<table>
<thead>
<tr>
<th>Title</th>
<th>Proposal for a country monograph on mass media laws and industry codes.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author(s)</td>
<td></td>
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<tr>
<td>Citation</td>
<td>Proposal for a country monograph on mass media laws and industry codes. (1986). In AMIC Seminar on Media Laws and Regulations in Asia : Singapore, Jan 7-8, 1986. Singapore: Asian Media Information &amp; Communication Centre.</td>
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Proposal For A Country Monograph
On Mass Media Laws And Industry Codes
A PROPOSAL FOR A COUNTRY MONOGRAPH
ON MASS MEDIA LAWS AND INDUSTRY CODES

The Need

In many Asian countries, mass media practitioners would benefit greatly from a comprehensive but handy guide to mass media laws and industry codes of their respective countries. Communication policy makers, planners, scholars and students, on the other hand, would find a compilation and comparative study of mass media laws in Asian countries of much value in research, planning and training activities.

Similarly, businessmen and lawyers, who may periodically require information on mass media laws in the conduct of advertising, marketing and legal activities would find a handy guide to mass media laws extremely useful.

Since existing compilation of mass media laws, where available, are often voluminous and written in the language of legal experts, there is a great need to produce a series of country monographs addressed to meet the requirements of mass media practitioners, communication policy-makers, planners, scholars, students and businessmen. Such a monograph should be written in easily understandable language and contain an index to mass media laws, preferably in both graphic and traditional form.

The Concept

We envision the production of 14 country monographs on mass media laws and a book which would make a comparative analysis of mass media laws.

Countries to be involved:

1. South Korea
2. Japan
3. Hong Kong
4. Philippines
5. Brunei
6. Indonesia
7. Malaysia
8. Singapore
9. Thailand
10. Sri Lanka
11. Nepal
12. Bangladesh
13. Pakistan
14. India
The country monographs would be aimed primarily at local mass media practitioners, communication policy-makers, planners, scholars, students, businessmen and lawyers.

The comparative study on the other hand would address the needs of communication and legal scholars and students (as well as planners) who are interested in doing research on a regional perspective.

Each monograph will consist of three parts.

Part 1 will be handy guide to mass media laws. It will present in graphic form laws and codes that apply to specific aspects of media operations. In a tentative form, such a guide may be presented as follows:
# Film

<table>
<thead>
<tr>
<th>Constitutional Provisions</th>
<th>Organizing a Film Company</th>
<th>Limitations on Content</th>
<th>Special Provisions: Coverage of Culture and Tradition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Location</td>
<td>Location</td>
<td>Location</td>
</tr>
</tbody>
</table>

1. Security of the state:
   a. Sedition
   b. Secrecy Acts
2. Libel
3. Obscenity
4. Copyright
5. Public Morals

Consideration regarding Culture and Tradition
### Broadcast Media (Radio & TV)

#### Constitutional Provisions

<table>
<thead>
<tr>
<th>Provisions</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Organizing a Broadcasting Facility

<table>
<thead>
<tr>
<th>Provisions on:</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Business licenses/permits</td>
<td></td>
</tr>
<tr>
<td>2. Operating licenses/permits</td>
<td></td>
</tr>
<tr>
<td>3. Registration of transmitting facilities</td>
<td></td>
</tr>
<tr>
<td>4. Physical location requirements</td>
<td></td>
</tr>
<tr>
<td>5. Ownership laws</td>
<td></td>
</tr>
<tr>
<td>6. Employment laws (See print media diagram for details)</td>
<td></td>
</tr>
</tbody>
</table>

#### General Limitations on Messages/Content

<table>
<thead>
<tr>
<th>Provisions</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Security of the state</td>
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</tr>
<tr>
<td>a. Sedition</td>
<td></td>
</tr>
<tr>
<td>b. Secrecy Acts</td>
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</tr>
<tr>
<td>2. Libel</td>
<td></td>
</tr>
<tr>
<td>3. Obscenity</td>
<td></td>
</tr>
<tr>
<td>4. Public Morals</td>
<td></td>
</tr>
<tr>
<td>5. Copyright</td>
<td></td>
</tr>
</tbody>
</table>

