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MODULE II | THE ROLE OF THE MEDIA DURING ELECTIONS

RESOURCES FROM THE PRESS COUNCIL OF SOUTH AFRICA FOR ELECTIONS

The Press Council of South Africa (Press Council) has published two key resources that may be relevant for journalists in the upcoming elections:


Overview of this module:

- The international law framework on the role of the media and the importance of access to information during elections.
- The regulatory framework and key provisions on elections relating to print and online media.
- The regulatory framework and key provisions on elections relating to broadcast media.
- Practical guidance for journalists covering the elections, including frequently asked questions.

1. Importance of the media during elections

The media plays a pivotal role in elections. As noted by the ACE Electoral Knowledge Network:

“The media are essential to democracy, and a democratic election is impossible without media. A free and fair election is not only about the freedom to vote and the knowledge of how to cast a vote, but also about a participatory process where voters engage in public debate and have adequate information about parties, policies, candidates and the election process itself in order to make informed choices. Furthermore, media acts as a crucial watchdog to democratic elections, safeguarding the transparency of the process. Indeed, a democratic election with no media freedom, or stifled media freedom, would be a contradiction.”

The media plays many important roles in enabling full public participation in elections, including:

- Educating voters on how to exercise their democratic rights.
- Reporting on the development of an election campaign.
- Providing a platform for the political parties and candidates to communicate their message to the electorate.
- Providing a platform for the public to communicate their concerns, opinions, and needs to the parties and candidates, the election management body, the government and other voters, and to interact on these issues.
- Allowing parties and candidates to debate with each other.
- Reporting results and monitoring vote counting.
- Scrutinising the electoral process in order to evaluate the fairness of the process.

1 ACE Electoral Knowledge Network, ‘Media and elections,’ (accessible here).
2 Id.
The media is expected to maintain a high level of professionalism, accuracy, and impartiality in their coverage during the elections, and different regulatory frameworks exist to guide the media’s conduct in this regard. There are different obligations that apply to different platforms, and it bears mention that broadcast media has far more stringent obligations than print media in relation to election coverage.

Members of the media should also exercise appropriate diligence when using social media. Although social media platforms can be a quick and effective way to reach wide audiences and provide up-to-date information, journalists should still apply a professional standard when using such platforms — whether in their personal capacities or for a media organisation — and ensure that any election coverage provided via social media meets the required standards of professionalism, accuracy, and impartiality. For more, see the Social Media Policy Guidelines issued by the Press Council in May 2020 here.

**TIPS FOR EDITORS AND REPORTERS TO STAY ON TOP OF THE 24/7 NEWSROOM**


- Monitor the social media universe, as social media can act as early warning indicators. However, this must be applied with caution. Social media can be a tool to collect news, but it can also be a source of rumours, lies, and hatred. Comments should be independently and rigorously verified.
- Journalism is increasingly online, even in traditional media. The internet provides infinite opportunities for reporting, commenting, and interacting with the public. Consider different formats to undertake civic education online.
- If social media is being used as a source for news, every link should be followed through the internet to its source and the original material evaluated. For example, avoid sharing links that have not been read in full.
- Look out for fake accounts, and do some research before spreading research from an account that you are not familiar with.

2. **International law framework**

There are three key treaties at the international level that have been ratified by South Africa and that are of particular relevance to the role of the media during elections:

- **International Covenant on Civil and Political Rights**, which enshrines the right to freedom of expression in article 19 and the right to participate in public affairs and vote in article 25.

- **African Charter on Human and Peoples’ Rights**, which enshrines the right to freedom of expression in article 9 and the right to participate freely in government in article 13.

- **African Charter on Democracy, Elections and Governance**, which provides in article 27(8) that in order to advance political, economic, and social governance, states must commit themselves to promote freedom of expression, in particular press freedom, and fostering professional media.

There are also a number of relevant declarations and guidelines. Although these are not directly binding on states under international law, they are of relevance as a reflection of good practice and recognised principles:

- **Declaration of Windhoek on Promoting an Independent and Pluralistic African Press** (Windhoek Declaration), which is a statement of principles aimed at the promotion of an independent and pluralistic press.

