



25th
Anniversary



INDEPENDENT COMMUNICATIONS
AUTHORITY OF SOUTH AFRICA

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

July 2026

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UNICATIONS AUTHOR



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UNICATIONS AUTHOR



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guideline

LEGISLATIVE MANDATE

- ❑ Sec 192 of the Constitution states that national legislation must establish an independent Authority to regulate broadcasting in the public interest, and to ensure fairness and a diversity of views broadly representing South African society.
- ❑ Sec 2 of the Electronic Communications Act (“ECA”) outlines the primary objects of the Act which includes:
 - ❑ Sec 2 (g): promote an environment of open, fair and non-discriminatory access to broadcasting services
 - ❑ Sec 2 (s); ensure that broadcasting services, viewed collectively-
 - ❑ Promote the provision and development of a diverse range of sound and TV broadcasting services on a national, regional and local level, cater for all language and cultural groups and provide entertainment and information.
 - ❑ Provide for regular-news services, programmes on political issues of public interest and programmes on matters of international, national, regional and local significance.

LEGISLATIVE MANDATE cont..

- ❑ Sec 56 - 59 of the Act outlines how election broadcasts content should be conducted by broadcasters, political parties and independent candidates.
- ❑ Other related legislations:
 - **The Electoral Amendment, 2023**
 - **ICASA Act, 2000; and**
 - **The Broadcasting Act, 1999.**
- ❑ All election broadcast materials are expected to comply with the related legislation and regulations
- ❑ ICASA prescribes regulations for the Municipal elections.

THE PURPOSE OF THE REGULATIONS

- ❑ The Regulations were published on 02 April 2026
- ❑ The President announced the election on Thursday, April 30, 2026. **NB: The election date is yet to be proclaimed**
- ❑ To determine and prescribe the framework and guidelines under which **Political Elections Broadcast** (PEBs) and Political Advertisement (PAs) will be conducted and carried by various Broadcasting Service Licensees (BSLs) during the elections.
- ❑ Ensure equitable treatment of political parties and independent candidates by BSLs during election period.
- ❑ These regulations are applicable during the election period to:
 - ✓ Broadcasting Service Licensees
 - ✓ Political Parties contesting the municipal elections
 - ✓ **Independent Candidates contesting the municipal elections.**

PEB AIRTIME ALLOCATION

- ❑ PEB(s) airtime shall be allocated by the Authority to the political parties or independent candidates contesting the Municipal elections on the basis of the respective principles set out in **Annexure A** of these regulations.
- ❑ The Authority will invite political parties and independent candidates to the PEB allocation wherein representatives will choose slots through a raffle/lottery process.
- ❑ Thereafter, the Authority will publish the PEB schedule for the different provinces together with the stations i.e. SABC and community/commercials stations carrying PEBs.
- ❑ PEBs can be allocated only once registration of political parties and independent candidates has been closed.

POLITICAL ELECTION BROADCAST (“PEB”)

- ❑ PEB (s) must only be broadcast during the election broadcast period.
- ❑ Election broadcast period” means the period within which **political election broadcasts (PEBs)** may be transmitted; such period commencing 120 hours after the allotment of time-slots by the Authority and ending 48 hours before polling commences;
- ❑ A political party or an independent candidate that intends to broadcast a PEB must submit the same to the broadcasting service licensee at least five (5) working days prior to the broadcast thereof
- ❑ A public BSL is obligated to broadcast PEBs during an election broadcast period
- ❑ A commercial or community BSL that intends to broadcast PEB(s) must inform the Authority, in writing, of its intention to do so within twenty-one (21) calendar days of the publication of these regulations.

POLITICAL ELECTION BROADCAST ("PEB")...

