

LEGAL NOTICE NO.

THE KENYA INFORMATION AND COMMUNICATIONS ACT
(Cap. 411A)

**THE KENYA INFORMATION AND COMMUNICATIONS (BROADCASTING)
REGULATIONS, 2026**

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THE KENYA INFORMATION AND COMMUNICATIONS ACT
(Cap. 411A)

IN EXERCISE of the powers conferred by section 46K of the Kenya Information and Communications Act, the Cabinet Secretary for Information, Communications and the Digital Economy, in consultation with the Communications Authority of Kenya, makes the following Regulations—

**THE KENYA INFORMATION AND COMMUNICATIONS (BROADCASTING)
REGULATIONS, 2026**

PART I—PRELIMINARY

Citation.

1. These Regulations may be cited as the Kenya Information and Communications (Broadcasting) Regulations, 2026.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

Cap. 411A.

“Act” means the Kenya Information and Communications Act;

Cap. 222.

“advertise” means to broadcast an item in return for payment or other valuable consideration to a broadcaster, with the intention of—

Cap. 110.

(a) selling a product or service to a viewer or listener;

(b) convincing a viewer or listener of a belief or course of action; or

(c) promoting a product, service, belief, course of action, person or organisation;

“Authority” means the Communications Authority of Kenya established under section 3 of the Act;

“broadcasting licence” means a licence issued by the Authority permitting the licensee to provide broadcasting services;

“broadcast signal distributor” means a person who provides network facility operator services for broadcasting;

“broadcast market” means the area within which a licensee is licensed to operate, as specified in the broadcasting licence;

“candidate” means a person contesting for an elective post;

“Classification Board” means the Kenya Film Classification Board established under section 11 of the Films and Stage Plays Act, or its successor;

“community broadcaster” means a broadcaster licensed to provide broadcasting services designated as such under section 2(1) of the Act;

“digital broadcasting” means the use of digital, rather than analogue, waveforms to carry broadcasts over a broadcasting frequency or channel;

“disaster” means a sudden calamitous event, caused by nature or by human beings, which seriously disrupts the functioning of a community or society and

causes human, material, economic or environmental losses that exceed the ability of the community or society to cope using its own resources;

“free-to-air television channel” means a television channel licensed to broadcast without encryption and capable of being received by conventional broadcasting receiving apparatus;

“foreign multi-channel broadcasting subscription service provider” means a broadcasting service provider, registered and domiciled outside Kenya, which offers different types of broadcasting programming services to its customers at a subscription fee;

“infomercial” means a programme-length television commercial which is cast in a standard format and presented in the form of a short documentary in order to disguise the fact that it is an advertisement;

“licensee” means the holder of a broadcasting services licence issued by the Authority;

“mandatory must-carry channel” means a local free-to-air channel designated by the Authority to be carried on the licensed broadcast signal distributors and subscription broadcasting service platforms without payment for carriage;

“national event” means an event taking place on a gazetted public or national holiday in Kenya in accordance with the Public Holidays Act, or an event declared by the Authority to be of national interest;

“programme” means sound, visual images or a combination of both, intended to inform, educate or entertain;

“programming” means the scheduling of programmes;

“programme schedule” means a timetable of planned programming indicating the day of the week, the time and the classification or rating of the programme to be aired;

“public broadcaster” means the public broadcaster designated under section 46E of the Act;

“public service announcement” means a broadcasting service offered at no cost to raise public awareness on a matter of public interest, or in the event of a disaster, emergency or pandemic, upon the request of a person authorised by the Government;

“sponsored programme” means a programme all or part of the costs of which are paid by a sponsor, with a view to promoting the name, product or service of that sponsor or of another sponsor;

“station programming format” means an arrangement of programmes which are presented on a broadcasting station;

“subscriber” means a person who, in relation to subscription television or radio broadcasts, has entered into an agreement with a provider of subscription radio or television services;

“subscription broadcasting service” includes a cable, terrestrial or multi-channel satellite distribution service, a video-on-demand or audio-on-demand service and an over-the-top video or audio service which is offered on a subscription basis;

“subscription management service” means a service which involves the provision of support services to a subscription broadcasting service, and may include subscriber management support, subscription fee collection, call centre services, sales and marketing, and technical and installation services;

“terrestrial station” means a station effecting terrestrial radio communications;

“terrestrial broadcast” means broadcasting in which the broadcast signal is transmitted by radio waves from a terrestrial, earth-based transmitter of a broadcast station to a television or radio receiver having an antenna; and

“Tribunal” means the Communications and Multimedia Appeals Tribunal established under section 102 of the Act.