- **African Charter of Broadcasting**, adopted by media practitioners at the ten-year celebration of the Windhoek Declaration, in an effort to expand the relevance of the Windhoek Declaration to address the need for independence and pluralism in radio and television broadcasting.
• **Declaration of Principles of Freedom of Expression and Access to Information in Africa**, which recognises the key role of the media and other means of communications in ensuring the full respect for freedom of expression, promoting the free flow of information and ideas, assisting people to make informed decisions, and facilitating and strengthening democracy. The African Commission on Human and Peoples’ Rights (ACHPR) updated the Principles in 2019 to replace those from 2002 to address emerging issues and, particularly, developments in the internet age.

• **Guidelines on Access to Information and Elections in Africa** (ACHPR Guidelines), which focuses on access to information during elections. In addition to the guidelines for other stakeholders, it also includes guidelines for media and internet regulatory bodies, and for the media and online media platform providers.

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**ACHPR GUIDELINES AND THE MEDIA**

The ACHPR Guidelines provide guidance to different stakeholders to meaningfully give effect to the right of access to information during elections. This includes guidelines for media and internet regulatory bodies, and for the media and online platform providers.

**Media and internet regulatory bodies:** The ACHPR Guidelines provide that such bodies should adopt regulations on media coverage during elections that ensure fair and balanced coverage of the electoral process, as well as transparency about political advertising policy on media and online media platforms.

**Media and online media platform providers:** The ACHPR Guidelines set out a list of information that print, broadcast, and online media, both publicly and privately owned, should proactively disclose. This includes, for example, editorial and ethical codes or guidelines; criteria and allocation of airtime or news coverage for political campaign advertisements and activities; and a plan for a transparent repository of all political advertisements.

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3. **The right of access to information during elections**

The right of access to information is enshrined in section 32 of the Constitution, and it is given effect through the **Promotion of Access to Information Act 2 of 2000** (PAIA). The importance of the right is underscored by the fact that it is cross-cutting and is necessary for the realisation of other rights. As noted in the ACHPR Guidelines:

“For elections to be free, fair and credible, the electorate must have access to information at all stages of the electoral process. Without access to accurate, credible and reliable information about a broad range of issues prior, during and after elections, it is impossible for citizens to meaningfully exercise their right to vote in the manner envisaged by Article 13 of the African Charter [on Human and Peoples’ Rights].”

The ACHPR Guidelines provide direction to different stakeholders in the electoral process who have a responsibility to proactively disclose information in their possession or control that is necessary for safeguarding the integrity and legitimacy of the electoral process. This includes election management bodies (EMBs); political parties and candidates; law enforcement agencies; election observers and monitors; media and online media platform providers; media regulatory bodies; and civil society.

In compliance with section 14 of PAIA, the Independent Electoral Commission (IEC) has published an access to information manual.3 Chapter 2, in particular, sets out the provisions relating to access to records, including the records kept in accordance with legislation; the categories of records held by the IEC that must be formally requested; and the automatic disclosures that are made available without formal request on the IEC’s website and in the form of brochures. It also sets out the request procedure that must be followed.

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PUBLICLY AVAILABLE IEC API FOR ELECTION DATA
Accessible [here](#).

An important development during the 2019 national elections was the decision by the IEC to make a live feed in the form of a publicly available API to provide election data in real-time to the media and other interested parties. The source data includes real-time voter and voting station information, as well as election results data. Requests for a username and password should be sent to webmaster@elections.org.za.

It should be noted that the right of access to information should be balanced against the right to privacy contained in section 32 of the Constitution. The Protection of Personal Information Act 4 of 2013 (POPIA) sets out requirements that must be complied with for the permissible processing of personal information, provisions which will come into force from 1 July 2021. In addition to POPIA, the right to privacy is well-entrenched under South African law. In light of the reams of personal information collected and used during the election period, including voter information, respecting and protecting the right to privacy during the election period is critical.

4. **The Electoral Code of Conduct**

An introduction to the Electoral Code of Conduct (Electoral Code) has been provided in Module I. The important role of the media during elections has given rise to express recognition and protection of the media within the electoral law framework. However, as is to be expected, there are likewise specific rules and expectations relating to the media’s conduct during election periods.

The Electoral Code requires political parties and candidates to respect the role of the media during elections. It provides as follows:

> “Every party and every candidate—
> (1) must respect the role of the media before, during and after an election conducted in terms of [t]he Electoral Act;
> (2) may not prevent access by members of the media to public political meetings, marches, demonstrations and rallies; and
> (3) must take all reasonable steps to ensure that journalists are not subjected to harassment, intimidation, hazard, threat or physical assault by any of their representatives or supporters.”

