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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**

NOTICE 3867 OF 2026

**THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****AMENDMENT TO THE MUNICIPAL PARTY ELECTIONS BROADCASTS AND  
POLITICAL ADVERTISEMENTS REGULATIONS, 2011**

The Independent Communications of South Africa hereby, in terms of section 4(3)(j) of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000), read with sections 4(1), 56, 57, 58 and 59 of the Electronic Communications, 2005 (Act No. 36 of 2005), amended the Municipal Elections Party Elections Broadcasts and Political Advertisements Regulations, 2011 to the extent reflected in the Schedule.

**MOTHIBI RAMUSI****CHAIRPERSON****DATE: 30 / 03 / 2026**

## SCHEDULE

### 1. Definitions

In these regulations "the Regulations" means the Municipal Party Elections Broadcasts and Political Advertisements Regulations, 2011 as amended by Government Notices No. 3 (Gazette No. 39738) of 26 February 2016, No. 161 (Gazette No. 44370) of 31 March 2021, No. 588 (Gazette No. 45272) of 6 October 2021 and No. 597 (Gazette No. 45312) of 13 October 2022.

### 2. Amendment of regulation 1 of the Regulations

Regulation 1 of the Regulations is hereby amended –

- 2.1 by the substitution for the definition of "CCC Regulation", of the following definition:

**"CCC Regulations"** means the Regulations Governing Aspects of the Procedures of the Complaints and Compliance Committee of the Authority, published in Government Gazette No.33609, Notice No. R 886 of 06 October 2010 as amended by Government Gazette No. 46091, Notice No. 917 of 28 March 2022;

- 2.2 by the substitution for the definition of "current affairs", of the following definition:

**"Current affairs programme"** means programming that is not a news bulletin, which focuses on and includes comment on and interpretation and analysis of current socio-political issues;

- 2.3 by the deletion of the definition of "Commission" after the definition of "CCC Regulations";

- 2.4 by the substitution for the definition of "election broadcast period", of the following definition:

**"Election broadcast period"** means the period within which political election broadcasts may be transmitted; such period commencing 120 hours after the

allotment of time-slots by the Authority and ending 48 hours before polling commences;

- 2.5 by the insertion, after the definition of "Election broadcast period", of the following definition:

**"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;

- 2.6 by the deletion of the definition of "Electoral Commission Act" after the definition of "Electoral Code";

- 2.7 by the deletion the definition of "ICASA Act" after the definition of "Electoral Commission Act":

- 2.8 by the substitution for the definition of "independent candidate", of the following definition:

**"Independent candidate"** means a South African citizen contesting an election and who is not nominated on a list of a party;

- 2.9 by the insertion, after the definition of "independent candidate", of the following definition:

**"Municipal Election"** means an election of a municipal council;

- 2.10 by the substitution for the definition of "news", of the following definition:

**"news"** means programming broadcast by a BSL, in which it reports on news events of immediate social, political or economic relevance and on matters of international, national and local significance, but which is not a current affairs programme;

- 2.11 by the deletion of the definition of "party", after the definition of "PA";

2.12 by the substitution for the definition of "PEB", of the following definition:

**"PEB"** means an election broadcast as defined in section 1 of the Act;

2.13 by the insertion after the definition of "PEB" of the following definition:

**"Political advertisement"** 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;

2.14 by the insertion after the definition of "Political advertisement" of the following definition:

**"Political Party"** means a registered party as defined in section 1 of the Electoral Act 73 of 1998;

2.15 by the deletion of the definition of "SABC" after the definition of "Political Party".

### **3. Substitution of regulation 2 of the Regulations**

3.1 The following regulation is hereby substituted for regulation 2 of the Regulations:

#### **"2. OBJECT OF THE REGULATIONS**

The object of these regulations is to prescribe the framework and guidelines under which PEB(s) and PA(s) shall be broadcast by the BSL during the municipal elections."

### **4. Substitution of regulation 3 of the Regulations**

4.1 The following regulation is hereby substituted for regulation 3 of the Regulations:

#### **"3. SCOPE OF THE REGULATIONS**

These regulations are applicable during the election period to;

- (a) broadcasting service licensees;
- (b) political parties contesting the municipal elections; and
- (c) independent candidates contesting the municipal elections.”

## **5. Amendment of regulation 4 of the Regulations**

Regulation 4 of the Regulations is hereby amended –

5.1 by the substitution for sub-regulation 5 of the following sub-regulation:

“(5) A BSL that is obliged, or intends to broadcast PEB(s) must ensure that the PEB conforms to technical standards and quality as listed in Schedule 2 of Annexure A”;

5.2 by the substitution for sub-regulation 7 of the following sub-regulation:

“(7) A BSL that rejects a PEB submitted by a political party or an independent candidate for broadcast, must within twenty-four (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 forty-eight (48) hours 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”;

5.3 by the substitution in sub-regulation 8 for the words “twenty-four (24) hours” of the words “forty-eight (48) hours”;

5.4 by the substitution of sub-regulations (10) – (23) of the following sub-regulations:

“(10) A political party or independent candidate that submits a PEB to a BSL for broadcast must ensure that the PEB does not:

