

GUIDELINES ON THE USE OF MEDIA DURING THE GENERAL ELECTIONS AND CAMPAIGNS 2021

1. Introduction

The Republic of Uganda will hold general elections in January 2021. Campaigns and Nominations of different candidates are expected to commence in July 2020. The Electoral Commission (EC) has provided a roadmap that will guide the forthcoming elections. The Electoral Commission, in the provided roadmap, has indicated that campaigning by the different candidates will be done mainly through the media, especially radio stations, television stations and online platforms.

2. Role of the Media

The media, as autonomous sources of information, are required to inform, educate, and entertain the public. During electoral campaigns, the media has a duty to inform and educate the public about political parties, candidates, manifestos, and the voting processes.

The media is required to:	<ul style="list-style-type: none"> i. Provide fair, accurate, timely and comprehensive election-related news and information to enable citizens to make informed political decisions; ii. Provide a balanced and adequate opportunity for citizens, candidates and political parties to express divergent political views; iii. Report accurately about the voting process and the results; iv. Report accurately and fairly the immediate aftermath of the elections.
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The Uganda Communications Commission has developed guidelines that lay out the responsibilities of media houses, broadcasting radio stations, television stations, political parties, candidates, journalists and the Electoral Commission regarding the use of media for campaigns during the national Presidential and Parliamentary elections in Uganda.

Scope	These guidelines shall apply to broadcast media houses (radios, television and online) both private and state-owned, regulators, political parties, the Electoral Commission, and Government agencies.
The objective of the Guidelines	The objective of these guidelines is to prescribe and provide guidance on the expected practice by broadcasting media houses regarding campaigning and elections reporting for Uganda's general elections. The guidelines provide basic requirements to achieve balance, fairness, and impartiality in election coverage.

LEGAL AND REGULATORY FRAMEWORK

PRESIDENTIAL ELECTIONS ACT, 2005	<p>Section 23 of the Presidential Elections Act 2005 provides for Equal treatment, freedom of expression and access to information of candidates.</p> <p>S.23(1) provides that “During the campaign period, every public officer and public authority and public institution shall give equal treatment to all candidates and their agents.”</p> <p>S.23(2) provides that “Subject to the Constitution and any other law, every candidate shall enjoy complete and unhindered freedom of expression and access to information in the exercise of the right to campaign under this Act.”</p> <p>S.23(3) provides that “A person shall not, while campaigning, use any language—</p> <ul style="list-style-type: none">a) which constitutes incitement to public disorder, insurrection or violence or which threatens war; orb) which is defamatory or insulting or which constitutes incitement to hatred.” <p>S.23(4) A person who contravenes subsection (3) commits an offence and is liable, upon conviction—</p> <ul style="list-style-type: none">(a) in case of an offence under subsection (3)(a), to a fine not exceeding one hundred and twenty currency points or imprisonment not exceeding five years or both; and(b) in the case of an offence under subsection (3)(b), to a fine not exceeding twenty-four currency points or imprisonment not exceeding one year or both.
	<p>Section 24 of the Presidential Elections Act provides for the Rights of Candidates.</p> <p>S.24 (1) of the Presidential Elections Act, 2005 provides that “All presidential candidates shall be given equal treatment on the State-owned media to present their programmes to the people.”</p> <p>S.24(5) of the Presidential Elections Act, 2005 provides that “A candidate shall not, while campaigning, do any of the following—</p>

	<ul style="list-style-type: none"> a) making statements which are false— <ul style="list-style-type: none"> (i) knowing them to be false, or (ii) in respect of which the maker is reckless whether they are true or false; b) making malicious statements; c) making statements containing sectarian words or innuendoes; d) making abusive, insulting or derogatory statements; e) making exaggerations or using caricatures of the candidate or using words of ridicule; f) using derisive or mudslinging words against a candidate; or g) using songs, poems and images with any of the effects described in the foregoing paragraphs <p>S.24(6) of the Presidential Elections Act, 2005 provides that “The proprietor or operator of a private electronic media shall not knowingly use the media or allow it to be used to do any of the acts prohibited in subsection (5).”</p> <p>S.24(7) of the Presidential Elections Act, 2005 provides that “A person who contravenes any of the provisions of subsections (2), (3), (4), (5) and (6) commits an offence and is liable on conviction—</p> <ul style="list-style-type: none"> (a) in the case of an offence under subsection (3), to a fine not exceeding twenty-four currency points or imprisonment not exceeding one year or both; and (b) in any other case to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.
<p>PARLIAMENTARY ELECTIONS ACT, 2005.</p>	<p>Section 22 of the Parliamentary Elections Act, 2005 provides for the Rights of Candidates.</p> <p>S.22 (1) states, “A candidate in an election shall not be denied reasonable access and use of state-owned communication media.”</p> <p>S.22(4) states, “Except as otherwise provided in this Section, a Candidate may use private electronic media for his or her campaign.”</p> <p>S.22(5) states, “A candidate shall not use private electronic media to decampaign any other candidate.”</p>

	<p>S.22(6) states, “In particular, the following acts are prohibited under subsection (5)—</p> <p>(a) making statements which are false—</p> <p style="padding-left: 40px;">(i) knowing them to be false, or</p> <p style="padding-left: 40px;">(ii) in respect of which the maker is reckless whether they are true or false;</p> <p>(b) making malicious statements;</p> <p>(c) making statements containing sectarian words or innuendoes;</p> <p>(d) making abusive, insulting or derogatory statements;</p> <p>(e) making exaggerations or using caricatures of the candidate or using words of ridicule;</p> <p>(f) using derisive or mudslinging words against a candidate; or</p> <p>(g) using songs, poems and images with any of the effects described in the foregoing paragraphs;</p> <p>S.22(7) states, “A person other than a candidate shall not do any of the acts prohibited in subsections (5) and (6).”</p> <p>S.22(8) states, “The proprietor or operator of a private electronic media shall not use the media or allow it to be used to do any of the acts prohibited in subsections (5) and (6).”</p> <p>S.22(9) states that “A person who contravenes any of the provisions of subsections (3), (5), (6), (7) and (8) commits an offence and is liable on conviction—</p> <p>(a) in the case of an offence under subsection (3), to a fine not exceeding twenty-four currency points or imprisonment not exceeding one year or both; and</p> <p>(b) in any other case, to a fine not exceeding one hundred and twenty currency points or imprisonment not exceeding five years or both.</p>
<p>THE LOCAL GOVERNMENTS ACT</p>	<p>Section 123 of the Local Governments Act provides for Equal treatment to candidates.</p> <p>S.123(1) states that “ During the campaign period every public officer and public authority and institution shall as far as possible give equal treatment to candidates.”</p>

S.123(2) states that “Subject to the Constitution and any other law, every candidate shall enjoy the freedom of expression and access to information in the exercise of the right to campaign under this Act, but shall not be protected against any abusive or slanderous statements.”