Objects of the Regulations.

3. The objects of these Regulations are to—

- (a) provide for the licensing procedure for broadcasting service providers;
- (b) facilitate, promote and maintain diversity and plurality of views for a competitive marketplace of ideas; and
- (c) provide for the carriage of content, in keeping with public interest obligations, across licensed broadcasting services.

PART II—BROADCASTING SERVICE PROVIDERS

Application of licensing procedures.

4. (1) The procedure for applying for, renewing, varying or revoking a licence under this Part shall be in accordance with the regulations made under the Act for governing the general licensing framework.

(2) A person who intends to provide more than one broadcasting service shall apply for a licence for every broadcasting service the person intends to operate.

(3) On the issue of a licence, the licensee shall—

- (a) establish the necessary broadcasting infrastructure; and
- (b) commence broadcasting within the period specified in the licence, or on such other date as the Authority may approve in writing.

Categories of broadcasting licences.

5. The Authority may issue the following categories of broadcasting licences—

- (a) a free-to-air commercial broadcasting service licence;
- (b) a community broadcasting service licence;
- (c) a public broadcasting service licence;

- (d) a subscription broadcasting service licence;
- (e) a subscription management service licence;
- (f) a landing rights authorisation;
- (g) a terrestrial digital broadcasting signal distribution service licence; and
- (h) any other licence provided for in the market structure set out in the general licensing regulations.

Obligations relating to
broadcasting services.

6. (1) The Authority shall—

- (a) ensure that broadcasting services reflect the national identity, needs and aspirations of Kenyans;
- (b) ensure that broadcasting services are delivered using the most efficient and effective available technologies;
- (c) develop a frequency plan which sets out how the frequencies available for broadcasting services in Kenya may be shared equitably and in the public interest among the various tiers of broadcasting; and
- (d) ensure that every applicant secures the relevant permission, or enters into the agreements or arrangements, necessary for the operation of the broadcasting service.

(2) The Authority shall ensure that a free-to-air broadcasting services licensee—

- (a) provides the amount of local content specified under these Regulations and in the licence; and
- (b) adheres strictly to the terms and conditions of the licence.

Obligations of
broadcasters.

7. (1) A broadcaster shall—

- (a) file with the Authority the returns and documentation at the intervals prescribed in the licence;
- (b) ensure that its station identity or logo is—
 - (i) unique;
 - (ii) duly registered as a business name or under the relevant intellectual property laws; and
 - (iii) not such as to cause confusion;
- (c) keep such records as the Authority may direct from time to time;
- (d) display the station identity or logo at all times, for television broadcasting, and make audio announcements revealing the station's identity, for both radio and television, at the intervals prescribed by the Authority in the licence;
- (e) incorporate in its systems the minimum delay specified in the licence during the airing of live programming and call-ins, for the purpose of blocking the airing of undesirable content;
- (f) clearly provide full disclosure to listeners and viewers of the chargeable rates for short messaging services and studio call-ins;

- (g) ensure that the relevant public service announcements are aired on a daily basis for the minimum duration specified by the Authority; and
- (h) comply with the laws on copyright and neighbouring rights.

(2) Where a licensee fails to pay the applicable annual fees within the stipulated period, the Authority may charge interest on the amount due in accordance with section 83A of the Act.

Commencement of
broadcasting service.

8. A licensee shall, within seven days before the commencement of a broadcasting service, notify the Authority, in writing, of—

- (a) the intention of the licensee to transmit a broadcasting service from a station in the coverage area of the licensee;
- (b) the commencement date and time of the transmissions;
- (c) the assigned frequency or channel from which the station is to operate;
- (d) the station programming and the station identity or logo;
- (e) the contact details of the officer assigned to handle complaints against the licensee; and
- (f) the address, electronic mail address and telephone number of the licensee.