#### Specific Provisions

- Coverage on Cultural Minority Groups
  - Provisions | Location |
  - Considerations Regarding Culture and Traditions
    - Provisions | Location |
An alternative or supplementary presentation in visual form would be to categorise the laws according to the following dimensions:

1. Access to information sources.
2. Freedom from prior restraint.
3. Freedom from subsequent punishment.

Part 2 will be a commentary on mass media laws and industry codes. The commentary will discuss:

1. Historical perspective of mass media laws.
2. Socio/political/economic context of the legal process.
3. How laws are made, evaluated and revised.
5. Salient aspects of the law and industry codes.
6. Deviation between laws and codes as written and actual practice (must be written in careful language given sensitive nature of the topics).
7. Trends and prospects.

Part 3 will be a compilation of all mass media laws and industry codes.

Thus, a country monograph can be visualised as:

```
Country monograph
1
   Handy Guide
2
   Commentary
3
   Compilation
```
The volume on comparative studies, on the other hand, will consist of two parts.

Part 1 will be a comparative analysis of similarities and differences in mass media laws and industry codes in the Asian region. Inevitably, differences in social/political/economic contexts would also be discussed.

Part 2 will be a catalog of similarities and differences in mass media presented in matrix form such as:

<table>
<thead>
<tr>
<th>Countries</th>
<th>Laws on Access to Information Sources</th>
<th>Freedom from Prior Restraint</th>
<th>Freedom from Subsequent Punishment</th>
<th>Freedom of Circulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. S. Korea</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Japan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Philippines</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The series can be visualised as follows:

- Series
  - Country 1 monograph
    - 1 2 3
  - Country 14
    - 1 2 3
  - Comparative Study
    - 1 Commentary
    - 2 Catalog in Matrix form
What Needs to be Done:

A work schedule can be presented with the following assumptions:

1. A project coordinator will be appointed (based in AMIC Singapore) and will be responsible for all editing and printing supervision work.

2. A country coordinator will be responsible for the data collection and commentary preparation. He/she will also be responsible for selecting at least two legal consultants to serve as readers of the manuscripts.

<table>
<thead>
<tr>
<th>Work Schedule - Country Monograph</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organizational work</td>
</tr>
<tr>
<td>Hiring of Research Assistants and Legal Consultants</td>
</tr>
<tr>
<td>1 Month</td>
</tr>
<tr>
<td>Commentary Preparation and Consultation with Legal Experts</td>
</tr>
<tr>
<td>2 Months</td>
</tr>
</tbody>
</table>

Total: 9 Months
Work Schedule for Comparative Study:

Data Analysis and Preparation of Draft Manuscript (Commentary and Comparison in Matrix form)  
4 Months

Consultative Workshops to Evaluate and Revise Manuscript  
1 Month (including Preparation)

Final Editing and Preparation for Printing  
1 Month

Printing  
1 Month
Cost:

It is suggested that partner financing be the norm in the production of the country monographs. AMIC can help finance the printing costs but it would preferable if the compilation and personnel costs are shouldered by locally-based institutions.

Production of the volume on comparative study would be financed solely by AMIC.

Some of the cost items that may be considered are:

1. Personnel  
   a. Country Coordinator  
   b. Research assistants  
   c. Legal Consultants (at least two)  
   d. Secretarial help  

2. Data collection costs (Duplication and purchase of books)  

3. Editing costs  

4. Production and printing costs.
1. PURPOSE:
   a. To provide a bird's-eye-view about laws and regulations.
   b. To crystallize problems and solutions on this matter.
   c. To analyse laws and regulations in more deeper and serious manner, instead of scratching the surface.
   d. To cover as many Asian countries as possible. The countries could be divided as below:
      ASEAN: (Singapore, the Philippines, Malaysia, Thailand, Indonesia etc)
      FAR EASTERN: (China, Hongkong, Japan, Korea, Taiwan)
      PACIFIC: (Australia, Fiji, New Zealand, etc)
      SAARC: (Bangladesh, Bhutan, India, Nepal, Pakistan, Sri Lanka, etc).

