

# **Ofcom Broadcast Bulletin**

**Issue number 218  
19 November 2012**

# Contents

Introduction	4
--------------	---

## Notices of Sanction

<b>E Entertainment UK Limited</b> <i>Girls of the Playboy Mansion, E! Entertainment, 27 December 2011, 10:00 to 13:00 and 16:00 to 21:00</i>	5
---	---

<b>Sunrise TV Limited</b> <i>Beauty Simplified, Sunrise TV on 13 June 2011, 13 and 14 July 2011, and 27 September 2011</i>	7
---	---

## Standards cases

### In Breach

<b>POAF Complaints Cell</b> <i>DM Digital, 19 and 22 December 2011, 21:00</i>	9
--	---

<b>POAF Complaints Cell</b> <i>DM Digital, 19 December 2011, 19:00, and 22 December 2011, 21:30</i>	
<b>Understanding the Qur'an</b> <i>DM Digital, 22 December 2011, 10:30</i>	
<b>DM News Review</b> <i>DM Digital, 22 December 2011, 11:10</i>	19

<b>Dare to Ask</b> <i>Peace TV, 8 March 2012, 09:00</i>	
<b>Dial Dr Zakir</b> <i>Peace TV, 9 March 2012, 13:30</i>	22

<b>Storm Night</b> <i>Storm, 29 September 2012, 22:00</i>	28
--	----

<b>The Alan Brazil Sports Breakfast</b> <i>Talksport, 17 August 2012, 09:55</i>	30
--	----

<b>Styled to Rock</b> <i>Sky Living, 3 September 2012, 20:00</i>	33
---	----

<b>Big Brother</b> <i>Channel 5, 16 July to 2 August 2012</i>	35
--	----

### In Breach/Not in Breach

<b>Big Brother</b> <i>Channel 5, June to August 2012, various dates and times</i>	40
--	----

Resolved

<b>Big Brother's Bit on the Side</b> <i>Channel 5, 4 July 2012, 23:00</i>	53
--	----

<b>Other Programmes Not in Breach</b>	56
---------------------------------------	----

<b>Complaints Assessed, Not Investigated</b>	57
--	----

<b>Investigations List</b>	70
----------------------------	----

## Introduction

Under the Communications Act 2003, Ofcom has a duty to set standards for broadcast content as appear to it best calculated to secure the standards objectives<sup>1</sup>, Ofcom must include these standards in a code or codes. These are listed below.

The Broadcast Bulletin reports on the outcome of investigations into alleged breaches of those Ofcom codes, as well as licence conditions with which broadcasters regulated by Ofcom are required to comply. These include:

- a) Ofcom's Broadcasting Code ("the Code"), which, can be found at: <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/>.
- b) the Code on the Scheduling of Television Advertising ("COSTA") which contains rules on how much advertising and teleshopping may be scheduled in programmes, how many breaks are allowed and when they may be taken. COSTA can be found at: <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/advert-code/>.
- c) certain sections of the BCAP Code: the UK Code of Broadcast Advertising, which relate to those areas of the BCAP Code for which Ofcom retains regulatory responsibility. These include:
  - the prohibition on 'political' advertising;
  - sponsorship and product placement on television (see Rules 9.13, 9.16 and 9.17 of the Code) and all commercial communications in radio programming (see Rules 10.6 to 10.8 of the Code);
  - 'participation TV' advertising. This includes long-form advertising predicated on premium rate telephone services – most notably chat (including 'adult' chat), 'psychic' readings and dedicated quiz TV (Call TV quiz services). Ofcom is also responsible for regulating gambling, dating and 'message board' material where these are broadcast as advertising<sup>2</sup>.

The BCAP Code is at:

<http://www.bcap.org.uk/Advertising-Codes/Broadcast-HTML.aspx>

- d) other licence conditions which broadcasters must comply with, such as requirements to pay fees and submit information which enables Ofcom to carry out its statutory duties. Further information on television and radio licences can be found at: <http://licensing.ofcom.org.uk/tv-broadcast-licences/> and <http://licensing.ofcom.org.uk/radio-broadcast-licensing/>.

Other codes and requirements may also apply to broadcasters, depending on their circumstances. These include the Code on Television Access Services (which sets out how much subtitling, signing and audio description relevant licensees must provide), the Code on Electronic Programme Guides, the Code on Listed Events, and the Cross Promotion Code. Links to all these codes can be found at:

<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/>

It is Ofcom's policy to describe fully the content in television and radio programmes that is subject to broadcast investigations. Some of the language and descriptions used in Ofcom's Broadcast Bulletin may therefore cause offence.