S.123(3) states that “No person shall while campaigning use or publish defamatory words or words which are insulting or which constitute incitement of public disorder, insurrection, hatred, violence or which threaten war.

S.123(4) states that “ A person who contravenes subsection (3) commits an offence and is liable on conviction to a fine not exceeding ten currency points or a term of imprisonment not exceeding two years or both and shall be disqualified as a candidate.”

Section 124 of the Local Government Act provides for Rights of candidates.

S.124(1) states that” Every candidate in an election shall be afforded reasonable access to and use of State-owned communication media if he or she requires it.”

S.124(2) states that “Subject to any other law, during the campaign period any candidate may, either alone or in common with others, publish campaign materials in the form of books, booklets, pamphlets, leaflets, magazines, newspapers or posters intended to solicit votes from voters.”

S124(3) states that “No person shall, during the campaign period, print, publish or distribute, a newspaper, circular, book, booklet, leaflet, magazine or a pamphlet containing an article, report, letter or other matter relating to the elections unless the author’s names and addresses are appended to it.

S.124(4) states that “A person contravening subsection (3) commits an offence and is liable on conviction to a fine not exceeding ten currency points

	<p>or to a term of imprisonment not exceeding two years or both.”</p> <p>Section 172 of the Local Governments Act relates to Applications of laws relating to parliamentary elections.</p> <p>For any issue not provided for under this Part of the Act, the parliamentary elections law in force, for the time being, shall apply with such modifications as are deemed necessary.</p>
<p>THE COMPUTER MISUSE ACT 2011</p>	<p>Section 25 of the Computer Misuse Act 2011 criminalises offensive communication.</p> <p>S.25 provides that any person who willfully and repeatedly uses electronic communication to disturb or attempts to disturb the peace, quiet or right to privacy of any person with no purpose of legitimate communication whether or not a conversation ensues commits a misdemeanour and is liable on conviction to a fine not exceeding twenty four currency points or imprisonment not exceeding one year or both.</p>
<p>THE PENAL CODE ACT CAP 120</p>	<p>Section 41. Promoting sectarianism. It provides that;</p> <p>(1) A person who prints publishes, makes or utters any statement or does any act which is likely to;</p> <p>(a) Degrade, revile or expose to hatred or contempt;</p> <p>(b) Create alienation or despondency of;</p> <p>(c) Raise discontent or disaffection among; or</p> <p>(d) Promote, in any other way, feelings of ill will or hostility among or against</p> <p>Any group or body of persons on account of religion, tribe or ethnic or regional origin commits an offence and is liable on conviction to imprisonment for a term not exceeding five years.</p> <p>(2) It shall be a defence to a charge under subsection (1) if the statement was printed, published, made or uttered, or the act was done with a view to exposing, discouraging or</p>

	<p>eliminating matters which promote or have a tendency to promote sectarianism.</p> <p>Section 83 further prohibits incitement to violence</p> <p>It provides that:</p> <p>83. incitement to violence</p> <p>(1) Any person who incites any other person to do an act of violence against any person by reason of his or her race, place of origin, political opinions, colour, creed or sex or office commits an offence and is liable on conviction to imprisonment for a term not exceeding fourteen years.</p> <p>(2) For the purposes of subsection (1), “office” means the office of a Minister of the Government, a member of Parliament or a councillor, a public office, employment in the service of the administration of a district or the council or board of a municipality or town, any religious office and employment as a director, officer or other official in or by anybody corporate established by or under the auspices of or controlled by the Government.</p>
<p>THE UGANDA COMMUNICATIONS ACT, 2013</p>	<p>Section 31 of the Uganda Communications Act, 2013 states, “A person shall not broadcast any programme unless the broadcast or programme complies with Schedule 4.</p> <p>Schedule 4 Minimum Broadcasting Standards provides as follows: A broadcaster or video operator shall ensure that:-</p> <ol style="list-style-type: none"> a. Any program which is broadcast- <ol style="list-style-type: none"> i) Is not contrary to public morality ii) Does not promote a culture of violence or ethnical prejudice among the public, especially children and the youth iii) In the case of a news broadcast, is free from distortions of facts iv) Is not likely to create public insecurity or violence

	<p>v) Is in compliance with the existing law.</p> <p>b. Programmes that are broadcast are balanced to ensure harmony in such programmes.</p> <p>c. Adult oriented programmes are appropriately scheduled.</p> <p>d. Where a program that is broadcast is in respect to a contender for a public office, that each contender is given equal opportunity on such a programme;</p> <p>e. Where a broadcast relates to national security, the contents of the broadcast are verified before broadcasting.</p> <p>Section 39 of the Uganda Communications Act provides for the Terms and Conditions of a license.</p> <p>Section 39(1) states, “The Commission shall prescribe the terms and conditions of all operators licensed under this Act.”</p> <p>The Commission has developed license terms and conditions for all broadcasting licensees.</p> <p>Schedule 6(1) (e) of the License Terms and Conditions of PSP licenses provides for the following terms:-</p> <p>An operator is prohibited from giving undue preference to or from exercising undue discrimination against a particular person or class of persons, including any operator. Further, a license has a public interest obligation to:</p> <ul style="list-style-type: none"> a) Safeguard, enrich and strengthen the cultural, social and economic fabric of Uganda; b) Ensure pluralism in the provision of news, views and information, giving wide and enlightened choices to citizens and contribute significantly to an effective and vibrant democracy; c) Provide a balanced and wide variety of points of view on matters of public concern.
<p>THE UGANDA COMMUNICATIONS (CONTENT) REGULATIONS, 2019.</p>	<p>Under Section 5(1) (x), 14(2) and 93 of the Uganda Communications Act, 2013, the Minister in consultation with the Uganda Communications Commission has developed the Uganda Communications (Content) Regulations, 2019 Statutory Instrument No. 91 of 2019.</p> <p>Regulation 14 of the Uganda Communications (Content) Regulations, 2019 provides as follows:</p>

Election Period

- (1) An operator shall ensure that during an election period-
 - (a) Where a programme that is broadcast is in respect to a contender for a public office, that each contender is given equal opportunity on the programme in accordance with the Regulations;
 - (b) Equitable coverage and opportunity is given to political parties and organisations participating in an election;
 - (c) The name of the political party or sponsor, if any, on whose behalf a broadcast is made, is announced, immediately before the commencement and immediately after the broadcast; and
 - (d) A broadcast sponsored by or made on behalf of a political party other than an advertisement of the broadcast is not permitted to be dramatised.

