



Public Submission of the Democratic Alliance

**Draft Amendment to the Municipal Party Elections  
Broadcasts and Political Advertisements  
Regulations, 2011**

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## 1. Introduction

The Democratic Alliance (DA) welcomes the opportunity by the Independent Communications Authority of South Africa (ICASA) to engage with the 'Draft Amendment to the Municipal Party Elections Broadcasts and Political Advertisements Regulations, 2011' (or 'Draft Regulations'), as our country approaches the 2026 Local Government Elections.

Much has developed in our country politically and in the media landscape. While there are more political parties contesting elections, declining revenue has resulted in media companies consolidating or facing closure. Providing timely and accurate information to the public has become more challenging, with our forthcoming elections set to be an important stress test for local media.

The DA's submission will be brief and focused on three points:

- Whether tail disclaimers remain 10 seconds, as is the case with National and Provincial Election broadcasts,
- As Political Advertisements (PAs) are commercial agreements between political parties, independent candidates and Broadcast Service Licensees (BSLs), why Party Election Broadcasts (PEBs) cannot be used as PAs, if broadcasting standards are met,
- Considering less financial resources are available to smaller political parties and independent candidates, why PEBs cannot be broadcast as PAs, if broadcasting standards are met.

## 2. Proposed Amendments to Regulation 4

### 2.1 Sub-Regulation 12

The DA appreciates the consistency between ‘National and Provincial Elections Broadcasts and Political Advertisement Regulations’ and the ‘Draft Regulations’ in the number and duration of time slots that must be available by BSLs.

A point of clarity we would like to seek is whether tail disclaimers remain 10 seconds, as was the case with the National and Provincial Elections Broadcasts.

### 2.2 Sub-Regulation 14

The Draft Regulations state, “Content broadcast as a PEB cannot be broadcast as a PA.” The DA disagrees with this provision, as PAs are commercial agreements between political parties, independent candidates and BSLs, underpinned by broadcasting codes. Further, content broadcast as PEBs and PAs are often similar, though not the same, as per regulations.

The DA notes the Authority seeking to make the distinction between allocated and paid broadcast slots, but in practice, making a firm separation may not be necessary. We suggest that “content broadcast as a PEB **may** be broadcast as a PA”.

The DA asks that the Authority consults with BSLs, political parties and independent candidates on whether such a firm separation is required.

## 3. Proposed Amendments to Regulation 6

### 3.1 Sub-Regulation 14

As stated under 2.2, a firm separation between PAs and PEBs may not be ideal for BSLs, political parties and independent candidates in practice, again noting the distinction between PAs and PEBs as paid and allocated slots respectively.

The DA reiterates our position for the Authority to consult all relevant parties on whether such a firm separation is required.

## 4. Conclusion

The DA thanks the Authority for the opportunity to engage with ICASA on the 'Draft Amendment to the Municipal Party Elections Broadcasts and Political Advertisements Regulations, 2011'. This marks an important moment in the lead up to the 2026 Local Government Elections.

We look forward to further engaging with the Authority in this process, including announcements next year of when the slot allocation will be published.

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