---

<sup>1</sup> The relevant legislation is set out in detail in Annex 1 of the Code.

<sup>2</sup> BCAP and ASA continue to regulate conventional teleshopping content and spot advertising for these types of services where it is permitted. Ofcom remains responsible for statutory sanctions in all advertising cases.

## Notice of Sanction

### E Entertainment UK Limited

*Girls of the Playboy Mansion, E! Entertainment, 27 December 2011, 10:00 to 13:00 and 16:00 to 21:00*

---

#### Introduction

E! Entertainment is an American celebrity based entertainment service broadcast on cable and satellite platforms in the UK. The licence for the service is held by E Entertainment UK Limited (“E Entertainment”) or (“the Licensee”).

*Girls of the Playboy Mansion* is a reality television series, filmed in the USA home of Hugh Hefner, the American magazine publisher and founder of the adult entertainment company Playboy Enterprises. It features the day to day activities of a group of women who live with Hugh Hefner in his house, known as the Playboy Mansion. The series was broadcast on the cable and satellite television channel E! Entertainment. The content broadcast on this channel was compiled by E Entertainment at the time of the broadcast (as a result of a change of ownership NBC Universal has been responsible for compliance since February 2012).

During routine monitoring, Ofcom noted various episodes (each of about 30 minutes duration) of the *Girls of the Playboy Mansion* broadcast consecutively throughout the day and evening on E! Entertainment on 27 December 2011. The programmes featured material which was clearly unsuitable for children, such as male and female strippers, glamour models and numerous examples of bleeped and masked offensive and the most offensive language.

#### Summary of Decision

In Ofcom’s Finding published on 23 April 2012 in issue 204 of the Broadcast Bulletin<sup>1</sup>, Ofcom found that the material breached the following rule:

Rule 1.3: “Children must also be protected by appropriate scheduling from material that is unsuitable for them.”

After considering all the evidence and representations made to it by the Licensee, Ofcom decided that the Code breaches were sufficiently serious and repeated that a financial penalty should be imposed in accordance with Ofcom’s Procedures for the consideration of statutory sanctions in breaches of broadcast licences<sup>2</sup>. Ofcom then also considered the level of the financial penalty to be imposed, in accordance with Ofcom’s Penalty Guidelines<sup>3</sup>.

Having regard to: the serious and repeated nature of the breaches; the Licensee’s representations; and Ofcom’s Penalty Guidelines, Ofcom decided it was appropriate and proportionate in the circumstances to impose a financial penalty of **£40,000** on

---

<sup>1</sup> <http://stakeholders.ofcom.org.uk/enforcement/broadcast-bulletins/obb204/>

<sup>2</sup> Available at: <http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/procedures-statutory-sanctions/>

<sup>3</sup> Available at: <http://www.ofcom.org.uk/about/policies-and-guidelines/penalty-guidelines/>

E Entertainment UK Ltd in respect of the Code breaches (payable to HM Paymaster General).

The full Adjudication is available at:

[http://stakeholders.ofcom.org.uk/binaries/enforcement/content-sanctions-adjudications/E\\_Entertainment\\_UK\\_Ltd.pdf](http://stakeholders.ofcom.org.uk/binaries/enforcement/content-sanctions-adjudications/E_Entertainment_UK_Ltd.pdf).

## Notice of Sanction

### Sunrise TV Limited

*Beauty Simplified*, Sunrise TV on 13 June 2011, 13 and 14 July 2011, and 27 September 2011

---

#### Introduction

Sunrise TV is a general entertainment television channel for the UK Asian community. The licence for the channel is held by Sunrise TV Limited (“Sunrise” or “the Licensee”).

*Beauty Simplified* was a regular one-hour item, broadcast in Hindi and English, that offered viewers advice about beauty and well-being. Throughout the show a very prominent banner was displayed encouraging viewers to call using a premium rate telephone number. The presenter also regularly encouraged viewers to call. Calls were charged at £1.50 per minute.

This show was therefore considered by Ofcom to be teleshopping, rather than programming, in line with Ofcom’s policy on the use of premium rate numbers in programmes and teleshopping<sup>1</sup>. *Beauty Simplified* was therefore governed by the UK Code of Broadcast Advertising (“the BCAP Code”).

