebroadcasts, hosts (where applicable), or otherwise disseminates.
- (2) Responsibility under subregulation (1) includes a duty to take reasonable steps to ensure compliance with these Regulations, applicable licence conditions, and any lawful directive of the Authority.

6. Compliance Obligations

Broadcasters and designated online entities shall ensure that content disseminated through their services complies with these Regulations, licence terms, and applicable laws.

7. Obligation to Monitor Content

Broadcasters and Designated Online Content Providers shall take reasonable steps to monitor and review content under their editorial control to prevent dissemination of prohibited material.

8. Editorial Responsibility

Editorial responsibility lies with broadcasters, producers, and designated online entities that exercise editorial control over published content.

9. Duty to Cooperate with the Authority

Broadcasters and designated online entities shall cooperate with the Authority in providing relevant information necessary for enforcement, subject to applicable laws on privacy and data protection.

10. Application to Foreign Online Platforms

Foreign online platforms shall comply with these Regulations only where they have been formally designated and notified through the applicable legal process.

PART III – FUNCTIONS OF THE MINISTER AND THE AUTHORITY

11. Functions of the Minister

The Minister shall exercise licensing powers in accordance with section 226 of the Act, as well as determine the conditions of their respective licenses and the fees, ensuring transparency, due process, and recognition of the regulatory independence of the Authority.

12. Functions of the Authority in relation to broadcasting and online content

- (1) The Authority as per section 227 of the Act shall regulate the provision of broadcasting content in The Gambia in a manner which it considers best suited to-
 - (a) promote the provision of a diverse range of radio and television broadcasting services throughout The Gambia;
 - (b) promote the development of broadcasting services which are responsive to the needs of The Gambian audience;
 - (c) preserve and promote the plural nature of The Gambian culture by ensuring that licensees include in their services programmes reflecting the linguistic and cultural diversity of The Gambia;
 - (d) ensure that licensees include in their services regular locally produced programmes;
 - (e) ensure a limitation in cross-ownership between broadcasters, signal distribution licensees, newspapers, electronic communication licensees and advertising agents;
 - (f) ensure fair competition in the broadcasting sector;
 - (g) ensure that broadcasting services-
 - (i) are of such a nature as not to encourage or incite crime or racial hatred leading to disorder or offending public feeling,
 - (ii) give adequate coverage to information, education, culture, entertainment and recreation, and

- (iii) are impartial and accurate.
 - (h) facilitate signal distribution services for content providers;
 - (i) ensure equitable distribution of access to radio and television facilities; and
 - (j) promote universal access of broadcasting services.
- (2) The Authority shall –
- (a) advise the Minister on media ownership concentration, competition issues, and market structure in accordance with applicable law.
 - (b) ensure that broadcasters and Designated Online Content Providers with editorial control comply with the minimum standards of impartiality, fairness, and accuracy prescribed under these Regulations.
 - (c) set acceptable standards for programmes and advertising and monitor compliance with those standards;
 - (d) establish a Code of Conduct for broadcasting services;
 - (e) monitor compliance with the Code of Conduct and with the terms and conditions of licences;
 - (f) periodically review, develop and improve the Code of Conduct as appropriate in consultation with broadcasters;
 - (g) establish the standards and practices to be observed in advertising through a broadcasting service;
 - (h) protect and promote the interests of viewers and listeners; including working with the department responsible for broadcasting to set and enforce quality and standards for all content, including television and radio content;
 - (i) enforce the Code of Conduct for Broadcasting and the minimum broadcasting standards;
 - (j) develop regulations for content in light of changes in technology and consumer behavior;
 - (k) foster smooth coordination between the Authority and other departments and agencies of Government with responsibilities related to content regulation; and
 - (l) support the Ministry in the development of policies governing—
 - (i) the licensing of community broadcasting; and
 - (ii) the use of sign language and subtitling for the deaf and hard of hearing for content output by operators
 - (m) hear complaints from the general public and establish a Complaints Committee as appropriate; and
 - (n) take all necessary measures as are required for the carrying out of all its regulatory functions.
- (3) The Authority shall perform its functions in a manner consistent with constitutional rights, including freedom of expression, media freedom, and privacy.
- (4) The Authority may recommend to the Minister the designation of specific online communication services for regulation.
- (5) The Minister may, where appropriate, conduct stakeholder or public consultation prior to the designation or issuance of regulations, but such consultation shall be discretionary.

- (6) A designation made under these Regulations may be revoked by the Minister, by Gazette notice, issued in consultation with the Authority.
- (7) The Minister shall publish the designation or revocation with reasons. Consultation may be undertaken where appropriate.
- (8) The Authority shall cause notice of every designation and revocation under these Regulations to be given to the public in such manner as the Authority considers will secure adequate publicity.
- (9) The failure to publish or give notice under subregulation (6) does not of itself affect the validity of a designation or revocation.

PART IV- CONTENT COMPLAINTS COMMITTEE

13. Establishment of Content Complaints Committee

- (1) The Authority shall establish a Content Complaints Committee in accordance with section 228(f) of the Act.
- (2) The Content Complaints Committee shall function as the sector-specific hearing panel for content matters and shall conduct its proceedings in accordance with the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026 and the Formal Hearing Guidelines, 2026.
- (3) The Committee shall make recommendations to the Authority, and no recommendation shall have effect unless confirmed by the Authority in accordance with the applicable Regulations.

14. Functions of the Content Complaints Committee

- (1) The Contents Complaint Committee shall –
 - (a) receive, review, and make recommendations on content-related complaints and disputes referred to it by the Authority;
 - (b) advise the Authority on the consistent application of these Regulations and the Minimum Broadcasting Standards when determining content-related complaints;
 - (c) ensure that complainants and affected licensees are afforded procedural fairness, including the right to be heard and to respond to allegations before recommendations are made to the Authority;
 - (d) identify systemic issues arising from complaints and recommend regulatory or policy improvements to the Authority; and
 - (e) prepare periodic reports on complaints received, handled, and recommended outcomes for submission to the Authority.
- (2) The Committee shall not issue binding determinations, sanctions or penalties, which shall remain within the exclusive authority of the Authority under the Act, the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026, and the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026.

PART V – LICENSING, REGISTRATION AND PROFESSIONAL STANDARDS

15. Licensing of Broadcasters

All broadcasters shall hold a valid broadcasting licence issued under the Information and Communications Act.

