

ANNEXURE C GUIDELINES



1. INTRODUCTION

These guidelines are intended to outline a general approach that should be adopted by broadcasting licensees in their coverage of the 1999 general elections. General elections are an important public event and they clearly fall within the area of news and current affairs. Broadcasting licensees are encouraged, in the public interest, to provide a full, impartial, and independent coverage of the elections.

The Authority does not intervene in the news and programming operations of the broadcasters. Broadcasters' 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 without abdicating news value judgements.

2. EDITORIAL MATTERS

Section 61 of the Act lays down specific requirements for the treatment of political parties during the election period by broadcasters in their editorial programming. The requirements are:

1. "If, during an election period, the coverage of any broadcasting service extends to the field of elections, political parties and issues relevant thereto, the broadcasting licensee concerned shall afford reasonable opportunities for the discussion of conflicting views and shall treat all political parties equitably.
2. In the event of any criticism against a political party being leveled in a particular programme of any broadcasting service without such party having been afforded an opportunity to respond thereto in such programme or without the view of such political party having been reflected therein, the broadcasting licensee concerned shall be obliged to afford such a party a reasonable opportunity to respond to criticism.
3. If, within 48 hours before the commencement of the polling period or during the polling period, a broadcasting licensee intends broadcasting a programme in which a particular political party is criticized, the licensee shall ensure that the political party is given a reasonable opportunity to respond thereto in the same programme, or to do so as soon as reasonably practicable thereafter".

The Authority advises broadcasters to take special care during the final 48 hours prior to election day. There will be limited time for broadcasters to ensure that political parties' right of reply is honoured during this period. Broadcasters should, therefore, ensure that parties are given time to reply, should this be necessary, within the same programme during this period.

3. Equitable Treatment

Four principles of equitability:

3.1.1 Equitable treatment does not mean equal treatment

The Authority will not expect broadcasting services to distort their news values and processes by giving the same weight to small or one-person parties as they do to serious contenders for a place in national or provincial government.

3.1.2 Equitable treatment means fair treatment

Each broadcasting service will be expected to treat parties fairly. Equitable treatment is unlikely

to be achieved in a single programme but can be achieved in a series of programmes.

3.1.3 Each broadcast service should be consistent in its treatment of contesting parties

Each broadcasting service should be consistent in its treatment of contesting parties and of conflicting views.

3.1.4 Broadcasters must seek out information

Broadcasters should recognise their obligation to the electorate to provide a full and accurate record of events and developments. Broadcasters should not rely on political parties to bring information to them, but should actively seek out information. Failure to do so will give parties with greater resources inequitable amounts of news coverage.

3.2 Principles to be adhered to:

To further assist broadcasters in fulfilling the requirements of the Act the following principles will apply:

3.2.1 Fairness

- All news coverage should be fair to all interests concerned;
- Care should be taken to balance the exposure given to the non-political activities of candidates (such as attendance at functions, sporting events etc).
- All parties should receive equitable treatment on current affairs programmes. If the programme intends to feature party representatives, parties contesting the elections must be invited, with reasonable notice, to participate either in the same programme or in a series of programmes.
- The requirement that broadcasters give an opportunity for conflicting views to be heard should not be interpreted as a requirement that all parties be heard on any subject, only that all views be heard. Nor is it a requirement that all views be heard on the same programme.

3.2.2 The right of reply to broadcast criticism

Each broadcaster should afford all political parties reasonable opportunity to respond to criticism broadcast by that broadcaster. However, affording parties reasonable time to respond should not amount to forcing broadcasters to turn their editorial programmes into a series of replies and replies-to-replies.

There should be a distinction between demands for the right to reply to mild or rhetorical criticism, which properly forms part of the cut and thrust of robust political contest; and demands for the right to reply to criticisms which result in clear and immediate damage to a political party.

With regard to rhetorical criticisms, broadcasters must have the flexibility to incorporate responses into their formal news patterns. With regard to damaging criticisms, broadcasters should give the offended party an opportunity to respond. The party should be afforded the earliest and most appropriate opportunity to do so. Broadcasters should, however, not allow political parties to use their right to reply to criticism to manipulate or distort the general principle of equitability.

3.2.3 Coverage of government

During the election period, broadcasters must recognise that government officials are in a

position to use their incumbency to advance their electoral prospects.

During the election period, broadcasters should regard with particular caution any statement or action by an official of an incumbent party. In particular, broadcasters need to ensure that, during the election period, they do not afford the policies of incumbent parties greater legitimacy than they would afford those policies or actions if the party were not in government.

3.2.4 Civil servants

No action or statement by any civil servant should benefit or prejudice any political party.

3.2.5 Coverage of non-participating organisations

In providing reasonable opportunity for the discussion of conflicting views, non-participating political parties and organisations affiliated to alliances should not be excluded from debates and news bulletins. They should be included in terms of normal journalistic practice – when the topic is one in which they have a material interest. However, they should not be included with such frequency that they distort the general principle of equitability between registered, contesting parties.

3.2.6 Coverage of election results

Broadcasters, particularly the public broadcaster, have an obligation to inform the electorate of the election results, as they become available. Coverage of election results may also include comment, analysis and interpretation. Special care should be taken to ensure the accuracy of all results broadcast.

CONCLUSION

The guidelines in essence therefore will provide a framework to broadcasters covering the elections within which the system of Party Election Broadcasts and political advertising will operate.

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