- ❑ A BSL that broadcasts PEB must:
 - ❑ make available, **every day** and throughout the election broadcast period, twelve **(12) time-slots of forty (40) seconds** each for the broadcast of PEB, excluding the tail disclaimer;
 - ❑ do so in accordance with the sequence that will be prescribed by the Authority upon allocation of airtime slots after the publication of these Regulations;
- ❑ A PEB must **not exceed forty (40) seconds** in duration.
- ❑ A political party or independent candidate that submits a PEB for broadcast to a BSL, is deemed to have indemnified the BSL against incurred costs, damages, losses, and third-party claims arising from the broadcast thereof.

POLITICAL ELECTION BROADCAST (“PEB”)...

BSL that rejects a PEB submitted by a political party or an independent candidate for broadcast, must within 24 hours of such submission:

furnish the political party or independent candidate concerned with written reasons for the rejection; and

afford the political party or independent candidate concerned an opportunity 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 within 48 hours after receiving the rejected PEB.

Where the BSL has rejected a PEB and the political party or independent candidate concerned has confirmed in writing to the BSL that it will not be re-submitting the PEB, the BSL must within 48 hours notify the Authority of such rejection and must also furnish to the Authority written reasons for the rejection.

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 Municipal Electoral Act, 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.

POLITICAL ELECTION BROADCAST (“PEB”)

- ❑ A BSL must not broadcast a PEB immediately before or after another PEB or immediately before or after a PA.
- ❑ PEB air-time allocated to, but not used by a political party or independent candidate, shall be forfeited by the political party or independent candidate concerned.
- ❑ 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).
- ❑ A PEB must be in the language(s) of the relevant BSL.
- ❑ In the event that a political party or independent candidate has complied with the requirements of this regulation 4, and a BSL concerned is unable to broadcast such political party's or independent candidate's PEB due to a breakdown in transmission, the BSL after consulting the Authority shall broadcast the PEB within forty-eight (48) hours from the date on which the PEB was scheduled.
- ❑ A Low Power Broadcasting Service Licensee must not broadcast a PEB.

PEB PROCESSING CHECKLIST

Ensure the PEB is submitted five (5) working days before scheduled broadcast

Ensure the PEB is not more than 40 seconds in length

Complies with the language (s) of broadcast

Complies with the technical standard as contained in the Regulations

Ensure the content does not contravene applicable legislation

POLITICAL ADVERTISEMENT (“PA”)

- ❑ PA must only be broadcast during the election period and no later than forty-eight (48) hours before polling commences
- ❑ “Election period” means the period commencing with the date on which the election day is proclaimed and ending on the day immediately following upon the day on which candidates of any of the political parties or independent candidates are declared elected;
- ❑ A broadcasting service licensee that broadcasts PA must ensure that all PA broadcasts are clearly identified through a standard pre-recorded tail disclaimer
- ❑ Each PA submitted must indicate clearly the name of the political party or independent candidate and the day, time of broadcast and relevant broadcast service/s for the PA.
- ❑ A BSL that intends to transmit a PA must ensure that the advertisement conforms to the technical quality as listed in **Schedule 2 of Annexure A**.
- ❑ A BSL to whom a PA has been submitted by a political party or an independent candidate for broadcast must not in any way edit or alter the advertisement.
- ❑ A BSL who rejects a PA submitted by a political party or an independent candidate for broadcast must, **within twenty-four (24) hours** of such submission, furnish the political party or independent candidate concerned with written reasons for the rejection.

POLITICAL ADVERTISEMENT ("PA")...

- ❑ Where the BSL has rejected a PA and the political party or independent candidate concerned has confirmed in writing to the BSL that it will not be re-submitting the advertisement, then the BSL must, within **twenty-four (24) hours**, notify the Authority in writing of such rejection and must also furnish to the Authority written reasons for the rejection.
- ❑ A political party or and independent candidate that submits a PA for broadcast to a BSL is deemed to have indemnified the BSL against incurred damages, losses, and third-party claims arising from the broadcast thereof.
- ❑ A political party or an independent candidate that submits a PA to a BSL for broadcast must ensure that the advertisement does not:
 - ❑ contravene the provisions of the Municipal Electoral Act, the Electoral Code, the Electoral Act, the Constitution, the Act and the Broadcasting Act; or
 - ❑ contain any material that is calculated, or that in the ordinary course 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.

