

(2) The Nigerian Institute of Journalism (NIJ) shall establish and organize a one-year refresher programme for the training of graduates of journalism.

(3) The Nigeria Union of Journalists shall establish a Journalists Registration Board with shall inter alia issue certificate of practice to every registered journalist in Nigeria.

PART III- APPOINTMENT AS EDITOR

Qualification for Appointment As Editor

4. A person shall be qualified for appointment as Editor in a newspaper or media establishment if –

- (a) he is a registered member of the Nigerian Union of Journalist; and
- (b) he has for a period of not less than ten years worked as a journalist in a reputable media establishment, or electronic or news medium or a News Agency .

Appointment of Editor Without Appropriate Qualification

5. Any media establishment that appoints any journalist without the appropriate qualifications as editor shall be guilty of an offence of unprofessional conduct, and the matter shall be referred by the Nigerian Union of Journalists to the Nigerian Press Council for appropriate action.

PART IV – CONDITIONS OF SERVICE

Salaries and Allowances of Journalist

6. In order to ensure the independence, objectivity, impartiality and transparency of journalists, they shall be placed on salaries, allowances, pensions and general conditions of service at least not less than 20 percent above those paid to staff in Federal and State Government parastatals and private companies as the case may be.

Parity of Salaries and Allowances With those of Public Officers, etc

7. The media establishment that cover at least two-thirds of the country, shall pay their workers not less than 20 percent above the rates of salary, pensions, allowance, etc. Which obtain at the Federal level, while the media establishments that operate at the State or local Government level, shall pay their workers not less than 20 percent above the rates, pensions and allowances, etc. which operate at the State level. Allowances may however differ to accommodate peculiar needs.

Conditions of Service of Journalists

8. The Conditions of Service of Journalist including salaries, allowances, leave, general and retirement benefits, etc shall be negotiated collectively and as necessary between the Nigeria Union of Journalists (NUJ), the Newspaper Proprietors Association of Nigeria (NPAN), and the Broadcasting Organisation of Nigeria (BON)

Insurance Cover for Journalists

9. Every registered journalist shall be given an insurance certificate taken out on his behalf by the employers with reputable Insurance Company.

Publication of Conditions of Service

10. The agreed Conditions of Service shall be published in the Federal Gazette, and made available to every journalists and media establishment.

Breach of Obligations to apply Conditions of Service.

11. The failure of any media organization to pay the applicable salaries, allowances and conditions of service, constitutes an improper conduct under this Bill and shall be reported by the Nigeria Union of Journalists to the Nigerian Press Council for appropriate action.

PART V - OWNERSHIP OF MEDIA

Ownership of medium for information, ideas and opinions.

Ownership and Operation Of Television and wireless Broadcasting stations.

Right of Government to own and operate TV and wireless broadcasting Station

12. Every Nigeria citizen shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions
13. Every Nigerian citizen or corporate body authorized by the President, Commander-in- Chief of the Armed Force, on the fulfillment of such conditions as had been laid down by the National Assembly, shall have the right to own, establish or operate a television or own, establish or operate a television or wireless broadcasting station for educating, entertaining and informing the citizenry.
14. The right of the Government of the Federation or of a State to own, establish or operate a television or wireless broadcasting station shall be exercised in the interest of the Generality of the peoples of the Federation or of the State, as the case may be.

Duty of Journalists to uphold fundamental rights and objectives and responsibility of Government.

Duty of Journalist be fair, accurate, unbiased, etc.

Accuracy and authenticity of reports and stories.

Deliberate and reckless publication of inaccurate and misleading information.

Respect for Privacy of individuals and Families

When publication of information on Privacy justified.

Journalist not to solicit or accept bribe, etc and punishment for breach

Duty of Journalist to respect unity, harmony, indivisibility of Nigeria

PART VI- REPONSIBILITY OF THE JOURNALISTS AND THE MEDIA

15. All journalists in Nigeria shall at all times uphold -
 - (a) the fundamental objectives and fundamental rights contained in the Constitution of the Federal Republic of Nigeria;
 - (b) the responsibility and accountability of all levels of Government to the people of Nigeria.
16. A journalist shall at all times be fair, accurate, unbiased, and factual in the assessment and presentation of information and reports in the news media.
17. Every journalist has the duty to ascertain the accuracy and authenticity of reports and stories made available to him before publishing them in any form whatsoever. Where such information has been inadvertently published. Appropriate correction shall be made without delay
18. Any journalist or media house, which deliberately or recklessly publishes inaccurate and or misleading information, shall be guilty of professional misconduct, and the matter shall be referred to the commission for investigation and disciplinary action.
19. All Journalists shall respect the privacy of individuals and their families unless the public interest is affected.
20. Publishing Information on the privacy of individuals and their families shall be justified in the public interest only if the purpose of the publication is-
 - (a) to expose anti –social conduct;
 - (b) to expose anti-social conduct;
 - (c) to protect public health, morality and safety; and
 - (d) to protect the public from being misted by some statement or action of the individual concerned.
21. (1) A journalist shall neither solicit nor accept inducement to publish or suppress information or a story.