Regulation 16 of the Uganda Communications (Content) Regulations, 2019 provides as follows:

Broadcast of party election broadcasts

- (1) Subject to this regulation, a broadcaster shall permit a party election broadcast only during an election period, and the broadcast shall be produced on behalf of the political party concerned and authorised by its duly authorised representative.
- (2) A party election broadcast shall not contain any material which may reasonably be anticipated to expose the broadcaster to legal liability if that material were to be broadcast.
- (3) A party election broadcast shall comply with the requirements of these regulations and the minimum broadcasting standards set out in schedule 4 to the Act.
- (4) No party election broadcast shall be made in contravention of the limits set by the Electoral Commission or, where the limit is not specified, later than forty-eight hours before the commencement of the polling period.

- (5) A commercial or community broadcaster is not required to broadcast party elections, and where it elects to do so, these regulations apply to it with necessary modifications.

Regulation 17 of the Uganda Communications (Content) Regulations, 2019 provides as follows:

Political Advertising

- (1) A broadcaster is not required to broadcast a political advertisement, but where the operator elects to do so, the operator shall afford all other political parties or candidates, where they so request a similar opportunity.
- (2) A broadcaster may broadcast a political advertisement only during an election period, and the advertisement must have been submitted to the operator on behalf of a political party by a duly authorised representative of the party or campaigns.
- (3) In making advertising time available to political parties or candidates, a broadcaster shall not discriminate against any political party or candidate, or subject any political party or candidate to any prejudice.
- (4) A political advertisement shall not contain any material which may reasonably be anticipated to expose the broadcaster to legal liability if that material were to be broadcast.
- (5) A political advertisement must comply with the requirements of the law, these regulations and the minimum broadcasting standards.
- (6) This regulation is subject to the provisions of any law relating to the expenditure of political parties during an election.

Regulation 18 of the Uganda Communications (Content) Regulations, 2019 provides as follows:

Equitable treatment of political parties and organisations during an Election Period

- (1) Where, during an election period, the coverage of any broadcasting service extends to the discussion of elections, political parties and related issues, the

broadcaster shall afford reasonable opportunity for the discussion of conflicting views and shall treat all political parties equitably.

(2) In the event of any criticism against a political party or organisation in a particular programme of any broadcasting service-

a. Without the political party or organisation having been afforded an opportunity to respond to the criticism in the programme; or

b. Without the view of the political party or organisation having been reflected in the criticism, the broadcasting services operator shall afford that political party or organisation a reasonable opportunity to respond to the criticism.

(3) Where within forty-eight hours before the commencement of the polling period or during the polling period, a broadcasting services operator intends to broadcast a programme in which a particular political party or organisation is criticised, the operator must ensure that the political party or organisation in question is given a reasonable opportunity-

a. To respond to the criticism in the same programme; or

b. To respond to the criticism as soon as is reasonably practicable thereafter.

(4) Sub regulation (3) does not apply in relation to the contents of any party election broadcast in the circumstances contemplated in regulation 18 and to any political advertisement in the circumstances contemplated in that regulation.

Regulation 19 of the Uganda Communications (Content) Regulations, 2019 provides as follows:

Bias and equal coverage in Election Period

(1) An operator shall not exhibit bias during election period broadcasts or allow broadcasts that tarnish the image or reputation of candidates or political parties.

(2) A broadcaster shall give equal opportunity for all points of view in a public election.

	<p>Regulation 45 <i>of the Uganda Communications (Content) Regulations, 2019 provides as follows:</i></p> <p>Broadcasting Prohibited content</p> <p>(1) A person who broadcasts content prohibited under these Regulations commits an offence and is liable, on conviction, to a fine not exceeding 48 currency points or imprisonment not exceeding two years or both.</p> <p>(2) The Commission shall impound and destroy any prohibited content referred to under sub-regulation (1).</p>
<p>THE UGANDA COMMUNICATIONS(TEXT AND MULTIMEDIA MESSAGING) REGULATIONS 2019 S.I NO 83 OF 2019</p>	<p>Under Section 5(1) (x), 14(2) and 93 of the Uganda Communications Act, 2013, the Minister in consultation with the Uganda Communications Commission has developed the Uganda Communications (Text and MultiMedia Messaging) Regulations, 2019 Statutory Instrument No. 83 of 2019.</p> <p>Regulation 5 provides for Prohibition of unsolicited messages. A person shall not use an automated system to send an unsolicited SMS or MMS to a subscriber.</p> <p>Regulation 6 provides for Intellectual property. Operators and third-party providers shall comply with the laws governing intellectual property in Uganda and shall, in particular, not infringe the intellectual property rights of their clients, suppliers and other parties.</p> <p>Regulation 7 provides for Content control.</p> <p>(1) Third-party content providers and operators shall not transmit or publish prohibited content.</p> <p>(2) Where a third-party content provider becomes aware of prohibited content under that third-party content provider’s control, the third-party content provider shall immediately suspend access to that content and shall report the illegal content to the relevant enforcement authorities and the Commission.</p> <p>(3) An operator shall comply with any order lawfully issued under these Regulations by a law enforcement authority or by the Commission.</p> <p>(4) Operators and third-party content providers shall establish procedures and mechanisms to trace the origin</p>

