

Broadcasting Services (Notice to Appear in Court) Regulations, 2012

IT is hereby notified that the Minister of Media, Information and Publicity has, in terms of section 46 of the Broadcasting Services Act [Chapter 12:06] as read together with section 14(d) of the Criminal Procedure and Evidence Act [Chapter 9:07], approved the following regulations made by the Broadcasting Authority of Zimbabwe Board:—

Title

1. These regulations may be cited as the Broadcasting Services (Notice to Appear in Court) Regulations, 2012

Notice to appear in court

2. Notice to appear in court shall be done in terms of Form BS1 set out in the Schedule.

SCHEDULE

NOTICE TO APPEAR IN COURT

ZBC

FORM BS1

NOTICE TO APPEAR IN COURT

(Criminal Procedure and Evidence Act [Chapter 9:07]— Section 14(d)

YOU ARE HEREBY REQUIRED TO APPEAR BEFORE

The Magistrate's Court (No.)

(Place)..... (Date)..... (Time)

To answer the charge(s) of having committed the offence(s) set out below:

Offence(s)

Contravening section 38B as read with section 38E of the Broadcasting Services Act [Chapter 12:06] alternatively contravening section 38D(4)(d) as read with section 38D(2) of the Broadcasting Services Act [Chapter 12:06].

**FAILURE TO APPEAR WILL RESULT IN AN APPLICATION FOR A
WARRANT FOR YOUR ARREST**

You may avoid appearing in court by admitting your guilt (if you wish) and paying the sum of \$, being the deposit fine fixed for the offence(s) on or before

AND

You must produce the following documents to Police Station by the above-mentioned date, your **Notice (Form number BL7)** and **valid listener's/viewer's licence(s)**. Failure to comply renders you liable to prosecution.

Name (in full):

Residential address:

..... Phone:

Business address:

..... Phone:

I hereby certify that I have this day of, 20 handed a true copy of the notice to appear in court, to the said accused;

(1) by handing it to him/her personally; Signature

(2) by handing it to (employer/employee/relative etc.)

.....
Signature

at in the Province of
and have fully explained to—

(1) him/her

(2) the said (employer/employee/relative etc.)
the import thereof.

Issuing detail: No. Rank: Name:

Date: Signature:

BRIEF STATEMENT OF FACTS

Notice No.

I, (name),
an inspector appointed in terms of section 38D(a1) of the Broadcasting Services
Act [Chapter 12:06] hereby certify that—

- (a) on the (date), I served a copy of the attached
notice on the person whose name appears at the head thereof;
- (b) service of the said notice was effected (state manner of service):
.....
- (c) when I was at the premises specified in the said notice, I observed—
 - (i) receiver(s) (Sound Urban);
 - (ii) receiver(s) (Sound Business Premises);
 - (iii) receiver(s) (Sound-Vehicle, Private Applicant);
 - (iv) receiver(s) (Sound-Vehicle, Employer Owned);
 - (v) receiver(s) (Sound and Television-Home);
 - (vi) receiver(s) (Television-Business Premises);
 - (vii) receiver(s) (Sound and Television Vehicle);
- (d) since serving the said notice, I have not been notified in terms of
section 38D(3)(b) of the Act that the above-mentioned person has
produced the notice and a valid listener's licence to a police officer
in charge of a police station.

Dated this day of, 20.....

Signature

Inspector

PROSECUTOR'S USE ONLY

RESULT OF CASE:

Accused appeared at the Magistrate's Court on the
..... and was sentenced to
and civil judgement of awarded to Zimbabwe
Broadcasting Corporation.

..... Public Prosecutor

(Signature)

WARRANT OF ARREST

C.R.B. No.

..... Magistrate for the Province
of

To the Police Officers and other Officers of the law proper to the execution of
Criminal Warrants.

Whereas

of

.....

was duly summoned to appear in the Magistrate's Court for the Province of

.....

at at a.m/p.m.

on the day of, 20.....

to answer a charge(s) of

..... ;

AND WHEREAS the above named was in default and was fined
and a warrant of arrest was ordered.

THIS IS THEREFORE to require you to arrest the abovenamed and cause
him to be brought before me to be dealt with according to the law.

Given under my hand at

this day of, 20.....

MAGISTRATE