16. Designation of Public Broadcasting Infrastructure Provider

- (1) A person shall not provide national broadcasting signal distribution, multiplexing, transmission, or other broadcast infrastructure services to broadcasters unless duly licensed under the Act or designated in accordance with these Regulations.
- (2) The Minister may, in consultation with the Authority, designate a State-owned or State-controlled entity as a Public Broadcasting Infrastructure Provider for the purposes of national broadcasting signal distribution.
- (3) A designation under this regulation shall—
 - (a) be published in the Gazette;
 - (b) specify the scope of infrastructure functions authorised; and
 - (c) be subject to such conditions as may be prescribed under the Act or applicable licensing framework.

17. Obligations of a Public Broadcasting Infrastructure Provider

A Public Broadcasting Infrastructure Provider shall—

- (a) provide reliable national broadcasting signal distribution and related infrastructure services in accordance with technical standards approved by the Authority;
- (b) ensure continuity of service, network resilience, and service integrity within available technical and financial capacity;
- (c) comply with all lawful directives, codes, guidelines, and technical standards issued by the Authority under the Act;
- (d) submit to the Authority such technical, operational, coverage, and access information as the Authority may reasonably require for regulatory oversight.

18. Non-Discrimination and Equitable Access

- (1) A Public Broadcasting Infrastructure Provider shall provide access to broadcasting infrastructure services to all licensed broadcasters on fair, transparent, and non-discriminatory terms, subject to technical feasibility and national policy.
- (2) A Public Broadcasting Infrastructure Provider shall not—
 - (a) give undue preference to any broadcaster;
 - (b) impose unreasonable or discriminatory access conditions; or

- (c) engage in anti-competitive conduct that restricts fair access to broadcasting infrastructure.
- (3) The Authority may issue guidelines prescribing access principles, service-level expectations, transparency obligations, and dispute-resolution mechanisms relating to signal distribution arrangements.

19. Separation from Editorial Control

- (1) A Public Broadcasting Infrastructure Provider shall not exercise editorial control over content carried on its infrastructure.
- (2) Where a Public Broadcasting Infrastructure Provider is affiliated with a broadcaster, it shall maintain functional and operational separation between infrastructure services and editorial decision-making.

20. Registration of Designated Online Content Providers

The Authority may require Designated Online Content Providers and Designated Online Hosting Services to register for purposes of applying content standards.

21. Prohibition of Unlicensed Broadcasting

No person shall engage in broadcasting without a valid applicable licence or authorization issued under the Act.

22. Professional Standards for Content within Regulated Services

- (1) Licensed broadcasters and Designated Online Content Providers shall ensure that content produced, commissioned, or disseminated under their editorial control complies with applicable ethical and professional standards.
- (2) Without prejudice to subregulation (1), persons engaged in the production, editing, or dissemination of content under such services shall adhere to—
 - (a) ethical standards issued by the Authority; and
 - (b) applicable standards developed by recognised self-regulatory bodies.
- (3) Compliance with this regulation shall be implemented in a manner that—
 - (c) respects editorial independence;
 - (d) does not amount to licensing or restriction of the practice of journalism; and
 - (e) applies only within the scope of regulated broadcasting and designated online content services.

23. Registration of Journalists

- (1) A person who practices as a journalist for –
 - (a) a licensed broadcaster; or
 - (b) a Designated Online Content Provider that exercises editorial control over news, current affairs, or factual programming,shall register with the Authority in accordance with this Regulation, for the limited purposes of professional record-keeping and compliance within regulated services.
- (2) An application for registration shall be made in the prescribed form and shall include –
 - (a) full name and contact information of the applicant;
 - (b) a national identity document or passport;
 - (c) the name of the media house, broadcaster, or Designated Online Content Provider employing the journalist, or a declaration that the applicant is a freelance journalist;
 - (d) evidence of professional training in journalism or equivalent experience; and
 - (e) a signed undertaking to comply with the Codes of Practice and ethical standards issued by the Authority.
- (3) The Authority shall enter the name of every registered journalist into the Register of Journalists established under regulation 24.
- (4) A broadcaster or Designated Online Content Provider that exercises editorial control shall ensure that any journalist it employs or contracts for news, current affairs, or factual programming is duly registered with the Authority.
- (5) Registration under this Part shall not be required to practice journalism in The Gambia and shall only apply to journalists who perform functions within licensed broadcasting institutions or exercise editorial control within designated online content providers. Nothing in this Regulation shall restrict the constitutional right of any person to practice journalism independently.
- (6) A certificate of registration shall remain valid for two year and may be renewed upon submission of updated details.
- (7) The Authority may suspend or cancel a registration where –
 - (a) the registration was obtained through fraud or misrepresentation;
 - (b) the journalist has engaged in serious or repeated breaches of these Regulations or the Code of Practice; or
 - (c) the journalist is no longer engaged in journalistic practice for a broadcaster or a Designated Online Content Provider that exercises editorial control.

- (8) A journalist whose registration is suspended or cancelled may appeal in accordance with the Act and the applicable complaints and investigations regulations.

24. Register of Journalists

- (1) The Authority shall maintain a Register of Journalists containing details of persons **registered under regulation 23.**
- (2) The Register shall be maintained in such form as the Authority may determine and may be made available to broadcasters, Designated Online Content Providers, and the public in accordance with applicable laws.

25. Social Media Users with Significant Public Reach (SPURs)

- (1) A person shall be classified as a Social Media User with Significant Public Reach (“SPUR”) where that person—
- (a) operates an online account or profile through which audiovisual content is disseminated to the public;
 - (b) has an accumulated audience reach exceeding a threshold prescribed by the Authority and whose content has demonstrable public impact. Provided that audience size alone shall not be the sole criterion for SPUR designation;
 - (c) derives monetary gain or other commercial benefit from such content, including sponsored posts, advertisements, endorsements, product placement, or paid partnerships.
- (2) Every SPUR shall register with the Authority prior to engaging in monetised online content creation or sponsored communications.
- (3) A SPUR shall –
- (a) clearly label and disclose all sponsored or promotional content;
 - (b) not disseminate Prohibited Content prescribed in Schedule 2;
 - (c) take reasonable steps to avoid dissemination of misinformation or harmful content likely to cause public disorder, violence, or significant public harm;
 - (d) comply with lawful directives issued by the Authority concerning removal, correction, or restriction of content;
 - (e) maintain accurate business and income records relating to monetised online activities; and
 - (f) shall not engage in sustained or repeated live or recorded dissemination of content that targets an identifiable individual for harassment, humiliation, or abuse.
- (4) A SPUR shall not—
- (a) impersonate a public institution or misrepresent official information;
 - (b) present sponsored content as independent opinion;

- (c) exploit minors in monetised content;
 - (d) intentionally disseminate materially manipulated media likely to mislead the public.
- (5) The Authority may suspend or cancel a SPUR registration where –
- (a) registration was obtained through misrepresentation;
 - (b) the SPUR repeatedly disseminates harmful or Prohibited Content;
 - (c) the SPUR fails to comply with a lawful directive issued under these Regulations;
 - (d) the SPUR ceases to engage in monetised or commercial online activities.
- (6) A SPUR whose registration is suspended or cancelled may appeal in accordance with the Public Utilities Regulatory Authority Act and the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations 2026.

