

Coverage of Elections and Referendums Broadcasting Code, 2018

Background

- Regulation to harness the power of broadcasting in a democratic society.
- **Part C of the Broadcasting Code: Rule 18 – 24.**
- Applicable during election of the President, members of the National Assembly or any member of a regional council or local authority council.

Rule 18 - Party election broadcasts

1. A broadcaster may not broadcast a party election broadcast except during an election broadcast period.
2. A broadcaster who decides to broadcast a party election broadcast for a particular party must afford all other political parties a similar opportunity.
3. A party election broadcast is under the editorial control of the political party.
4. The broadcaster is not liable for the contents of the broadcast, and may refuse to broadcast until the political party's duly authorised representative submits the contents, and a signed written indemnification against liability.

Rule 19 - News and current affairs

1. News coverage of elections and referendums is at the discretion of the news editor of the broadcaster.
2. A broadcaster must apply proper balance and fairness to all current affairs programmes that deal with elections or referendums.

Rule 20 - Balance and impartiality

1. Afford reasonable opportunities for the discussion of conflicting views and must treat all political parties equitably.
2. Ensure balanced, impartial, and non-discriminatory editorial coverage or access.
3. Afford a political party, candidate, or proponent a reasonable opportunity to respond to criticism.

Rule 21 - Allocation of free airtime by the NBC

1. If NBC offers free airtime to various political parties participating in an election, it must do so based on the Broadcasting Code.
2. A political party intending to broadcast a party election broadcast utilising the free airtime as allocated by the NBC above must submit its broadcast contents to NBC at least 96 hours prior to the broadcast.
3. If a political party fails to deliver the party election broadcast to the NBC before the expiry of the time set, the political party is deemed to have forfeited its free allocated airtime.

Rule 22 and Rule 23 - Party election broadcasts and advertisements

1. A political party intending to broadcast a party election broadcast must submit its broadcast contents to a broadcaster at least 96 hours prior to the broadcast, and a written script (or translation) in English.
2. A broadcaster may not in edit or alter the content of the broadcast.
3. A broadcaster may not reject a political party's party election broadcast contents without reasonable cause and written reasons for the rejection. The party must be allowed edit and resubmit its content.

Rule 22 and 23 cont..

1. A political party must ensure that its party election broadcast contents does not contravene any law.
2. A political party submitting its party election broadcast contents to a broadcaster has no claim against the broadcaster arising from the broadcast or failure to broadcast such contents and is deemed to have indemnified the broadcaster against incurred costs, damages, losses and third political party claims arising from the broadcast.
3. A broadcaster broadcasting a party election broadcast contents must ensure that all party election broadcasts aired are clearly identified and may not exceed five minutes in duration.

Rule 24 – Broadcasting on polling day

1. No broadcaster may on polling day broadcast a party election broadcast, political advertisement or any material canvassing for support of any political party or candidate.
2. A broadcaster must confine election coverage on the polling day to reports and analyses on the progress of voting and information pertaining to voting schedules and location of polling stations.
3. A broadcaster may not broadcast election results until after the polls are declared closed and official results are announced or published by the Electoral Commission of Namibia.

Complaints and enforcement

1. All broadcasters are subject to the rules of the Broadcasting Code.
2. CRAN supervises compliance with the Broadcasting Code in terms of section 90 of the Communications Act, 2009.
3. Political parties and members of the public may submit complaints to CRAN, by completing the Consumer Complaint Form.

Thank you !