	<p>of content, where applicable, and shall, upon request by the Commission provide the sources of origin.</p> <p>8. Prohibited content.</p> <p>(1) Operators and third-party content providers shall not transmit any content that is objectionable on the grounds of public interest, public morality, public order, public security, national harmony or otherwise prohibited by the laws of Uganda.</p> <p>(2) Prohibited content under sub-regulation (1) includes content that –</p> <ul style="list-style-type: none"> (a) promotes or depicts sexuality, including violence, bestiality, homosexuality, incest, paedophilia, any kind of coercion or nonconsensual sex or other sexual activity; (b) promotes the use of dangerous substances including abuse of drugs; (c) is unsolicited for any reason, and includes mobile spam; (d) promotes acts of violence or cruelty; (e) glorifies, incites or endorses ethnic, tribal, racial or religious hatred, strife or intolerance; (f) results in any unreasonable invasion of privacy; (g) induces any unacceptable sense of fear or anxiety; (h) encourages or incites a person to engage in dangerous practises or to use harmful substances; (i) debases, degrades or demeans; or (j) is prohibited by the Anti-Pornography Act, 2014. <p>9. Employee awareness.</p> <p>Operators and third-party content providers shall ensure that all their employees are made aware of the requirements and procedures associated with these Regulations.</p>
<p>THE UGANDA COMMUNICATIONS (LICENSING) REGULATIONS 2019</p>	<p>Regulation 110 of the Uganda Communications (Licensing) Regulations 2019 provide Any Person who knowingly uses the platform of a licensed operator to commit any of the following unlawful acts-</p> <ul style="list-style-type: none"> (a) fraud upon the operator;

	<ul style="list-style-type: none"> (b) fraud upon a consumer; (c) stealing data; (d) breaching data; (e) publishing false news; or (f) publishing any other prohibited content, <p>commits an offence and is liable, on conviction, to a fine not exceeding forty-eight currency points or imprisonment for a term not exceeding twenty-four months or both.</p>
<p>GENERAL GUIDELINES ON THE USE OF MEDIA FOR PRESIDENTIAL AND PARLIAMENTARY ELECTIONS</p>	<p>Balance and fairness; The Media has a duty to remain balanced and impartial in their election reporting and not to discriminate against any political party or candidate in granting access to the media. Fair and balanced election coverage means individual stories, and the pattern of stories over a period, contain points of view from different parties or candidates.</p> <p>Independence; The media will maintain independence from political, economic and other interests. In particular, they will not allow themselves to be controlled by political parties, candidates, business or any other groups with vested political interests.</p> <p>Accuracy; The media must report accurately across the board, especially on issues such as the actual words used (quotes/sound bites), names of places, and context. The election period is a time of heightened excitement for both candidates and voters, and so care must be taken in reporting so as not to make people react in a manner that may breach the public peace. Fact-checking of all party-political news, programmes and current affairs must be carried out.</p> <p>News coverage; Editorial opinion must be clearly distinguished from news to avoid the danger of misleading audiences. The duty of balance requires that parties or candidates receive news coverage commensurate with their importance in the election and the extent of their electoral support.</p> <p>Commitment form from guests/Guest forms; Broadcast media houses should develop guidelines that guests on their programmes, especially interview and talk show programmes, should sign to commit to before they go on air. The forms should indicate the dos and don'ts and the</p>

need to comply with all laws, regulations and the minimum broadcasting standards.

Sourcing; Reporters should not use the shield of unnamed sources to disguise their personal opinions. In a multiparty political environment, candidates or their agents and supporters may easily hide behind requests for confidentiality to malign their opponents.

Corrections and replies; Any candidate or party that has been defamed or otherwise suffered damage by a broadcast/article should be entitled to a correction or where this would be an insufficient remedy, be granted an opportunity to reply as soon as possible. The media will not report specific allegations or insults without providing an opportunity for a response or reaction from the accused party.

Arbitration; In the event of strong disagreement between a media house and a political party or candidate for office, the two sides will seek adjudication from the Electoral Commission before resorting to the courts.

Opinion polls and election projections; The media shall minimise horse-reporting (who is leading, who is falling behind according to the polls) and pay more attention to issues of concern to the voters and how the different candidates are addressing them, shifting or buttressing positions. The media shall not publish opinion poll results 48 hours to Election Day to avoid causing undue excitement.

Broadcasters may utilise random surveys and public opinion polls to reflect public opinion. Opinion polls shall be handled carefully since they are inaccurate, unprofessional in nature. The broadcaster must exercise due care in judgement to prevent broadcasting deliberate false opinion polls which may give a totally distorted view of the truth of public opinion or voting intentions.

In reporting opinion polls, broadcasters need to reveal on-air, which party, individual or organisation commissioned and paid for the poll, the purposes of the poll, the identity of the polling organisation and its expertise in polling, the nature of the questions or issues the poll focused on, the geographic coverage and demographic profile of those who were polled, the methodologies used in polling including

details of the sample and the margin of error which will contextualise the poll results.

Responsible and good journalism; Responsible journalism does not defame or promote malice or corruption. Good journalism does not encourage a repeat of inaccurate allegations, insults or twist the truth about a person. Journalists can report allegations and offensive speech, but the story must be balanced, so the allegation or offence is answered. Journalists will endeavour to be aware of the election rules, the operations of the Electoral Commission, and the voting process.

Equity and consistency; The media should treat all parties, candidates and all viewpoints equitably. This does not mean that news values and processes will be distorted to give the same weight to fringe parties or poor performing contenders. However, equitable treatment is unlikely to be achieved in a single programme or article. This also means that all parties may not appear in a single or every programme/article.

Electoral violence; The Media shall not give space to hate speech or utterances that might incite violence or cause social turmoil. The Media shall avoid presenting acts of political violence in a way that glorifies such conduct. Stories, views, and comments relating to election violence should be reported after proper verification of facts and presented with due caution and restraint in a manner that encourages the creation of an atmosphere congenial to national harmony, amity, and peace.

Direct access programmes; The media shall grant all political parties or candidates airtime for direct access programmes on a fair and non-discriminatory basis. Time slots for direct access programmes shall be assigned equitably. All parties/candidates should be allowed to purchase airtime for political advertisements on equal terms.

Political advertising; Media houses, especially broadcast, shall not allow the bigger parties to buy up all advertising space leaving nothing for the smaller parties. All political advertising shall be labelled accordingly.

Right to edit; Media houses reserve the right to edit any programme submitted by the political party or candidate

concerned if some or all of the content is objectionable for any of the following reasons: against public order or morality; offends national unity; infringes any law of the land; insensitive to the reputation, rights and freedoms of others.

Discrimination; Media houses shall avoid using language or expressing sentiments that may further discrimination or violence on any grounds including race, sex, language, religion, political or other opinions, and national or social origins.

Bribery and corruption; Media houses must make clear to their journalists that to accept any sort of bribe – say receiving cash or other favours in return for favourable coverage of a politician or political party – is a severe breach of duty likely to result in dismissal.

Conflict of interest; To ensure the integrity of election coverage, individual journalists shall disclose a conflict of interest or potential conflict of interest, including political affiliations.