Limitation of control.

9. (1) The Authority may determine the maximum number of radio frequencies or free-to-air television channels which a person may be allocated to broadcast in the same coverage area.

(2) In determining the limit under sub-regulation (1), the Authority shall consider—

- (a) the availability of the spectrum resource;
- (b) the need to ensure plurality and diversity in the marketplace;
- (c) equitable access by other broadcasting categories;
- (d) the infrastructure deployed for the service;
- (e) the capacity of the person to provide the services; and
- (f) the diversity of the content to be aired.

(3) The Authority shall notify the licensees affected by the requirements specified under sub-regulations (1) and (2) and require them to comply within a prescribed time frame.

(4) A broadcaster shall not lease or transfer the broadcast frequencies or channels assigned to it to any other person without the written consent of the Authority.

(5) A licensee who seeks approval of a change in shareholding shall, at least sixty days before effecting the proposed change, notify the Authority of the proposed change in ownership, control or proportion of shares held in it, and—

- (a) a change in shareholding exceeding fifteen per centum of the issued share capital; or

- (b) the acquisition by an existing shareholder of at least five per centum additional shares,

shall require the prior written consent of the Authority, and the Authority shall notify the applicant of its acceptance or refusal, stating the reasons for a refusal, within thirty days of receipt of the application for the consent.

(6) A notification of a change in ownership, control or proportion of shares held in a licensee shall state—

- (a) the date when the intended transfer of ownership, or of part of the ownership, is to be effected;
- (b) the name and address of the acquirer;
- (c) the names, nationality and addresses of the persons who are in control of the business; and
- (d) any change in the name or address of the business.

(7) In considering an application for written consent for a transfer of ownership, a change of the person in control or a change in the shareholding of a broadcasting licensee, the Authority shall consider—

- (a) the capacity of the acquiring entity to roll out the broadcasting services;
- (b) the nature of the broadcasting services and programming which the acquiring entity intends to roll out;
- (c) the extent to which the allocated frequency resources of the entity to be acquired have been utilised;
- (d) the possible impact of the transfer on the promotion of pluralism and diversity;
- (e) the effect of the transfer on competition, or on the promotion of competition, in the sector;
- (f) the past and current compliance record, relating to the conditions of the current licences, of the acquiring and the acquired entities; and
- (g) any other matter which the Authority may consider relevant.

PART III—BROADCASTING SERVICES

Public broadcasting service.

10. (1) A public broadcaster shall—

- (a) provide independent and impartial broadcasting services of information, education and entertainment in English and Kiswahili, and in such other languages as the broadcaster may be licensed;
- (b) provide a diverse range of programming which reflects the identity, needs and aspirations of Kenyans;
- (c) afford a fair opportunity for the presentation of divergent views and dissenting opinions;

- (d) conduct the broadcasting services in an impartial manner, while considering the interests and susceptibilities of the different communities in Kenya; and
- (e) keep a fair balance, in all respects, in the allocation of broadcasting hours as between different political viewpoints.

(2) A public broadcasting service shall be supported by revenues from the Exchequer, grants, donations and its commercial services.

(3) A public broadcaster shall not lease or transfer to a third party the broadcast frequencies or channels assigned to it for use in public broadcasting, except with the written authorisation of the Authority.

(4) The Authority may, on application by the public broadcaster, grant it a licence to provide broadcasting services on a commercial basis.

(5) Where the public broadcaster is granted a licence to provide broadcasting services on a commercial basis, it shall maintain and keep separate accounts for its public and its commercial broadcasting services.

(6) The Authority shall ensure the equitable allocation of frequency spectrum resources for the public broadcasting services.

(7) Where a public broadcaster has exclusive rights for the broadcast of a national event identified to be of public interest, the signal shall be made available for re-transmission by other interested broadcasting licensees at a reasonable charge which is not prohibitive and does not negatively affect consumer access and choice.

