

PEMRA Cable Television (Operations) Regulations, 2002.

Pakistan Electronic Media Regulatory Authority

(PEMRA)

The Pakistan Electronic Media Regulatory Authority (PEMRA) is pleased to make the 'Standards for the Cable Television' Regulations 2003 under Rule 30 of the PEMRA Rules 2002.

PART 1

1. Short Title Commencement and Jurisdiction:

(1) These Regulations may be called PEMRA 'Standards for Cable Television' Regulations 2003.

(2) They shall extend to the whole Pakistan.

(3) They shall come into force at once.

2. Definitions:

(1) Unless the context otherwise requires word and phrases used but not defined in these Regulations shall have the meaning respectively assigned to them in the PEMRA Ordinance 2002, and Rules and Regulations made thereunder:

(2) "Cable Television Operator" means a cable television licensee who provides service through a cable television system or otherwise controls or is responsible for the management and operation of a cable television system.

(3) "Channel" means a portion of electro-magnetic frequency band which is used in a cable system and which is capable of delivering at a minimum a standard broadcast television service whether in an analogue or digital format.

(4) "Defined area" means the area specified in the licence issued to the Cable Operator.

(5) "Distribution cable" means the wired medium used by Cable Television Operators to distribute television signals to the subscribers.

(6) "Eligible channels" means the television channels allowed for transmission/distribution by the Authority.

(7) "Force Majeure" means an event that is not reasonable foreseeable by the Cable Television Operator and is beyond the reasonable control of the Cable Operator.

(8) "Main distribution system" means the distribution cable connecting the head-end and the subscriber's tap.

(9) "Prescribed monthly cable television charges" means the charges as prescribed by the Authority in schedule of charges annexed to the PEMRA Rules 2002.

(10) "Subscriber drop" means the distribution cable from the subscriber tap to the subscriber television set.

(11) "Subscriber tap" means the point in the main distribution system from where the subscriber drop is fed.

PART 2

Technical Standards

1. Distribution Cable Specification

(1) A Cable Television Operator shall adopt the following distribution cable specifications for the main distribution system:

Number of subscribers terminal connected to the distribution cable

Grade of distribution cable

Upto and including 5000

RG-11 / ½ inch TFC

Above 5000

½ inch TFC / Fibre Optics

(2) A Cable Television Operator shall ensure that the subscriber drop is clamped properly to walls, poles, as the case may be etc. and shall not cause nuisance to the subscriber, public and environment.

(3) A Cable Television Operator shall adopt the following distribution cable specification for the subscriber drop:

Number of subscribers on the drop

Length of the subscriber's drop without using an amplifier in the drop*

Grade of distribution cable

1

Upto 30 meters

RG-6

2 to 4

Upto 30 meters

RG-7

1 to 4

30 to 100 meters

RG-11

5 and more

Upto 100 meters

RG-11

* In all other conditions an amplifier shall be used in the subscriber's drop.

4. Frequency Band

(1) A Cable Television Operator shall use PAL B/G television system on its cable system. The following frequency bands shall be used:

Standard Band

Standard Channel Identification

Frequency (MHz.)**

VHF (Low)

E2-E4

48 – 68

VHF (Low)

X, Y, Z

69 – 88

VHF (Mid)

S1-S10

108 – 174

VHF (High)

Upto 100 meters

175 – 230

VHF (Super)

S11-S20

231 – 300

VHF (Hyper)

S21-S41

303 – 469

VHF (Ultra High)

E21-E69

471 – 861

** The audio centre frequency of the audio carrier must be 4.5 to 5.5 MHz. above the frequency of the visual carrier at the output of the modulating or processing equipment of a cable system and at the subscriber end of the subscriber's drop.

5. Quality of Service

(1) A Cable Television Operator shall ensure that the signal leakage from a cable television system shall be within the limits specified below:

Frequencies
(MHz.)

Signal leakage limit
(μ V/meter)

Distance
(meters)

Upto and including 54

15

30

Over 54

20

3

(2) The carrier-to-noise ratio for each television channel received at subscriber's end of the subscriber's drop shall not be less than 45 dB.

6. System/Equipment Layout and Location

(1) A Cable Television Operator shall establish the head-end facilities in an area which is easily accessible to its subscribers and authorised officers, and does cause nuisance to people living in residential areas provided that no objection certificate (NOC) has been obtained from all relevant organisations, where required.

(2) A Cable Television Operator shall ensure that the distribution cable does not become nuisance to the public and does not pose a hazard to people, animals and the environment, besides the security of the medium itself.

(a) In case where the distribution cable has to be buried in ground, the following specifications shall be complied with:

Area

Standard

In case of public areas, where the distribution cable has to be buried under road, footpaths etc.

PVC pipes shall be used which shall be buried at least one foot below the ground level.

In all other areas

The distribution cable shall be passed in trenches with bricks on three sides (two sides and on top) and is filled with sand.

