

LAWS OF SOUTH SUDAN



MEDIA AUTHORITY REGULATIONS ON PRINT MEDIA, 2018

Issued under Sections 67 of the Media Authority Act, 2013

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Laws of South Sudan Media Authority Regulations on Print Media, 2018

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Laws of South Sudan

Media Authority Regulations

on Print Media, 2018

In accordance with the provisions of Section 18(1) read together with Section 67 of the Media Authority Act, 2013, the Authority with approval of the Competent Minister, hereby issue and promulgate the following Regulations:

Chapter I

Preliminary Provisions

1. Title and Commencement

These Regulations shall be cited as the Media Authority Regulations on Print Media, 2018, and shall come into force on the date of its signature.

2. Scope of Application

These Regulations shall apply to all Print Media, operating within the territory of the Republic of South Sudan.

3. Interpretation

In these Regulations, all words and expressions that are defined under the Media Authority Act, 2013,

shall have the same meanings herein; unless the context otherwise requires:

“Act” means the Media Authority Act, 2013.

“Journalist” means any person with formal training in mass communication and has recognised qualification to work for a media house on news coverage, editing, news presentation, programming, photographing and film production.

“Print Media” means any written or pictorial form of communication produced mechanically or electronically using printing or photograph. The traditional examples of

Print Media are News
Papers and Magazines.

“Code of Ethics”

Means the Media
Authority Code of
Ethics for the conduct
of Journalists in South
Sudan.

Chapter II

General Rules on Print Media

4. Legal Status

All print media must legally register and maintain valid operation licence all the time. No unregistered press will be allowed to attend briefings, press conferences, and press releases by the government or public sector organisations, report and publish any news.

5. Accuracy and Fairness

- (1) The Press has a fundamental duty to seek and publish the truth. Journalists should be honest, fair and factual in gathering, reporting, interpreting and publishing information.
- (2) The Press should take care not to publish inaccurate and unsubstantiated misleading or distorted material, including pictures, data and graphics.
- (3) Whenever it is recognized that an inaccurate, misleading statement or distorted report has been published, it should be corrected promptly and with due prominence. An apology must be

published whenever appropriate, but not later than three (3) days from the date of recognition.

- (4) Accuracy and fairness can best be achieved by avoiding deliberate distortion, by getting information from unreliable sources and by diligently seeking out subjects of news stories to give them an opportunity to respond to allegations and misrepresentations.
- (5) The Press shall be impartial, however, facts must be distinguished from comments and conjecture.
- (6) Analysis and commentary should be distinguished from straight news reports and not represented as fact.
- (7) The Press must avoid misleading headlines, news teasers, promotional materials and quotations.
- (8) The press must avoid concoction and or publishing malicious news.
- (9) Direct quotes, delineated by quote marks, must

be distinguished from paraphrased speech. The Press must ensure that when quoting people directly their exact words are reproduced in the original language.

6. Sources

- (1) It is important to identify sources as often feasible. The public is entitled to as much information as possible on a source's reliability.
- (2) Whenever confidentiality is required and negotiated, journalists must respect the terms.
- (3) Journalists must always question sources' motives before promising anonymity.
- (4) Journalists must be wary of sources offering information for favours or money.
- (5) The Press must recognize a special obligation that in nurturing South Sudan's democracy, public business must be conducted in the open and journalists must insist that government records are open to inspection.

7. Right of Reply

The Constitution guarantees freedom of expression and thus also right to rejoinder. In discharging this responsibility, journalists must ensure that replies are responsive and in proportion to the prominence given the original article.

8. News Gathering

- (1) As a general rule, journalists must not use, or publish materials obtained by subterfuge; using clandestine devices such as hidden cameras and hidden tape-recorders. Such activity may, however, be justifiable in special circumstances such as detecting and inspecting crime sites or protecting public health and safety.
- (2) Payments must not be made to criminals for their stories or other criminal activities.
- (3) It is unacceptable for a journalist to ask for payment for covering and writing a news story.
- (4) Journalists must distinguish news from advertising and shun hybrids that blur the lines between the two.

9. Harassment

Journalists and photographers must neither obtain nor seek to obtain information or pictures through intimidation, harassment or blackmailing. This includes persistent telephoning, pursuing, following or photographing individuals after having been asked to desist, or remaining on their property after having been asked to leave.

10. Privacy

- (1) There must be respect for private life. A person is entitled to privacy in his/her home, and in matters such as health and correspondence. It is unacceptable to use long-lens camera and recording devices without the consent of news subjects and to intrude in places where there should be reasonable expectation of privacy.
- (2) The Press must recognize that private individuals have a greater right to control information about themselves than do public officials and others who seek power or command influence or attention.

11. Protection of the Vulnerable

- (1) Children:

- (a) It is unacceptable to interview or photograph a child on subjects involving the welfare of the child or any other child in the absence of, or without the consent of, a parent, guardian or an adult who is responsible for the child.
- (b) A child must be protected from unnecessary intrusion, and must not be approached or photographed at school without the permission of school authorities that shall obtain consent from the guardian of the child.
- (c) Children deserve privacy irrespective of the status of their parents. Where material about the private life of a child is published, there must be justification for publication other than the fame, notoriety or position of his or her parents or guardian.
- (d) A child must not be enticed with money or any other inducement for information that will compromise their welfare and best interest.
- (e) The press must not identify children who are involved in cases concerning sexual offences, whether as victims, suspects or

as witnesses.