2. ORGANIZATION OF THE RESEARCH:
   1. Historical Approach:
      a. Background in terms of politics-economic, socio-cultural and religious-ethnic aspect.
      b. Process and motivation of making laws.
   2. Comparative Approach:
      a. Constitution
      b. Common Laws
      c. The Judiciary and Legislative Branch in dealing with the media.
      d. Special Laws.
   3. Self-Regulatory Bodies
      a. Formation
      b. Function
      c. Code of Ethics
   4. Landmark Case Study
Publication of Proceedings

General concept: A commentary and compilation of Mass Media Laws and codes in 14 Asian countries.

Target Audience:
1. Practitioners
2. Scholars
3. Students
4. Government personnel
5. Businessmen
6. Lawyers

Objectives:
1. To provide mass media practitioners, government personnel and others a handy guide for day-to-day operations.
2. To provide communication and scholars and students basic information on media laws for comparative studies.
3. To provide target audience with a basic reference.

Approach:
Stage 1. Produce 14 Country Monographs
- Aimed at the local market of each country.
- Each country monograph will consist of 3 parts:
  Part 1:
  This will be handy guide to Mass Media Laws. It will present in visual form laws and codes that apply in the different stages of media operation, such as: Guide to Print Media Laws.
Setting up of a Publication Office

A. Laws and codes that apply e.g.
   Business licenses
   Operating licenses
   Registration of printing facilities, etc.
   (See Section p. Part 3.
    for compilation of relevant laws.

B. Laws on ownership.

Gathering of Stories

Laws on
a) Libel
b) Obscenity
c) Sedition
d) etc

Organising The Publication Office

A. Laws pertaining to:
   a) Wage
   b) Hours of work
   c) Employment hazard protection
   d) etc.

Report on Court Proceedings & Trials

Security of the State

Privacy and Privilege of Communication

Note: Similar charts will be produced for Broadcasting, Films and Advertising.
Alternative:
An alternative or supplementary presentation in visual form would be to categorise the laws according to the following dimensions:

1. Access to information sources.
2. Freedom from prior restraint.
3. Freedom from subsequent punishment.

Second part would be a commentary on mass media laws that would highlight:

a. Constitutional provisions.
b. Salient aspects of the law.
c. a discussion on how administrative or business oriented laws affect media operations, e.g., anti trust monopoly laws, laws on gifts and presentations, accounting laws.
d. a description of the gap between actual practice and the law as in written presented in a carefully worded manner.

Thus, a country monograph can be visualised as:

![Country monograph diagram]

- contd. -
The series can be visualised as follows:

Series

Country 1
monograph
1 2 3

Country 2
monograph
1 2 3

Country 14
1 2 3

Comparative Study

1 Commentary
2 Matrix
Third part would be a compilation of all mass media laws and codes.

Stage 2:
Produce a volume on a comparative study of mass media laws in the 14 countries. The volume will have two parts.

First part will be a commentary on similarity and differences of mass media laws in the 14 countries.

The second part will be a graphic presentation of the similarity and differences, possibly in matrix form such as:

<table>
<thead>
<tr>
<th>Laws on Access to Information Sources</th>
<th>Freedom from Prior Restraint</th>
<th>Freedom from Subsequent Punishment</th>
<th>Freedom of Circulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. South Korea</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Japan</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>3. Philippines</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>4. Etc.</td>
<td></td>
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</tbody>
</table>
Regional project submitted to IPDC

Title: CREATION OF AN 'ASIAN COMMUNICATION INFORMATION SERVICE' (ACIS)

