

© 2018. The Asia Video Industry Association holds all rights to this report, and no part thereof may be reproduced or replicated without prior explicit and written permission.

## Cavid Pay TV Policies in Asia 2018

ASIA VIDEO INDUSTRY	ASSOCIATION			_							NONTIA	W E B	宝维斯 COUNSEL	TO GREAT COMPANIES	Snearn Delamore & Snearn Delamore	III IRILEGAL VIllaraza & Angan	Vickery & Worachai Ltd. Lawyers
	AUSTRALIA	CAMBODIA	CHINA	HONG KONG	INDIA	INDONESIA	JAPAN	MALAYSIA	MYANMAR	NEW ZEALAND	PHILIPPINES	SINGAPORE	SOUTH KOREA	SRI LANKA	TAIWAN	THAILAND	VIETNAM
How regulated?  Details of regulators	Authority ("ACMA") is an impartial and	TV and radio broadcasts, including pay DTT and cable TV, are regulated by the Ministry of Information.	regulatory agencies including Ministry	A single body oversees both broadcasting and telecommunications – the Communications Authority ("CA"), the	Two agencies with overlapping responsibility: Information Ministry (MIB) is part of the	Regulatory jurisdiction shared between     Ministry of Communication and Informatics     (MOCI) and Broadcasting Commission (KPI).	The Ministry of Internal Affairs and Communications ("MIC") administers the Broadcast Law and the Radio Wave Law.	Principal regulator is the Malaysian     Communications and Multimedia     Commission ("MCMC"). The MCMC is	the Ministry of Information ("MOI") is	No sector-specific regulation. Authority divided between several agencies, which are generally regarded as transparent,			Regulatory scene has grown increasingly complex as pay TV has diversified.     Korea Communications Commission ("KCC")	Ministry for Mass Media and Parliamentary Affairs is responsible for media policy, codes of ethics and licensing private television	orientation.	Under supervision of the National     Broadcasting and Telecom Commission     ("NBTC").	The Ministry of Information and Communication ("MIC") is the primary
J	Communications.  • The ACMA implements different legislative	<ul> <li>Mobile phones or other devices that may deliver content are regulated by the Ministry of Posts and Telecommunications.</li> </ul>	("SAPPRFT") and the Ministry of Culture.	executive arm of which is the Office of the Communications Authority ("OFCA").  OFCA is an efficient, transparent, statutory	government - Telecom Regulatory Authority of India ("TRAI") is independent of the Ministry,	<ul> <li>MOCI has lead on licensing and market structure; KPI has lead on content regulation.</li> <li>KPI is independent whilst MOCI is a</li> </ul>	MIC formulates policies through consultative councils which may include industry representatives. Further, the Japan	independent of all operators.  • Political independence of the MCMC not assured as it is largely comprised of members	<ul> <li>broadcasting sectors in Myanmar.</li> <li>It comprises 9 members, selected from 18 candidates proposed by the President,</li> </ul>	open and autonomous of both government and large corporate players.  • Judicial review available.	of Information and Communications ("DICT").  • Judicial review of NTC decisions available,	restructuring combining the former Media Development Authority with the Info- communications Development Authority.	is responsible for programming and content standards; broadcasting production and channel policies; oversight of investigatory	broadcasting services.  • Telecommunications Regulatory Commission ("TRC") licenses television distribution	Commission ("NCC") is neutral and independent of operators.  • Cumbersome legislative process delays and	See www.asiavia.org/rfg for further details	<ul> <li>The Administration for Broadcasting and Electronic Information ("ABEI") of the MIC oversees pay TV.</li> </ul>
	frameworks for broadcasting and telecoms.			<ul> <li>body, nominally independent but staffed by civil servants.</li> <li>Regulatory reform has stalled, as little progress made on an update of laws planned</li> </ul>	<ul> <li>MIB is responsible for regulation in relation to broadcasting, information, films and other</li> </ul>	government Ministry.	Commercial Broadcasters Association ("JCBA") plays the role of a self-regulatory organization, which maintains specific content standards required by the Broadcast	<ul> <li>of the executive government.</li> <li>Judicial review available in theory but never tested in practice.</li> <li>Malaysian Communications and Multimedia</li> </ul>	Chairman of the Upper House and of the Lower House of Parliament.		but the judicial process is slow and the courts have been used to stymie effective regulatory action.  The Movie and Television Review and	<ul> <li>IMDA is the statutory board that regulates the converging info-communications and media sectors.</li> <li>IMDA decisions may only be appealed to the</li> </ul>	<ul> <li>productions; user protection and privacy and regulation of broadcast frequencies.</li> <li>Ministry of Science, ICT &amp; Future Planning (Ministry of ICT) responsible for general</li> </ul>	The various regulatory agencies are not	<ul> <li>inhibits needed regulatory updates.</li> <li>Politicization and vested interests particularly at the local level also block reform efforts.</li> </ul>		<ul> <li>Enforcement of regulations is difficult as the authority currently exercised by the MIC over multiple government-linked players and ministries is limited.</li> </ul>
			and a new "Voice of China" entity would be	1, 0, ,	services. MIB often seeks recommendations from TRAI.		Law. Commercial broadcasters usually incorporate or refer to the Association's codes in their own standards.	Forum ("CMCF") is the designated industry body co-regulating content.			Classification Board ("MTRCB"), the filmed-content regulator, also has a role in regulating television content.	Minister. Under law, the Minister can give directions to the IMDA.     Before introducing new laws or regulations, IMDA often conducts public consultations to	communication policies, combined broadcasting communication policies and new	See www.asiavia.org/rfg for further details			
												receive input from industry players and the general public.	approval procedures.  See www.asiavia.org/rfg for further details				
Regulation of OTT services	<ul> <li>Some general regulation of content by the ACMA.</li> <li>No licensing requirement for domestic nor</li> </ul>	in respect of OTT TV platforms. Unclear	<ul> <li>A specific OTT licensing scheme applies, as do strict content rules.</li> <li>Television advertising rules are applied as a</li> </ul>	Internet-based television services are exempted by law from economic regulation and licensing.		No specific regulation of OTT TV services. In theory advertising restrictions on pay TV applicable to OTT TV but only local OTT		In theory, regulation of OTT TV is similar to pay TV regulation, however, OTT TV is currently exempt from the licensing regime,	does not apply to internet and OTT TV	Self-regulation of advertising and content by domestic operators in respect of streamed linear broadcasts (but not on-demand			OTT TV services are subject to regulatory authority of the Korean Communications Standards Commission ("KCSC") regarding	with the regulation of the OTT TV sector in		No economic regulation of internet-based content services.     Some restrictions on advertising certain	<ul> <li>ABEI oversees TV on the internet.</li> <li>Circular 38 of 2016 issued by MIC regulates cross-border service but is still vague on</li> </ul>