26. Application and Registration Procedures for SPURs

- (1) An application for registration as a SPUR shall be made in the prescribed form issued by the Authority.
- (2) An application submitted under subregulation (1) shall include –
- (a) the applicant’s full legal name, residential address, and contact information;
 - (b) a valid national identity document or passport;
 - (c) the names, URLs, and platform identifiers of all social media accounts operated by the applicant;
 - (d) a declaration of the applicant’s commercial activities, including sponsored posts, endorsements, advertisements, product placements, or partnerships;
 - (e) the identity of any advertising agency, brand partner, or third-party intermediary with whom the applicant has a commercial arrangement;
 - (f) a signed undertaking to comply with these Regulations and all Codes issued by the Authority.
- (3) The Authority may request additional information from an applicant where reasonably required to determine eligibility for registration.
- (4) The Authority shall process and determine an application within thirty days of receipt of a complete application.
- (5) Where the Authority approves an application, the Authority shall –
- (a) enter the applicant’s name and details into the Register of SPURs; and
 - (b) issue a Certificate of Registration in the prescribed form.
- (6) Where the Authority refuses an application, the Authority shall notify the applicant in writing, stating reasons and informing the applicant of the right to appeal.
- (7) A Certificate of Registration issued under this regulation shall be valid for two year and may be renewed upon submission of updated details and payment of prescribed fees.

- (8) A registered SPUR shall notify the Authority within thirty days of any material change to —
- (a) the social media accounts operated;
 - (b) commercial partners or advertisers;
 - (c) any change affecting eligibility under regulation 25.
- (9) The Authority may revoke or suspend a Certificate of Registration in accordance with regulation 25(5).
- (10) A SPUR whose registration is suspended or cancelled may appeal in accordance with the Act and the applicable complaints and investigations regulations.

27. Codes of Practice

The Authority may issue codes of practice applicable to broadcasters and designated online entities, consistent with the Act.

28. Renewal of Licence

The Authority may recommend non-renewal of a broadcasting licence to the Minister where serious or repeated breaches of these Regulations are established.

29. Suspension and Revocation

The Authority may recommend suspension or revocation of a broadcasting licence to the Minister in accordance with the Act and due process requirements.

PART VI- CLASSIFICATION TIERS AND SPECIAL RESPONSIBILITIES

30. Classification Tiers for Online Actors

- (1) Commercial Content Creators and Designated Online Content Providers may be classified into tiers as prescribed in Schedule 3 based on their commercial activities and the nature of their public-facing content.
- (2) Online actors shall not be deemed broadcasters solely based on number of followers. Only licensed broadcasters under the Act are broadcasters. Designated online entities with editorial control shall comply with applicable content standards under these Regulations.

31. Internet Service Providers (ISP)

- (1) An ISP shall cooperate with lawful takedown requests issued by the Authority in accordance with the Enforcement Regulations and applicable law.

- (2) An ISP shall comply with lawful directives issued under these Regulations that relate specifically to designated online content matters, provided such directives do not conflict with the Act or the ISP's licence conditions –
 - (a) ISPs may include terms of use requiring subscribers to comply with applicable laws, in accordance with their licence conditions.
 - (b) ISPs may take reasonable steps consistent with their licence terms when responding to lawful directives concerning designated online content.
 - (c) ISPs may implement blocking or takedown measures only upon receiving a lawful directive issued under these Regulations and subject to due process.
- (3) Where an ISP receives a lawful directive identifying Prohibited Content, it shall take reasonable and technically feasible steps to assist in restricting access to such content.

32. Link Provider

A Designated Online Content Provider that curates links shall remove access to Prohibited Content upon receiving a lawful directive from the Authority.

33. Online Content Hosting Providers (OCH)

- (1) Designated Online Hosting Services shall incorporate appropriate terms of use for compliance with these Regulations where applicable.
 - (a) Users and subscribers shall comply with applicable laws as set out in the service's terms of use.
 - (b) Designated Online Hosting Services may remove Prohibited Content in accordance with lawful directives and internal policies consistent with these Regulations.
- (2) Where notified by the Authority, a Designated Online Hosting Service shall take reasonable steps to restrict access to identified Prohibited Content.

34. Online Content Aggregator (OCA)

- (1) Designated Online Content Aggregators shall adopt appropriate terms of use consistent with these Regulations.
- (2) Designated Online Content Aggregators may remove Prohibited Content in accordance with lawful directives and applicable complaints procedures.
- (3) Where notified by the Authority of Prohibited Content, a Designated Online Content Aggregator shall take reasonable steps to restrict access to such content.
- (4) Where a Designated Online Content Aggregator exercises editorial control over content, it shall comply with applicable content standards under these Regulations.

35. General Obligations for Social Media Use and Online Content

- (1) Designated online entities may implement content management measures consistent with lawful directives issued under these Regulations.
- (2) Designated online entities may utilise automated tools to support compliance, provided privacy and data-protection standards are observed.
- (3) The Authority shall encourage the development of family-friendly access tools to support child protection.

36. Duty to comply

Every broadcaster, Designated Online Content Provider, and Designated Online Hosting Service, Commercial Content Creator, Aggregator, and SPUR who receives a lawful directive under these Regulations shall take reasonable and practicable steps to comply with that directive.

PART VII- CONTENT MONITORING

37. Content Monitoring

- (1) The Authority shall monitor –
 - (a) content carried by broadcasters, licensees and producers;
 - (b) content disseminated by Designated Online Content Providers and Designated Online Hosting Services;
 - (c) content providers;
 - (d) commercial and non-commercial content creators to the extent subject to these Regulations;
 - (e) advertising content regulated under these Regulations.
 - (f) advertising content regulated by applicable codes.
- (2) Once the Authority is aware of Prohibited Content disseminated by a person or entity subject to these Regulations, the Authority shall:
 - (a) issue a written notice requiring removal or modification of Prohibited Content within a reasonable time;
 - (b) prescribe a reasonable compliance period;
 - (c) where there is non-compliance, issue an enforcement directive pursuant to the Enforcement Regulations.