Free-to-air commercial
broadcasting service.

11. (1) A free-to-air commercial broadcaster shall—

- (a) be issued with a broadcasting service licence, which may include the frequency or channel licence for each broadcast station which utilises a frequency or channel resource;
- (b) provide a diverse range of programming which reflects the identity, needs and aspirations of the people in its broadcasting area;
- (c) avail the channel to the designated multiplex centre for inclusion in the bouquet of a subscription broadcasting service provider, in unencrypted and compatible format, within the period determined by the Authority, where the channel has been identified as a must-carry channel; and
- (d) where the broadcaster provides national coverage, and without prejudice to paragraphs (a) and (b), provide programming which reflects the identity and needs of the people of Kenya.

(2) Despite sub-regulation (1)(c), the subscription service provider or the signal distributor shall bear any additional cost of carriage of the must-carry channel on its platform.

(3) A free-to-air commercial broadcaster shall acquire exclusive broadcasting rights over local premium content in a competitive, fair and transparent manner.

(4) A licensee who acquires exclusive rights over premium content may file the contract with the Authority.

(5) The Authority may mediate in a case of disagreement or dispute regarding the sublicensing of premium content between licensees.

Community
broadcasting services.

12. (1) A community broadcaster shall—

- (a) reflect the needs of the people in the community, including cultural, religious, language and demographic needs;
- (b) deal specifically with community issues which are not normally dealt with by other broadcasting services covering the same area;
- (c) be informational, educational and entertaining in nature;
- (d) ensure that members of the community are involved in the running of the station, including participation in the programming and in the selection of the programming content to be aired; and
- (e) advertise, where allowed by the Authority, only advertisements which are relevant and specific to the target community within the broadcast area.

(2) A community broadcaster shall—

- (a) ensure that any funds generated from the operations of the community broadcasting station are reinvested in activities benefiting the community;
- (b) maintain a record of its activities; and
- (c) submit, on an annual basis, a report of its activities to the Authority.

(3) The Authority shall ensure that an equitable number of frequencies or channels is reserved for community broadcasting.

(4) The Authority shall monitor community broadcasters to ensure that any funds generated from the operations of a community broadcasting station are reinvested in activities benefiting the community.

Subscription
broadcasting and
subscription
management services.

13. (1) A person licensed to provide a subscription broadcasting service or a subscription management service shall—

- (a) distribute broadcasting services within the borders of Kenya, or from Kenya to other territories;
- (b) provide a prescribed minimum number of local broadcasting channels in its service or platform;
- (c) ensure that a prescribed minimum percentage of the titles in its on-demand catalogue qualify as local content;
- (d) provide access to the designated local mandatory must-carry channels on its service for a period of at least seven days for a customer who fails to renew a subscription; and
- (e) provide diversity in programming.

(2) The Authority may require a licensee which offers subscription management services to provide the following services on behalf of a multi-channel broadcasting subscription service provider or a landing rights holder—

- (a) subscription fee collection;

- (b) marketing and sales;
- (c) technical and installation support;
- (d) the operation of a national call centre for customers;
- (e) guarantees of quality of service and consumer protection; or
- (f) any other service which the Authority may determine.

Obligations of
subscription
broadcasting and
subscription
management services
licensees.

14. (1) A person licensed to provide a subscription broadcasting service or a subscription management service shall provide a subscriber with information, in writing, relating to—

- (a) the products and services offered;
- (b) the cost of the subscription, including installation and maintenance;
- (c) the options of programming services available;
- (d) the conditions under which the service is supplied;
- (e) the instructions regarding the use of the service, in the official languages;
- (f) the number and allocation of the channels carried on the system, and the programming available on each channel;
- (g) the billing and complaints procedures; and
- (h) the address, electronic mail address and telephone number of the business office of the licensee.

(2) A person licensed to provide a subscription broadcasting service or a subscription management service shall provide a parental control mechanism.

(3) A licensee intending to add a new channel to its subscription platform shall notify the Authority, in writing, at least fourteen days before its introduction, and shall provide a description of the proposed content.