	<ul> <li>foreign OTT TV platforms.</li> <li>Ad content governed by industry codes of conduct.</li> <li>No ad revenue limit applicable to OTT</li> </ul>	Telecommunications would require a license to be obtained in order to operate an OTT TV service; existing services are assessed on a case-by-case basis.		<ul> <li>General laws prohibit the distribution of certain materials (e.g. child pornography, obscene material, pirated material), and the advertising of certain products (e.g. firearms</li> </ul>	<ul> <li>Copyright laws that are applicable to pay TV are also applicable to OTT TV.</li> </ul>	services comply.	low frequency) have been categorized as broadcasting services requiring a license.  • Advertising is subject to self-regulation through the Japan Interactive Advertising	rate regulation, local quota rules and "Made in Malaysia" advertising requirements.  The Content Code is applicable to OTT TV on a voluntary basis, although the MCMC is		<ul> <li>content).</li> <li>Censorship rules regarding trading of objectionable material over the internet are enforced against local operators.</li> </ul>	<ul> <li>General prohibition on pornography applies along with laws against libel, obscenity and</li> </ul>		<ul> <li>content standards.</li> <li>OTT TV services are not subject to broadcasting laws and their regulation on market shares, fees, channel allocation,</li> </ul>	<ul> <li>Currently, OTT TV is regulated together with pay TV under the Telecom Act and the SLRC Act.</li> <li>Regulations applicable to domestic OTT</li> </ul>	which contemplate extension of regulation	medicines, foods, fortune-tellers) and	<ul> <li>OTT.</li> <li>Government has proposed new licensing, content and advertising rules for OTT, which may come into effect in 2019.</li> </ul>
	services, whether free or subscription.  General competition laws and foreign investment rules apply to onshore services.	a case by case basis.	See www.asiavia.org/11g for further details	tobacco) and services (e.g bookmaking, betting-related). However, practically speaking, local authorities only take action	Advertising Standards Council of India, seeks to regulate advertisements in any media, including online media, and industry		Association.     In respect of content, specific legislation requires operators who provide internet	empowered to compel compliance by OTT TV service providers, with site blocking as the ultimate sanction.		The same self-regulatory and legislative rules in theory apply to offshore websites, but this has not been tested to date.	s 5	business model could also be required to obtain a Niche TV License or National Subscription TV License.	mandatory channels for public service delivery, content, and advertising.  • But services are subject to the content	providers only.	would be enforced against offshore operators.	restrictions would be stricter in respect of local services as opposed to offshore OTT TV services.	In principle, advertisements on OTT
				<ul> <li>against websites located in Hong Kong.</li> <li>No restrictions on FDI or cross-media ownership</li> </ul>	convention is to voluntarily comply.		services to teenagers to adopt measures to minimize teenagers' exposure to harmful information.					<ul> <li>A new Content Code for OTT, VOD, and niche services came into effect in March 2018. It embodies a looser approach to regulation than the previous content codes.</li> </ul>	regulations laid down in the Communication: Network Act, as well as KCSC guidelines. The law does not distinguish between local and offshore services and the KCC may	S			
												See www.asiavia.org/rfg for further details	block a non-complying offshore servicé.				
Copyright protection?	criminal offence.  • Unclear whether transmission of a live event	Copyright infringement is a criminal offence	of copyright works (including audiovisual	<ul> <li>Infringement of copyright in broadcasting is usually a civil, not a criminal, offence.</li> <li>Government has prosecuted uploaders of infringing content both to websites for</li> </ul>		strong regulations on paper.	<ul> <li>The Copyright Law has a strong framework and imposes significant penalties.</li> <li>There is effective enforcement and content protection. Online piracy is a violation of</li> </ul>	broadcasts (including online) and online	Civil remedies also available. However, no	Act 1994 with good enforcement.	<ul> <li>The current laws on copyright provide for both criminal and civil remedies in instances of copyright infringement. Penalties include prohibitory injunction, payment of fines,</li> </ul>	law framework that can be enforced both	<ul> <li>Copyright laws provide strong protection with significant penalties.</li> <li>Online piracy is a major problem; competes with pay TV. However, the Ministry of</li> </ul>	copyright, are protected under the	of pay TV signals. Copyright owners bear	<ul> <li>Poor enforcement and minimal penalties for violators.</li> <li>Commercial-scale online piracy is a growing problem.</li> </ul>	international standards, and includes
	as a "broadcast". Otherwise, legislative protection strong.  Rights holders may apply to the Federal Court for an injunction to require ISPs to	<ul> <li>fines.</li> <li>No specific copyright provisions relating to broadcasting.</li> <li>In theory, copyright and protections apply to</li> </ul>	Unauthorized overseas content received by millions of Chinese consumers using illegal	Hong Kong Customs has also conducted its	<ul> <li>No protection against piracy of pre-broadcast signals.</li> <li>Online and physical piracy is still common due to enforcement issues.</li> </ul>	resulted in damages awarded.	the Copyright Law which imposes criminal sanctions (imprisonment and fine). Criminal sanctions on illegal downloading were introduced in 2012. Capacally speaking the	websites.	piracy is widespread, particularly through the use of unauthorised satellite dishes.	Graduated response mechanism introduced	imprisonment.	offer for sale, have in possession or operate unlicensed broadcasting apparatus.  However, the government has not designated any apparatus used for online	Culture, Sports and Tourism has utilized its site blocking powers against infringing websites, as permitted by Korean copyright	seek an injunction, damages and such other remedies as the Court may deem fit against any person who infringes, or is about to infringe, his copyright.	<b>,</b>	<ul> <li>Copyright law in theory applies to internet broadcasts and empowers courts to order site-blocking.</li> </ul>	<ul> <li>enforcement.</li> <li>Broadcasts on pay TV (other than those reflecting government political priorities) must meet copyright requirements.</li> </ul>
	disable access to online locations outside Australia which infringe, or facilitate infringements, of copyright. To date four	online platforms.  In practice, copyright laws are rarely enforced for any platform.	<ul> <li>Despite government internal controls,</li> </ul>	Copyright law has not been updated in over a decade; inadequacies becoming more apparent.	due to emoreement issues.	but not regularly not publicly.	police are pro-active in uncovering illegal uploading.	notorious foreign piracy websites.  • Enforcement divided between government agencies namely the Ministry of Domestic	may be cancelled if the licensee is found to	1,7,0		services for coverage under this prohibition.  Despite the robust intellectual property framework, piracy remains a major challenge	lavv.	Broadcasting is defined in the IP Act as the communication of a work, a performance or a sound recording to the public by wireless	online television broadcasts and programs broadcast online. However, in practice there	See www.asiavia.org/rfg for further details	No rules specifically governing online content. However, all copyright regulations are applicable online.