Section 80(a) of the Municipal Electoral Act provides that a conviction for a contravention or non-compliance with the Electoral Code may carry a fine or a sentence of imprisonment of up to ten years. In practice, political parties that breach the Electoral Code can, for instance, forfeit the party’s election deposit; be stopped from working in an area; have their votes in an area cancelled; or have their party registration cancelled.

5. **Print and online media**

(i) **The Press Code of Ethics and Conduct for South African Print and Online Media**

The Press Council and the Interactive Advertising Bureau of South Africa (IABSA) have adopted the Press Code of Ethics and Conduct for South African Print and Online Media (Press Code), which is applicable to print and online media and which was updated in January 2020. The Press Code sets out the standard expected of the print and online media, including with regard
to the gathering and reporting of news; privacy and the protection of personal information; children; and violence and graphic content.

The preamble to the Press Code states:

“As journalists we commit ourselves to the highest standards, to maintain credibility and keep the trust of the public. This means always striving for truth, avoiding unnecessary harm, reflecting a multiplicity of voices in our coverage of events, showing a special concern for children and other vulnerable groups, and exhibiting sensitivity to the cultural customs of their readers and the subjects of their reportage, and acting independently.”

Section 2 of the Press Code also sets out the provisions regarding independence and conflicts of interest. Regarding payment for information, the Press Code provides that the media must avoid “shady journalism” in which informants are paid to induce them to give information, unless the material ought to be published in the public interest and the payment is necessary for this to be done.

Complaints against the media for contraventions of the Press Code are dealt with through the Complaints Procedures. Complaints must be made within 20 working days of the publication of the offending material, except in special circumstances where the delay is justified. If a finding is made against a publication that has voluntarily become subject to the jurisdiction of the Press Ombud, the Complaints Procedure sets out the sanctions that may be applied, including a caution or reprimand to the publication; a direction that a correction, retraction, or apology be published; or that a complainant’s reply be published. A hierarchy of sanctions exists ranging from relatively minor infractions such as the misspelling of names to allowing commercial, political, personal, or other non-professional considerations to influence reporting.

(ii) Specific requirements for printed election material: Section 107 of the Electoral Act

Section 74 of the Local Government Municipal Electoral Act 27 of 2000 (Municipal Electoral Act) places specific controls on printed election media from the time the election is called to the date the election results are announced. During this period:

- Any billboard, placard, poster, or pamphlet intending to have an effect on the outcome of the election must clearly state the full name and address of the printer and publisher.
- The publisher of any publication must put a heading on articles saying ‘advertisement’ if an article is paid for and comes from the following: (i) a party (including office-bearers); (ii) members and supporters; or (iii) a candidate contesting elections (including supporters).

6. Broadcast media

(i) The regulatory framework

There are a number of pieces of legislation of relevance to the broadcast media. This includes the following:

- The Broadcasting Act 4 of 1999: The stated objects of the Broadcasting Act include to establish and develop a broadcasting policy in the public interest; to safeguard, enrich, and strengthen the cultural, political, social, and economic fabric of South Africa; to ensure plurality of news, views, and information; and to establish a strong and
committed broadcasting service that will serve the needs of all South African society. Chapter IV of the Broadcasting Act provides for the incorporation of the SABC and for the Charter of the SABC.

- **The Independent Communications Authority of South Africa Act 13 of 2000** (ICASA Act): Section 3 of the ICASA Act establishes the Independent Communications Authority of South Africa (ICASA) as a juristic person that is independent and subject only to the Constitution and the law, and which is required to be impartial, perform its functions without fear, favour, or prejudice, and which must function without any political or commercial influence. ICASA is required to regulate broadcasting in the public interest and to ensure fairness and diversity of views broadly representing South African society; regulate telecommunications in the public interest; and achieve the objects in the underlying statutes.\(^\text{17}\)

- **The Electronic Communications Act 36 of 2005**: The aims of the Electronic Communications Act include to promote convergence and set up a legal framework for bringing together the broadcasting, broadcasting signal distribution, and telecommunications sectors. Regarding media coverage, the Electronic Communications Act deals with party election broadcasts,\(^\text{18}\) political advertising on broadcast services,\(^\text{19}\) and equitable treatment of political parties by broadcasting service licenses during the election period.\(^\text{20}\)