(4) The licensee may proceed to offer the channel unless the Authority, within the notification period, issues a written objection on the ground of non-compliance with the Act or these Regulations.

(5) A subscription management services provider shall not enter into a contractual arrangement with a foreign multi-channel broadcasting subscription service provider unless the foreign provider holds a landing rights authorisation issued by the Authority.

Terrestrial digital
broadcasting signal
distribution services.

15. (1) A terrestrial digital broadcasting signal distribution services licensee shall—

- (a) distribute, on its digital platform, free-to-air and subscription broadcasting services and related data on behalf of its consortia members or other licensed broadcasting service providers, as applicable;
- (b) submit to the Authority, on request, any contractual agreement entered into with other licensed broadcasters for the distribution of the broadcasting services specified under its licence;

- (c) provide its services on such terms and conditions, as to access, tariffs and quality of service, as the Authority may prescribe;
 - (d) terminate the provision of services to a broadcasting service provider accommodated on its platform, on notification by the Authority, within the period specified in the notice;
 - (e) provide a channel insertion facility at its transmission sites to enable the accommodation of the signals of other broadcast licensees in the specific sites of interest; and
 - (f) ensure that all the channels carried on its platform are duly authorised or licensed by the Authority.
- (2) A licensee under this regulation shall—
- (a) develop the broadcast signal distribution tariff schedule;
 - (b) submit the broadcast signal distribution tariff schedule to the Authority for approval; and
 - (c) comply with the approved broadcast signal distribution tariff schedule.
- (3) A licensee under this regulation shall, in consultation with the other broadcasters accommodated on its platform, prepare an electronic programme guide for audiences to use to access information relating to the schedules of the programme materials for all the broadcasting services it carries.
- (4) A licensee under this regulation shall enable the display of an up-to-date programme schedule, complete with a programme rating from the Classification Board for each programme, in all the television channels on its digital platform, as provided by the licensed broadcasting service provider.
- (5) Where a licensee under this regulation fails to comply with sub-regulation (4) due to a failure by a broadcasting service provider to provide programme schedule information, the licensee may—
- (a) lodge a complaint with the Authority;
 - (b) notify the broadcasting service provider of the intention to terminate the agreement; and
 - (c) give the broadcasting service provider an opportunity to respond.
- (6) The broadcasting service provider shall respond to a complaint raised under sub-regulation (5) within fifteen days.
- (7) A licensee under this regulation which provides self-provisioning signal distribution services shall not be eligible to carry, on its digital platform, the channels of third-party broadcasting licensees, save its own channel, those of its consortia members and any other channel which the Authority may prescribe in writing as a mandatory must-carry channel.
- (8) Where a licensee does not have infrastructure and wishes to provide coverage, the licensee shall seek to be accommodated on the platform of a duly licensed national common carrier broadcast signal distributor, on mutually agreed commercial terms and subject to the availability of capacity on the platform.

(9) Where a member of a consortium holding a self-provisioning signal distribution licence leaves the consortium, its channel accommodated on the consortium's self-provisioning signal distribution platform shall be removed, unless the channel has been designated as a mandatory must-carry channel by the Authority.

Digital broadcasting.

16. (1) A licensed broadcast signal distributor shall transmit the signal of a content service provider on its digital platform as received, without any alteration or addition of any information whatsoever, including under-the-line advertising, except where the broadcaster has given written consent and the consent has been filed with the Authority.

(2) A licensed broadcast signal distributor shall not accommodate a broadcasting channel of a content service provider unless the provider is duly licensed or authorised by the Authority to offer the specified number of channels.

(3) A licensed broadcast signal distributor may charge a content service provider accommodated on its digital platform such fees as are within the ceilings of the tariff determined and approved by the Authority.

(4) A broadcast signal distributor shall provide services to a licensed content service provider in a fair, transparent, impartial and non-discriminatory manner.

(5) A broadcast signal distributor and a broadcast content service provider shall comply with the infrastructure sharing requirements provided for under the Act.