(a) In case where the medium has to be laid overhead, the Cable Television Operator shall ensure that the distribution cable is installed at a sufficient height, out of reach of people and vehicles passing under it and that it is properly clamped to the poles. The clearance of the distribution cable shall at least be as follows:

In case:

Minimum Ground Clearance

Where vehicles, people, animal etc pass under it

14 feet

All other areas

11 feet

Provided that HT electricity poles (on which 11 kV and above live lines are strung) are not used for the purpose of laying the distribution cable.

Provided further that in case of using electricity/telephone/railway poles, disturbance from external sources i.e. electricity, telephone lines etc. does not cause interference in the distribution cable which may result in the inferior quality of service to the subscribers and that all the requirements laid down in Section 6(2)(b) are fulfilled. The following clearance between the lines and the distribution cable shall be maintained.

In case:

Minimum clearance between the distribution cable and the lines

Where the distribution cable has to be strung on LT live lines poles(400/220 V)

3 feet

Where the distribution cable has to be strung on communication lines.

2 feet

(3) A Cable Television Operator shall ensure that its cable system does not cause interference or harm to the equipment of subscribers and other systems that may be connected to its system.

(4) In case of an expansion/construction of the cable system, the Cable Television Operator shall ensure that the work is undertaken only after obtaining proper permission/ NOC from the relevant agencies/offices in case of digging roads and using other utilities poles etc.

7. Scalability of Cable System

(1) A Cable Television Operator shall install a system which is scalable and can cater for the future load growth of the subscribers, television channels and the technology.

8. Safety

(1) A Cable Television Operator shall take all necessary steps to ensure the safety of its equipment, personnel/staff, own building including surrounding buildings and environment. The safety measure shall include the following, but are not limited to:

(a) Provision of fire-fighting equipment i.e. fire-extinguisher etc.

(b) Use of standard quality cables for electricity and cable system.

(2) A Cable Television Operator shall ensure that line isolators are installed at both ends of the main distribution system, to prevent stray electrical charges from getting on to the cable system and causing danger to the subscriber's equipment and people.

PART 3

Performance Standards

9. Distribution of Television Channels

(1) A Cable Television Operator shall ensure that only eligible channels are distributed through its cable system to the subscribers after proper authorisation from the originators/producers or its representative duly licensed by the Authority and that no proscribed channels are added to its cable system for distribution at any time.

(2) A Cable Television Operator shall made provisions in its head-end facilities for carrying out real-time editing for obscenity, language, violence etc. according to the 'Code of Conduct' of the Pakistan Censor Board.

(3) A Cable Television Operator shall distribute television channels in such a sequence that the first three frequency slots (48-68 MHz. i.e E2-E4) are allocated to the national broadcaster (PTV, PTV-1, PTV-World).

10. Service Reliability

(1) A Cable Television Operator shall take all necessary steps to avoid interruption of cable service to its subscribers. These steps include, but are not limited to:

(a) provision of alternate power supply [which may include generators, uninterruptible power supply (UPS), dual power source etc.], 24 hours a day, to its head-end facilities, to cater for main power failure.

(b) Presence of a trained personnel, 24 hours a days, in case of any mechanical fault in the head-end facilities.

(2) In case of unplanned interruption, a Cable Television Operator shall ensure that the interruption duration, in cable service to a subscriber, does not exceed 18 hours in a year. In case of interruption in the main distribution cable due to vandalism by extraneous agencies, repair shall be carried out promptly.

(3) In case of planned interruption, i.e. system maintenance/upgradation etc., the interruption duration in cable service shall not exceed 24 hours in a year to a subscriber. Provided that a notice is served to all affected subscribers at least 24 hours in advance of such interruption.

(4) In case of violation of the Sub-section (2) and (3) of Section 10, by a Cable Operator, the authorised officer may grant a relief in the form of a reduction/exemption in the monthly subscription fee of the affected subscriber(s) for the month(s) in which such violation has taken place.

(5) A Cable Television Operator shall ensure that the cable service is not interrupted to its subscribers other than the conditions specified below:

(a) Conditions mentioned in Sub-section (2) and (3) of Section 10; and

(b) The subscriber defaults.

11. Maintenance of Record

(1) A Cable Television Operator shall maintain a record which shall be available for inspection by the Authority or its authorised officer and shall contain the following information:

(a) Name and address of the subscriber.

(b) Date of connection.

(c) Connection fee.

(d) Monthly subscription fee.

(e) No of subscribers including commercial subscribers and their connections.

(f) Record of television programmes distributed in the last 30 days/one month.

12. New Connection

(1) A Cable Television Operator shall ensure that a cable service is provided, within its defined area, to an applicant within 48 hours after completion of the following formalities by the applicant:

(a) depositing the installation fee not exceeding the maximum limit set by the Authority.

(b) prescribed monthly cable television charges for one month;

(c) completion of all necessary documentation including agreement forms, registration form etc as approved by the Authority; and

(d) In case of a previous default, all outstanding amount has been paid to the Cable Operator.