Release of results; If a media house decides to release results as they come in, the reporters will clarify at all times that the results they are announcing are from, say, one-quarter of polling stations; from the stronghold of Candidate X; the Electoral Commission has not yet confirmed the results. In other words, the release of partial results should be done with sufficient context so as not to excite or mislead voters. It is the constitutional mandate of the Electoral Commission to announce the definitive results.

Safety of journalists; Journalists have a right to perform their duties without fear of intimidation, harassment or attacks. Journalists and media houses should, therefore, take necessary steps to minimise the risks and threats associated with tense moments such as electioneering.

Candidates who are Journalists/Presenters;

Candidates shall not be presenters of any programme on radio or television during an election period.

PHONE-INS; Extra care should be exercised to ensure that a range of views is heard and that phone-in callers including through Short Message System (SMS) and voice

	<p>notes comply with the existing regulatory frameworks. Some of the contributors will have limited experience of expressing views on-air but should still be allowed a satisfactory opportunity to do so.</p> <p>ONLINE MEDIA REFERENCES; Broadcasters are required to have in place appropriate policies and procedures for handling contributions via online media. The policies and procedures should be filed with the Uganda Communications Commission before elections. These policies and practices shall apply where online media is referenced during the election coverage. Taking into consideration the importance of elections, additional steps shall be implemented by broadcasters to ensure that on-air references to online media and all sources of news are accurate, fair, objective and impartial.</p>
<p>SPECIFIC GUIDELINES FOR STATE-OWNED OR STATE CONTROLLED MEDIA HOUSES</p>	<p>State-owned media refer to broadcasting channels that are owned, operated or controlled by the government, as well as channels that are managed by government appointees or that are governed by boards, a majority of whose members are selected by the government. The guidelines also apply to public service broadcasting channels, namely, media that are supported entirely or in part by government funds but are governed by boards that are independent of government and all political interests.</p> <p>The Presidential Elections Act, 2005 and the Parliamentary Elections Act, 2005 provide for Equal treatment, freedom of expression and access to information of candidates. The Acts also provide for the Rights of Candidates.</p> <p>Duty to inform; During the period preceding an election, state-owned media have a duty to inform the public about the political parties, candidates, campaign issues, voting processes, and other matters relevant to the election.</p> <p>Voter education; State-owned media have an obvious duty throughout the election campaign and up to the close of voting to provide education and information on the electoral process designed to ensure a meaningful election by a well-informed electorate. The programmes must be accurate and impartial and must effectively inform voters about the voting process — to register to vote, to verify proper registration, when and where to vote, the secrecy of</p>

the ballot, the importance of voting, the functions of the offices that are under contention, and similar matters.

Duty of balance and impartiality; State-owned media have a duty to be balanced and impartial in their election reporting and not to discriminate against any political party or candidate in granting access to airtime. This duty requires that news, interview, and information programmes must not be biased in favour of, or against, any party or candidate.

Direct access for party broadcasts and/or advertising; The station should always retain editorial control over any of the programmes aired. Sometimes it would be better to pre-record such programmes such that instances of abuse or unacceptable insult of political opponents is avoided. The content of a programme may be objectionable for any of the following reasons: against public order or morality, offends national unity, infringes any law of the land, insensitive to the reputation, rights and freedoms of others”.

News coverage; State-owned media must be particularly scrupulous in complying with their obligation to provide accurate, balanced and impartial information in their reporting of news and current affairs. Of the various forms of election broadcasts, news coverage is generally accepted as the most influential. Accordingly, the duty to inform the electorate and to report with balance and impartiality is particularly strong concerning news programmes.

Running orders; Where a story is placed in a news bulletin will determine its perceived importance. Proper journalistic judgement must be used to prevent giving one party the lead position regardless of balance and news value of the story.

Refusal to broadcast; The standards used by the state-owned media in determining whether or not to broadcast an election programme must not be vague or broadly defined. The grounds for a refusal to broadcast may include the content of a programme being objectionable for any of the following reasons: against public order or morality, offends national unity, infringes any law of the land, insensitive to the reputation, rights and freedoms of others. State-owned broadcasters may be guided by the provision

	under Section 24(5) of the Presidential Elections Act, 2005 and Section 22(6) of the Parliamentary Elections Act.
<p>GUIDELINES FOR POLITICAL PARTIES/CANDIDATES</p>	<p>Responsibilities of political parties</p> <ol style="list-style-type: none"> 1) All political party statements, press releases and other forms of information for publication in the media must be signed by an authorised representative duly identified to the media beforehand. 2) Political parties should clean their statements and releases of insulting language that could lead to public unrest or a breach of the peace. 3) Political parties should have a clearly defined public relations or media/press relations department from where the media can obtain necessary information without difficulty. 4) Political parties shall give all media houses adequate notice, at least 48 hours, of impending political party activities to allow for proper and adequate logistical arrangements. 5) It is the responsibility of political parties to ensure the safety of journalists covering their activities. The journalists must be protected from party supporters and, as far as possible, from other would-be attackers, especially at rallies. 6) The guidelines under this section also apply to candidates not affiliated with any party, i.e. independent candidates. <p>Bribery and corruption; Candidates, and their political parties, shall not bribe any journalist for any reason, especially in return for positive coverage or to malign an opponent. Media houses are under obligation to report immediately to the Electoral Commission any politician who offers a journalist a bribe as an attempt to distort the electoral process.</p> <p>Politicians and favourite journalists; Political parties, or specific politicians, shall not demand particular journalists to cover (or not to cover) their campaign meetings and rallies. The responsibility to allocate campaign-reporting tasks to whichever journalist lies with the editor.</p>