38. Broadcasting Services

- (1) All broadcasting equipment shall meet the minimum standards prescribed by these Regulations and applicable licensing guidelines.
- (2) The Authority may prescribe additional equipment requirements consistent with the Act and licence conditions.
- (3) Where equipment fails to meet standards, the Authority may direct discontinuation of use and seek court orders where necessary.
- (4) Every licensee shall comply with applicable programme codes and content standards issued by the Authority.
- (5) A licensee shall not broadcast –

- (a) material unlawful under laws governing obscenity and sexual content;
- (b) material that unjustifiably infringes privacy unless clearly justified by public interest.
- (6) A licensee shall comply with the Act, these Regulations, applicable codes, and any other applicable law.

39. Minimum Broadcasting Standards

Every broadcaster shall comply with the Minimum Broadcasting Standards in Schedule 1; Designated Online Content Providers with editorial control shall comply with applicable online content standards.

40. Prohibited Content

No broadcaster or Designated Online Content Provider shall disseminate Prohibited Content as prescribed in Schedule 2, subject to constitutional protections.

41. Duty to maintain record

- (1) Every operator of a broadcasting station shall retain a record of all programmes, presentations and content that it has broadcasted for a minimum of three (3) months after the date of transmission of the broadcast or for such a period as the Authority may determine at the operators' ordinary place of business
- (2) The operator shall ensure that the records retained under subregulation (1) are complete, authentic and original.
- (3) Every broadcast producer, licensee or operator operating broadcasting services in The Gambia shall maintain a public file containing –
 - (a) The programme lineup and copy of the programming code approved by the Authority;
 - (b) Written complaints received by the operator;
 - (c) Written correspondence between any person with a specific content complaint to an operator under the operator's complaint handling procedure;
 - (d) a log of telephonic complaints received by the operator; and
 - (e) details of how and when a content complained referred to in paragraph (c) has been resolved.
- (4) Broadcasters shall maintain personnel records as per labour laws and provide access only where relevant to a content investigation and requested through a directive of the Authority.
- (5) The information referred to in sub-regulation (3) shall be supplied upon written request or directive by the Authority and shall be complete and authentic.
- (6) Every broadcaster shall maintain, at the ordinary place of business, personnel records including full details of all persons employed by the broadcaster or producer, the length of service and the information relating to the status of each employee and whether they are employed on a full-time, part-time or temporary consulting basis.

42. General Content requirement

- (1) An operator shall not broadcast any material which –
- (a) language constituting unlawful incitement, hate speech, or expression that directly incites violence or discrimination in violation of applicable law;
 - (b) depicts unlawful sexual content or content inappropriate for watershed period;
 - (c) glorifies violence or depicts extreme violence without editorial justification;
 - (d) is likely to incite public insecurity or violence, incite, perpetuate hatred or vilify any person or section of the community on account of race, ethnicity, nationality, gender, age, disability, religion or culture of that person or section of the community;
 - (e) has no program rating indicated prior to the commencement of the program;
 - (f) constitutes sustained or repeated harassment, intimidation, or abuse of an identifiable individual or group, including through continuous or repeated broadcast or online dissemination of degrading, humiliating, or threatening content without lawful justification or public interest; or
 - (g) is not in compliance with the law
- (2) A producer, operator or licensee shall ensure that any program which is broadcast is not contrary to public morality and does not promote violence or ethnic prejudice among the public especially children and the youth.
- (3) An operator shall ensure that –
- (a) adult-oriented programs are appropriately scheduled in accordance with the prescribed watershed period; and
 - (b) where the broadcast relates to national security, the contents of the broadcast are verified by the broadcaster before broadcasting.

43. Protection of children

An operator shall –

- (a) not broadcast harmful or age-inappropriate content during the watershed period or at times primarily directed at children; and

- (b) request for permission to conduct an interview with a child from a parent/guardian and obtain parental/guardian consent before interviewing a child, unless public-interest exemption applies.

44. News reporting

An operator shall ensure that –

- (a) news and information are broadcast and presented in an objective, balanced manner, without prejudice or departure from facts through distortion, exaggeration, misrepresentation or material omissions;
- (b) fair reporting, is given;
- (c) news is presented in a way that does not create public panic or unnecessary distress to the listening and viewing public;
- (d) news presented in a manner that clearly distinguishes between facts and individual opinions, comments and views;
- (e) material relating to a person's private affairs is not aired unless there is a legitimate public interest in broadcasting such information;
- (f) during the presentation of current affairs programmes, factual programmes and documentaries where issues of public importance are discussed, reasonable effort is made, and reasonable opportunity is given, to present a fair, accurate, balanced and impartial view;
- (g) where the broadcaster allows the expression of personal views during the programmes, the audience is informed in advance and given an opportunity to respond to the views;
- (h) the audience is advised in advance of news items containing accounts of extraordinary violence, sexual conduct or gruesome accounts of death; and
- (i) court and parliamentary proceedings are reported accurately and that the reporting does not contain premature conclusions which may prejudice the outcome of the case or parliamentary proceedings, and the broadcast complies with any other applicable law.

45. Unconfirmed reporting

An operator shall not broadcast any report –

- (a) That is not based on facts or is founded on opinion, rumor, supposition, or allegation unless the broadcast is carried out in a manner that clearly indicates these circumstances; Operator shall clearly distinguish rumour/supposition from fact; or
- (b) where there is sufficient reason to doubt its accuracy and it is not possible to verify the accuracy of the report before it is broadcast.

46. Correction of errors in reports

An operator shall broadcast the correction of any factual error –

- (a) without reservation as soon as it is reasonably possible after it has been established that there was an error; and

- (b) with an equivalent degree of prominence and timing; and the correction shall be broadcast during a similar time-slot as the original error as soon as is reasonably possible and where appropriate or ordered by the Authority, shall include an apology.

47. Reporting on controversial issue

An operator shall ensure that when broadcasting controversial issues of public interest during live broadcasts-

- (a) A wide range of views and opinions are represented;
- (b) a person or organization whose views on any controversial issue of public interest have been criticized during a broadcast, and who replies to the criticism within a reasonable time, shall be offered an opportunity by the operator to reply to the criticism with reasonable promptness; and
- (c) a reply to the criticism under paragraph (b) is given a similar degree of prominence and shall be broadcast in a similar time slot, as soon as is reasonably possible, but in any case not later than 48 hours from the date the broadcast under paragraph (b) is aired.

