

## Complaints Mechanism

Complaints under this mechanism can be made to Maldives Broadcasting Commission by any person or body constituting an event of a failure to comply with the Maldives Broadcasting Act, subsequent Statutory Instruments, and Code.

### 1. Type of Complaints

- a. Complaints regarding licensed broadcast or re-broadcast channels operating in the Maldives and their broadcast content;
- b. Complaints regarding broadcasting or re-broadcasting licensing issues;
- c. Complaints concerning the services provided by the licensed Broadcasters and Re-broadcasters;
- d. Any other complaints related to Broadcasting and Re-broadcasting, apart from the above 3 points.

### 2. How to submit a Complaint

- a. Complaints concerning broadcasting or re-broadcasting in Maldives shall be submitted to Maldives Broadcasting Commission within 4 weeks of the broadcast of the relevant programme or of the occurrence of the matter complained of.
- b. Complaints shall be submitted on the Commission's complaint form and submitted after completion of all fields.
- c. The commission will retain all information of the complainant under confidentiality, unless disclosure is required. It shall not be revealed without the consent of the complainant.

### 3. Complaints Adjudication Process

#### First phase

- a. The complaints lodged to the Maldives Broadcasting Commission will be communicated with all Commission members.
- b. Thereby, every complaint will be evaluated by the Commission whether it can be adjudicated or not and the response or determination will be informed to the complainant within 03 (three) working days from the date complaint was lodged.

- c. Upon the decision to adjudicate a complaint, the relevant broadcasting station will be informed to retain the pertinent content and documents, until the complaint is adjudicated.
- d. Furthermore, the complaint will be transmitted to the pertinent committee along with supporting evidence.
- e. The complaints transmitted to the committee are of two types i.e. (1) complaints that could be resolved whereby the Commission assumes a mediatory role and (2) complaints that contravene the Maldives Broadcasting Act and broadcasters' Code of Practice. Thereby, the committee will sort out the complaints respectively.
- f. Where Commission considers that a broadcaster have failed to comply with particular provisions of the Maldives Broadcasting Act and considers statutory sanction against the broadcaster, the necessary actions shall be taken in accordance with the procedures under phase 2.
- g. As stated in e. (1) of this phase, the Commission will write to the relevant Broadcasting station within 02 (two) working days from the date the complaint was considered for adjudication. The broadcaster shall be given the option to make representations in writing within 10 (ten) working days;
- h. The Commission will write to the complainant within 02 (two) working days informing of the broadcaster's representation in response.
- i. In the duration allotted in h. of this phase, if the complainant has not further communicated with the Commission any information regarding the particular complaint, the Commission shall consider the problem resolved and will inform the broadcaster.
- j. If the complainant is not satisfied with the response given by the broadcaster, the case can be resubmitted by lodging the complaint within 05 (five) working days. The resubmitted case shall be adjudicated in accordance with the procedures under phase 2.
- k. If the Commission has not received a response from the broadcaster within 10 (ten) working days, the case will then go through the procedures under phase 2 and this will be informed to both parties. Cases pertinent to g (1) and j in this phase will be further adjudicated under phase 2.

## Second phase

- a. In this phase the complaints shall be adjudicated on a first-in, first-served basis.
- b. In this phase, if the Commission requires further clarification in order to adjudicate a complaint, the Commission has the right to request for the information from the complainant and the defendant.

Thereby, when probing into the complaint, if it entails further clarifications, the Commission can bring in the complainant and the defendant for questioning.

- c. In phase 2, every complaint shall be adjudicated within 20 (twenty) working days from the date lodged.
- d. If, for any reason, the Commission was unable to adjudicate the complaint within 20 (twenty) working days, the complainant shall be informed expatiating on the status of the complaint.
- e. The second phase of the complaints mechanism shall conclude when the final verdict passed by the Commission had been communicated in writing to the complainant and the defendant.
- l. Details of the complaints lodged to the Commission and the final verdict of each complaint shall be published on the Commission's website.
- m. The second phase of the complaints mechanism is the last avenue for complaints adjudication in Maldives Broadcasting Commission. Therefore, any complaint that had been assessed and adjudicated in this phase cannot be submitted for retrial to the Commission. If either party is discontented with the verdict of the Commission they can submit the matter to other respective authorities.