### Sections 57-59 of the Electronic Communications Act

Sections 57-59 of the Electronic Communications Act are particularly relevant to the elections as they set out specific responsibilities during the election period:

- **Party election broadcasts**: Section 57 provides that a public broadcasting service licensee must permit a party election broadcast only during an election broadcast period, and only if the broadcast is produced on behalf of a political party at the instance of its duly authorised representative. It also requires ICASA to determine the time to be made available to political parties for this purpose and permits ICASA to impose any conditions on a public service broadcasting licensee with respect to party election broadcasts as it considers necessary. No party election broadcast may be broadcast later than 48 hours prior to the start of the polling period. Commercial or community media licensees are not required to broadcast party election broadcasts but must comply with the provisions of this section if they choose to do so.

- **Political advertising on broadcasting services**: Section 58 states that a broadcasting service licensee is not required to broadcast a political advertisement; however, in the event that they elect to do so, they must afford all other political parties a similar opportunity if they request it. A licensee may broadcast a political advertisement only during an election period and only if the broadcast is produced on behalf of a political party at the instance of its duly authorised representative. No political advertisement may contain any material that could reasonably be anticipated to expose the broadcasting service licensee to legal liability if broadcast. No political advertisement may be broadcast later than 48 hours prior to the start of the polling period. In making advertising time available to political parties, no broadcasting service licensee may discriminate against or give preference to any political party, or subject any party to any prejudice.
Equitable treatment of political parties by broadcasting service licensees: Section 59 provides that if during an election period the coverage of any broadcasting service extends to the field of elections, political parties and issues relevant to this, the licensee must afford reasonable opportunities for the discussion of conflicting views and must treat all political parties equitably. If criticism is levelled against a political party during a programme without them having been afforded an opportunity to respond in the programme or without the view of the political party being reflected in the programme, the licensee must provide the party with a reasonable opportunity to respond to the criticism. In addition, if within 48 hours before the start of the polling period or during the polling period, a licensee intends to broadcast a programme in which a particular political party is criticised, the licensee must ensure that the political party is given a reasonable opportunity to respond, either in the same programme or as soon as is reasonably practicable thereafter.

In 2011, ICASA published the Regulations on Municipal Party Election Broadcasts, Political Advertising, the Equitable Treatment of Political Parties by Broadcasting Licensees and Related Matters (Municipal Election Broadcasting Regulations), published in terms of the ICASA Act. In 2016 (see here) and provide useful guidance to broadcasters to ensure equitable treatment during municipal elections, including detailed guidelines for broadcasters related to the content of party election broadcasts and political advertising that is allowed during the election period. A distinguishing feature of broadcasting during the election period is the obligation to achieve equitable coverage of political parties without abdicating news value judgements.

At the time of publication, ICASA has published draft Municipal Elections Broadcasting Regulations, 2020. The new regulations require compliance both from political parties and independent candidates contesting the municipal elections and specify that current affairs programmes also fall within the scope of the regulations. ICASA is undertaking a public consultation process prior to finalising the regulations for the 2021 municipal elections.

**PRINCIPLES OF FAIRNESS IN ELECTION COVERAGE**

Guideline 4(1) of the 2016 Municipal Election Broadcasting Regulations sets out the following principles of 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, and so on).
- 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.

Lastly, it is worth noting that in addition to the Municipal Elections Broadcast Regulations, broadcasting licensees must also follow the Code of Conduct for Broadcasting Services (Broadcasting Code), issued in terms of the Electronic Communications Act. The purpose of the Broadcasting Code is to set the standards according to which broadcasting service licences will be monitored by ICASA. The Broadcasting Code expressly indicates that during any election period, Sections 56, 57, 58 and 59 of the Electronic Communications Act apply. Licensees under the jurisdiction of the Broadcasting Complaints Commission of South Africa (BCCSA) are also required to follow the relevant BCCSA Code of Conduct (for Free to Air Licensees or Subscription Broadcasting Service Licensees).

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21 GN 101 of 2014 in GG No. 37350 (17 February 2014).
22 GN 958 of 2009 in GG No. 32381 (6 July 2009).
(ii) Community Radio Election Guidelines

The Community Radio Election Guidelines were developed by the National Community Radio Forum in 1999 and have since been adapted for subsequent elections. While community media organisations are still required to follow all applicable broadcast and electoral laws and regulations that affect elections, the Community Radio Election Guidelines are aimed specifically at assisting community radio stations to entrench their role. The guiding principles include contextualising and presenting news honestly; committing to the community’s right to know the truth; and ensuring an open dialogue with listeners as part of accountability to the community.