EXPLAINER - PA AND PEB

PEB

1. means a **direct address or message broadcast free of charge** on a broadcasting service and which is intended or calculated to advance the interests of any particular political party or independent candidate
2. SABC has an obligation to transmit PEBs while Community and Commercial broadcasters can elect to transmit PEBs.
3. ICASA to provide duration and sequencing of PEBs
4. Broadcast during election broadcast period no later than forty eight (48) hours before polling commences.
5. Broadcast during election broadcast period

PA

1. means an advertisement broadcast on a broadcasting service which is intended or calculated to advance the interests of any particular political party or independent candidate, for which advertisement the relevant broadcasting service licensee has received or is to receive, **directly or indirectly, any money or other consideration;**
2. All broadcasters can elect to broadcast PAs.
3. ICASA does not provide duration and sequencing of PAs
4. Broadcast during election period and no later than forty eight (48) hours before polling commences.
5. Broadcast during election period

ROLE OF THE BROADCASTING SERVICE LICENSEES

- ☐ Notify the Authority of intention to broadcast PAs and/or PEBs within twenty-one (21) working days of the publication of the Regulations. **The date has already passed**
- ☐ Ensure to pre record the PA and/or PEBs disclaimers
- ☐ A BSL that broadcasts PA and/or PEB must ensure that all PA and/or PEB broadcasts are clearly identified through a standard pre-recorded tail disclaimer.
- ☐ Ensure to pre record the election complaints promo
- ☐ **NO LIVE READS ARE ALLOWED**
- ☐ Ensure that news, current affairs shows and special election programmes are impartial and objective.

ROLE OF POLITICAL PARTIES AND INDEPENDENT CANDIDATES

- ☐ Notify the Authority in a written submission within twenty-one (21) days of the publication of the Regulations, two names with/and contact details of representatives who will deal with all election broadcast matters.
- ☐ Timeously respond to complaints leveled against them.
- ☐ Pre-record the PEB and PA material as this is not the duty of the BSL.
- ☐ Submit PEBs at least 5 working days prior broadcast time.
- ☐ Ensure that its PAs and PEBs do not contravene the Constitution, ECA, Broadcasting Act and all related legislation.
- ☐ Ensure that their material does not provoke any unlawful, illegal or criminal act or be perceived as condoning or lending support to any such act.

COMPLAINTS HANDLING

- ❑ In the event of any person aggrieved by a PEB or PA the person may lodge a complaint with the Authority within 5 days after such broadcast has occurred
- ❑ Any complaint lodged with the Authority in terms of regulation 7(1) shall be addressed by the Authority in accordance with Regulation 6 of the CCC Regulations
- ❑ All election related complaints are handled by the CCC, and not any other complaints handling body.
- ❑ A BSL that broadcasts a PA and/or PEB must inform the public of the complaints procedure above/below through a pre-recorded complaints promo contained in the Regulations.
 - ✓ *Any person aggrieved by any Political Advertisement or Political Election Broadcast that is broadcast by [insert name of station] may lodge a complaint within 5 days from broadcast with the Independent Communications Authority of South Africa (ICASA). To lodge your complaint, please contact ICASA's Compliance Department via telephone number on 012 568 3233 or email BroadcastingCompliance@icasa.org.za and Complaintsccc@icasa.org.za"*
(The contact details of ICASA should be repeated twice).

CONTRAVENTION AND PENALTIES

Failure by a broadcasting service licensee to comply with these Regulations will result in a fine not exceeding one million Rands (R1 000 000,00).

HD (High Definition)

- Commercials to comply with the 1920 x 1080i HD Standard in a 16:9 aspect ratio at 25 frames per second.
- Digital Audio Reference level is defined as 18dB below the maximum coding value (-18dBFS) as per EBU recommended practice R128
- Timecode of commercial start is at 10:00:00:00.
- Stereo audio on tracks 1&2, (Any additional audio tracks should not be MUTE but rather be duplicates of track 1&2)
- Fade to silence at commercials end.]

