

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2014 No. 5.

**THE PRESS AND JOURNALIST (AMENDMENT OF FOURTH
SCHEDULE) INSTRUMENT, 2014.**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Amendment of Fourth Schedule to Press and Journalist Act.

STATUTORY INSTRUMENTS

2014 No. 5.

The Press and Journalist (Amendment of Fourth Schedule) Instrument, 2014.

(Under sections 40(3) and 42 of the Press and Journalist Act, Cap. 105)

IN EXERCISE of the powers conferred on the Minister by section 40(3) of the Press and Journalist Act, and after consultation with the council this Instrument is made this 21st day of January, 2014.

1. Title.

This Instrument may be cited as the Press and Journalist (Amendment of Fourth Schedule) Instrument, 2014.

2. Amendment of Fourth Schedule to Press and Journalist Act.

For the Fourth Schedule to the Press and Journalist Act, there is substituted the following—

“Fourth Schedule.

ss. 40(3), 42.

Professional code of ethics for journalists and editors

1. Application of code.

This professional code of ethics applies to all persons practicing journalism and for the purposes of this code a person practises journalism if he or she is paid for the gathering, processing, publication or dissemination of information; and such person includes a freelance journalist.

2. Accuracy.

(1) Journalists and editors must take care not to publish inaccurate, misleading or distorted information, including pictures.

(2) Any significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and, where appropriate, an apology should be published.

(3) A journalist or editor must distinguish clearly between comment, conjecture and fact.

(4) Journalists and editors must afford a fair opportunity for reply to inaccuracies when reasonably required.

3. Privacy.

(1) Journalists and editors shall respect the constitutional right to privacy of home, correspondence, communication or other property enshrined in the Constitution.

(2) A journalist or editor must not photograph a person in a private place without that person's consent.

(3) A journalist or editor shall not unlawfully search the person, home or property of any person or unlawfully enter the premises of any person.

(4) For the purposes of this paragraph, a private place is a public or private property where there is a reasonable expectation of privacy.

4. Plagiarism.

It is unacceptable for any journalist or editor to plagiarise the professional work of any person or expropriate the work of any person without acknowledging the contribution of the owner of the work and naming his or her sources of information.

5. Harassment.

(1) It is unethical for a journalist or editor to engage in intimidation, harassment or corruption.

(2) It is unacceptable for a journalist or editor to unreasonably persist in questioning, telephoning, pursuing or photographing a person who has asked the journalist or editor to desist from such acts.

(3) A journalist or editor shall not enter the property of another without consent, and where a journalist is granted permission to enter a person's property, the journalist must not remain on the property if asked to leave the property.

6. Journalist to identify himself or herself.

A journalist or editor must identify himself or herself and the media organisation he or she represents when requested to do so.

7. Grotesque and gruesome pictures.

(1) It is unacceptable for a journalist or an editor to publish any material which is grotesque or gruesome in nature.

(2) A journalist or editor may publish a grotesque or gruesome in the public interest but should demonstrate the public interest that justifies the publication of such a grotesque or gruesome picture and must in any case warn the public that the material to be published is grotesque or gruesome.

8. Obscene publications.

(1) Journalists and editors must not publish obscene material including writings, drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, cinematograph films or any other obscene objects, or any other object tending to corrupt morals.

(2) Obscenity shall be construed in its ordinary meaning.

9. Intrusion into grief or shock.

(1) In a case involving personal grief or shock, any enquiry, approach or publication by a journalist or editor in regard such a case must be made with sympathy and discretion and publication of such a case must be handled with sensitivity.

(2) This paragraph should not be taken to restrict the right of the journalist or editor to report legal proceedings including inquests.

(3) Where a journalist or editor is reporting suicide or any other death, care should be taken to protect the dignity of the person and the sensibilities of the relatives and public.

10. Children.

(1) A journalist or editor must not unnecessarily intrude on the learning environment of a child.

(2) A journalist or editor must not interview or photograph a child on any issue involving the child or another child unless the parent, guardian or any person having custody of a child consents.

(3) A journalist must not approach or photograph a child at school without the permission of the school authorities.

(4) For the purposes of this regulation, the fame, notoriety or position of a parent or guardian is not justification for publishing details of a child's private life.

(5) A journalist must not identify a child who is a victim or witness in a case relating to a sex offence.

(6) In a case relating to a sex offence, a journalist must not use the word "incest" where a child victim may reasonably be identified from use of such word.

(7) A journalist must take care that his or her report relating to a sex offence does not imply a relationship between the accused and the child.

11. Reporting of crime.

Stories, pictures or information, which seek to exploit a particular crime or to glorify or glamourise crime in general, must not be published.

12. Clandestine devices and subterfuge.

(1) A journalist or editor must not intercept the communications of any person without the required legal authorization.

(2) Engaging in misrepresentation or subterfuge by a journalist or editor, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

13. Victims of sexual assault.

A journalist or editor must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

14. Financial journalism.

(1) Journalists and editors must not use for their own profit financial information they receive in advance of its general publication nor should they pass such information to others.

(2) Journalists and editors must not write or publish stories about shares or securities in whose performance they know that they or their close families have a significant financial interest without disclosing the interest to the editor or financial editor.

15. Confidential sources.

Journalists and editors have a moral obligation to protect confidential sources of information and shall not disclose the source of information; but they may only divulge the source in the event of an overriding consideration of public interest and within the framework of the law.”

NAMAYANJA ROSE NSEREKO, MP
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