

## **Online Media Operation Directives, 2073**

**Preamble:** As it is expedient that the registration, renewal, operation and monitoring of the online media be organized, the Government of Nepal has, exercising the rights given by Clause 45 of the Good Governance (management and operation) Act, 2064 B.S., introduced this Directives.

Approved by Government of Nepal (Council of Ministers) dated 2073/02/31

### **Chapter -1**

#### **Brief Title and Commencement**

1. **Brief Title and Commencement:** (1) This Directives may be called “Online Media Operation Directives, 2073”.  
  
(2) This Directives shall come into force from the dated approved by the Government of Nepal, Council of Ministers.
2. **Definition:** Unless the subject or context otherwise requires, in this Directives-
  - (a) “Online media” means the method, process or medium that produces, publishes, transmits or disseminates message-oriented or thematic opinion, photo, audio visual by using sign, symbol, text, voice, graphics, song, music, video, animation and various multi-media through the internet, after having been established or registered pursuant to the prevalent law and adopting the journalism and editorial principles.
  - (b) “Online journalism” means the technical work of news writing, information and visual collection, and editing for the purpose of production, publishing, transmission and distribution of news-oriented or informative materials including news, information, opinion, photo or audio visual by using the technology based on the internet.
  - (c) “Department” means the Department of Information.
  - (d) “Press Registrar” means the Press Registrar designated by the Government of Nepal.

### **Chapter -2**

#### **Registration Provisions**

#### **3. Registration and Operation:**

- (1) Upon enforcement of these Directives, any individual or organization desiring to operate online journalism through the online media should file an application at the Department in the format pursuant to Schedule-1.
- (2) The online media operating before the enforcement of these Directives should file an application for registration at the Department within sixty days of commencement of these Directives.

(3) All kinds of print and electronic media (including radio, television), government or private that wish to operate online journalism through online media should file an application for registration at the Department within the date pursuant to Sub-clause (1).

**4. Registration Process:** Any individual or organization desiring to operate online journalism through the online media should include the follow documents along with the application filed for registration pursuant to Clause (3) or (4):

(a) If an organization, a copy of the organization registration certificate, copies of *prabandhapatra* and regulations,

(b) Name, surname, address, phone number, mobile phone number, and a copy of citizenship certificate

(c) In case of an organization, copies of the certificate of registration under Value Added Tax (VAT) or Permanent Accounts Number (PAN)

(d) A copy of the minute of the decision taken by the proprietor of the organization to transmit and disseminate news material from the online media

(e) A copy of the certificate of registration or renewal of domain registration.

(f) Name, surname, address and contact telephone number of the Editor and broadcaster/disseminator

**(5) Registration certificate to be given:**

(1) The Department shall, upon receiving an application for registration of online media pursuant to Clause 4, carry out necessary examination of such application.

(2) The Department shall, after finding that the details of the complaint upon examination pursuant to Sub-clause (1) is justified, provide the concerned individual or organization a registration certificate in the format as per Schedule-2.

### **Chapter 3**

#### **Renewal and Human Resources related provision**

**6. To be renewed:**

(1) The online media registered pursuant to Clause 5 shall be renewed at the Department every year within the end of the month of Asar (mid-June).

(2) Along with the application in the format prescribed by the Department, renewal pursuant to Sub-clause (1) should also include submission of a copy of the certificate of tax clearance for the previous Fiscal Year and a copy of the audit report.

(3) The service of the online media not renewed within the limitation pursuant to Sub-clause (1) shall be ceased as per the prevalent law.

7. Provision related to human resource: Details of an update of the hierarchal posts of editor, broadcaster, journalists, employees and workers essential to operate online media shall be submitted to the Department and the Press Registrar while registering and renewing the media.

8. Press Accreditation to be acquired: A journalist working for the online media shall acquire the press accreditation (press pass) from the Department pursuant to prevalent law.

## **Chapter 4**

### **Provision related to conduct**

9. **Details to be maintained:** The online media shall maintain the following details in the home page of its website:

(a) Registration number received from the Department, financial year, name, address and contact phone number of the proprietor,

(b) The name of the proprietor, editor or news chief or both should be clearly visible in the online,

(c) If the second domain is being used, that website should have .np,

(d) If the material from other social network or website is to be re-published from one's website, then it should be kept at the homepage along with the icon of the network or webpage.

**10. Responsibility over the sub-domain given:** If any organization has been operating online media by formally acquiring a domain and has divided the domain to sub-domain, then the responsibility of the material published and disseminated in the sub-domain shall be responsibility of both running the domain and sub-domain.

**11. Publication and broadcasting to be prohibited:** The following materials shall not be allowed to be published and broadcast from the online media:

(a) Causing harm to Nepal's sovereignty, territorial integrity, nationality or good relations among the federal units, various caste, ethnic groups, religion or communities,

(b) Amounting to treason, defamation or contempt of court or inciting commission of crime,

(c) Act against public protocol or morality,

(d) Abuse of labour, inciting racial untouchability and gender discrimination,

(e) Without authorized source, that could create illusion and have an adverse impact on international relations.