<p>SPECIFIC GUIDELINES FOR CARRYING OUT DIGITAL MEDIA CAMPAIGNS</p>	<p>Publication and Filing of Rate Cards for sponsored programming, advertising and talk-shows</p> <ol style="list-style-type: none"> 1) All media stations shall develop, publish and file a rate card with the Uganda Communications Commission that clearly indicates the cost of an advert, political adverts, sponsored programming and the cost of various talk-shows. 2) All media stations shall file a copy of the rate card for sponsored programming, advertising and talk-shows with the Uganda Communications Commission. 3) All media stations shall make, on request, avail a copy of the rate card for sponsored programming, advertising and talk-shows to all political parties, candidates, the Electoral Commission and any other interested stakeholders. 4) All media stations shall ensure that the rate card filed with the Uganda Communications Commission is the only rate that will be used to pay for access to media space and shall not change during the Election Period. <p><i>Equitable/Equal opportunity and treatment of all Political Parties and all Candidates during Political Adverts</i></p> <ol style="list-style-type: none"> (1) All media stations shall not discriminate against any political party or candidate, or subject any political party or candidate to any prejudice in the broadcasting of political adverts. (2) All media stations shall ensure that there are equal opportunities for all political parties, organisations and all candidates. (3) All media stations shall afford all political parties, organisations, and candidates, where they so request an opportunity to broadcast a political advert. (4) All state-owned media stations, in accordance with the Presidential Elections Act, 2005, and the Parliamentary Elections Act, shall schedule meetings with nominated presidential candidates,
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	<p>parliamentary candidates and other political contenders or their representatives to agree on the schedule or timetable for campaigns, and how it can be shared equitably among the contenders.</p> <p>(5) The state-owned media should submit the agreed schedule to the Electoral Commission and Uganda Communication Commission for monitoring.</p> <p>(6) All private media stations shall ensure that all the advertising space and air time is not bought out by one party. All political parties, organisations and candidates must be given an opportunity to purchase airtime for political adverts or campaigning where they so request.</p>
<p>CHARGES, PUBLICATION AND FILING OF ADVERTISING RATE CARDS FOR CANDIDATES' SPONSORED PROGRAMMING, ADVERTISING AND TALK SHOWS</p>	<p>The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office in connection with his campaign for nomination or election, shall follow the following:</p> <p>Lowest Unit Charge</p> <p>All candidates to whom broadcast time is sold are entitled to the lowest unit charge of the station for the class, amount of time, and time period they wish to purchase. Candidates are entitled to the benefits of a package or volume discount without having to purchase the entire package or buy in volume. Candidates can pick the spots within packages and receive the volume discount with the purchase of only one spot.</p> <p>To determine the lowest unit charge for each class of time offered, broadcasters should review every package, promotion, or contract that will air during an election period. The review should include sales of unsold or remnant spot inventory through the internet or other means, and whether at a set price or auction.</p> <p>The lowest amount shown in the contract for a type of spot will determine the lowest unit charge for that class of time. Be sure to assign a value to every spot within a given contract at the time it is entered into, including bonus spots, or otherwise zero-value bonus spots may cause your lowest unit charge for an entire class of spots to be valued at zero.</p>

Note that even if none of the bonus spots airs during an election period, the bonus spots affect the lowest unit charge if any portion of the contract airs during an election period.

Exceptions: Spots placed by third party committees not “authorised” by a candidate are not entitled to the lowest unit charge even if the candidate appears in the spot. In addition, spots sold to non-commercial advertisers generally do not count in calculating the lowest unit charge, including bonus spots provided to a nonprofit organisation as part of a paid-for spot package.

Comparable Rates; A candidate for any public office buying time outside an election period is entitled to comparable rates on the station (i.e., what an ordinary commercial advertiser would pay for the same class, amount, and period of time). Stations may charge legally qualified candidates for public office no more than the charges made for comparable use of the station by commercial advertisers. The rates, if any, charged all such candidates for the same office shall be uniform and shall not be rebated by any means, direct or indirect. All discount privileges otherwise offered by a station to commercial advertisers must be disclosed and made available upon equal terms to all candidate for public office.

Rates; A candidate for any public office who buys airtime through an advertising agency may be charged a rate that includes the agency commission. A candidate must be allowed to buy airtime directly from a station, and a candidate who buys airtime directly may not be charged the commissionable rate.

If a station permits a candidate to use its facilities, the station shall make all discount privileges offered to commercial advertisers, including the lowest unit charges for each class and length of time in the same time period, and all corresponding discount privileges, available upon equal terms to all candidates. This duty includes an affirmative duty to disclose to candidates information about rates, terms conditions and all value-enhancing discount privileges offered to commercial advertisers. At a minimum stations should disclose the following information:

- (1) A description and definition of each class of time available to commercial advertisers sufficiently complete to allow candidates to identify and understand what specific attributes differentiate each class;
- (2) A description of the lowest unit charge and related privileges (such as priorities against preemption and make goods prior to specific deadlines) for each class of time offered to commercial advertisers;
- (3) A description of the station's method of selling preemptible time based upon advertiser demand, commonly known as the "current selling level," with the stipulation that candidates will be able to purchase at these demand-generated rates in the same manner as commercial advertisers;
- (4) An approximation of the likelihood of preemption for each kind of preemptible time; and
- (5) An explanation of the station's sales practices, if any, that are based on audience delivery, with the stipulation that candidates will be able to purchase this kind of time, if available to commercial advertisers.

Billboards and Sponsorship

Stations need not take billboards, promotional incentives (e.g., coffee mugs), or programme sponsorships into account when calculating the lowest unit charge, and need not make such incentives available to candidates if they would reasonably imply a station endorsement of the candidate.

Credit Policy; A station may not treat candidates seeking credit any differently than it treats similarly situated, commercial advertisers. A station that requires cash in advance from a new commercial advertiser may require the same from a newly formed campaign committee. Conversely, if a station extends credit to all commercial advertisers without evaluating an advertiser's financial situation, the station must do the same for candidates. Generally, stations may not require cash in advance from candidates more than seven days before the first spot airs.

News Access; Stations do not have to allow candidates for political office to buy spots during the news. If a station does not permit candidates to buy spots during the news,

but the station does offer a news adjacency class of time, candidates must be permitted access to news adjacencies. In that event, the lowest unit charge for a candidate who buys spots during the news adjacency cannot be higher than what the lowest unit charge would be for a spot during the news.