	successful applications have resulted in approx. 60 websites being blocked.		onto the global internet, pushed by criminal syndicates profiting from subscriptions, sales of internet-linked set-top boxes, and from advertising.					Trade, Cooperatives and Consumerism and MCMC.			<ul> <li>Current laws do not specifically provide for infringement of copyrighted material accessed through OTT; it may be assumed</li> </ul>	in Singapore, with illegal streaming devices (ISDs) being prevalent.  See www.asiavia.org/rfg for further details		satellite and therefore includes both pay TV and OTT TV.	is no enforcement against overseas websites.  • Commercial-scale online piracy is a growing problem.		
				No. of the control of	5 - Total District	N. P	No see if a linearing and a linear state for	Ne verlied de verlied verskrietiere On everkere	. Farrian about the and advantian marks are the	. Na saskiski sa	that the same copyright rules would most probably apply.	Change la company TV against a community	- Driver in this industry and particular of frame the	See www.asiavia.org/rfg for further details	. Channel antonomical and a service of	. No weak-lation	- Caralina alexanda la lega deset an esta Tilorent
Licensing of foreign channels	<ul> <li>No restrictions on retransmission of foreign channels.</li> <li>No meaningful restrictions on uplink/ downlink; licenses readily granted.</li> </ul>	<ul> <li>Operators have negotiated commercial contracts for retransmission of foreign channels.</li> <li>No regulations/restrictions in respect of</li> </ul>	<ul> <li>Retransmission of foreign channels generally prohibited. However, with regulatory approval, foreign TV channels may be transmitted in hotels rated 3-stars or above</li> </ul>	<ul> <li>No restrictions on retransmission of foreign channels.</li> <li>No meaningful restrictions on downlinking: channels not subject to downlink licensing,</li> </ul>	India.  • A foreign TV channel must obtain MIB	<ul> <li>No licensing procedure for foreign channels but strict content controls applied.</li> <li>KPI is increasingly placing restrictions on content broadcast on pay TV and has</li> </ul>	<ul> <li>No specific licensing requirements for foreign channels, as long as the pay TV platform has necessary licenses.</li> <li>No specific restraints on channel uplinking or</li> </ul>	<ul> <li>No uplink/downlink restrictions. Operators must notify channels for carriage to MCMC prior to launch.</li> <li>Television content subject to intensive local</li> </ul>		• No restrictions.	No restrictions.		• Retransmitted programming capped at 20%	The conditions applicable to the landing rights of foreign television channels will be determined by the Minister of Mass Media by the license conditions issued under the	rights", with application through a local	<ul> <li>No restriction.</li> <li>Retransmission requires operators to obtain permit from NBTC; permits are readily granted.</li> </ul>	<ul> <li>Foreign channels broadcast on pay TV must meet the following requirements:         <ol> <li>Have legitimate copyright/copyright license;</li> </ol> </li> </ul>
		uplink/downlink.	and in designated areas where foreigners predominantly reside.  See www.asiavia.org/rfg for further details	<ul><li>but operators' bouquets must be notified.</li><li>Special facilitation for "non-domestic" broadcast uplinks.</li></ul>	after entering into an agreement with an Indian company that fulfils the eligibility criteria under the Policy Guidelines for Downlinking of Television Channels. The	mandated that operators internally censor to ensure no inappropriate content is aired.  • A requirement for satellite signal landing rights has been in force since 2007.	downlinking to satellites.	<ul> <li>content control laws.</li> <li>Foreign channel providers must obtain a license from MCMC for direct hotel programming.</li> </ul>				TV services from Singapore to the region.	<ul> <li>No local ads or dubbing allowed in foreign retransmitted channels.</li> <li>See www.asiavia.org/rfg for further details</li> </ul>	SLRC Act. Generally, such license conditions provide that foreign channels must be licensed or permitted for being broadcast by the licensing authority of the country of the	granted, but some applicants have been delayed for non-transparent reasons.	No restraints on channel uplinking or downlinking.	ii. Satisfy licensing requirements, including license for retransmission of foreign channels, license for editing/translating foreign channels, license for press
					permission is valid for 10 years.  • Stricter guidelines exist for news channels.	nghis has been invoice since 2007.		brog mining.				service require a specific sale line fieldse.		transmission and proof of the same has to be submitted at the time of the application.  See www.asiavia.org/rfg for further details			operation and authorized agent in Vietnam for financial obligations.  See www.asiavia.org/rfg for further details
License fees and taxation	Minimal.	• None.	No industry-specific license fees.	Domestic pay TV annually: HK\$1.533 million plus HK\$4 per subs.	• DTH: Non-refundable entry fee of 1,000,000		Broadcasters must pay a frequency usage fee if using transmission via radio waves. The	individual license for content application	License fees are determined by the TV and Broadcasting Council on a case-by-case	Not burdensome.	<ul> <li>Nominal for Cable (about US\$70 annually).</li> <li>Only slightly more for DTH (about US\$380</li> </ul>	Service Licensees, the annual license fee is		Application fee for a broadcasting license is Rs. 100,000.	charged for license application and renewal.		The landing license is approximately US\$240 and US\$120 for an amendment.