File format:

MXF OP-1a (SMPTE 378M), XDCAM HD 422

Video:

- Codec: MPEG-2 422P@HL LongGOP
- Bit rate mode Constant
- Bit rate: 50 Mb/s (CBR)
- Resolution: 1920 x 1080
- Interlacing: Upper Field First Display aspect ratio 16:9
- Frame rate: 25 fps (50i).

FOR RADIO (AUDIO)

- Track 1 (AES1) Stereo Left / Lt|
- Track 2 (AES1) Stereo Right / Rt
- Codec: Uncompressed (PCM)
- Sample Rate: 48 kHz,
- Sampling Size: 24 bit
- Additional tracks: Duplicate tracks 1&2.

Additional element: WAV 48 kHz/16-bit PCM and high-quality MP3 320 kbps, as accepted radio formats alongside MPEG-2, reducing transcoding errors and turnaround time.

GUIDELINES: EDITORIAL MATTERS

- ❑ The Authority does not intervene in the news and programming operations of the broadcasters.
- ❑ BSL's role during elections does not differ from their normal journalistic role during non-election periods. Normal ethical considerations will continue to apply.
- ❑ A distinguishing feature of the election period is the obligation to achieve equitable coverage of political parties and independent candidates without abdicating news value judgements.
- ❑ BSLs are encouraged, in the public interest, to provide a full, impartial, and independent coverage of the elections.
- ❑ BSLs must afford reasonable opportunities for the discussion of conflicting views and must treat all political parties and independent candidates equitably.
- ❑ BSLs must ensure that the political parties and independent candidates are given a reasonable opportunity to respond to criticism in the same programme, or to do so as soon as reasonably practicable thereafter.

GUIDELINES: EDITORIAL MATTERS

- ❑ The Authority advises BSLs to take special care during the final 48 hours prior to Election Day. There will be limited time for BSLs to ensure that political parties' right of reply is honoured during this period.
- ❑ BSLs need to ensure that, during the election period, they do not afford the policies of incumbent political parties and independent candidates' greater legitimacy than they would afford those policies or actions if the party was not in government.

GUIDELINES: PRINCIPLE OF FAIRNESS

- ❑ Care should be taken to balance the exposure given to the non-political activities of candidates (such as attendance at functions, sporting events etc)
- ❑ If the programme intends to feature party representatives and independent candidates contesting the elections, reasonable invite notice to participate either in the same programme or in a series of programmes should be given to all concerned.
- ❑ BSLs need to ensure that, during the election period, they do not afford the policies of incumbent political parties and independent candidates, greater legitimacy than they would afford those policies or actions if the party was not in government.
- ❑ Non-participating political parties, independent candidates and organisations affiliated to alliances should not be excluded from debates and news bulletins, however, they should not be included with such frequency that they distort the general principle of equity between registered, contesting political parties and independent candidates.

THINGS TO REMEMBER

- ❑ Election Date has been announced and not proclaimed yet. Await for the official gazette to start the broadcast of PAs.
- ❑ Notify the Authority of your participation either by carrying PAs/PEBs or neither by Thursday, 07 May 2026. **No notification, no participation**
- ❑ The Authority will publish the list on the website before the proclamation of the election date.
- ❑ Enquiries should be directed to BroadcastingCompliance@icasa.org.za or call **Ms Busisiwe Mashigo** at **012 568 3233/0725939294** weekdays between 08h30 and 16h30.
- ❑ Ensure that you keep programme recordings in line with the timeframe contained in **Sec 53 (1) (a) of the ECA**. The Authority will be requesting recordings to ensure compliance with these Regulations.
- ❑ The Authority will publish the consolidated Regulations in due course.

**THANK
YOU**

QUESTIONS AND ANSWERS SESSION