- i) A candidate shall be charged no more per unit than the station charges its most favoured commercial advertisers for the same classes and amounts of time for the same periods. Any station practices offered to commercial advertisers that enhance the value of advertising spots must be disclosed and made available to candidates on equal terms. Such practices include but are not limited to any discount privileges that affect the value of advertising, such as bonus spots, time-sensitive make goods, preemption priorities, or any other factors that enhance the value of the announcement.*
- ii) The Commission recognises non-preemptible, preemptible with notice, immediately preemptible and run-of-schedule as distinct classes of time.*
- iii) Stations may establish and define their own reasonable classes of immediately preemptible time so long as the differences between such classes are based on one or more benefits that are demonstrably associated with each class and are not based solely upon price or identity of the advertiser. Such demonstrable benefits include, but are not limited to, varying levels of preemption protection, scheduling flexibility, or associated privileges, such as guaranteed time-sensitive make goods. Stations may not use class distinctions to defeat the purpose of the lowest unit charge requirement. All classes must be fully disclosed and made available to candidates.*
- iv) Stations may establish reasonable classes of preemptible with notice time so long as they clearly define all such classes, fully disclose them and make available to candidates.*
- v) Stations may treat the non-preemptible and fixed position as distinct classes of time provided that stations articulate clearly the differences between such classes, fully disclose them, and make them available to candidates.*

	<p><i>vi) Stations shall not establish a separate, premium-period class of time sold only to candidates. Stations may sell higher-priced non-preemptible or fixed time to candidates if such a class of time is made available on a bona fide basis to both candidates and commercial advertisers, and provided such class is not functionally equivalent to any lower-priced class of time sold to commercial advertisers.</i></p> <p><i>vii) The lowest unit charge may be calculated on a weekly basis with respect to time that is sold on a weekly basis, such as rotations through particular programmes or dayparts. Stations electing to calculate the lowest unit charge by such a method must include in that calculation all rates for all announcements scheduled in the rotation, including announcements aired under long-term advertising contracts. Stations may implement rate increases during election periods only to the extent that such increases constitute “ordinary business practices,” such as seasonal programme changes or changes in audience ratings.</i></p> <p><i>viii) Stations shall review their advertising records periodically throughout the election period to determine whether compliance with the guidelines requires that candidates receive rebates or credits. Where necessary, stations shall issue such rebates or credits promptly.</i></p> <p><i>ix) Unit rates charged as part of any package, whether individually negotiated or generally available to all advertisers, must be included in the lowest unit charge calculation for the same class and length of time in the same time period. A candidate cannot be required to purchase advertising in every programme or daypart in a package as a condition for obtaining package unit rates.</i></p> <p><i>x) Stations are not required to include non-cash promotional merchandising incentives in lowest unit charge calculations; provided, however, that all such incentives must be offered to candidates as part of any purchases permitted by the licensee. Bonus spots, however, must be included in the calculation of the lowest unit charge calculation.</i></p> <p><i>xi) Makes goods, defined as the rescheduling of preempted advertising, shall be provided to</i></p>
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candidates as provided to any commercial advertiser who purchased time in the same class.

- xii) Stations must disclose and make available to candidates any make good policies provided to commercial advertisers. If a station places a make good for any commercial advertiser or other candidates in a more valuable programme or daypart, the value of such make good must be included in the calculation of the lowest unit charge for that programme or daypart.*

Reasonable Access; The law requires licensees of commercial stations to provide candidates with “reasonable access” to a broadcast station. Thus, stations may not turn away candidates running for political offices (President or Parliament) and must provide them with some access in all dayparts.

Stations may decline to carry ads for local government races (e.g., city council or local council) because candidates for those races have no statutory right to reasonable access.

No Blanket Prohibition and Non-Standard Lengths; Commercial stations may not have blanket prohibitions on the number of spots candidates may purchase or the time slots in which they may purchase time. Nevertheless, a station does not need to provide the spot time a candidate requests or the exact schedule the candidate demands. The touchstone is whether the station has provided the candidate reasonable access. Whether the station has provided reasonable access will depend on all the facts and circumstances concerning the candidate’s request for access, the station’s efforts to provide such access, and the particular race in which the candidate is involved.

Broadcasters may not automatically reject “non-standard length” commercials (e.g., five minutes) for candidates. Broadcasters must balance the following factors against the request when evaluating each request for the time made by a candidate, including the time of non-standard length:

1. How much time was previously sold to the candidate;
2. The potentially disruptive impact on the station’s regular programming;

3. The likelihood of equal opportunity requests by opposing candidates; and
4. The timing of the request.

Equal Opportunity

When does this arise? Generally, whenever there is a candidate “use” (i.e., “any positive appearance”) on a station, the appearance creates an equal opportunity for the candidate’s opponent to “use” the station for the same amount of time to reach a similarly sized audience. This is true regardless of whether the candidate’s appearance is made explicitly to advance his or her candidacy, and regardless of whether the appearance is controlled, sponsored or approved by the candidate. For example, a candidate’s appearance as a host or an anchor of a news programme would be considered a “use”, and any legally qualified opponent of the candidate may assert an equal opportunity right to appear on the station.

When to assert; Legally qualified opponents must assert their equal opportunities within seven days of the “use” by the first candidate. As a result, it is critical that the station record any candidate “use” of the station by immediately placing a notice in the station’s political file. Beyond placing a record in the station’s political file, however, the station has no obligation to advise opposing candidates of their right to assert equal opportunities.

Exempt appearances; newscasts, news interviews, news documentaries (where a candidate’s appearance is incidental), and on-the-spot coverage of news events are exempt from the equal opportunities requirements. A candidate’s appearance as a guest or as the subject of news coverage in these programmes is not a “use,” and thus does not trigger equal opportunity obligations.

Timing of request; A request for equal opportunities must be submitted to the licensee within one (1) week of the day on which the first prior use giving rise to the right of equal opportunities occurred: However, where the person was not a candidate at the time of such first prior use, he or she shall submit his or her request within one (1) week of the first subsequent use after he or she has become a legally qualified candidate for the office in question.

	<p>The burden of proof; A candidate requesting equal opportunities of the licensee or complaining of noncompliance to the Commission shall have the burden of proving that he or she and his or her opponent are legally qualified candidates for the same public office.</p> <p>No discrimination; In making time available to candidates for public office, no licensee shall discriminate between candidates in practices, regulations, facilities or services for or in connection with the service rendered, or make or give any preference to any candidate for public office or subject any such candidate to any prejudice or disadvantage; nor shall any licensee make any contract or other agreement which shall have the effect of permitting any legally qualified candidate for any public office to broadcast to the exclusion of other legally qualified candidates for the same public office.</p>
<p>IDENTIFICATION OF POLITICAL ADVERTISING AND RECORDKEEPING</p>	<p>Sponsor identification; A complete sponsorship identification must be included in each advertisement a station broadcasts. Stations may insert the sponsorship ID into any advertisement that fails to include it even if the insertion causes the spot to be modified. If time prohibits pre-broadcast review, the licensee may air the spot without the proper identification for that very first airing, so long as the sponsorship ID is added before the next airing. The identification must appear at the beginning or end of any sponsored political programme.</p> <p>Responsibility for Website posting; The responsibility for posting a disclaimer or information is on the person or entity purchasing the advertising. It is not the responsibility of the website operator. Nevertheless, familiarity with requirements in this area and the ability to evaluate whether internet advertising complies with them reduces the risk of involvement in a complaint or enforcement action against the advertiser.</p> <p>Sponsorship identification, list retention, related requirements</p> <p>a) When a broadcast station transmits any matter for which money, service, or other valuable consideration is either directly or indirectly paid or promised to, or charged or accepted by such station, the station, at the time of the broadcast, shall announce:</p>