(6) A broadcast signal distributor and a broadcast content service provider shall comply with any directions, rules and guidelines issued by the Authority, and shall provide any information relating to the provision of the licensed services as may be requested by the Authority.

Cessation of transmission on a digital platform.

17. (1) An existing broadcaster or a new broadcast content service provider shall not cease the transmission of its broadcast signals from the digital platform of a licensed broadcast signal distributor except—

- (a) with the written consent of the Authority;
- (b) under force majeure circumstances, which shall be notified to the Authority; or
- (c) on the revocation of its licence or the termination of its operations.

(2) The Authority may issue consent to a licensed broadcast signal distributor to discontinue transmitting a broadcaster's signal on its platform where the broadcaster—

- (a) is in violation of the conditions of the licence, the Act, these Regulations or the laws of Kenya;
- (b) has applied to the Authority for approval to discontinue providing the licensed service and the necessary authorisation has been issued;
- (c) has had its licence revoked; or
- (d) has failed to meet its contractual obligations.

(3) A signal distributor shall not discontinue the broadcast of, or interfere with the content of, a broadcast content service provider within its platform without the written consent of the content provider or the Authority.

(4) Despite sub-regulation (3), a broadcast content service provider shall not discontinue the distribution services without the prior written consent of the Authority.

Quality of service requirements.

18. (1) The Authority shall specify the quality of service requirements to be complied with by a signal distributor and a content service provider, and shall review the quality of service requirements from time to time.

(2) A signal distributor shall ensure that the channel bit rate allocated to a broadcaster is sufficient and commensurate with the capacity requirements for maintaining the quality of service for the nature of the content, failing which the signal distributor is liable to the penalties specified in the licence.

(3) A signal distributor shall apply appropriate audio and video compression ratios during the multiplexing of radio and television signals, in order to guarantee the quality of service requirements specified in the terms and conditions of the licence.

Service level agreements.

19. (1) The Authority shall issue administrative guidelines relating to the service level agreements between signal distributors and broadcast content service providers.

(2) A broadcast signal distributor shall ensure that service level agreements are signed with the broadcast service providers accommodated on its digital platform, and a copy of each agreement filed with the Authority.

Supply of digital broadcasting receivers.

20. (1) A person intending to assemble, import, distribute or sell digital broadcast receiving apparatus, including—

- (a) set-top boxes or decoders;
- (b) integrated digital television receivers;
- (c) universal serial bus dongles;
- (d) digital audio broadcasting receivers; or
- (e) any other customer premises equipment,

for digital broadcast reception in Kenya, shall obtain type approval, a type acceptance certificate or a vendor's licence from the Authority before the distribution or sale of the apparatus.

(2) A licensed vendor or supplier of digital receiving apparatus shall ensure that only models type approved by the Authority are offered for sale to consumers in Kenya.

(3) The Authority shall specify the minimum specifications for digital receiving apparatus, to be used as the basis of the type approval evaluation, and shall review the specifications from time to time.

(4) A licensed vendor or supplier shall ensure the provision of after-sales maintenance and back-up for the supplied digital apparatus, and shall submit such returns to the Authority as may be required from time to time.

(5) Where a subscription broadcasting service provider supplies digital receivers to its subscribers for the reception of its pay services, the provider shall clearly specify the period during which the cost of the digital receiver is to be recovered through monthly payments, after which the ownership restriction on the subscriber shall be removed.

(6) The Authority may, by notice to the public, advise on the period beyond which broadcasting receivers considered to be of obsolete technology will not be allowed to be imported into the country.

PART IV—COMPLAINTS HANDLING PROCEDURE

Complaints handling procedure.

21. (1) Every broadcaster shall develop a procedure for handling complaints from persons who are aggrieved by its broadcasts.

(2) The complaints handling procedure shall provide for—

- (a) the full name of the broadcaster as it appears in the licence, as well as the broadcast station identity specific to the different broadcast services offered;
- (b) the physical and postal address, electronic mail addresses, social media handles and telephone numbers to which complaints may be sent;
- (c) the details of the contact person authorised to receive and handle complaints;
- (d) the manner in which a complaint may be lodged, including the applicable languages;
- (e) the details which are to be submitted when lodging a complaint;
- (f) the need for the complainant to retain a copy of every correspondence exchanged between the complainant and the broadcaster; and
- (g) the manner in which a complaint is to be investigated, and the process of investigation.