48. Religious Programmes

- (1) Matters pertaining to religion are sensitive and capable of evoking strong passion and emotions. Broadcasters should exercise due caution when featuring the views, beliefs, practices, or activities of religious groups.
- (2) an operator shall ensure that when broadcasting religious programmes -
 - (a) broadcasters exercise the proper degree of responsibility with respect to the content of religious programmes and their unintended consequences.
 - (b) broadcasters must ensure that religious programmes do not exploit audience susceptibilities and circumstances.
 - (c) broadcasters must ensure that religious programmes do not involve any abusive treatment of the religious views and beliefs of those belonging to different religious persuasions; they should aim to uphold the freedom of religious belief enshrined in the Constitution.
- (3) Broadcasters must exercise an appropriate level of responsibility regarding the content of religious programs.
- (4) All religious programmes shall be geared towards emphasizing the positive role of religion in the society.

- (5) The religious views and beliefs of those belonging to a different religious denomination or faith-based value system must not be subject to abusive treatment. Religious broadcast shall not contain an attack on, or a ridicule of another religion or sect or faith-based value system.
- (6) Programmes that denigrate or are likely to offend the sensitivities of any racial or religious group should not be broadcast, as should programmes that incite or are likely to incite racial and/or religious intolerance or misunderstanding.

49. Political and Electoral Coverage

Broadcasters and Designated Online Content Providers shall ensure that coverage of political processes, including elections, party activities, and related events—

- (a) is fair, accurate, and impartial;
- (b) does not give undue advantage or disadvantage to any political party, candidate, or group;
- (c) clearly distinguishes between news, commentary, and political advertising; and
- (d) complies with applicable laws and guidelines issued by the Electoral Commission.

50. Broadcasting of Internal Political Party Processes

- (1) A broadcaster is not required to transmit content relating to internal political party processes, including party elections.
- (2) Where a broadcaster elects to transmit such content, it shall ensure that—
 - (a) the content complies with these Regulations and the Minimum Broadcasting Standards;
 - (b) the content is not unlawful, false, or misleading;
 - (c) the content is clearly identified as originating from or on behalf of the relevant political party; and
 - (d) the broadcast is conducted fairly, accurately, and impartially.
- (3) Broadcasters shall comply with any applicable laws or guidelines issued by the Electoral Commission.

51. Equitable treatment of political parties and organizations during election period

- (1) A broadcaster shall ensure that, during an election period, all political parties and candidates are treated in a fair, balanced, and non-discriminatory manner.
- (2) In complying with sub-regulation (1), a broadcaster shall—
 - (a) ensure that news coverage, programming, and political content do not give undue advantage or disadvantage to any political party or candidate;
 - (b) provide equitable access to broadcasting services, where such access is offered, on reasonable and comparable terms;

- (c) clearly distinguish between news, editorial content, and political advertising; and
- (d) comply with all applicable laws, regulations, and guidelines issued by the Electoral Commission in relation to election coverage and conduct.

(3) A broadcaster shall exercise particular care during periods designated by the Electoral Commission as restricted or sensitive, and shall ensure strict compliance with all applicable directives issued in that regard.

52. Bias and equal coverage in election period

- (1) An operator shall take all measures to not exhibit bias during election period broadcasts.
- (2) A broadcaster shall give equal opportunity for all points of view in a public election.
- (3) Subregulations (1) and (2) shall apply to public referenda organized by the Electoral Commission.

53. Conduct of interviews

- (1) A broadcaster shall ensure that any person to be interviewed –
 - (a) is advised of the subject of the interview; and
 - (b) is informed, before the interview takes place, to determine whether the interview is to be recorded or broadcast live.
- (2) A broadcaster shall exercise sensitivity in conducting interviews with bereaved persons, survivors of traumatic incidents or witnesses and shall advise viewers of the same in case of disturbing footage.

54. Rules for live broadcasting

Every operator shall –

- (a) be technically equipped to handle live programmes in order to avoid broadcasting obscene and undesirable comments from participants, callers and the audiences;
- (b) ensure that contributors and participants to a programme are treated fairly, without discrimination or denigration;
- (c) comply with the Copyright Act 2004, the Industrial Property Act 1989, and any other applicable law; and
- (d) take reasonable measures, including delay mechanisms or moderation tools, to prevent the real-time dissemination of content that constitutes harassment, abuse, or unlawful conduct.

55. Commentaries

Any commentaries broadcast by an operator, whether the comments aired are made by the operator or by any person invited by the operator, shall be presented fairly, with clear distinction between factual analysis and personal views.

56. Disclosure of identity of victims of sexual offences

An operator shall –

- (a) not disclose the identity of a victim of a sexual offence except with informed written consent or where expressly permitted by law; and
- (b) avoid unnecessary or repetitive detail when reporting circumstances of a sexual offence.

57. Consent to broadcast

Subject to the Access to Information Act, 2021, an operator shall—

- (a) not broadcast information acquired from a person without consent, except where justified by clear public interest or required by law; and
- (b) not broadcast information acquired using deception or misrepresentation unless strictly justified in the public interest.

58. Programme sponsorship

An operator –

- (a) may accept sponsorship of weather broadcasts, financial broadcasts or traffic reports but the operator shall retain full editorial control of the sponsored programme;
- (b) shall ensure that sponsorship of a programme does not compromise the editorial accuracy and impartiality of the contents of the programme;
- (c) shall not unreasonably discriminate against or favour a particular sponsor;
- (d) shall not broadcast any programme which has been sponsored by a political party except where clearly identified as a political advertisement;
- (e) shall acknowledge the sponsorship of a programme immediately before and after the programme is broadcast, and any connection between the programme's subject-matter and the sponsor's commercial activities shall be identified.

59. Prohibited payments

An operator shall not pay –

- (a) any person who has been convicted of a criminal offence, in order to obtain information in relation to that conviction; or
- (b) any person to participate in a program broadcast if the operator or producer has reason to believe that the person is participating or benefiting from an ongoing criminal or illicit activity.

