

THE PUBLIC BROADCASTING CORPORATION  
OF JAMAICA ACT

Acts  
19 of 1997,  
36 of 2017  
Sch.

[24th July, 1997.]

1. This Act may be cited as the Public Broadcasting Corporation of Jamaica Act. Short title.

2.—(1) In this Act—

Interpreta-  
tion.

“the Corporation” means the Public Broadcasting Corporation of Jamaica established in accordance with section 3;

“functions” includes powers and duties;

“Jamaica Broadcasting Corporation” means the Jamaica Broadcasting Corporation established under the Jamaica Broadcasting Corporation Act;

“principal Act” means the Broadcasting and Radio Re-diffusion Act;

“public broadcasting” means the broadcasting of material intended to be primarily of social, educational, entertainment or informative value to the public.

(2) Except as provided in subsection (1), any expression appearing in this Act which is defined in the principal Act shall have the same meaning as in the principal Act, unless the context otherwise requires.

3.—(1) There is hereby established a corporation to be called the Public Broadcasting Corporation of Jamaica which shall be a body corporate to which section 28 of the Interpretation Act shall apply.

Establish-  
ment and  
constitution  
of Corpora-  
tion.

*PUBLIC BROADCASTING CORPORATION OF JAMAICA*

(2) Without prejudice to the provisions of section 4(2), the Minister may make regulations—

- (a) prescribing the constitution and functions of the Corporation;
- (b) governing the operations of the Corporation;
- (c) prescribing such other provisions as appear to the Minister to be consequential, supplemental or ancillary to the matters specified in paragraphs (a) and (b).

(3) Regulations made under subsection (2) shall be subject to affirmative resolution.

Functions of Corporation.

4.—(1) The functions of the Corporation shall be to provide public broadcasting services of high quality both as to transmission and to the matter transmitted in accordance with regulations made under section 3(2).

(2) Without prejudice to the generality of subsection (1), the Corporation shall provide public broadcasting services designed to promote—

- (a) the encouragement and propagation of positive values and attitudes within the society;
- (b) the development of education and training;
- (c) the dissemination of news, information and ideas on matters of general public interest;
- (d) the vitality of democratic institutions;
- (e) the protection of the environment;
- (f) the development of literary and artistic expression;
- (g) the development of culture, human resources and sports;
- (h) respect for fundamental rights and freedoms and the responsibilities of the individual to society;

- (i) integrity in public and private life.

(3) Subject to the provisions of this Act, the Corporation shall have power to do all such things as are in its opinion necessary for or conducive to the proper discharge of its functions and, in particular but without prejudice to the generality of the foregoing, it shall have power—

- (a) to erect, maintain and operate broadcasting transmitting relay and receiving stations;
- (b) to install and operate broadcasting distribution services;
- (c) to provide or to arrange for the provision and equipment of studios and other premises for broadcasting services;
- (d) to make arrangements for the production and distribution of programmes broadcast by the Corporation and to receive programmes to be broadcast by the Corporation;
- (e) to do such things as are necessary or expedient for the purpose of turning to account any property or rights of the Corporation.

(4) Nothing in this section shall be construed as authorizing the Corporation to do, otherwise than under and in accordance with a licence under the principal Act, anything for which a licence is required under that Act, and that Act shall have effect in relation to the Corporation accordingly.

5. The funds and resources of the Corporation shall consist of—

- (a) such sums as may be provided from time to time by Parliament;

Funds and resources of the Corporation.

(b) all grants, sums or other property which may in any manner become payable to or vested in the Corporation in respect of any matter incidental to its functions;

Accounts  
and audit.

6.—(1) The Corporation shall keep accounts and other records in relation to its business, and shall prepare annually a statement of accounts in a form satisfactory to the Minister, being a form which shall conform with established accounting principles.

(2) The accounts of the Corporation shall be audited annually by auditors appointed by the Corporation and approved by the Minister.

(3) The Auditor General shall be entitled at all times to examine the accounts of the Corporation.

Annual  
report and  
estimates.

7.—(1) The Corporation shall, within three months after the end of each financial year, prepare and forward to the Minister a report of its activities during the preceding financial year, including a statement of its accounts audited in accordance with section 6.

(2) A copy of the report together with the auditor's report shall be laid on the Table of the House of Representatives and of the Senate.

(3) The Corporation shall, before a date specified by the Minister, submit to the Minister for his approval, estimates of revenue and expenditure for the ensuing financial year.

Exemption  
from customs  
duty, income  
tax, stamp  
duties and  
transfer tax.  
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Sch.

8.—(1) No customs duty or other similar impost (other than general consumption tax) shall be payable upon any article imported into Jamaica or taken out of bond in Jamaica or purchased in Jamaica by the Corporation and shown to the satisfaction of the Commissioner of Customs to be required for the use of the Corporation in the performance of its functions.

(2) The income of the Corporation shall be exempt from income tax.

(3) The Corporation shall be exempt from stamp duty on all instruments executed by or on its behalf.

(4) There shall be exempt from taxation under the Transfer Tax Act, any transfer by the Corporation of property belonging to it or of any right or interest created in, over or otherwise with respect to any such property.

9.—(1) In this section and sections 10 and 11 (omitted)—

Affirmation  
of Agree-  
ment.

“the Agreement” means the Agreement signed on the 12th day of June, 1997, between the Government of Jamaica and the Jamaica Broadcasting Corporation on the one hand and Radio Jamaica Limited and RJR Interim Management Services Limited (hereinafter referred to as Radio Jamaica Limited) on the other hand.

(2) The provisions of the Agreement are hereby affirmed.