- (f) The word “incest” must not be used where a child victim might be identified. Care must be taken such that nothing in the report identifies the relationship between the accused and the child.
- (g) Adult victims of sexual abuse, or crime, either male or female, should not be named without their consent.

(2) Grief

- (a) In cases involving bereavement, personal grief or shock, the Press must show compassion. Publication must be handled sensitively at such times.
- (b) Special sensitivity should be shown when dealing with children and inexperienced sources or subjects affected by tragedy.

(3) Patients

- (a) Journalists or photographers making enquires at hospitals or similar institutions should identify themselves to responsible officials and obtain permission before entering designated non-public areas.

- (b) The Press must remember that restrictions on intrusion are particularly relevant to enquiries about individuals in hospitals or similar institutions.

12. Reporting Crime

- (1) A balance must be struck between a suspect's right to a fair trial and the public's right to be informed, bearing in mind that suspects are innocent until proven guilty.
- (2) The Press must be judicious in naming criminal suspects and photographing them before the formal filing of charges.
- (3) Journalists must be careful about interviewing suspects and accused persons since some of them may incriminate themselves.
- (4) Suspects and accused persons should be identified as such until they have been convicted of the crime.
- (5) The Press must avoid identifying relatives or friends of persons suspected, accused and convicted of crime without their consent.

- (6) Particular regard should be paid to the potentially vulnerable position of children who are witnesses to, or victims of crime.

13. Reporting Violence

- (1) Violence must not be exploited in press publications. As much as possible coverage and reportage of violence should be warranted and should not be undertaken for shock effect or for trivial reasons.
- (2) In cases where there is civil disorder or civil violence, every precaution must be taken to ensure that the presence of journalists on the scene of the event and publications on the event(s) do not provoke or inflame the situation.
- (3) Journalists are advised to:
 - (a) Assume low profile if their presence is evidently inspiring a potentially dangerous situation;
 - (b) Be wary of persons and groups who are clearly performing for the press; and
 - (c) Avoid making suggestions or requests

to participants, which would lead to any form of staging.

- (4) Journalists shall exercise due diligence when reporting tribal or ethnic related violence.

14. Reporting Disasters

News, views or comments relating to disasters, communal or religious disputes/clashes should be published after proper verification of facts, and should be presented with due caution and restraint in a manner which is conducive to the creation of an atmosphere congenial to communal harmony, amity and peace.

15. Discrimination

- (1) The Press must avoid prejudicial or pejorative reference to a person's race, ethnicity, colour, religion, gender or to any physical or mental illness or disability.
- (2) The Press must not originate material which encourages discrimination on the grounds of race, ethnicity, colour, religion, gender, illness or physical disability.

16. Photographs

- (1) Photographs must be used tastefully so as not to offend public sensibilities. The Press must be circumspect in using graphic pictures of tragedies so as not to contribute to the pain of victims and the bereaved.
- (2) The Press must not distort the content of news photographs. Image enhancement for technical clarity is permissible but not manipulations that can mislead readers.

17. Language

Journalists must avoid using obscene, hateful and vulgar language. Journalists must avoid expletives and swear words.

18. Financial Journalism

- (1) Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information on to others.
- (2) Journalists must not write about the performance of securities in which they and/or

their close family members have an interest.

19. Copyright / Plagiarism

- (1) Journalists must not appropriate the work of others as their own.
- (2) Where the work of others is used, it must be identified as such and appropriately credited or by-lined.

20. Conflict of Interest

- (1) Journalists must avoid conflict of interest, real or perceived, especially in financial and political issues.
- (2) Journalists must disclose all instances of conflict of interest.

Chapter III

Miscellaneous Provisions

21. Miscellaneous

- (1) Journalists must support the open exchange of views, even if they disagree with them.
- (2) Journalists must avoid suppression of

information unless it borders on national security or it is in the public interest.

- (3) Public interest is difficult to define but it is generally taken to include any matter of social and legitimate public concern:
 - (a) Detecting or exposing crime or a serious misdemeanour;
 - (b) Protecting public health and safety; and
 - (c) Preventing the public from being misled by some statement or action of an individual or organisation.
- (4) Journalists must abide by the same high moral and professional standards to which they hold others.
- (5) Journalists must give voice to the voiceless, noting that official and unofficial sources of information can be equally valid.

22. Amendment

The Authority, in consultation with the Minister, may amend these Regulations when it is required.

Issued by the Media Authority this day ^{the} 22nd in the month of November in the year 2018.



Hon. Atong Majok Kur
Chairperson,
Board of Directors
Media Authority
Republic of South Sudan
Juba

In accordance with the provisions of Section 18(1) read together with Section 67 of Media Authority Act, 2013; I, Michael Makuei Lueth, Minister of Information, Communication Technology and Postal services; do hereby grant approval and authorize the Media Authority to issue these Regulations.



Hon. Micheal Makuai Lueth
Minister,
Ministry of Information, Communication
Technology and Postal Services
Transitional Government of National Unity
Republic of South Sudan
Juba