#### Summary of Decision

In Ofcom’s Finding published on 2 April 2012 in issue 203 of the Broadcast Bulletin<sup>2</sup>, Ofcom found that four editions of *Beauty Simplified* breached the following BCAP Code rules:

Rule 2.1: “Advertisements must be obviously distinguishable from editorial content, especially if they use a situation, performance or style reminiscent of editorial content, to prevent the audience being confused between the two. The audience should quickly recognise the message as an advertisement.”

Rule 11.2.3: [Teleshopping for these products or services is not acceptable:]  
“[M]edical treatments for humans or animals.”

Rule 11.13.1: “Advertisements must not contain offers to prescribe or treat remotely (including by phone, post, e-mail or fax). That does not preclude advertisements containing offers to distribute general information on health-related matters, such as leaflets or information packs.”

In addition, a breach of BCAP Rule 3.42 (no denigration) was recorded against the Licensee, though this did not form part of the subject of the sanction.

---

<sup>1</sup> Ofcom published a Regulatory Statement in June 2010, *Participation TV: Regulatory Statement – Rules on the promotion of premium rate services*, that confirmed that PTV material would be considered as advertising and regulated accordingly.

<sup>2</sup> <http://stakeholders.ofcom.org.uk/enforcement/broadcast-bulletins/obb203/>

After considering all the evidence and all the representations made to it by the Licensee, Ofcom decided that the BCAP Code breaches were sufficiently serious and repeated that a financial penalty should be imposed in accordance with Ofcom's Procedures for the consideration of statutory sanctions in breaches of broadcast licences<sup>3</sup>. Ofcom then also considered the level of the financial penalty to be imposed, in accordance with Ofcom's Penalty Guidelines<sup>4</sup>.

Having regard to: the serious and repeated nature of the breaches; the Licensee's representations; and Ofcom's Penalty Guidelines, Ofcom decided it was appropriate and proportionate in the circumstances to impose a financial penalty of **£20,000** on Sunrise TV Ltd in respect of the Code breaches (payable to HM Paymaster General).

The full Adjudication is available at:

<http://stakeholders.ofcom.org.uk/binaries/enforcement/content-sanctions-adjudications/sunrise-tv.pdf>.

---

<sup>3</sup> Available at: <http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/procedures-statutory-sanctions/>

<sup>4</sup> Available at: <http://www.ofcom.org.uk/about/policies-and-guidelines/penalty-guidelines/>



## Standards cases

### In Breach

#### POAF Complaints Cell<sup>1</sup>

*DM Digital, 19 and 22 December 2011, 21:00*

---

#### Introduction

DM Digital is a television channel primarily aimed at an Asian audience in the UK, which features broadcasts in a number of languages including English, Punjabi, Urdu, Sindhi, Kashmiri and Hindi. The service is also received in the Middle East and parts of Asia. The licence for this channel is held by DM Digital Television Limited (“DM Digital” or “the Licensee”).

The two programmes broadcast on 19 and 22 December 2011 at 21:00 were current affairs discussion programmes, which consisted of a panel answering questions, in Urdu, being put by members of the audience by telephone. The programme broadcast on 19 December 2011 lasted 40 minutes, and the programme broadcast on 22 December 2011 lasted 90 minutes.

In both programmes, a presenter introduced the programmes by discussing the work of the Pakistan Overseas Alliance Forum (“POAF”)<sup>2</sup>, with regard to providing assistance to expatriate Pakistani nationals. In particular, the presenter referred to the issue of the policy of the Electoral Commission of Pakistan (“ECP”)<sup>3</sup> concerning the entitlement of Pakistani citizens with dual nationality to contest, or vote in, Pakistani elections. In the programme broadcast on 19 December 2011, the panel consisted of: Mazhar Ali, POAF Director; and Mazhar Kazm, Chief Manager of Marketing for DM Digital. In the programme broadcast on 22 December 2011, the panel consisted of: Mazhar Ali, POAF Director; Shazia Anjum, POAF Complaints Cell Chief Manager; Faheem Ajmal, POAF Chief Membership Secretary; and Dr Liaqat Malik, Chief Executive and Chairman of DM Digital.

Ofcom was alerted to potential issues under the due impartiality requirements of the Code during routine monitoring of the channel’s output, which related to potential commercial references within the programmes<sup>4</sup>. Ofcom commissioned transcripts of the programmes, translated from the original Urdu into English by an independent

---

<sup>1</sup> This is the programme title identified by the translator.

