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06 AUGUST 1993

THE CHAIRMAN OF THE TECHNICAL COMMITTEE ON
THE INDEPENDENT MEDIA COMMISSION AND THE INDEPENDENT
TELECOMMUNICATIONS AUTHORITY

Sir

THE SABC AND THE ELECTION:

First of all permit me to commend you on the Special Report on the Draft of the Independent Media Commission Bill published on 2nd August 1993.

I would like to respond to Section 17 in particular regarding Party election broadcasts:

As you know the Board of the SABC at its meeting on August 4 took a number of firm decisions on its role in the upcoming election campaign and I quote from the statement issued on the same day:

"The SABC will do all in its power to ensure the integrity of the election and its outcome in the minds of all South Africans" -- (Statement attached).

To this end the Board was also unanimous that there should be open access to political parties in order to permit them to put their views forward to the electorate without any editorial control.

With reference to Section 17 of the draft bill, we concur with the section as a whole. Regarding sub-section 17 (3) we would welcome the opportunity of consultation both with your committee, and eventually also with the Independent Media Commission and its IBA.



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On access for political parties to state their own cases on national TV and radio, we would like to discuss with you the opportunities and the pitfalls in extending open airtime to political parties and politicians.

This will include the following:

- * Which body will regulate such broadcasts?
- * Which parties will qualify?
- * On what basis will they qualify?
- * Can a distinction be drawn between larger and smaller parties?
- * On what basis, as no electoral record exists?
- * In what order?
- * At what frequency?
- * At what time of day?
- * On what service?
- * What time allocation?
- * How will the formation of coalitions affect airtime awarded to the member parties of such electoral alliances?
- * Should only policy statements be permitted?
- * Should attacks on political opponents be permitted?
- * If yes, should there be a right to reply?
- * If yes, how soon so as not to upset the order of appearances of competing parties awaiting their rightful turn?
- * Who should produce the individual party contributions?
- * Would an unfair balance not exist if the richer parties are able to have their contributions produced by expert agencies?
- * Should the SABC provide more than airtime?
- * Should it provide the infrastructure?
- * The production staff?

In consideration of all the above:

- * Who pays for party broadcasts?
- * Does the state compensate the SABC for the cost of airtime?
- * Does the state compensate the SABC for loss of advertising income?
- * What will rival private broadcasters obligations be?

In view of the Negotiating Council's view that "free transmission time be set aside", discussion on the above questions are a matter of urgency.

With reference to Section 18 of the Draft Bill, we would like to address your committee on the criteria for party political advertising. It is our contention that an adaptation of the Advertising Standards Authority (ASA) Code can serve as a discussion paper.

Furthermore the SABC would need clarification on;

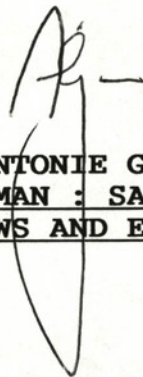
- * Whether in fact political advertising will be permitted on Radio and Television?
- * If, so will standard rates apply?
- * What will the position be regarding private radio stations?
- * If not on radio or television, what will the position be regarding print and the denial of advertising income to the electronic media?
- * What will the case be in terms of voter education programmes presented as information advertisements if the state or the TEC is the source?
- * Should there be a monetary limit set on production costs?
- * The same questions as in the case of party election broadcasts apply pertaining to the rules that will be applied to political advertising.

Regarding sections 20 and 21 as far as it refers to the electronic media presents no problem to the SABC.

The SABC Board decision to appoint an internal Ombudsman and establish a monitoring mechanism should be seen as complimentary to the grievance resolving mechanisms provided for in the draft bill of the Independent Media Commission. It is our firm belief that the internal SABC mechanisms which are to be established to deal with public complaints, will offset much of the workload of the Independent Media Commission -- both in terms of the expected volume of complaints that come with any heated political environment and in terms of expediting the solutions to valid complaints immediately.

We would like to meet with your committee to discuss these matters at your earliest convenience.

Yours sincerely



DR. ANTONIE GILDENHUYS
CHAIRMAN : SABC BOARD SUB-COMMITTEE
ON NEWS AND ELECTION COVERAGE