				<ul> <li>Non-domestic TV annually: as low as HK\$56,400.</li> <li>Intention is that fee only covers all administrative costs.</li> </ul>	<ul> <li>Rps plus 10% of gross revenues.</li> <li>HITS: 100,000,000 Rps non-refundable entry fee; no annual fees other than spectrum license fee.</li> </ul>	(i) licensing fee, the rate of which is     determined by MOCI;     (ii) satellite-based pay TV operator is also     charged license concession fee (Biaya	A registered carrier under the	services and MYR 50,000 upon grant of the license.  • Pay TV services are subject to 6% Goods and Services Tax (GST). Effective 1 April 2015	of the TV and Broadcasting services to be		annually).	<ul> <li>2.5% of revenues or SG\$50,000 whichever is higher.</li> <li>For Niche Television Service Licensees, the annual license fee is 2.5% of total revenue or</li> </ul>	Pay TV operators must contribute to a Broadcast Promotion Fund.	License fee payable upon grant varies from license to license.	In addition, for cable TV operators, T% of annual revenue is paid to a development fund, whose proceeds are used by the government to benefit pay TV, FTA TV, and	expenses, plus a progressive percentage to the USO fund.  See www.asiavia.org/rfg for further details	<ul> <li>Each pay TV operator has to pay a fee of 0.3% of the total subscription revenue.</li> </ul>
	No control of the con	No contribution to the contribution of the	D. C. H. C. L. C. H. L. INDDC	N	See www.asiavia.org/rfg for further details	Hak Penggunaan) for the use of radio frequency spectrum.	,	the GST net was extended to include satellite TV subscriptions and TV airtime ad sales.	No see Letone	N	No control of	SG\$5,000, whichever is higher	See www.asiavia.org/rfg for further details	Data transfer of the	local cultural facilities.		The control of the Control
Rate regulation Including wholesale and retail rate regulation and	None, other than under general competition law.	No regulations/restrictions exist.	<ul> <li>Basic cable prices determined by local NDRC bureaus in consultation with SAPPRFT.</li> <li>Pricing of value-added cable service or digital TV services above the basic level can</li> </ul>	• None.	<ul> <li>Retail rates regulated both individually and on a bouquet basis. Maximum retail price (MRP) for a bouquet cannot be less than 85% of the sum of the MRPs for each a-la-carte</li> </ul>		are required to submit pay TV terms and conditions to MIC and disclose them publicly	<ul> <li>Filing of retail rates only (after which an "investigation" could be opened by MCMC.)</li> <li>Technically, Minister may intervene to set rates for good cause or in the public interest</li> </ul>	No regulations.	None	<ul> <li>No restrictions.</li> <li>Tiering is now a common practice in the market.</li> </ul>	No retail or wholesale rate regulation.	<ul> <li>Former rate caps on retail rates have been eliminated.</li> <li>However, retail rates remain subject to requirement of KCC approval for any</li> </ul>	Netail rates are approved as part of the pay     TV operator's license. Any change in rates     requires TRC approval.      No wholesale rate regulation.		No regulation of retail or wholesale rates.	There are no legal provisions for rate regulation.
whether there are any price controls on eg.			be solely determined by the operators.  • No wholesale rate regulation.		<ul><li>channel.</li><li>MRP must be uniform for all distribution platforms.</li></ul>		<ul><li>specifically regulate rates.</li><li>There are no price controls on any tier of pay TV service.</li></ul>	but currently no intervention in respect of pay TV.					<ul><li>changes.</li><li>No wholesale rate regulation.</li></ul>		unregulated, as are satellite DTH rates.  See www.asiavia.org/rfg for further details		
basic tier Program packaging	No restrictions.	No regulations/restrictions exist.	8	No restrictions.		Tiering is allowed and widely practiced. No a		No restrictions.	No regulations.	No restrictions.	No restrictions.	Cross-carriage rules apply for content	Tiering and bundling are allowed and are		For analogue cable, mandatory carriage of	. •	The regulations set out different types of
Including tiering, bundling, any mandatory			bundling, however customers must be able to subscribe to basic cable packages only (with prices regulated by the NDRC – see above under 'Rate regulation') and not be		or a basic service tier, of 100 FTA channels, including all channels mandated by the Government.	ia carte requirement.	utilized in practice.			<ul> <li>Marketing programming in differentiated packages is a common practice.</li> </ul>	Tiering is a common practice.	offered on Relevant Platforms (cable, DSL and fibre). Bundling of channels is allowed, but if a bundle contains a channel that is considered "Qualified Content" then the	<ul> <li>Korean operators offer some premium channels a la carte but there is no regulatory requirement.</li> </ul>	permitted.	<ul> <li>large, prescribed basic package (90-100 channels).</li> <li>Above cable basic level, and for all IPTV: a la carte prices must be set, but in practice some</li> </ul>	requirements.	<ul> <li>program packages for pay TV:</li> <li>Basic service package: including national and local channels;</li> <li>Pro service packages: including</li> </ul>
a la carte			forced to subscribe to additional channels or value-added services.									entire bundle would be subject to cross- carriage requirements.  • So far, these restrictions have been applied			bundling has been permitted, with prices lower than the sum of a la carte rates.  See www.asiavia.org/rfg for further details		Vietnamese and foreign channels; - On-demand packages: providing services to subscribers according to their demand. • In addition, there are value-added services
												only to a limited number of sporting competitions – most prominently the English Premier League.					which are provided along with the mentioned packages.