In terms of programming, the Guidelines also set out particular considerations on which stations should base their election programming. This includes, for instance, focusing on their local community during the election; using languages preferred by their community; and ensuring that the community is informed about local day-to-day election developments. The Community Radio Election Guidelines contain similar provisions to the Municipal Election Broadcasting Regulations on the principles of equity in broadcasting.

(iii) Complaints against broadcast media: ICASA and the BCCSA

ICASA consists of monitoring officers, who check whether broadcasters are following the terms, conditions, and duties of their licences, and complaints officers, who receive complaints from the public about broadcasters and arrange hearings before the Complaints and Compliance Committee (CCC). The CCC is a seven-person committee and is empowered to decide on complaints from the public about broadcasters not following licence conditions, to hold hearings with complainants and broadcasters, and to make recommendations to the ICASA Council on action to be taken against broadcasters.

The Municipal Election Broadcast Regulations provide that any person who is aggrieved by a party election broadcast or political advertisement can lodge a complaint with ICASA within 48 hours after the broadcast. ICASA is required to communicate the outcomes of the complaint to the parties within 48 hours of determining the complaint.

WHAT IS THE RELATIONSHIP BETWEEN ICASA AND THE BCCSA DURING ELECTIONS?

The National Association of Broadcasters established the BCCSA as a self-regulatory body that receives and decides on complaints from the public about its members. The BCCSA has its own constitution, Codes of Conduct and procedures, as well as its own complaints mechanism. However, for election-related matters, Section 14 of the BCCSA’s Free-to-Air Code of Conduct for Broadcasting Service Licensees provides that:

“During any election period, as defined in the Act, sections 56, 57, 58 and 59 of the Act and regulations issued in terms thereof apply. The BCCSA does not have jurisdiction in these matters and complaints must be directed to the Complaints and Compliance Committee of the Independent Communications Authority of South Africa.”

Notably, the BCCSA’s Code of Conduct for Subscription Broadcasting Service Licensees does not contain an equivalent provision.

7. Practical tips for the media for election coverage

Reporting on local elections may require different approaches and skillsets, for various reasons:

- First, as detailed above, municipal elections use a hybrid system of both parties and independent ward candidates, and the method of voting differs depending on the type of municipality.

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25 Regulation 7(1) of the Municipal Election Broadcast Regulations.
26 Regulation 7(3) of the Municipal Election Broadcast Regulations.
Second, instead of a single national election, municipal elections comprise hundreds of separate races with different candidates, different contexts, and different core issues of concern to their electorate. For example, service delivery issues are of heightened importance in the context of municipal elections, but service delivery performance can differ widely by municipality. Politically motivated killings are also prevalent during municipal elections, which have become increasingly contested in recent years. A 2017 study found that 66% of councillors and 60% of municipal managers reported being threatened.

Because of these nuances, it is worth noting some practical tips on how to report on municipal elections:

1. **Learn the structure:** Since municipal elections are unique, it is important to understand the structure of the municipal council, how councillors are elected, and so on, for each race you will be reporting on. For example, the editorial team needs to be able to answer the following questions:
   - How is a ward councillor elected?
   - What are the roles and responsibilities of the ward councillor?
   - How are council leaders elected?
   - What are the three types of municipal councils and how they are elected?
   - What is the difference between metropolitan elections and local municipalities?
   - How many council seats are required for each municipality?

2. **Know the responsibilities, powers and procedures:** Understanding how local municipalities work will provide a solid foundation for good stories. If you don’t know a regulation has been violated, you will miss the story. You can use resources like [MunicipalIQ](https://www.municipaliq.com) and [GovChat](https://www.govchat.com) to track service delivery issues.

3. **Learn the language:** The local government terrain is full of jargon: IDPs, EPWP, MFMA, demarcation, proportional representation, and so on. To convey the story effectively to the public, you must have a thorough understanding of what these acronyms and jargon words mean.

4. **Use visual elements like graphs to simplify municipal election.**

5. **Learn the official players:** Key players at municipal levels differ from those at the national level, such as ward councillors, municipal managers, Members of Executive Councils (MECs), and so on. It is important to understand who they are, what their roles and responsibilities are, and where they fit in the broader system of local government.