(3) In addition to the matters specified under sub-regulation (2), the complaints handling procedure shall include information—

- (a) informing listeners or viewers that the first opportunity to resolve a complaint shall be given to the broadcaster;
- (b) relating to the time frames for responding to the complainant and resolving the complaint;
- (c) relating to the manner in which complaints lodged by persons living with a disability, and by consumers who are not capable of lodging complaints in writing, are to be addressed;

- (d) on the methods of recording and tracking complaints, including the responses to them;
- (e) on the duration of storage of the records of the complaints received and the actions taken;
- (f) on the retention and production of recordings of any programme which is the subject matter of a complaint; and
- (g) on the categories of complaints which the broadcaster has no obligation to respond to, including complaints considered frivolous, vexatious or an abuse of the complaints process, or from complainants who choose to remain anonymous.

Obligations of licensees.

22. (1) A broadcaster shall—

- (a) make its complaints handling procedure available to the public;
- (b) respond to a complaint within fifteen days of its being lodged, and resolve the complaint within thirty days of its receipt;
- (c) inform its listeners or viewers, during the station's prime time, of the existence and content of a complaints handling procedure, at such intervals as the Authority may determine;
- (d) not dispose of the broadcast transcripts or recordings relating to a complaint which has not been resolved, whether by the broadcaster, the Authority, the Tribunal or the High Court; and
- (e) submit to the Authority, on a quarterly basis, a written report of all the complaints received during the period and the manner in which they were addressed.

(2) The provision in the licence specifying the minimum duration for which a licensee is to retain a copy of the recordings of broadcasts does not apply to sub-regulation (1)(d).

Filing of complaints handling procedure.

23. A broadcaster shall file a copy of its published complaints handling procedure with the Authority.

Escalation of complaints to the Authority.

24. (1) Where a person alleges that the person has exhausted the mechanisms in the complaints handling procedure of the broadcaster and is not satisfied with the remedy offered or the action taken, the person may appeal to the Authority, and the appeal shall be dealt with in accordance with such procedures as the Authority may determine.

(2) The Authority may, on its own motion, investigate a matter where, in its view, a broadcaster has breached the provisions of the Act, these Regulations or the terms and conditions of the licence.

(3) An aggrieved party to a broadcast shall lodge a complaint with the broadcaster within thirty days from the date of the occurrence of the subject broadcast, or from the date when the party became aware, or ought to have become aware, of the broadcast.

(4) Where a licensee and a complainant settle a complaint under these Regulations, the settlement or agreement is administratively binding.

PART V—GENERAL PROVISIONS

Public emergencies. **25.** All broadcasting service providers shall notify the public of an emergency, a public service announcement or a public disaster announcement, on the request of a person authorised by the Government.

Offences and penalties. **26.** (1) A person who contravenes these Regulations commits an offence and is liable, on conviction, to the penalty set out in section 46Q(3) of the Act.

(2) Where a licensee contravenes a provision of these Regulations, the Authority may, pursuant to sections 46J and 83A of the Act, impose a fine or revoke the licence.

Revocation.
L.N. No. 187 of 2009. **27.** The Kenya Information and Communications (Broadcasting) Regulations, 2009 are revoked.

Savings and
transitional provisions. **28.** (1) An act, approval, notice, direction, proceeding or other matter lawfully done under the revoked Regulations, and subsisting immediately before the commencement of these Regulations, shall be treated as having been done under these Regulations.

(2) A licence issued under the revoked Regulations and subsisting immediately before the commencement of these Regulations continues in force in accordance with its terms, subject to these Regulations.

(3) A period of time which began to run under the revoked Regulations and had not expired immediately before the commencement of these Regulations continues to run as if it had commenced under these Regulations.

Made on the, 2026.

WILLIAM KABOGO GITAU,
Cabinet Secretary for Information, Communications and the Digital Economy.