Restrictions on advertising Including localization	<ul> <li>Subscription fees must be pay TV's predominant source of revenue. No more than 50% of pay TV operators' total revenues can come from advertising.</li> </ul>	No regulations/restrictions exist.	channels is expected to comply with Chinese	Practice on Television Advertising Standards	<ul> <li>Minutage limited to 10 minutes per hour plus 2 promo minutes. Applies to cable, DTH and IPTV.</li> <li>Ads should conform to laws and not offend</li> </ul>	following requirements:	Law, but JCBA's program standards require	Foreign advertisements (with "Made in Malaysia" exemption certificates) permitted	are allowed up to 12 minutes of advertising	<ul> <li>Self-regulated by an association of industry bodies known as the Advertising Standards Authority ("ASA").</li> <li>No regulatory limits on minutage.</li> </ul>		Advertising time limited to 14 minutes per hour for channels with scheduled programming. Time limit does not apply to Video-on-Demand content and interactive	<ul> <li>Advertising on domestic and joint-venture channels allowed.</li> <li>Foreign retransmitted channels may not include ads for the Korean market.</li> </ul>	<ul> <li>No restrictions on minutage.</li> <li>The conditions of the MMM license may differentiate between foreign and domestic ads. Such license conditions provide</li> </ul>	On basic tier channels, minutage is limited to 10 minutes per hour.	<ul> <li>Advertising on pay TV is limited to a daily average of 5 minutes per hour, with no more than 6 minutes in any one hour.</li> <li>Tight restrictions on ads for tobacco &amp;</li> </ul>	<ul> <li>In theory, advertisements on pay TV must not include advertising information already inserted from foreign programs/channels.</li> <li>Advertising is limited to 5% of air time over</li> </ul>
rules, revenue and minutage restrictions	<ul> <li>Ad minutage unlimited.</li> <li>Ad content is governed by industry Codes of Practice.</li> </ul>		foreign channels on the hotel platform.  • Minutage restrictions of 12 minutes per hour (or 18 minutes maximum during the two	advertising (including on pay TV platforms).		(a) Indonesian Advertising Code of Ethics ("IACE"); (b) advertisement requirements issued by	is 18% or less of total broadcasting hours.	all other ads, even those in pass-through channel streams, must be replaced by ads meeting the "Made in Malaysia"		, ,		advertising services  • Under Nationwide TV license conditions, no more than 25% of the operation's total	<ul> <li>A self-regulatory system of advertisement review is administered by the Korea Advertising Review Board ("KARB").</li> </ul>	that foreign channels must not carry advertisements that specifically target Sri Lankan viewers.		alcohol.	a 24-hour period, with no more than 2 ad breaks (max five minutes each) per film, and 4 breaks (max five minutes each) in other
			hour peak viewing period of 7 and 9pm).  See www.asiavia.org/rfg for further details			KPI; and (c) prevailing law and regulations. (ii) the materials of the advertisement must use domestic resources;		Ads limited to 10 minutes/broadcast hour/channel average over 24 hours.  See a very sainting and office for further details.				<ul> <li>revenue can come from advertising.</li> <li>Singapore Code of Advertising applies to all advertising in Singapore. Pay TV channels should comply with the TV Advertising and</li> </ul>	See www.asiavia.org/rfg for further details				<ul> <li>entertainment programs. Enforcement of these requirements is not stringent.</li> <li>The Government is considering a complete ban on advertising on foreign channels.</li> </ul>
						(iii) foreign advertisements broadcast during programs transmitted from overseas shall be replaced with domestic advertisement, except for certain		See www.asiavia.org/rfg for further details				TV Programme Sponsorship Code.					See www.asiavia.org/rfg for further details
						categories.  See www.asiavia.org/rfg for further details											
Including local content	channels must be spent on new Australian/ New Zealand dramas. Flexibly administered;	to regulate content quotas. To date, there are no specific implementing regulations	channel. Cannot retransmit the entirety of a	to adhere to broad guidelines.  • No local content quotas.	<ul> <li>Content regulation not restrictive - largely a self-regulatory approach.</li> </ul>	10% of channel capacity to public broadcasting agencies and private (FTA)	No local content quotas; no requirements for insertion of local classification and other content labels into international feeds.	Intensive content control guidelines.     Prohibition on providing content which	At least 30% of each channel's daily programming and 20% of a licensed commercial TV and Broadcasting Service's	No local content quotas. System of self-regulation works well. Codes of practice for pay TV less restrictive than for	the Association of Broadcasters of the	No local content quotas.     Comprehensive content regulations through Content Codes: depending on the type	Self-regulatory approach to content regulation by pay TV operators, with supervision and standards-setting by	Local content quotas depend on the conditions of the MMM license. However, copies of such licenses are not publicly	General guidelines on content control.     Regulator is becoming more interventionist on content standards through checking	<ul> <li>No local content quotas.</li> <li>Pay TV services perform self censorship based on published guidelines from a</li> </ul>	For censoring of programs:     all domestic programs and channels     must be provided by licensed "content"
quotas, content control and insertion of classification and	<ul> <li>a shortfall in one year can be made up during the next year.</li> <li>Self-regulation according to Codes of Practice devised and published by the</li> </ul>	pay TV systems. However, Cambodian	on a program-by-program basis).	<ul> <li>In addition to general TV content regulation, the Control of Obscene and Indecent Articles Ordinance ("COIAO") regulates the publication and public display of obscene</li> </ul>	with separate codes adopted by industry	<ul> <li>broadcasting agencies.</li> <li>KPI requires pay TV operators to undertake internal censorship, broadcast Indonesian program classifications and provide</li> </ul>	<ul> <li>Broadcast Law requires broadcasters to avoid harming public safety or morals, to be politically fair, to avoid distorting facts and to provide balance, and to establish and</li> </ul>	<ul> <li>is indecent, obscene, false, harassing, menacing or offensive.</li> <li>Pay TV services can be "exempted" through self censorship based on detailed, published</li> </ul>	total programming must contain local content. The local content quota applies in principle to all channels, but in practice international channels without Myanmar	FTA TV.  • Backed up by appeal to BSA.	Philippines ("KBP") in coordination with MTRCB. Non-KBP members subject to regulation by NTC.  • MTRCB at times has taken unrealistically	of services offered, the Subscription-TV Programme Code or the Niche Services Code.	the Korea Communications Standards Commission.  • Broadcasting operators must display the age rating for the program determined	<ul> <li>The operator must not distribute harmful or illegal contents that might affect national security of the country, within the framework</li> </ul>	program rating and ensuring content meets TV classifications, motivated by concerns about content quality.	<ul> <li>Parental rating logos (3+, 6+, 13+, 18+, general viewing) must be inserted onscreen. This requirement only applies to</li> </ul>	<ul> <li>providers".</li> <li>except for sports live broadcasting, all foreign program channels must be edited by licensed "content providers".</li> </ul>