(2) Any person who contravenes this section commits an offence, and is liable on conviction, to imprisonment for one year, or a fine not exceeding N100, 000 or both

22. Every journalist has the duty to be conscious at all times of the need for the unity, harmony, indivisibility and indissolubility of the Federal Republic of Nigeria as enshrined in the Constitution of the Federation, and to do everything possible to contribute thereto.

Protection of young persons involved in crimes.

23. A journalist shall not identify, either by name or picture, or picture, or interview children under the age of 16 years, who are involved in cases concerning sexual offences, crimes and rituals or witchcraft either as victims, or witnesses or defendants, except for purposes of rehabilitation.

Reports on matters of national security.

24. Journalists shall report matters of national security with discretion and all sense of responsibility.

Punishment for over sensationalisation and glorification of negative events.

25. Any person or publisher that acts in breach of the provisions of sections 26, 27 and 28 of this Bill shall be guilty of professional misconduct, and the matter shall be referred to the Nigerian Press Council by the Nigerian Union of Journalists, or any of its members or any affected person, for appropriate disciplinary action, which may include suspension and or withdrawal of registration of the journalist from the Nigerian Union of Journalists, and the Nigerian Press Council.

Establishment of MPCC.

PART VII – DISCIPLINARY PROCESS

Composition of the Commission.

26. There shall be established in every state of the Federation and the Federal Capital Territory, a Media Practitioners Complaints Commission (MPCC) to handle complaints of professional and or ethical misconduct of journalist in the respective States.

Power of the Commission .

27. The Commission shall composed of 5 members who shall be appointed two each by the National Executive Committee of the Nigeria Union of Journalist and the Guild of Editors and one by the Newspaper Proprietors Association of Nigeria, and the Nigerian Press Council.

28. The Commission shall have the power to: –

(i) inquire and procure all such evidence (written or oral) and examine all such persons as witnesses as it may deem fit.

(ii) summon any such person(s) for the hearing of the complaint to produce any document or other things in relation to the complaint;

(iii) consider and deal with any matter referred to it in the absence of any party who has been duly summoned before it.

(iv) decide on the validity or otherwise of the complaint and on the appropriate punishment to be given to the offender where the complaint is proved to be valid.

Notification of complaint to journalist involved.

PART VIII –PROCEDURE

Time limit for dealing with complaint.

29. Where a complaint has been made against a particular journalist, he shall be notified by the Commission of such a complaint in writing and given at least 21(twenty-one) days notice within which he shall prepare his defence and appear before the Commission.

Disqualification from membership of the Commission.

- 30.** The Commission shall complete its deliberations on any complaint submitted to it within 30 days from the date of its sitting on the case
- 31.** A person who has any relationship with the Complainant or the alleged offender shall not sit in the hearing of the complaint by the commission.

PART IX – PENALTY

Penalty for guilty journalist

32. Where a journalist is found liable by the Commission for professional and or ethical misconduct, it shall have power to reprimand, or suspend him for a period not exceeding twelve (12) months or impose any other appropriate punishment. The decision of the Commission in this regard shall be communicated to the journalist within seven working days.

Right to appeal.

33. The affected journalist shall, however, have the right to appeal to the Nigeria Union of Journalists within fourteen (14) days of the finding of the state commission.

Appeal to the Nigerian Press Council.

34. A further appeal may be made by the complainant from the decision of the Nigeria Union of Journalists to the Nigerian Press Council, whose decision on the matter shall be final.

NUJ to keep record of names of journalists guilty of misconduct.

35. The Nigeria Union of Journalists shall keep a black book in which it shall publish the names of members found guilty of professional misconduct.

Cases when the charges of professional misconduct were not proved.