60. Advertisements

- (1) An operator shall ensure that advertisements broadcast by the operator are in compliance with the advertising standards prescribed in these Regulations and in addition —
 - (a) are lawful, honest, decent and not misleading;
 - (b) conform with the principles of fair competition and any applicable law;

- (c) do not contain any descriptions, claims or other material which may directly or by implication, mislead members of the public in relation to the product or service advertised, or about their suitability for the purpose recommended; and
 - (d) do not unfairly attack or discredit, directly or by implication, any other advertiser, product or advertisement.
- (2) An operator shall, before broadcasting an advertisement, ensure that advertisers provide reasonable substantiation for any claims made.
 - (3) An operator shall not unreasonably discriminate against or favour any advertiser.
 - (4) An operator shall schedule age-sensitive advertisements responsibly during children's viewing times.
 - (5) An operator shall ensure that its presenters, when reading advertisements, make a clear distinction between the programming material and the advertisements they deliver.
 - (6) An infomercial duration shall be reasonable and consistent with the broadcaster's format.
 - (7) An operator shall ensure, through visual or audio form, that the broadcast of any infomercial is distinguishable from any other programme through the use of –
 - (a) a running legend at the foot of the audio-visual broadcast; or
 - (b) in the case of an audio broadcast, an audio message at regular intervals, identifying the programme as an infomercial or paid broadcast.
 - (8) An operator shall ensure that all infomercials broadcast are lawful, honest, decent and in conformity with the principles of fair competition.
 - (9) Subregulations (6) and (7) shall not apply to stations which exclusively broadcast infomercials

61. Watershed period

- (1) Any adult-rated content shall not be aired during the watershed period.
- (2) Broadcasters shall ensure an appropriate transition from family-oriented content.
- (3) Consumer advice, including warnings, labeling, classification details and other announcements shall be given before the broadcast of a programme or its trailers outside the watershed period.
- (4) All trailers and promotional material shown before the watershed period shall comply with subregulations (2) and (3).

62. Content for persons with disabilities

Broadcasters shall take reasonable steps to enhance accessibility for persons with disabilities, including persons who are hearing impaired or visually impaired.

63. Mandatory sign language and aids for persons with disabilities

- (1) An operator who operates a television station shall use sign language or subtitles for the benefit of persons who are hearing impaired, in newscasts at least once a day, and in live

telecasts of national events as provided for under section 46(2)(a) of the Persons With Disabilities Act, 2021.

- (2) All broadcasters shall take reasonable steps to enhance accessibility within reasonable means.

64. Programme classification

Classification symbols must be displayed at the start of the programme and at appropriate intervals in accordance with the Programme Classification prescribed in Schedule 4 of these Regulations.

PART VIII- PROMOTION OF LOCAL CONTENT

65. Local content

- (1) Every Free-to-Air operator shall promote local content, with specific minimum thresholds set progressively by guidelines issued by the Authority.
- (2) The Authority may take proportionate enforcement action for repeated non-compliance with local content obligations prescribed under guidelines.
- (3) Local content shall comprise of content produced within and outside the territory of the Republic of The Gambia and must be content —
 - (a) produced by natural persons who are citizens or permanent residents of The Gambia or produced by legal persons whose legal domicile and a majority of whose shareholders and directors are citizens or permanently residing in The Gambia; and
 - (b) which reflects Gambian creativity, culture, socioeconomic conditions, or values
- (4) The Authority shall issue guidelines establishing benchmarks for minimum proportions of local content to be produced or supplied by independent local producers;
- (5) Every broadcaster shall ensure reasonable inclusion of local and regional news, proportionate to the broadcaster's format, capacity, and licence obligations.
- (6) News shall be reported objectively, accurately, and in a balanced manner, without distortion or misrepresentation, and shall not be presented in a manner likely to cause undue public panic or threaten public safety.
- (7) Investigative reports shall be balanced, accurate, fair, and complete, in accordance with established professional journalistic standards.

PART IX- COVERAGE OF PUBLIC EVENTS

66. Parliamentary proceedings

Broadcast operators may broadcast parliamentary proceedings in accordance with rules, regulations, and procedures issued by Parliament, and subject to terms of their licence.

67. National events

Broadcast operators may cover public and national events, including airing public and national events live or through feeds from the Gambia Radio and Television Services in accordance with the terms of the licence issued.

PART X – PUBLIC SERVICE BROADCASTING

68. Designation of Public Service Broadcaster

- (1) The Minister may, in consultation with the Authority, designate a broadcaster established by law or wholly or majority owned by the State as a Public Service Broadcaster.
- (2) The Gambia Radio and Television Services (GRTS) shall, for the purposes of these Regulations, be recognised as the Public Service Broadcaster unless otherwise designated by law.

69. Public Service Mandate

The Public Service Broadcaster shall—

- (a) provide impartial, accurate and independent news and current affairs programming;
- (b) promote national unity, cultural diversity and social cohesion;
- (c) provide educational, developmental and public interest programming;
- (d) ensure coverage of parliamentary proceedings and national events;
- (e) provide emergency broadcasting and public safety information;
- (f) promote local content in accordance with national cultural policy;
- (g) ensure equitable and fair coverage during election periods;
- (h) operate in the public interest and not for primary commercial gain.

70. Editorial Independence

- (1) The Public Service Broadcaster shall exercise editorial independence in its programming decisions.
- (2) No person shall improperly interfere with editorial content decisions of the Public Service Broadcaster.
- (3) The Authority shall monitor compliance with content standards without interfering in day-to-day editorial discretion.

71. Universal Access Obligation

The Public Service Broadcaster shall, within available technical and financial capacity, ensure nationwide access to its broadcasting services.

72. Public Accountability

The Public Service Broadcaster shall submit an annual public interest performance report to the Authority detailing—

- (a) content output
- (b) local content percentage
- (c) educational programming
- (d) accessibility measures
- (e) election coverage compliance

PART XI —WATERSHED PROGRAMMING, PROGRAMMING FOR CHILDREN, PUBLIC SAFETY AND PRIVACY

73. Adult programming

- (1) Broadcasters shall not broadcast content that is prohibited by law or inappropriate for the watershed period.
- (2) Adult programming shall only be broadcast after the watershed period.
- (3) Broadcasters shall exercise editorial responsibility and sensitivity regarding cultural norms without compromising constitutional protections.
- (4) Adult programming shall carry appropriate written and verbal warnings prior to commencement, with on-screen warnings displayed at reasonable intervals
- (5) Broadcasters shall operate appropriate delay or moderation mechanisms to prevent the transmission of unlawful or harmful content during live programmes.
- (6) The Authority may issue guidelines for the classification of adult and violent content.
- (7) No film shall be broadcast without appropriate age classification.