6. **Cultivate sources at all levels of government:** Local government officials are at the coal-face of delivering services and making municipalities work, but they are frequently ignored by media who prioritise access to those higher up in government. Local officials can prove valuable sources on issues related to municipal elections.

7. **Listen and report on the “other voices”:** During municipal elections, the issues at stake are often those closest to the average person, such as service delivery. However, with the decline of local media in recent years, these stories are most frequently ignored. It is important to have the voices of those who are most affected at the forefront of one’s reporting.

### FAQs FOR ELECTION COVERAGE

**Do I need accreditation for voting or counting stations?**

Media representatives do not need formal accreditation from the IEC to get access to voting or counting stations, but they are required to be clearly identifiable as members of the media. This is done by presenting a valid press identity card, or a signed letter from the editor on the organisation’s letterhead with an identity document or passport. If any difficulties are encountered, the presiding officer or counting officer should be approached for assistance. Queries falling outside the mandate of the presiding officer will be escalated to the official spokesperson of the IEC at the Results Operation Centres (ROCs), either nationally or provincially.

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28 ibid.
30 Integrated Development Plan
31 Expanded Public Works Programme
32 Municipal Finance Management Act
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<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>Is the presiding officer obliged to grant me access to a voting station?</td>
<td>Access to a voting station is at the discretion of presiding officers, and they are under no obligation to grant the media access or to discuss activities in the voting station. If a member of the media is of the view that access has been unreasonably withheld, it is possible to appeal to the provincial electoral officer.</td>
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<tr>
<td>Do I need accreditation for access to the ROCs?</td>
<td>Members of the media will need accreditation to access all ROCs. The IEC will make available a list of contact persons for the national and provincial ROCs prior to the election date.</td>
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<td>Who am I allowed to interview at the voting station?</td>
<td>With the exception of the presiding officer, no interviews may be conducted with any other staff of the voting station or the IEC at a voting station. Presiding officers are mandated to discuss voter turnout and arrangements for voting at their station. Voters, party agents, candidates and accredited observers have to be interviewed outside of the boundaries of a voting station.</td>
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<tr>
<td>Are there any visuals that are not permitted?</td>
<td>The publication of the following images or visuals by any person, including the media, is prohibited: an image of a marked ballot; any visuals inside the boundaries of a voting station, without the permission of the affected voter and the presiding officer; any visuals where the secrecy of a voter’s ballot may be compromised.</td>
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<td>Am I entitled to have access to the results slips?</td>
<td>Although copies of the results slips will not be made available to the media, a copy of the results slip for each election in each voting district is placed on the door of the voting station at the close of counting of ballots, which will enable the media to have access to the results slips. The electronic results will be available on the IEC website as soon as the results have been verified and entered by the IEC’s municipal offices.</td>
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<td>Can I report on opinion polls?</td>
<td>There is no prohibition on the publication of opinion polls. However, caution should still be exercised. Questions to consider include: (i) who was interviewed; (ii) under what conditions were the interviews conducted; (iii) when was the poll conducted; (iv) who conducted the poll; and (v) what was the percentage of error? It is a good journalistic practice to disclose sample size, polling methodology, and margin of error if opinion poll data is used.</td>
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<tr>
<td>Can I report on exit polls?</td>
<td>Section 76 of the Municipal Electoral Act provides that no person – including the media – may print, publish, or distribute any exit polls taken during elections during the hours of voting.</td>
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<td>What role do observers play?</td>
<td>An observer is a neutral outsider who is present and sees what happens during voting, counting, and the determination and declaration of results, and can tell the world that the process was transparent, free and fair – or not. Observers may be from civil society organisations, or from regional or international bodies such as the African Union (AU) or the Commonwealth, and can offer advice and support to the IEC. Observers are accredited in terms of the Regulations on the Accreditation of Observers, 1999, which includes a code of conduct for observers.</td>
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At the time of publication, the IEC had not yet published its media guide for the 2021 general election. While it is not anticipated that there are likely to be any significant changes from the IEC’s approach in the 2016 municipal elections, it is advisable that all members of the media covering the elections familiarise themselves with the 2021 media guide once it is made available. The IEC’s media guidelines for the 2016 municipal elections are accessible here (page 119-121).

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8. **Suggested resources**

- Windhoek Declaration (1991) (accessible [here](#)).