**12. Accountability over published material:**

(1) The online media publishing or broadcasting any material without revealing the source shall be fully responsible for the publication or broadcast of such material.

(2) If by revealing the source, online media shall not be allowed to re-publish or broadcast materials pursuant to Clause 11.

**13. Published material to be archived safely:** The online media shall maintain archive of the materials it published or broadcast safely for at least six months.

**14. Corrigendum and information:**

(1) If any error is found in the material published or broadcast by an online media, and has to be corrected, then the material should be maintained as it is by correcting the error, and information about the same shall be published or broadcast.

(2) If any erroneous material published by an online media has to be completely or partially deleted, it should be removed from the website by keeping it safety to able to be presented when sought by the Press Council.

15. Journalist Code of Conduct to be followed: The proprietor, editor, publisher and journalists operating the online media should follow the prevalent law and the journalist code of conduct introduced by the Press Council.

## **Chapter -6**

### **Monitoring provisions:**

**16. Listing of online media:**

The Press Council Nepal may list the online media.

**17. Inspection and Monitoring:**

(1) The Department shall carry out inspection and monitoring in relation to the adherence to the prevalent law and these Directives by the online media.

(2) Press Council shall carry out inspection and monitoring in relation to the adherence to the journalist code of conduct.

(3) It shall be duty of all online media proprietors, editors, publishers or institutions to provide necessary support to the inspection and monitoring pursuant to Sub-clause (1) or (2).

**18. Benefits to be suspended:** Any online media that is not renewed within the limitation prescribed in the Directives or is informed of being put in the list of noncompliance by the Press Council for not following the journalists code of conduct shall not be entitled to any kind of benefits given on behalf of the Government of Nepal.

**19. Monitoring of online news portal operated from outside the country:** If information is received from any source of any online news portal operated from abroad publishing or broadcasting any material against Clause 11, then the Department may write to the concerned authority to stop such material from being published or broadcast inside Nepal.

## Chapter -7

### Provision relating to complaints/grievances

#### **20. Complaint to be filed:**

(1) If anyone has suffered any kind of damage or has any grievance over the material published or broadcast by any online media, then the concerned person may register a complaint at the Press Council including such material (screen shot or URL).

(2) The Press Council shall carry out necessary investigation into the complaint received pursuant to Sub-clause (1). The concerned online media shall provide the required information sought by the Press Council in course of such investigation.

(3) The refutation sent by the affected party over any news, information or material published or broadcast in an online media should be included and published or broadcast in the page of the same subject.

**21. Publication to be suspended:** Any online media or its website may be suspended in the following circumstances:

- (a) If found operating the online media illegally without registering or renewing within the prescribed limitation,
- (b) For publishing or broadcasting materials prohibited for publication pursuant to Clause 11,
- (c) For carrying out any act against this Directives and prevalent law.

## Chapter-8

### Miscellaneous

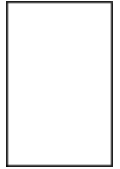
**22. Free support to be provided:** In the event of a disaster or state of crisis, the online media should support by publishing or broadcasting for free notice, statement or public awareness-oriented materials released by the Government of Nepal.

**23. Informed to be provided:** The Department and Press Council shall be informed of any online media registered as per this Directives shutting down or is unable to operate for any reason.

**Schedule -1**

(Related to Clause 3)

**Application for registration of online media**



Photo

To

The Director General

Department of Information, Kathmandu

I/We .....register this application (with a Rs. 10 stamp and two copies of photograph) including the following details for permission to practice online journalism through the online media with the following details:

1. Details of Online media/online news portal:

(a) Name:-

(b) Main domain:-

(c) Second domain:-

(d) Language:-

2. Office address:

3. Proprietor's name, address and contact telephone no.

4. Editor's name, address and contact telephone no.

5. Broadcaster's name, address and contact telephone no.

6. Other details:

Applicant's:

Signature:

Name:

Address:

Contact No.

**Schedule-2**

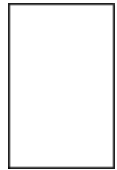
(Related to Sub-clause (2) of Clause 5)

**Registration Certificate**

S.No.

Registration Certification No. :

Photo



To,

Mr.....

You have been granted this certificate in order to practice online journalism through online media of the following details:

1. Details of online media:

(a) Name:-

(b) Main domain:-

(c) Second domain:-

(d) Language:-

2. Office address:

3. Proprietor's name, address and contact telephone no.

4. Editor's name, address and contact telephone no.

5. Broadcaster's name, address and contact telephone no.

6. Other details:

Office stamp

Certified by:

Signature:

Name:

Designation:

Date:

Renewal details:

<b>S.No.</b>	<b>Date of renewal</b>	<b>Term of renewal</b>	<b>Signature of the renewal officer</b>	<b>Remarks</b>