	<ul style="list-style-type: none"> i. That such matter is sponsored, paid for, or furnished, either in whole or in part, and ii. By whom or on whose behalf such consideration was supplied: <p>For the purposes of this section, the term “sponsored” shall be deemed to have the same meaning as “paid for.”</p> <ul style="list-style-type: none"> b) In the case of any political broadcast matter or any broadcast matter involving the discussion of a controversial issue of public importance for which any film, record, transcription, talent, script, or other material or service of any kind is furnished, either directly or indirectly, to a station as an inducement for broadcasting such matter, an announcement shall be made both at the beginning and conclusion of such broadcast on which such material or service is used that such film, record, transcription, talent, script, or other material or service has been furnished to such station in connection with the transmission of such broadcast matter. c) The announcement required by this section shall, in addition to stating the fact that the broadcast matter was sponsored or paid for by the true identity of the person or persons, or corporation, association or other unincorporated groups, or other entity by whom or on whose behalf such payment is made or promised, or from whom or on whose behalf such services or other valuable consideration is received, or by whom the material or services referred to above are furnished.
<p>POLITICAL RECORD OR POLITICAL FILE</p>	<p>All Broadcast licensees shall maintain, and make available for public inspection, a complete record of a request to purchase broadcast time that;</p> <ul style="list-style-type: none"> a. is made by or on behalf of a legally qualified candidate for public office; or b. communicates a message relating to any political matter of national importance, including – <ul style="list-style-type: none"> (i) a legally qualified candidate; (ii) any election to office; or (iii) a national legislative issue of public importance.

	<p>The political file must contain all requests for the time made by or on behalf of a candidate for political office, together with a notation showing the licensee's disposition of the request, the rates quoted or charged (including gifts of time), the date and time on which the spots were aired, the class of time that was purchased and any rebates. The political file must also contain all requests for time by a non-candidate to advertise any political matter of national importance (e.g., ads related to a legally qualified candidate, an election to a political office, or a national legislative issue of public importance).</p> <p>In addition to disposition of the request and details of the time sales order, the record must show the name of the candidate to which the advertising refers, the office the candidate is seeking and the election or issue to which the ad refers. If the request is from a candidate, the record must include the name of the candidate's authorised political committee and the name of the committee's treasurer. If the request is from anyone else, the record must show the name of the person/sponsor making the request, along with the name, address, and phone number of a sponsor contact person, and a list of the chief executive officers or similar officials.</p> <p>Information should be placed in the file as soon as possible (i.e., immediately) after a request for political time.</p>
<p>CONTENTS OF A POLITICAL RECORD OR POLITICAL FILE</p>	<p>A political record maintained shall contain information regarding –</p> <ol style="list-style-type: none"> a) Whether the request to purchase broadcast time is accepted or rejected by the licensee; b) The rate charged for the broadcast time; c) The date and time on which the communication is aired; d) The class of time that is purchased; e) The name of the candidate to which the communication refers and the office to which the candidate is seeking election, the election to which the communication refers, or the issue to which the communication refers (as applicable); f) In the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorised committee of the candidate, and the treasurer of such committee; and g) In the case of any other request, the name of the person purchasing the time, the name, address, and

	<p>phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.</p>
<p>DISCLOSURE OF ADVERTISING RATES AND TIME TO MAINTAIN FILE</p>	<p>Political Disclosure of Advertising Rates and Policies All Broadcast Stations must disclose material rates and terms of advertising to candidates. The best way to ensure compliance with the requirement is to prepare a political disclosure statement. It should contain a description of each class of time available to commercial advertisers, a description of the lowest unit charge and related privileges for each such class of time, a description of the station's method of selling pre-emptible time based upon advertiser demand (i.e., selling level), an approximation of the likelihood of preemption for each kind of pre-emptible time class, and an explanation of the station's sales practices if based on audience delivery. The political disclosure statement must be provided upon a request on behalf of a candidate for advertising availabilities for political advertising.</p> <p>The information required shall be placed in a political file as soon as possible and shall be retained by the licensee for a period of not less than two years.</p>

REFERENCES

- (1) **The Electoral Commission Act**
- (2) **The Presidential Elections Act**
- (3) **The Parliamentary Elections Act**
- (4) **The Local Government Act**
- (5) **The Penal Code Act Cap 120**
- (6) **The Computer Misuse Act of 2011**
- (7) **The Press and Journalist Act**
- (8) **The Uganda Communications Act**
- (9) **The Uganda Communications Regulations of 2019**
- (10) **Guidelines for Media Coverage of Elections in Uganda by the African Center for Media Excellence**

DEFINITIONS

“Broadcasting” means the transmission of sound, video, or data intended for simultaneous reception by the public.

“Candidate” means a candidate for election as a Member in accordance with ... of the Electoral Commission Act;

A legally qualified candidate for public office is any person who:

- (1) Has publicly announced his or her intention to run for nomination or office;
- (2) Is qualified under the applicable law to hold the office for which he or she is a candidate; and
- (3) where there exists evidence that the person claiming to be a candidate has engaged to a substantial degree in activities commonly associated with political campaigning. Such activities normally would include making campaign speeches, distributing campaign literature, issuing press releases, maintaining a campaign committee, and establishing campaign headquarters (even though the headquarters in some instances might be the residence of the candidate or his or her campaign manager).

“Phone-ins” means a Radio or Television programme in which the public is allowed to participate by way of telephone;

“Political Campaign” means canvassing for support from potential voters for the purposes of attaining their votes to a political office through any form of public communication;

A **“use”** of a station is defined as any positive appearance of a candidate airing for four seconds or more, whose voice or likeness either is identified or is readily identifiable in the broadcast material.

Please note that Appearance by a legally qualified candidate on any:

- (1) Bona fide newscast;
- (2) Bona fide news interview;
- (3) Bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary);
or
- (4) On-the-spot coverage of bona fide news events (including, but not limited to political conventions and activities incidental thereto) shall not be deemed to be use of broadcasting station.