other content labels into international feeds	industry association.	<ul> <li>The Ministry of Information and Ministry of Culture and Fine Arts have the authority to regulate content.</li> </ul>	censorship requirements.  • All imported programming also subject to censorship and approval of SAPPRFT. Some	and indecent articles.		parental controls although the classification	publicly disclose standards.  • JCBA's program standards also require broadcasters to consider circumstances,	guidelines from Government.  See www.asiavia.org/rfg for further details	content continue to be retransmitted on pay TV platforms.  In general, program content must comply		stringent position on rules relating to tobacco, sexual content and gender sensitivity in depicting women on TV.	See www.asiavia.org/rfg for further details	by the Korea Communications Standards Commission during the broadcast of the program. Local Pay TV providers are	of technical possibility of control of such contents. The operator must also not undertake to carry objectionable, obscene, unauthorized or any other content, or		TV operators, analogue or digital, who use a frequency band allocated by NBTC. Currently, there are no pay TV services using an allocated frequency band.	The Cinema Law has "encouragement" to have local movies make up at least 30% content and for local movies to be broadcast between 8 and 10pm. Similar
		in Cambodia.	politically sensitive content is "blanked out" in foreign channel streams.  See www.asiavia.org/rfg for further details			See www.asiavia.org/rfg for further details	such as broadcasting time, when making program content and ensure that viewers do not feel uncomfortable due to the program's content.		<ul> <li>with government guidelines.</li> <li>Censorship is performed by TV and Broadcasting Services under their own internal guidelines.</li> </ul>				responsible for inserting age ratings into foreign programming.  See www.asiavia.org/rfg for further details	communications through the licensed system.  See www.asiavia.org/rfg for further details		Adult programming is only permitted to be broadcast between midnight and 5am.	encouragement is provided for movies for children to account for at least 5% and to end by 10pm.
Regulations on languages, dubbing/	<ul> <li>Prescribed annual captioning targets apply to pay TV services under broadcasting</li> </ul>	No regulations/restrictions exist.	Any foreign language channels require SAPPRFT approval.	• None.	• None.	Government is pressing for foreign programs except for news or sports/live broadcasts to	dubbed more than once (programs for FTA	• None	No regulations.	No restrictions. National broadcasting support fund NZ	• None.	Transmission of programs on channels in dialects is tightly controlled.	Dubbing prohibited on foreign retransmitted channels but subtitling is allowed.		Foreign language programs, excluding international news channels, shall carry	NBTC regulations encourage, but do not mandate, dubbing or subtitling of	Certain channel genres must be translated, whether by dubbing or subtitling. The
subtitling and captioning	legislation. Targets vary according to category of service (e.g. movies, news, sports, music).		<ul> <li>No specific regulation or approval procedures and unpredictable if granted.</li> </ul>			be subtitled or dubbed.  See www.asiavia.org/rfg for further details	TV may be dubbed up to 10 times). This is to prevent unlimited re-dubbing into other languages which could adversely impact sales.			on Air contributes \$11 million annually to funding programming for minority and disabled audiences, such as captioning on selected programs.		<ul> <li>VOD operators with Niche Subscription Television Licenses are permitted to broadcast dialect content of up to 50% of programming offered on any one service.</li> </ul>	See www.asiavia.org/rfg for further details		Chinese subtitles or be broadcast with Mandarin narration. If necessary, the NCC may instruct the programs be dubbed in Chinese.	international channels into Thai.	proportion of programming required to be translated varies by genre, ranging from 100% for film channels to 0% for news channels.
Program supply restrictions	No general restraints on exclusivity. Restrictive "anti-siphoning" provisions	No regulations/restrictions exist.	No restrictions.	No restrictions.	Exclusivity not allowed for linear channels.     "Must provide" regulations in force, applying     The office of the DTH and DTH.	content. However, the Ministry has taken	No "must provide" rules or other restrictions on exclusivity.	No restrictions.	No regulations.	No restrictions.	In principle, exclusivity is not allowed, although operators may seek an exemption	<ul> <li>IMDA imposes restrictions for a limited list of essential programs (largely sporting events),</li> </ul>	for channels.	No restrictions unless included in the license conditions.	No restrictions.	"Must have" rules require specific sporting events to be only broadcast on FTA television	has pressured operators not to conclude
Including must provide rules and other	require many sporting events to be offered first to FTA TV.				<ul> <li>to all platforms cable, DTH and IPTV.</li> <li>Mandatory "must carry" obligations on platform operators subject to spare capacity.</li> <li>Restrictive "sports sharing" provisions</li> </ul>	distributed through a transparent tender					<ul> <li>from the NTC.</li> <li>In practice, no requirements are enforced.</li> <li>Exclusivity is a common practice in the TV industry; Philippine broadcasters jealously</li> </ul>	<ul> <li>which may not be subject to exclusive rights.</li> <li>Pay TV operators must make their exclusive content on all "Relevant Platforms" (which currently means a managed cable or fibre</li> </ul>				<ul> <li>channels (which are then also carried on pay TV).</li> <li>Non-Exclusivity List rules require any operator securing rights in respect of 7 other</li> </ul>	<ul> <li>Government is planning an "essential programs" list which would have to be</li> </ul>
restrictions on exclusivity					require many sporting events to be given to the public broadcaster, since 2006.	to restrict some essential content from exclusive contracts.  • "Non-essential" programming may be exclusive.					guard their exclusive content.	network) available to other operators for cross-carrying.  See www.asiavia.org/rfg for further details	Winter Olympics, the FIFA World Cup, the Asian Games, the World Baseball Classic and national team football matches).	4		operator securing rights in respect of 7 other sporting events to share the broadcast rights at reasonable fees.	