- (a) contravene the provisions of the Municipal Electoral Act, the Electoral Code, the Electoral Act, the Constitution, the Act, and the Broadcasting Act; and
  - (b) 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.
- (11) 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.
- (12) A BSL that broadcasts PEB must:
- (a) 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 concluding message (tail) disclaimer;
  - (b) do so in accordance with the sequence and timing that will be prescribed by the Authority upon allocation of airtime slots after the publication of these Regulations;
  - (c) ensure that all PEB(s) broadcast are identified as such; and
  - (d) ensure that all PEB(s) broadcast by it are identified through a standard pre-recorded concluding message (tail) disclaimer.
- (13) A PEB must not exceed forty (40) seconds in duration.
- (14) Content broadcast as a PEB cannot be broadcast as a PA.
- (15) A BSL must not broadcast a PEB immediately before or after another PEB or immediately before or after a PA.

- (16) A 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.
- (17) Where a political party or an independent candidate fails to deliver a PEB to the BSL before the expiry of five (5) working days prior to the broadcasting thereof, the political party or independent candidate shall be deemed to have forfeited its allocated airtime.
- (18) Where a political party or an independent candidate elects to forfeit its allocated PEB air-time, then such air-time must not be allocated to another political party or independent candidate but must be used by the broadcaster concerned for the purpose of broadcasting its normal programming.
- (19) Where a political party or an independent candidate does not wish to use its allocated PEB air-time, the BSL concerned must not, during the relevant time-slot, in any way vary the sequence or scheduling of PEB(s).
- (20) A BSL or political party or an independent candidate must not permit or engage in any interference with, or trading in, the sequence or scheduling of PEB(s).
- (21) Where a political party or independent candidate has complied with the requirements of 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, must broadcast the PEB within forty-eight (48) hours from the date on which the PEB was scheduled.
- (22) A PEB must be in the broadcast language(s) as contained in the issued broadcasting service license of the relevant BSL.
- (23) A Low Power Broadcasting Service Licensee must not broadcast a PEB."

## **6. Amendment of regulation 6 of the Regulations**

Regulation 6 of the Regulations is hereby amended –

6.1 by the substitution for sub-regulation (3) of the following sub-regulation:

“(3) A BSL that intends to transmit a PA must ensure that the advertisement conforms to the technical standard and quality as listed in Schedule 2 of Annexure A”.

6.2 by the substitution for sub-regulations (8) to (15), of the following sub-regulations:

“(8) A political party or an independent candidate that submits a PA to a BSL for broadcast must ensure that the PA does not:

(a) contravene the provisions of the Municipal Electoral Act, the Electoral Code, the Electoral Act, the Constitution, the Act, and the Broadcasting Act; and

(b) 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.

(9) A political party or an independent candidate that submits a PA 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.

(10) Content broadcast as a PA cannot be broadcast as a PEB.

(11) A BSL must not broadcast a PA immediately before or after another PA or PEB.

(12) A BSL that broadcasts a PA must ensure that all PA broadcasts are clearly identified through a standard pre-recorded concluding message (tail) disclaimer.

(13) A BSL that broadcasts a PA must ensure that all PA disclaimers

are announced in a similar manner.

(14) A Low Power Broadcasting Service Licensee must not broadcast a PA.

(15) A BSL that intends to broadcast a PA must inform the Authority, in writing, of its intention to do so within twenty (21) working days of the publication of these Regulations”.

## **7. Amendment of regulation 7 of the Regulations**

Regulation 7 of the Regulations is hereby amended –

7.1 by the substitution for sub-regulations (1) of the following sub-regulation;

“(1)A person aggrieved by a PA or PEB may lodge a complaint with the Authority within five (5) working days after such broadcast has occurred.”

7.2 by the substitution for sub-regulations (2), of the following sub-regulation;

“(2) Any complaint lodged with the Authority in terms of sub-regulation 7 (1) will be addressed by the Authority in accordance with regulation 6 of the CCC Regulations”.

7.3 by the substitution for sub-regulations (6), of the following sub-regulation;

“(6) Any complaint lodged with the Authority in terms of sub-regulation 6 (7) will be addressed by the Authority in accordance with regulation 6 of the CCC Regulations.

## **8. Amendment of regulation 8 of the Regulations**

Regulation 8 of the Regulations is hereby amended –

8.1 by the addition of the following sub-regulation;

“(4) A broadcasting service licensee that intend to broadcast PEBs and/or PA should inform the Authority by writing an email to [BroadcastingCompliance@icasa.org.za](mailto:BroadcastingCompliance@icasa.org.za)”.

8.2 by the addition of the following sub-regulation;

“(5) A BSL and political party or the independent candidate must inform the Authority of the nominated persons who must be the representatives of that BSL or political party or independent candidate in respect of all matters regulated by writing an email to [BroadcastingCompliance@icasa.org.za](mailto:BroadcastingCompliance@icasa.org.za)”.

## **9. SHORT TITLE AND COMMENCEMENT**

These Regulations are called Municipal Political Elections Broadcasts and Political Advertisements Amendment Regulations, 2026 and shall commence on publication in the *Government Gazette*.