<sup>2</sup> POAF describes itself as a “non political and non religious welfare organisation for overseas Pakistanis and dedicated to welfare of all overseas Pakistanis” (see <http://poafglobaltrust.com/>). It is registered with the Charity Commission for England and Wales (charity number 1125830).

<sup>3</sup> On 19 December 2011, the ECP had declared Pakistani citizens “with dual nationalities ineligible to take part in elections [in Pakistan]” (see <http://www.ecp.gov.pk/ViewPressReleaseNotific.aspx?ID=1451&TypeID=0>). In its announcement, the ECP referred to Article 63(1)(c) of the Pakistani Constitution, which states: “A person shall be disqualified from being elected or chosen as, and from being, a member of the Majlis-e-Shoora (Parliament), if he ceases to be a citizen of Pakistan or acquires the citizenship of a foreign state.”

<sup>4</sup> Please see finding on pp.19-21 of this Broadcast Bulletin.

translator. Having carefully reviewed the transcripts, we noted the following with regard to each programme, which raised potential issues under the due impartiality requirements of the Code, as laid out below:

The two programmes included a range of statements that could be characterised as being critical of the ECP and its policy concerning the entitlement of Pakistani citizens with dual nationality to contest, or vote in, Pakistani elections. For example:

19 December 2011 programme

Mazhar Ali: *“Today Pakistan Election Commission has created a very serious and profound problem for us.”*

The Presenter: *“As regards dual nationality.”*

Mazhar Ali: *“Pakistan Election Commission: they do not see those thieves who rob Pakistan, keep their wealth abroad, and still hold Pakistani nationality – just one nationality. I can name individuals but I will not.”*

The Presenter: *“Let me speak to a caller first.”*

Mazhar Ali: *“The Election Commission cannot see them – they have this habit.”*

\*\*\*\*

Mazhar Ali: *“I want to elaborate upon the Pakistan Election Commission’s announcement today that Pakistanis with dual nationality cannot take part in Pakistani elections. In Pakistan they blindly make a law. Those who have dual nationalities have done advance studies here; they have done their Masters and PhDs – high degrees, and they have received dual nationalities because they have been living here. They are serving their country. They did not bring much from the [home] country. They worked hard here [in the UK] and made everything for themselves. They now want to serve their country and you [the Pakistan Election Commission] are putting barriers in their way. What about the dual nationality of those who rob the wealth of Pakistan, bring it over here and keep it in the banks here [in the UK]. They obtain a second nationality based on that wealth, and then go back to be active in the field of [Pakistani] politics. This restriction [of not being allowed to take part in Pakistani elections] should have been imposed on these [latter kind of] people, and this must be done.”*

The Presenter: *“Will you raise this voice on the platform of POAF?”*

Mazhar Ali: *“We surely will. We will protest against this and in the upcoming elections we will sponsor that [political] party which will change this law and keep the distinction. We do want Pakistan Election Commission to do the reforms but these must be done sensibly and rationally. People, who rob the wealth of Pakistan, bring it to foreign countries, obtain a second nationality, and then return to be active in the market of robbing and looting, those people with*

*dual nationalities must be absolutely barred from the [Pakistani] elections. But you must see that those who have obtained higher education here [in the UK] and gained higher skills, or worked hard and laboured in this country [the UK], or made their money through business, and want to return to take part in [Pakistani] politics, how can you stop them? This is injustice, gross injustice.”*

The Presenter: *“Mr Kazm, you want to say something.”*

Mazhar Kazm: *“You see, this is against the basic human rights. Right? We people were born in Pakistan. We are the citizens of Pakistan. How can you [the Pakistan Election Commission] put us into further trials and tribulations? As Mr Muzhar said, those [Pakistanis] who came here [to the UK] are brilliant people. They earn here [in the UK] and remit foreign currency to their [home] country. And you [the Pakistan Election Commission] are pushing those people in the background.”*

\*\*\*\*

Mazhar Ali: *“This new rule, which the Pakistan Election Commission has implemented today, that Pakistanis with dual nationality cannot take part in Pakistani elections, I think it is gross injustice against us and I will request the Pakistan Election Commission to review this decision. They should determine two categories of people. [In the first, they should place] those Pakistani politicians who rob wealth from the country [Pakistan because] they have served in Pakistani government, and then taken a second nationality abroad...I respect Brother Altaf Hussein who is sitting in London but you should stop his speeches. In principle, because this new law states that he cannot take part in Pakistani elections [because of his dual nationality] and hence in political activities [in Pakistan], then his live speeches, that are broadcast live in Karachi, should be banned – technically.”*