Number: PDC/7 RAS/003

Duration: Three years

Funds requested from IPDC:
1986: US $115,000
1987: US $ 23,000
1988: US $ 12,000

Background and justification

Many developing nations fear that lack of action now will leave them desperately behind in the development of modern communication technology; laggards in what is generally referred to as the information age. Large amounts of scarce financial resources are therefore being committed in an investment for development which they hope will bring positive returns. Malaysia, the Philippines and Singapore alone are committing over US $3 billion in the coming years to the development of their telecommunications infrastructure (PTC 85). The Department of Science and Technology in India is spending US $370 million on communications and information related projects from 1983 to 1985 (PTC 85). And many a member organization of the Asia-Pacific Broadcasting Union has more than doubled its use of Intelsat in the period of 1980-1983 (ABU Tokyo 84).

These factors indicate the high velocity of developments in the field of communication in countries of Asia. In order to maximize their social as well as economic benefit, these developments need to be carefully monitored, trends and tendencies observed, so that decisions can be made on a base of information which is as wide and solid as possible. There is presently no similar communication information service available in the region. Neither of the two major regional information carriers, the Far East Economic Review and Asia Week, provides an index service for their annual editions. So, relevant information sought from these publications has to be laboriously looked for in each issue. The Press Foundation of Asia provides a newscellings service which, however, does not focus on the communication topic.

The proposed scheme would benefit those having to make decisions in the field of communication, those formulating policies, academics, communication professionals, purchasers and vendors of equipment as well as of programme content and, last but not least, the wide range of people of Asia in their roles as recipients or participants in the process of communication, by providing them with a more appropriate and effective communication infrastructure.

Objective

To create an up-to-date communication data base and to regularly publish an overview of developments in the field of communication in the countries of Asia.

Project costs

For the realization of this project, AMIC is seeking partnership funding to the level of US $150,000 over a period of three years. The total project cost will amount to US $330,000, giving a funding breakdown of 55 per cent AMIC and partnership
funding of 45 per cent. Annual wage increases of approximately 4 per cent as well as moderate increases in the costs for acquisition and dissemination of the information are included.

Project outline

AMIC proposes to index, catalogue and store communication relevant material to be found in 30 periodicals pertaining to the subject, as well as the major English dailies of the region. The information gathered will be stored and catalogued according to the guidelines of the communication thesaurus prepared by Unesco, assuring compatibility with other documentation services within the COMNET system. A Hewlett Packard 3000 series computer system will be used for this purpose. This system is admirably suited for the ISIS/MINISIS software programme which has been specially developed for documentation purposes by the International Development Research Centre of Canada and is being adapted for the more extensive use by members of the COMNET system. The information gathered and processed would be made available to subscribers, initially on a monthly basis. The configuration of the MINISIS programme, however, makes it possible to compile material on specific questions and topics. This enhances the utility of the proposed system. On the basis of these two income generating factors, and because of the lack of any existing service, within or outside Asia, the long-term financial viability of the proposed project is assured.

Cost structure

To handle the anticipated volume of information, it is estimated that a team of two documentation specialists, one system specialist and four secretarial staff, will be required. Purchase of the original information in the form of journals and newspapers, production and processing and transmission of the assembled information will be among the other costs. The personnel costs would be met from income generated, the shortfall being borne by AMIC, also the costs for processing and disseminating the collected information. This would initially be largely done by a news service but a shift to electronic transmission is planned during the course of the project. The partner's contribution is sought largely for the acquisition of the necessary hardware, with a degressive contribution to the personnel and running costs of the project.

Project viability

Relevant, up-to-date information about communication in Asia is a marketable product. An acceptable price and a well-defined strategy should ensure the generation of progressively higher revenue. It should be possible to cover the recurring costs, manpower, material and maintenance, with the income generated by the end of the three-year period.