Investment restrictions Including foreign direct	assets are reviewable under general foreign	No industry-specific regulations or	<ul><li>Foreign investment prohibited.</li><li>No cross-media ownership restrictions, in</li></ul>	No limits on foreign investment, though a majority of directors must be Hong Kong	broadcasting activities including in teleports,	Foreign investment in pay TV operators is permitted up to 20% of the total subscribed		<ul> <li>Licensees must be incorporated in Malaysia.</li> <li>FDI investments in platforms limited to 30%.</li> </ul>	invest in more than 30% of the total	review/consent based on transparent,		restricted 49% cap unless otherwise	Foreign Investment in Pay TV platforms limited to:	foreign investment in mass communication		FDI in pay TV platforms and licensed Thai channels limited to 25% of the voting stock.	Provincial investment departments consider
investment in platforms and programming and	investment policy. Media sector (including television and internet sites that broadcast or represent television) is categorised as a "sensitive sector", meaning that all foreign		the context of heavy state ownership and control.	<ul> <li>residents.</li> <li>Some constraints on control of multiple media outlets apply to both domestic and foreign investors.</li> </ul>	DTH, cable MSOs, mobile TV and HITS broadcasting, uplinking of non-news and current affairs TV channels.  • 49% FDI with government approval in	<ul> <li>and paid-up capital.</li> <li>The limitation on foreign shareholding applies both to direct and indirect investment.</li> </ul>	Jigyousha).  • No foreign investment restrictions on "general broadcasters", such as 124/128 CS broadcasters, IP multicast broadcasters	<ul> <li>No FDI restrictions on wholesale supply of pay TV programming.</li> <li>No restrictions on cross-media ownership (e.g. TV-newspapers) but restriction against</li> </ul>	Broadcasting Service. Such investments are further subject to approval from the MOI.	non-restrictive criteria, including, relevantly, where a 25% or more ownership interest is being acquired in business assets valued at over NZ\$100 million.	not considered mass media and therefore	<ul> <li>approved by Minister.</li> <li>Subject to government approval of substantial shareholders, directors and CEOs.</li> </ul>	and IPTV content providers (being persons receiving internet broadcasting content	businesses. Additional foreign investment may be allowed, with approval of the Board of Investment of Sri Lanka.  • No cross-media ownership restrictions	total direct and indirect foreign investment capped at 60% of total shares.  • Foreign shareholdings in satellite broadcasting business to be less than 50%.	<ul> <li>The limit for Telecoms is 49%.</li> <li>A 49% FDI limit applies to wholesale providers based in Thailand.</li> <li>In practice, foreign holdings may be</li> </ul>	pay TV proposals on the same basis as other investments. However, in practice the government has so far applied a 49% FDI limit.
cross-media ownership restrictions	<ul> <li>investments of 5% or more are subject to approval.</li> <li>No specific restrictions on content providers</li> </ul>			See www.asiavia.org/rfg for further details	uplinking of news and current affairs TV channels.  • Cross-holdings between DTH platforms,	<ul> <li>In terms of content producers/distributors, there is no foreign investment limit.</li> <li>There are some cross-media ownership</li> </ul>	and cable broadcasters, nor in respect of producers or distributors.  See www.asiavia.org/rfg for further details	cross-sectoral ownership (e.g. TV-telecoms).  • However, the MCMC may, for policy reasons, still require shareholding		<ul> <li>No limits on wholesale provision of TV programming for foreign entities. (NZ entities are potentially subject to same</li> </ul>	<ul> <li>40% FDI allowed in telecom operators. IPTV and mobile TV are generally regarded as telecom services.</li> </ul>	restrictions, but general requirements for government approval of shareholdings	<ul> <li>20% for general channels, which have no restrictions on the broadcast genres;</li> <li>10% for news channels.</li> </ul>		No explicit regulation of cross-media ownership, but in practice such ownership has been controversial and seems to be	structured to allow foreign partners considerable indirect ownership.  The Broadcasting Act contains some	<ul> <li>Limits for wholesale distribution are the same as for distribution platforms.</li> <li>No express restrictions on cross-media</li> </ul>
	<ul> <li>No specific cross-media ownership restrictions other than general competition laws.</li> </ul>				HITS licensees, mobile TV licensees and other types of broadcasters or cable operators limited to 20%.	restrictions on domestic companies.  See www.asiavia.org/rfg for further details	G G - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	restrictions for license holders depending on the type of license, which is decided on an ad hoc basis.		No cross-media restrictions.	<ul> <li>Law on the books prohibits use of telecom franchises to engage in mass media and vice versa. However, a telecom franchise holder may separately apply for a mass media</li> </ul>	above a 5% threshold.	Cross-media ownership by newspaper groups or conglomerates also limited.  See www.asiavia.org/rfg for further details		discouraged.  See www.asiavia.org/rfg for further details	cross-media ownership limitations. Allows ownership percentages to be specified by the national regulator.  • NBTC rules on cross-media ownership took	ownership. Each type of media requires a separate license, giving the government a high degree of effective control.