74. Programming for children

Broadcasters whose format and licence conditions include general audience programming shall allocate reasonable programming suitable for children

75. Public safety

- (1) An operator shall not broadcast material that directly incites the commission of a crime or is reasonably likely to cause imminent harm or disorder.
- (2) Material includes depictions or demonstrations of criminal techniques that could facilitate crime, unless such content is clearly contextualised for legitimate educational, documentary, or public-interest purposes.
- (3) An operator shall not offer payment in any form to a convicted offender or confessed criminal or potential witness in event of criminal proceedings in order to appear or to participate in the production of any content.

- (4) A member of the public may submit a written complaint to the Authority regarding violations of this regulation, which shall be reviewed in accordance with the Complaints, Investigations and Consumer Protection Regulations.
- (5) The Authority may take enforcement action as permitted under the Act and these Regulations, without prejudice to any court remedies.

76. Privacy

- (1) A broadcaster shall not broadcast material involving a person's private affairs unless there is a legitimate and overriding public interest, assessed in accordance with applicable privacy and data protection laws.
- (2) The identity of victims of sexual offences shall not be disclosed without the informed written consent of the victim, unless expressly permitted by law.
- (3) The identity of minors who are victims of crime shall not be disclosed under any circumstances except where required by law in judicial proceedings.
- (4) A licensee shall protect the privacy and safety of individuals, and shall avoid broadcasting material that may expose any person to risk of harm, exploitation, or victimisation.

PART XII — COMPLAINTS HANDLING PROCEDURE AND RELATED MATTERS

77. Content complaints

- (1) A content-related complaint may be lodged by any person in accordance with the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026.
- (2) Without prejudice to these Regulations, complaints concerning—
 - (a) Minimum Broadcasting Standards;
 - (b) Prohibited Content;
 - (c) election-period obligations;
 - (d) advertising standards; or
 - (e) any other content obligation under these Regulations,

shall be assessed, investigated, heard and determined in accordance with the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026 and, where applicable, the Formal Hearing Guidelines, 2026.

- (3) An operator's internal complaint-handling procedure under regulation 82 is an initial resolution mechanism and does not oust the Authority's jurisdiction.

78. Investigation of content complaints

Investigations relating to content complaints shall be conducted in accordance with Part IV of the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026.

79. Directions to act on complaint and remedy breach

The Authority may, after investigation of a complaint –

- (a) direct an operator to resolve the matter through its internal complaint-handling system under regulation 82, or to remedy any breach of these Regulations; or
- (b) take any enforcement action authorised under the Act or these Regulations.

80. Complaints handling procedure

- (1) Every operator shall establish an internal complaint-handling procedure for managing content complaints.
- (2) Operators shall submit a copy of their complaint-handling procedures to the Authority.
- (3) The Authority may direct that a content complaint be referred to an operator's complaint-handling procedure established under this regulation.

81. Inspection

- (1) For the purposes of monitoring compliance with these Regulations, the Authority may exercise inspection and information-gathering powers strictly in accordance with the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026 and the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026.

82. Appeals against decision of Authority

Any person aggrieved by a decision of the Authority under these Regulations may appeal in accordance with the Public Utilities Regulatory Authority Act and the Complaints, Investigations and Consumer Protection Regulations, 2026.

PART XIII — ENFORCEMENT AND SANCTIONS

83. Enforcement

- (1) Enforcement actions, administrative sanctions and penalties arising from a contravention of these Regulations shall be applied in accordance with the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026.
- (2) Where an operator contravenes these Regulations or a lawful directive or order of the Authority, the Authority may issue such directives or orders as are authorised by law and may pursue penalties and sanctions in accordance with the Enforcement Regulations, subject to due process.

84. Failure to Comply with Directive

Where an operator fails to comply with a directive issued under these Regulations, the Authority may impose administrative penalties consistent with the PURA Act and the Enforcement Regulations.

85. Administrative Sanctions

- (1) The Authority may recommend suspension or revocation of a licence to the Minister where persistent or serious breaches occur, in accordance with the ICA and licensing conditions.
- (2) The Authority may impose escalating sanctions for repeated breaches, ensuring fairness, transparency, and proportionality.

86. Procedural fairness

Any notice, hearing, or opportunity to be heard required prior to the imposition of enforcement measures under these Regulations shall be provided in accordance with the Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026 and the Formal Hearing Guidelines, 2026.

87. Fees and cost recovery

- (1) Any administrative fees, inspection fees, verification fees, or enforcement cost-recovery charges arising from the administration or enforcement of these Regulations shall be imposed only where such fees are prescribed under the Public Utilities Regulatory Authority (Unified Fees) Regulations, 2026 and the applicable Schedules.
- (2) Nothing in these Regulations shall be construed as creating a new fee or charge not prescribed under the Unified Fees Regulations.

88. Daily Penalties

Where authorised under the Enforcement Regulations, the Authority may impose daily administrative penalties for ongoing non-compliance, provided such penalties are reasonable and proportionate.

89. Exceptions to compensation payment

An operator is exempted from the payment of compensation to a complainant under these Regulations where the breach of duty in respect of which compensation is payable, occurred as a result of any of the following circumstances:

- (a) industrial action by employees of the operator, subject to the Labour Act, 2007;
- (b) a frivolous or vexatious complaint; or
- (c) the breach of an enactment would have occurred if the operator took the action.

90. Enforcement actions by the Authority

- (1) The Authority may take enforcement action in respect of a contravention of these Regulations in accordance with the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026.
- (2) The imposition of an enforcement action does not
 - (a) limit the right to any other remedy at law which may be available to a complainant; or
 - (b) preclude the Authority from taking any other measure or imposing any other sanction that the Authority considers necessary in respect of the act or omission that constitutes the breach.

91. Enforcement of decision of the Authority by Court

The Authority may in accordance with the PURA Act 2001 and the Enforcement Regulations 2026, apply to the Court for the enforcement of a decision or a directive of the Authority.

PART XIV – MISCELLANEOUS PROVISIONS

92. Transitional Provisions

- (1) All Broadcasters and Designated Online Content Providers shall comply with these Regulations within six (6) months of publication, unless otherwise specified by the Authority.
- (2) The Authority may issue guidance notes and compliance timelines to support implementation.

93. Guidelines and Directions

The Authority may issue guidelines, circulars, and directions consistent with these Regulations and the Act, following stakeholder consultation where appropriate.