\*\*\*\*

Mazhar Kazm: *“The basic thing is that [the ECP’s] new ruling is based on bad intentions. They should have disqualified anyone with a stigma of corruption – one who has embezzled even a penny – for his/her entire life.”*

#### 22 December 2011 programme

Mazhar Ali: *“To those with dual nationality, the law that they cannot take part in Pakistani politics is gross injustice...It is such a cruelty to victimize us in the land where we were born, where our children were born or where they live [in Pakistan]. By not allowing us to participate in [Pakistani] politics, we have been turned into exiles. This is just the beginning. If this trend continued in this direction, I foresee that in the coming times, we will be barred from getting government employment [in Pakistan]. Overseas Pakistanis invest in Pakistan, they buy properties in Pakistan; in all these affairs, there is victimization whether sponsored by government or not but this*

*habit to victimize us, this trend, has been started and I think it will go very far. I request the government of Pakistan [Inaudible] I do not know about the government of Pakistan [because] the political climate in Pakistan is rapidly changing: Whichever government is going to take power – or the present government, I want them to review this decision. I do not think that the present government is ready to review this [decision] but I will request the government that takes power in future [recognizes] that overseas Pakistanis are the backbone of Pakistan's economy. They contribute more than 10 billion towards the economy in terms of foreign exchange, keeping that in mind please do not victimize overseas Pakistanis."*

\*\*\*\*

Mazhar Ali: *"If this series of injustices against overseas Pakistanis, who love and sympathize with their [home] country, is not stopped we will take practical measures. I request again to people in power and authority in the relevant institutions, whatever they be, or whoever people are in authority, I request again and again that they do not compel us to turn this organization [POAF] into a movement. We will not allow you [Pakistani politicians] to enter London. We will not let you enter Paris and if you did, you will face such a reception that you will not want to come again. Do not compel us to turn it [POAF] into a movement. We request again that the rights of overseas Pakistanis that are being taken away, the exploitation being done, please review it. If there is a change of government in Pakistan, I will request the incoming government to review this law...The injustices being committed against overseas Pakistanis, keeping in mind their contribution to the [home] country, this series [of injustices] should be stopped and overseas Pakistanis should be given the status that they deserve in Pakistan...The present government has a hand in what is being done to overseas Pakistanis."*

\*\*\*\*

Caller: *"I want to speak about the law, which the [Pakistani] parliament has passed in the last few days stating that persons with dual nationalities cannot contest in the [Pakistani] elections. The overseas Pakistanis most often belong to the middle class. When they earn some money, they remit it to their home country. Our rulers rob from our country and bring their wealth over here; in other words, they embezzle the money, which we remit from here, and bring it back over here. Is there no law for them? Even their [Pakistani leaders'] children do not live in Pakistan."*

Ofcom considered that the programmes raised issues warranting investigation under Rule 5.5 of the Code, which states:

*"Due impartiality on matters of political or industrial controversy and matters relating to current public policy must be preserved on the part of any person providing a service...This may be achieved within a programme or over a series of programmes taken as a whole."*

This is because both programmes in Ofcom's view dealt with matters of political controversy and matters relating to current public policy, namely the new and controversial policy of the ECP which according to comments made in the programme removed the entitlement of Pakistani citizens with dual nationality to contest, or vote in, Pakistani elections.

We therefore sought DM Digital's comments on how this material complied with Rule 5.5.

## **Response**

By way of general remarks, the Licensee stated that the ECP "is not a political body or an industrial controversy and they are a part of Pakistani Parliament and the issues raised in the debate was concerning the British Pakistani dual national's personal rights which affect the community at large".

### 19 December 2011 programme

DM Digital said that this programme "was originally a seasonal greetings programme", but that "one of the callers on the programme raised the ECP issue concerning the entitlement of overseas Pakistani citizens with dual nationality to vote in Pakistani elections". The Licensee added that the programme "was directed at the [ECP] although previously [the ECP] was asked to take part in our programme on [the] issue of dual nationality but they refused to do so as interpretation is a matter...[for the] Pakistan Parliament and...[the] Supreme Court of Pakistan".