36. If after the hearing the commission adjudges that the charge of professional misconduct has not been proved, the commission-

(a) shall record its findings that the respondent is not guilty of such conduct in respect of which the complaint relates:

(b) may order any party including the complainant to pay the costs of the proceedings.

Preservation of certain posts for registered and practicing journalists.

PART X –MISCELLANEOUS

37. The offices of the Minister of Information, Chief Press Secretary to the President, Vice – President, President of the Senate, Speaker of the House of Representatives, Ministers, as the case may be, shall be reserved for registered and practicing Journalists.

Reservation of a percentage of appointments in media establishments for journalist.

38. At least twenty –five percent of board appointments in media establishments at all levels shall be reserved for registered and practicing journalist.

Right of registered media to operate in the country.

39. (1) Only registered/ licensed print and electronic media houses shall be allowed to operate in the country.

(2) Any breach of the provisions of this section shall constitute an offence punishable on conviction by a fine of not less than N500, 000 or one-year imprisonment for the owner, and principal officers of the media houses concerned.

Interpretation

PART XI -INTERPRETATION

40. In this bill, unless the context otherwise requires “ Commission” means the Media Practitioners Complaints Commission (MPCC) established by this Bill;

“ Council “ means the Nigerian Press Council;

“ Journalist” means any person (not being less than 18 years of age) engaged in the collection, processing and dissemination of information for use in the Press and who has been so registered by the Nigerian Union of Journalists;

“ Minister” means the minister charged with responsibility for information and “ Ministry” shall be

construed accordingly;

“ Newspaper” includes a magazine, journal and any paper containing public news, intelligence or occurrences or any remarks, observations or comments printed therein either for sale or for in-house purposes and published periodically or in parts of numbers;

“ News Agencies” means Any Agency engaged in the collection and dissemination of news, pictures and features;

“ Press” includes radio, television, wire services, newspaper, magazine and such other channels of communication involved in the collection and dissemination of information.

“ Radio and Television “ includes electronic means of mass communication, which share in the formation of public opinion;

“ Secretary” means the secretary of the Commission appointed under Section 3 of the Schedule of this Act;

“Editor” includes a person who is in –charge of the journalist in mass circulation newspaper, magazine, journal, an electronic news medium or news agency who is responsible for making decisions about the contents;

“ News agent” includes a person who sells newspaper, whether for himself or on behalf of another in a shop, stall, or other structure whether movable or immovable;

“ Owner” printer pr “publisher” or proprietor ‘ means the body corporate which owns prints or publishes a newspaper or broadcasts through radio and television or operates electronic journalism, documented under this Act;

“ Reputable Medium” means an organization that complies with the provision of this Bill and remains in operation consecutively for 5 years; Reports” shall include news, features, analysis, editorial comments, cartoons, other opinions;

“ General Conditions of service” includes salaries, pensions, gratuities, adequate office accommodation, provision of modern communication equipment, prompt payment of transport claims, peculiarity allowance, provision of adequate medical facilities’ etc

“ Recognised Institution” means government approved training institutions of mass communication and journalism and other professional institutions recognized by the NUJ;

Anti-social Conduct” is any act which is not defined as a crime under any written law but which can be perceived as capable of lowering standards of public morality;

“Professional Examination “ as contained in this Bill shall be a prescribed Board of Studies set up by the Nigeria Union of Journalists for that purpose;

“ Public Information” shall be any information, data document relating to the conduct of government business at all levels and business transactions of public companies;

Unhindered Access” as contained in the Bill shall mean full liberty to government and public information;

“ Community Newspaper” shall means a news publication whose circulation is limited to a village, town or city.

41. This Act may be cited as the Journalism Practice Enhancement Bill, 2008.

SCHEDULE
SUPPLEMENTARY PROVISIONS RELATING TO THE
MEDIA PRACTITIONERS COMPLAINTS COMMISSION (MPCC)