94. Saving and Repeal

- (1) Any prior broadcasting code, standard, or guideline inconsistent with these Regulations is hereby revoked to the extent of the inconsistency.
- (2) Nothing in these Regulations shall invalidate any licence, approval, or authorisation validly issued before their commencement.

95. Application of Schedules

- (1) The Schedules shall have the same legal force and effect as if set out in the body of these Regulations.
- (2) Amendments to the Schedules shall follow the same publication and notice requirements applicable to amendments of these Regulations.

96. Entry into Force

These Regulations shall come into force on the date of publication in the Gazette.

DRAFT

SCHEDULE 1
Regulation 39

Minimum Broadcasting Standards

- (1) Broadcasters, producers, and designated online entities shall ensure that all programmes broadcast —
 - (a) comply with applicable laws, these Regulations, licence conditions, and any code issued by the Authority;
 - (b) do not include Prohibited Content as prescribed in Schedule 2 and Regulation 40;
 - (c) uphold accuracy, fairness, balance, and impartiality in news and factual programming;
 - (d) are not likely to incite violence, hatred, public disorder, or discrimination;
 - (e) are scheduled appropriately, ensuring adult content is not aired during the watershed period;
 - (f) respect privacy rights except where a clear public interest justifies broadcast;
 - (g) protect children from harmful or age-inappropriate content;
 - (h) present political content fairly and equitably during an election period.
- (2) Where a programme relates to national security or significant public concern, a broadcaster shall verify information before broadcast; and
- (3) All broadcasters shall maintain editorial responsibility for content they originate or rebroadcast.

SCHEDULE 2

Regulation 40

Prohibited Content

- (1) The following content shall not be broadcast or disseminated by a broadcaster, a Designated Online Content Provider, or a SPUR –
 - (a) Child sexual abuse material.
 - (b) non-consensual sexual content, including coerced or secretly recorded content;
 - (c) Content that directly incites violence or imminent criminal acts.
 - (d) Content that incites ethnic, religious, or racial hatred or discrimination.
 - (e) graphic violence presented without editorial justification or public-interest context.
 - (f) content that promotes terrorism or provides explicit instructions for committing acts of terrorism.
 - (g) content that unlawfully discriminates against, degrades, or vilifies persons based on protected characteristics under the Constitution.
 - (h) content that exploits persons with disabilities or other vulnerable individuals.
 - (i) content prohibited under any other applicable law.
 - (j) content that constitutes targeted and sustained harassment or abuse of an identifiable individual, including repeated or continuous dissemination of content intended to humiliate, degrade, intimidate, or cause psychological harm, where such content is not justified by public interest, journalism, or lawful expression.
- (2) Sexual content restrictions:
 - (a) explicit sexual acts shall only be permitted within the 18 classification under Schedule 4 and must not be accessible to minors;
 - (b) sexual content that is gratuitous, exploitative, or devoid of artistic, educational, journalistic, or documentary context is prohibited;
 - (c) content that promotes sexual activity to minors or normalises sexual conduct for persons under eighteen is prohibited;
 - (d) content involving sexual exploitation, coercion, pornography, or explicit sexual materials is prohibited.
- (3) Educational, artistic, cultural, news, or documentary content containing sensitive material may be permitted where contextualised in the public interest and appropriately classified.
- (4) The Authority may classify categories of Prohibited Content by Gazette notice, provided such classification is reasonable, necessary, and consistent with the Constitution and these Regulations.

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SCHEDULE 3
Regulation 30

CLASSIFICATION TIERS AND SPECIAL RESPONSIBILITIES

- (1) This Schedule applies only to –
 - (a) Designated Online Content Providers;
 - (b) Designated Online Hosting Services;
 - (c) Commercial Content Creators.

- (2) Designated Online Content Providers are classified as:
 - (a) An Editorial Online Provider exercises editorial control over the audiovisual content it disseminates.
 - (b) A Non-Editorial Online Provider disseminates third-party content and does not exercise editorial control.

- (3) Designated Online Hosting Services shall—
 - (a) host user-generated content;
 - (b) act upon lawful directives of the Authority to remove Prohibited Content;
 - (c) maintain terms of use that comply with these Regulations.

- (4) A Commercial Content Creator shall –
 - (a) disclose sponsored content;
 - (b) refrain from sharing Prohibited Content;
 - (c) comply with consumer protection and advertising requirements; and
 - (d) comply with lawful directives.

- (5) No individual shall be classified as a broadcaster solely by virtue of audience size or online popularity.

- (6) Aggregator
 - (1) An Aggregator shall be classified as—
 - (a) an Editorial Aggregator where it selects, arranges, or contextualises content for dissemination to the public; or
 - (b) a Non-Editorial Aggregator where it merely indexes or republishes content without contextual or editorial input.
 - (2) An Aggregator shall –
 - (c) comply with lawful directives of the Authority to remove or restrict Prohibited Content;
 - (d) ensure that its indexing or republishing mechanisms exclude Prohibited Content under Schedule 2;
 - (e) clearly identify the source of aggregated content unless such identification is technically impracticable;

- (f) comply with all applicable codes issued by the Authority.
- (3) An Aggregator shall not be classified as a broadcaster solely by virtue of aggregating or indexing content.

(7) Commercial Content Providers

Commercial Content Providers, including companies and entities that produce content for digital distribution, as well as media organizations, shall be regulated in a manner consistent with traditional media organizations. They shall comply with all applicable licence conditions and content standards under these Regulations, including Minimum Broadcasting Standards where they operate as broadcasters or operate services functionally equivalent to broadcasting.

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SCHEDULE 4
Regulation 64

Programme Classification

(1) The classification symbols are as follows –

- U – Suitable for all ages.
- PG – Parental guidance advised.
- 12 – Suitable for persons aged twelve and above.
- 15 – Suitable for persons aged fifteen and above.
- 18 – Suitable only for adults; may contain strong language or mature themes.

(2) A Classification symbols shall be displayed –

- (a) at the start of the programme;
- (b) after each commercial break;
- (c) in any electronic programme guide.

(3) Content classified “18” shall not be broadcast during the watershed period.

(4) News or current affairs are exempt from classification symbols but must display warnings for violent or distressing material.

(5) Documentaries containing sensitive content must carry appropriate viewer advisories.

MADE THIS.....DAY OF.....2026

HON. DR. ISMAILA CEESAY
MINISTER OF INFORMATION, MEDIA AND BROADCASTING SERVICES