



INDEPENDENT COMMUNICATIONS
AUTHORITY OF SOUTH AFRICA

SUMMARY

AMENDMENT TO THE NATIONAL AND PROVINCIAL PARTY ELECTIONS BROADCASTS AND POLITICAL ADVERTISEMENTS REGULATIONS, 2014

SCOPE OF THE REGULATIONS

- These regulations are applicable:
 - during the election period;
 - to broadcasting service licensees; and
 - to political parties and ***independent candidate(s)*** contesting the National and Provincial elections and who intend to use broadcasting services to advance their political interests.

DEFINITIONS - PAs vs PEBs

- Political election broadcast (PEB) means a direct address or message broadcast free of charge on a broadcasting service and which is intended to advance the interests of any particular political party [and now independent candidate] (Sec 1 of ECA).
- Political advertisement (PA) means an advertisement broadcast on a broadcasting service which is intended to advance the interests of any particular political party [and now independent candidate] in exchange for money (Sec 1 of ECA).

POLITICAL ELECTION BROADCAST (“PEB”)

- PEB(s) must only be broadcast during the election broadcast period.
- “(2) A political party or independent candidate that intends to broadcast a PEB must submit same to the BSL at least five (5) working days prior to the broadcast thereof.”;
- A public BSL must permit a PEB during an election broadcast period, whereas commercial or community BSL can opt to broadcast PEBs.
- (7) A BSL that rejects a PEB submitted by a political party or an independent candidate for broadcast, must within 24 hours of receipt of such PEB:
 - (a) furnish the political party or independent candidate concerned with written reasons for the rejection; and
 - (b) afford the political party or independent candidate concerned an opportunity, within two (2) days after receiving the rejected PEB, to alter or edit the PEB and re-submit it to the BSL concerned or confirm in writing that it will not be re-submitting the PEB.”;

POLITICAL ELECTION BROADCAST (“PEB”)...

- A political party or independent candidate that submits a PEB to a BSL for broadcast must ensure that the PEB does not:
 - contravene the provisions of the Electoral Code, the Electoral Act, the Constitution, the Act and the Broadcasting Act; and/or
 - contain any material that is calculated, or that is likely to provoke or incite any unlawful, illegal or criminal act, or that may be perceived as condoning or lending support to any such act.
- A PEB must be in the language(s) of the relevant BSL.
- A PEB must not exceed forty (40) seconds in duration.
- Content broadcast as a PEB cannot be broadcast as a PA.
- A BSL or political party or an independent candidate must not permit or engage in any interference with, or trading off, the sequence or scheduling of PEB(s).
- Audio and video recordings must be submitted electronically or physically to the BSL.

PRINCIPLES OF PEB ALLOCATION

- The allocation principles in Table 1 below will apply if there are sufficient PEB slots to accommodate all the contesting political parties and independent candidates.

Table 1

Basic Allocation
Percentage of slots to be allocated to all parties contesting seats in the National and Provincial Elections - 60%
Number of Candidates fielded
Percentage of slots to be allocated according to the number of candidates fielded by political parties and independent candidates at National and Provincial level - 25%
Number of Seats Currently Held
Percentage of slots to be allocated to political parties according to seats currently held at National and Provincial level - 15%



Thank You