According to DM Digital: "Contrary to the law of the Constitution of the Pakistan, as a matter of practice, dual nationality holders do contest elections and hold public offices in Pakistan. However, recently the [ECP] has decided and announced that dual nationality holders would not be allowed to contest any elections or vote in Pakistan contrary to customs and conventions of [the] Pakistan Parliament."

The Licensee added that the programme broadcast on 19 December 2011 included "analysis of the legal news of the week" including "interpretation of the existing law of the Constitution of Pakistan which disqualifies dual nationality holders to be the member of parliament and to hold any public office in...Pakistan". DM Digital stated its view that the various guests to the programme were "from all walks of life including parliamentarians from [the] UK who...[have] a close connection with the Pakistan government and there was no direct attack on the Pakistan Election Commission but only a clear interpretation of the Constitution of Pakistan". Therefore, the discussion in the programme concerning the voting rights of Pakistani expatriates focused "on the issues of law [and was] not directed on personals [sic] of the Election Commissions as they have no say in Parliament or in the Supreme Court". As a consequence, the Licensee said that "we strongly submit that there is no breach of the Code".

### 22 December 2011 programme

The Licensee said that this programme was transmitted "due to the high volume of phone calls received from the programme on the 19<sup>th</sup> of December". DM Digital said that it "did contact the ECP to give an interview for the programme so that we could offer an alternative view and the reasons for the commission to impose such restrictions without any reference from the Parliament and Supreme Court". However, according to the Licensee, "the [ECP] refuses to give any comments as

part of their policy...[because] the right to vote is not a concern for the [ECP] but the Parliament”.

Given the above, DM Digital said it included Dr Shaid Qureshi, whom it described as “an expert (Pakistan Election Commission /Advisor)” so as to “give the programme the needed balance and the views expressed by” the ECP. The Licensee said that it did not “accept that there has been a breach of Section 5 of the Ofcom Code as there was a representative from the [ECP] present in the programme”. In addition, Faheem Ajmal “was also brought in to express and defend” the ECP. DM Digital said that “These two guest[s] were given an equal opportunity to express their view points and enter into a healthy debate”. In particular, Faheem Ajmal “strongly expressed his view in favour of [the] Government of Pakistan in relation to the strict implementation of the Article 63(3)<sup>5</sup> of the Constitution of Pakistan”.

## Decision

Under the Communications Act 2003 (“the Act”) Ofcom has a statutory duty to set standards for the content of programmes as appear to it best calculated to secure the standards objectives, including that the special impartiality requirements set out in section 320 of the Act must be complied with.

This standard is contained in the Code. Broadcasters are required to comply with the rules in Section Five of the Code to ensure that the impartiality requirements of the Act are complied with, including that due impartiality is preserved on matters of political or industrial controversy and matters relating to current public policy.

When applying the requirement to preserve due impartiality, Ofcom must take into account the broadcaster’s and audience’s right to freedom of expression. This is set out in Article 10 of the European Convention on Human Rights. Article 10 provides for the right to freedom of expression, which encompasses the right to hold opinions and to receive and impart information and ideas without interference by public authority. The broadcaster’s right to freedom of expression is therefore not absolute. In carrying out its duties, Ofcom must balance the right to freedom of expression on one hand, with the requirement in the Code to preserve “due impartiality” on matters relating to political or industrial controversy or matters relating to current public policy.

Ofcom recognises that Section Five of the Code, which sets out how due impartiality must be preserved, acts to limit, to some extent, freedom of expression. This is because its application necessarily requires broadcasters to ensure that neither side of a debate relating to matters of political or industrial controversy and matters relating to current public policy is unduly favoured. Therefore, while any Ofcom licensee should have the freedom to discuss any controversial subject or include particular points of view in its programming, in doing so broadcasters must always comply with the Code. Further, in reaching decisions concerning due impartiality, Ofcom underlines that the broadcast of highly critical comments concerning the policies and actions of any government or public body is not, in itself, a breach of due impartiality. Any broadcaster may do this provided it complies with the Code.

---

<sup>5</sup> Article 63 of the Constitution of Pakistan lays out the criteria by which an individual would be disqualified from standing for election to the Pakistani Parliament. Article 63(3) states: “The Election Commission shall decide the question within ninety days from its receipt or deemed to have been received and if it is of the opinion that the member has become disqualified, he shall cease to be a member and his seat shall become vacant.”





























































































