											franchise.					effect in January 2015.  See www.asiavia.org/rfg for further details	
Retransmission arrangements	<ul> <li>No government must-carry rule.</li> <li>Retransmission of FTA broadcasts subject to payment of equitable remuneration to underlying rights holders pursuant to a</li> </ul>	No regulations/restrictions exist.	Although not required under written law, in practice, state-owned provincial satellite channels must re-transmit the CCTV evening news	• None.	<ul> <li>Analogue cable systems must carry 9 mandatory channels including 2 national Doordarshan channels and two Parliament channels and a regional Doordarshan</li> </ul>	<ul> <li>Pay TV operator shall provide at least 10% of its channel capacity to domestic channels.</li> <li>There is no copyright exemption. The amount of payment for this right to broadcast</li> </ul>	rebroadcast terrestrial TV channels from basic broadcasters in areas of poor terrestrial	No requirement.	<ul> <li>No specific "must carry" regulations.</li> <li>However, in practice the principal channel (MRTV) of the State broadcaster is carried on all pay TV platforms.</li> </ul>	No requirements.     Retransmission of FTA channels is negotiated commercially.	<ul> <li>Cable TV required to carry all terrestrial UHF and VHF channels within their locality. The must-carry rule also applies to DTH services, but not to IPTV or OTT TV.</li> </ul>		Cable, IPTV and DTH platform operators required to carry two terrestrial channels (KBS1, EBS), as well as more than two news channels and more than one general	broadcasters for retransmission of FTA	<ul> <li>Cable operators must carry five major analogue FTA channels. No copyright licensing payments are required.</li> <li>No similar rules for IPTV or DTH operators.</li> </ul>	NBTC has issued "must carry" rules, requiring TV operators on all platforms to carry 22 FTA TV channels, without remuneration to the relevant FTA	<ul> <li>Pay TV service providers must broadcast channels serving essential political and propaganda tasks.</li> <li>Many operators carry the national</li> </ul>
Including must carry and remuneration	statutory license.				channels and a regional Doordarshan channel.  • Digital cable, DTH and IPTV obliged to carry 21 Doordarshan channels and three other		in respect of such rebroadcasting is a matter for negotiation.		ру . т. р.жиотију.		See www.asiavia.org/rfg for further details	, y	channel.  • Acrimonious disputes over "retransmission consent" of FTA channels have resulted in		. Sies to il TV of Diff operators.	broadcaster.	broadcaster's "entertainment" channels without authorization or payment, despite the absence of any "must carry"
Consumer protection	Subscription Broadcast Television Codes of	No regulations/restrictions exist	Customers must be allowed to subscribe to	A minimum 7 day cooling off period	<ul><li>channels.</li><li>No remuneration for retransmission.</li><li>Consumers have various rights in respect of</li></ul>	No specific regulation	The Broadcast Law requires basic	General consumer protection is provided	The Consumer Protection Law ("CDI")	Pay TV is covered by general consumer	The NTC has issued regulations to ensure	The IMDA'S Code of Practice for Market	<ul> <li>For traditional pay TV platforms,</li> </ul>	No specific regulations	System operators are required to set up	NBTC's Rule on Standard Subscription	requirement.      The current regulations do not clearly
Including cooling-off period and termination	Practice registered with the ACMA (which may compel compliance as a condition of license) impose consumer protection	Spanding restrictions Capit	just basic cable packages only.	recommended in a Code of Practice issued by the CA.  Trade Descriptions Ordinance generally	their pay TV service.  See www.asiavia.org/rfg for further details	Spoone regulation.	broadcasters to: i. submit pay TV terms and conditions to Minister of the MIAC and disclose them	under CMCF's General Consumer Code, including model procedures for handling consumer complaints and disputes.	provides for general consumer protection rights and responsibilities of both consumers and service providers. Advertisers	protection legislation.  • Consumers may report to the New Zealand Commerce Commission any unfair terms in	the protection of consumer rights. Broadcast CATV, and content providers among others are required to charge consumers only for	, Conduct provides: two-year maximum length of subscription contracts; protection against excessive charges for early	broadcasting business operators must supply their programs at a fair and reasonable market cost.	,	a channel carrying the system operator's contact info, a list of all channels, the license period for each channel, and the programs	Contracts for Pay TV mandates certain requirements for standard subscription contracts, such as a complaints process etc.	stipulate a "cooling-off period". However, they do grant subscribers the right to: i. refuse to use part or the whole of a pay TV
rights	obligations.     General consumer protection laws also apply.  See ways asiavia org/rfg for further details.			prohibits false trade descriptions, false marks and mis-statements in respect of services sold.			<ul><li>publicly (e.g. on website);</li><li>ii. notify users in advance before suspending or ceasing their business;</li><li>iii. explain terms and conditions to users; and</li></ul>	Compliance with the General Consumer Code is mandatory.	in particular who engage in any false advertising of goods and services may be held liable under the CPL.	standard form contracts for services. The Commission may report these complaints to a court which has the power to prohibit the use of the term.	<ul> <li>Notice requirements are also imposed when the need to change or amend the service agreement arises. Mechanisms for filing</li> </ul>	termination; and subscribers to have procedures for disputing charges reasonably believed to be incorrect.	<ul> <li>For IPTV platforms, to ensure that the general public has equal access to content, the KCC designates certain programs which the provider must supply at a reasonable</li> </ul>		The regulator requires certain consumer protections be included in retail contracts.  See ways asiavia org/rfg for further details.	<ul> <li>A subscriber may terminate the subscription contract without penalty by giving written notice 5 days in advance. In the case of change of channel composition the subscriber</li> </ul>	service; and ii. to complain on price and service quality.  See www.asiavia.org/rfg for further details
	See www.asiavia.org/rfg for further details			See www.asiavia.org/rfg for further details			iv. deal with users' complaints.				complaints are also available.		cost.		See www.asiavia.org/rfg for further details	can terminate the contract immediately.	