



Ref: IBA/RP/23/036

Mr. Eshan Kodarbux
Executive Chairman
Radio Plus Ltd
4B, Labourdonnais Street
Port Louis

13 April 2023

Dear Sir,

**Re: Breaches in the programme 'Au Coeur de L'Info' broadcast by Radio Plus on
28 March 2023 (Complaint from Office of the Speaker)**

I am directed, by the Independent Broadcasting Authority, to inform you that:

1. On 28 March 2023, Radio Plus Ltd had broadcast, in the programme 'Au Coeur de L' Info', the following:

'Arvin Boolell:

Deux seances ein, au-dela de sa mane met cas la cour, parce que mo pa dakor la facon de faire du Speaker. Et mo dire li haut «et fort ki ena enn collusion entre le Speaker et le Leader of the House. »

«Alors, donc, moi mo finn trouve beaucoup Speaker a l'oeuvre, au travail.

"Kailash Purryag ti independent. Sir Ramesh Jeewoolall extremement independant. Ajay Daby ki zot pas ti metter contre li, li fer so travail sans sans emballage et avec avec avec avec enn enn enn enn facon de faire, ki ma/heureusement li ti victime de circonstance mais li ti agir en toute

independance. Ramnah, Ganoo mo pane conner mo pas ti la kan liti Speaker. Mais celui-la, c'est infecte ce Speaker»'

2. The Authority is in the presence of a complaint from the Office of the Speaker of the National Assembly, in relation to extracts of the programme 'Au Coeur de L' Info' broadcast by Radio Plus Ltd on 28 March 2023.
3. Having considered the content of the extracts of the programme 'Au Coeur de L' Info' broadcast by Radio Plus Ltd on 28 March 2023, the complaint from the Office of the Speaker and the explanations of Radio Plus Ltd, the Independent Broadcasting Authority has determined that the explanations of Radio Plus are unsatisfactory and:
 - (a) Radio Plus has breached paragraph 4.4 of the Code of Ethics; and
 - (b) Radio Plus has breached paragraph 4(2) of the Code of Conduct for Broadcasting Services.
4. The Authority reminds Radio Plus Ltd that it is bound by the IBA Act, the Code of Conduct for Broadcasting Services, the Code of Ethics and its licence.
5. The Authority highlights that paragraph 4.4 of the Code of Ethics reads as follows:

"4.4 Abusive / Offensive Comments

The broadcaster shall ensure that his or her programming does not contain abusive/offensive comments and discriminatory remarks on material pertaining to race, colour, age, sex, religion, social origin, marital status, physical or mental disability. Remarks which are abusive/offensive and risk exposing an individual or a group to contempt or hatred, contravene the objectives of the broadcasting policy set out in the Code.

Programming should be of high standard and the Mauritian licencees broadcasting system should, through programming, reflect the circumstances



and aspirations of Mauritian citizens, including the linguistic, cultural and ethnic plurality of the Mauritian society.

The Authority recognizes the right of licensees, through their employees, to criticize and question on air the actions of individuals, groups and institutions in the interest of community. However, the Authority considers that the right to criticize does not give anyone the right to degrade others, to be unduly fierce in his / her criticism, or to use the airwaves to make personal attacks.

6. Paragraph 4(2) of the Code of Conduct for Broadcasting Services reads as follows:

"4. Comment

(1) Broadcasting licensees shall be entitled to comment on and criticise events of public importance.

(2) Comment shall be presented in such manner that it appears clearly to be comment, and shall be made on facts truly stated or fairly indicated and referred to.

(3) Comment shall be an honest expression of opinion.

(4) The requirements imposed under paragraph 3A on broadcasting licensees shall apply to this paragraph."

7. Pursuant to its powers under section 5(1)(a) of the Independent Broadcasting Authority Act, the Authority hereby issues the following direction to Radio Plus Ltd:

"Radio Plus Ltd is hereby directed to broadcast an unreserved apology with the reasons thereof together with the stand of the Authority as set out below:

(a) On 17 April 2023 in the 07h00 News Bulletin

(b) On 17 April 2023 in the 12h00 News Bulletin; and

(c) On 17 April 2023 in the 16h30 News Bulletin.



8. Radio Plus Ltd is further reminded that a failure to comply with a direction issued by the Authority is a criminal offence. Sections 5(1)(a) and 5(1)(b) of the Independent Broadcasting Authority Act read as follows:

“5. Powers of Authority

(1) (a) The Authority may, for the purposes of this Act, give written directions to the Corporation or any licensee and they shall comply with those directions.

(b) Any licensee who fails to comply with paragraph (a) shall commit an offence.”

9. The Authority reminds Radio Plus Ltd that sections 37(1)(g) and 37(2) of the Independent Broadcasting Authority Act provide as follows:

“37. Offences

(1) Any person who—

(g) otherwise contravenes any provision of this Act,

shall commit an offence.

(2) Any person who commits an offence shall, on conviction, be liable to a fine not exceeding 500,000 rupees and to imprisonment for a term not exceeding 5 years.”

10. Radio Plus Ltd is directed to strictly adhere to the provisions of the Independent Broadcasting Authority Act, the Code of Conduct for Broadcasting Services, the Code of Ethics, and its licence, failing which, more severe sanctions may be applied.



11. Radio Plus Ltd is further reminded of section 22(5) of the IBA Act which reads as follows:

“(5) The Authority shall consider the past conduct of a licensee prior to determining whether or not to renew a licence.”

Yours faithfully,



K. Ramphul
Acting Director

C:C – Office of the Speaker