Provided that the applicant falls within 30 meters of the existing cable system of the Cable Television Operator. In case, the applicant falls outside the 30 meters limits, the connection may be provided at a mutually terms and conditions.

13. Monthly Billing Procedure

(1) A Cable Operator shall ensure that the prescribed monthly cable television charges are delivered to the subscribers within the first week of the following month.

(2) In case of a variation in the prescribed monthly cable television charges, a Cable Operator shall serve a notice to all affected subscribers at least one month in advance of such occurrence.

(3) A Cable Operator shall ensure that the process of collection of the prescribed monthly cable television charges is convenient for the subscribers.

(4) A Cable Operator shall issue a proper receipt to the subscriber after payment of the prescribed fee which shall contain the following information:

(a) Name and address of the subscriber.

(b) The month for which the fee is paid.

(c) Telephone number, where available, and address of the Cable Operator.

(5) In case a subscriber defaults for two consecutive months, the Cable Operator may discontinue its cable service after serving a seven days notice on the subscriber. No service shall be discontinued without serving the 'Termination of Service' notice. The termination notice shall contain the following:

(a) Reasons for the expected termination of the cable service;

(b) Amount outstanding against the subscriber;

(c) Last date for payment of the outstanding dues;

(d) Reconnection charges, only if allowed by the Authority; and

(e) A telephone number for further information or comments.

(6) For the purpose of collection of prescribed monthly cable television charges, a Cable Operator shall ensure that its representative(s) carry proper identification documents along with his photograph.

14. Procedure for change in Television Channels

(1) In case of any change within the eligible television channels, a Cable Operator must serve a notice, in writing, at least 48 hours in advance of such occurrence to all affected subscriber.

PART 4

Complaints Handling Procedure

15. Customer Service Centre and Complaint Handling Procedure

(1) A Cable Television Operator shall have a customer service desk operating 24 hours a day, and with adequate and trained staff, within its defined area of service which is easily accessible to all its subscribers.

(2) A Cable Television Operator shall be required to entertain complaints by persons appearing personally or lodging the complaints telephonically or electronically where facilities are available.

(3) A Cable Television Operator shall maintain record containing all complaints filed by the subscribers. The record shall include following detail of the complaint:

(a) Name and address of the complainant.

(b) Date and time of filing of the complaint.

(c) Type of complaint (Quality of service, programme contents, service interruption, billing etc.).

(d) Redressal date and time of the complaint.

(4) A Cable Operator shall ensure that all subscriber complaints are registered properly and the complainant is informed of the reference number allotted to such complaints.

(5) A Cable Operator shall ensure that the complaints are resolved/redressed within 48 hours or two working days in normal circumstances (circumstances other than force majeure).

(6) For the purpose of maintenance/repair, a Cable Operator shall ensure that its representative(s) carry proper identification documents along with a photograph.

(7) A Cable Operator shall submit to the Authority, as and when required to do so, information regarding the complaints received and redressed on a prescribed format.

PART 5

Miscellaneous

16. Fine for Violation

(1) A Cable Operator shall ensure that these Standards are followed in letter and spirit. However, in case of a violation of these Standards by a Cable Operator, the Authority or its authorised officer may impose a fine which may extend to Rs. 10,000/- (ten thousands) for each violation. In case of continuous violation of these Standards, the Authority or its authorised officer may initiate, either suo moto or on the complaint of the subscriber, proceeding against the Cable Operator under Section 33 of the PEMRA Ordinance 2002.

17. Relaxation of the Standards

(1) On a written request by a Cable Operator, any or all of the above Standards may be relaxed by the Authority or its authorised officer as deemed appropriate in case of a force majeure. In case a dispute arises whether the condition is a force majeure or otherwise, the decision of the Authority shall be final. The written request for relaxing any or all of these Standards must be filed within two working days of the occurring of such an event.

18. Dispute Resolution

(1) A dispute arising out of these Standards, between Cable Operators or between a Cable Operator and subscriber(s) shall be referred to either the respective Council of Complaints Office or the Authority or its authorised officer, as the case may be. A show cause notice shall normally be served on the party against whom such a complaint has been made. A decision shall only be taken after hearing both the parties in person or through their authorised representative as the case may be.

19. Right to Appeal

(1) A written appeal can be filed within 14 days of the final decision taken under Section 10(4), 16, 17 and 18, to the full Authority. The appeal shall contain the following information:

(a) Name, address and copy of NIC, of the person filing appeal;

(b) Reasons for disagreeing with the decision;

(c) Any new information available;

(d) Any information not considered in the previous decision; and

(e) Relief sought.

Provided that all information filed/submitted, alongwith the appeal, shall be given under oath on a non-judicial stamp paper of not less than Rs. 50/-.

20. Revision/amendment/modification of the Standards

(1) The Authority may revise, amend and/or modify these Standards on an annual basis or at an early date as deemed appropriate.