

Switch back to analogue, court tells commission

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KAMPALA, UGANDA: Mengo Chief Magistrates Court issued an interim order directing the Uganda Communications Commission (UCC) to immediately switch back to the old television signal transmission of analogue from digital signal transmission.

The order that was issued by Grade One Magistrate Moses Ntende Kagoda, will stay in place until the main application filed by city lawyer Enoth Mugabi is determined.

Mugabi said last evening he decided to go to court after he was aggrieved by UCC's move to migrate from the old analogue way of signal transmission to digital and yet he freely enjoyed the old signal transmission unlike digital signal transmission that requires one to pay subscription.



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"An interim order is granted restraining the respondent (UCC) from interfering with the broadcasters transmission of analogue TV signals to the applicant (lawyer Mugabi) and the public pending the determination of the main application.." read in part the court's interim order.

However, a few hours after the court decision, some judicial officers, who preferred to remain anonymous because they are not allowed to speak to the press, said the decision by their colleague was erroneous. The concerned judicial officers explained that a magistrate does not have the jurisdiction (powers) to issue an order that affects the whole country.

This newspaper also understands that initially, the file had been allocated to Grade One Magistrate Vivian Natukunda but somehow it ended up being handled by Kagoda under unclear circumstances.

When this newspaper contacted the Chief Registrar Paul Gadenya, who is the immediate supervisor of all magistrates and registrars in the country, he said: "We strongly discourage issuance of ex parte interim orders (one-sided orders) particularly when all the parties are in Kampala and can be served."

The matter

On June 15, UCC switched off the old signal analogue TV transmission, ushering in the new modern signal transmission of digital. The switch off mainly affected Kampala and its surrounding areas with UCC saying the exercise would extend to other areas in the country.

UCC now has the option of going to the same court to seek orders of stay of the implementation of its orders earlier issued and thereafter appeal before a higher court to overturn the same.

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