The annual operating cost is estimated to be US $90,000. An annual fee of US $500 would require the enrolment of only 180 subscribers. To expedite income generation, it is proposed to offer a reduced annual fee of US $350 to AMIC's institutional members, currently numbering seventy. These are organizations with a demonstrated predisposition to purchase information about communication in Asia. Assuming 85 per cent subscription by existing institutional members, nearly one-quarter of the income target would be met. We would then have to enrol only 140 full-fee subscribers.

Further subscribers would be found among the nearly 70 members of the Asia-Pacific Broadcasting Union and the nearly 140 communication institutions in countries of Asia. To these can be added administrative and policy formulating bodies in all the countries of the region, as well as academic institutions and,
lastly, commercial interests both in Asia and beyond. The Singapore Advertisers Association, for instance, has 228 members.

**AMIC's suitability as the project sponsor**

AMIC is a regional body which was founded in 1971 in order to provide services in the development of a communication infrastructure in countries of Asia. Its three main fields of activity are:

(a) development communication;
(b) communication standards and practices;
(c) new communication technologies.

These areas are serviced by four interactively working departments of documentation, publication, teaching and training and research. AMIC has one of the largest documentation centres relating to mass communication in the region, presently containing over 10,000 books and documents on the subject. The organization publishes a bimonthly newsletter on the topic of communication in Asia (AMCB), as well as the quarterly journal, Media Asia, a publication which is frequently quoted as one of the major sources of mass communication information about countries of the region. In addition, anything up to 15 monographs, occasional papers, bibliographies, etc., are published during the year. The documentation department provides an index service on the topic of mass communication which is made available to institutions of the region. This long experience and wide background in the field of gathering and disseminating communication relevant information in the countries of Asia provides AMIC with the appropriate infrastructure and basis for the proposed project.

More than 2,000 people have drawn professional benefit from their participation in AMIC workshops, seminars and conferences since the inception of the institute. AMIC is also frequently involved in the execution of research programmes in the region. Presently, work is being conducted on studies for Unesco as well as for the Asia-Pacific Broadcasting Union.

Its recognized standing as an institution and its commitment to look upon communication as a tool for the improvement of the social and living conditions of the people of the region, provide the necessary mandate, experience and financial as well as administrative capacity, to make the proposed venture a success.

**Budget (in US $)**

**Three-year budget**

<table>
<thead>
<tr>
<th>Year 1</th>
<th>AMIC</th>
<th>Partner</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
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</tr>
<tr>
<td>Personnel costs:</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>2 specialists documentation</td>
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<td>17,000</td>
<td>34,000</td>
</tr>
<tr>
<td>1 system specialist</td>
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<td>14,000</td>
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<tr>
<td>4 secretarial staff</td>
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<td><strong>31,000</strong></td>
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<tr>
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<td></td>
</tr>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Acquisition of information (papers, journals, etc.)</td>
<td>1,000</td>
<td>2,000</td>
<td>3,000</td>
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<tr>
<td>Processing, production and dissemination of information (printing, postage, telex)</td>
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<td>5,000</td>
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Year 2

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Year 3

<table>
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TOTAL

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<tr>
<td>195,000</td>
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<td>345,000</td>
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</table>

Comments by the Secretariat

This is a forward-looking project proposal which has implications for COMNET as well as the proposed periodic report on the state of communication in the world. AMIC is the foremost documentation centre in the Asia-Pacific region. Its library and mailing services have been extensively used by professionals.

However, many studies of computerization in the developing world (vide: Unesco Report of the Interim Intergovernmental Council for the Intergovernmental Informatics Programme (13-16 November 1984) have drawn attention to the lack of facilities, manpower and training at the 'user' end. Perhaps more attention should be paid to this aspect in this project. It is doubtful whether the majority of institutional members of AMIC in the region would be able to subscribe to this service.

The Secretariat suggests that this project be approved in principle and studied at greater length. Some funds from the preparatory assistance allocation could be used for such a study.

Attention is also drawn to the AMIC financial contribution to the project. The Secretariat may be authorized to negotiate with potential donors to this project outside the Special Account of IPDC.