Proceeding before the Commission

1. The Commission shall consider and determine complaints submitted to it in accordance with the procedures contained in this Schedule.
2. The quorum of the Commission shall be three, one of whom shall be a member of the Nigeria Union of Journalists.
3. [a] There shall be a Chairman and an Administrative Secretary to the Commission who shall be appointed by the President of the Nigeria Union of Journalists in consultation with the National Executive Committee.
[b] Members of the Commission shall have a three-year tenure terminating after the first year of every new National Executive Committee of the Union.
[c] Any document authorized or required by virtue of this Act to be served on the Commission shall be served on the Administrative Secretary.
4. Parties to proceedings before the Commission shall be: -
[a] the complainant;
[b] the respondent;
[c] any other person required by the Commission to be joined, or joined by leave of the Commission
5. In the case of a dispute, the Commission shall decide who shall be party to the proceedings.
6. Subject to paragraph 11 of this rule, parties to the proceedings may enter an appearance in person, or by their respective legal practitioners acting as counsel.
7. The Commission may require the attendance of the complainant respondent in person if it is necessary in the interest of justice.
8. [a] When a complaint is received by the Commission, the Administrative Secretary shall, after consultation with the Chairman appoint a time and place for hearing; and thereafter the Administrative Secretary shall give notice to all interested parties (including members of the Commission) as directed or required by the Chairman.
[b] The Notice referred to in subparagraph (a) above shall be given within 14 days of the receipt of the Complaint by the Commission.
9. If directions are for any reason not so given, it shall be sufficient compliance with this rule if the notice is –
[a] handed to the party concerned or affected personally; or
[b] sent by registered post to the last known place of residence the party.
10. [a] Subject to paragraph (7) of this rule, the Commission may hear and determine a case in the absence of any party, if there are sufficient evidence and facts to show that he has been properly summoned.
[b] The Commission may act notwithstanding any vacancy in its membership provided a quorum is formed, and its proceedings shall not be invalidated by any procedural irregularity in the appointment of a member or by reason that any person who was not entitled to do so took part in its proceedings, provided such a person did not cast a vote during the proceedings.
11. Any party to proceedings before the Commission who fails to appear or be represented may apply within one month after the date when the pronouncement of the findings and directions of the Commission were given, for a rehearing on the ground of want of notice or other good and sufficient reason, and the

Commission, in appropriate cases may grant the application upon such terms as to costs or otherwise as it thinks fit.

12. For the purpose of any proceedings before the Commission any member of the Commission may administer oaths and any party to the proceedings may take a Writ of the High Court, but no person appearing before the Commission shall be compelled -
 - [a] to make any statement before the Commission tending to incriminate himself; or
 - [b] to produce any document under such writ which he could not be compelled to produce at the trial of an action.
13. No person who acted as a member of the Commission with respect to any case shall act as a member of any Committee of the Nigerian Union of Journalists or of the Nigerian Press Council with respect to the same case.
14. The Commission may in the course of its proceedings hear witnesses and receive documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct in the complaint referred to it.
15. If in the course of the proceedings it appears to the Commission that the complaint before it requires to be amended in any respect, the Commission may, on such terms as it thinks fit, allow the amendment to be made and the complaint as so amended shall thereupon be dealt with accordingly.
16. Proceedings of the Commission shall be held, and its findings and directions shall be delivered, in public, unless otherwise directed by the Commission.
17. Subject to Sections 37 and 38 of this Bill (which relates *inter alia* to appeals) any findings or direction given by the Commission shall be published in the Federal Gazette as soon as possible after the findings or direction takes effect.
18. The Commission shall determine the costs of proceedings before the Commission and how they shall be defrayed.
19. Any expenses of the Commission shall be defrayed by the Nigeria Union of Journalists.
20. The Commission may, of its own motion, or upon the application of any party, adjourn the hearing on such terms as to costs or otherwise as the Commission may think fit.
21. If any person willfully gives false evidence on oath before the Commission during the course of any proceedings, or willfully makes false statement in any affidavit sworn for the purpose of any such proceedings, the Commission may refer the matter to the Attorney General of the State concerned for appropriate action.
22. Notes of the proceedings shall be made by my person appointed by the Commission and my party appearing at the proceedings shall be entitled to inspect the transcript thereof when made.
23. The Commission may dispense with my requirements of these rules as to notices, affidavits, documents, service or time for doing or emitting anything, in any case where it appears to the Commission to be just and expedient so to do; and the Commission in any particular case may extend the time for doing anything under these rules.
24. Books and other exhibits whatsoever produced or used at the hearing shall, be retained by the Secretary until the expiry of the time for filing an appeal against a finding or direction of the Commission or, if notice of any such appeal is given, until the hearing and disposal of the appeal.
25. [1] Except when the context otherwise requires, expressions used in these rules have the same meaning as in the Act.
[2] Where used in these rules –

“Complainant” means a person or body alleging before the Commission, professional misconduct against a member of the Nigerian Union of Journalists or any journalist.

“Respondent” means the person required to answer to any charge of professional misconduct.

26. These rules may be cited as the Media Practitioners Complaints Commission Rules.