



government
communications

Department
Government Communication & Information System
REPUBLIC OF SOUTH AFRICA

January 2006

GUIDELINES ON GOVERNMENT COMMUNICATION DURING THE COMING LOCAL GOVERNMENT ELECTION PERIOD

Attached please find guidelines which are aimed at assisting government communicators and other public servants in determining the parameters within which we should conduct our work during this election period.

On promulgation of the election date by the Minister of Provincial and Local Government in the Government Gazette, the Independent Electoral Commission publishes an election timetable which provides the legislative framework within which certain electoral processes must take place.

The timetable for the election period starts with the closing and certification of the voters' roll and ends with the certification and announcement of the election results. These communication guidelines apply during that period.

We kindly request that the guidelines be distributed to all communication staff in your department, as well as to any other public servants whose work may be affected by the matters raised in the document. Their attention should be drawn to the fact that violation of the guidelines may lead to complaints to the IEC or Public Protector and result in disciplinary action against those responsible.

At the same time it should be noted that the ongoing programme of government communication will be conducted as normal, such as communication efforts regarding the President's State of the Nation Address, as well as the State of the Province Addresses by Premiers.

Thank you

Sincerely

J.K. Netshitenzhe

CHIEF EXECUTIVE OFFICER: GCIS



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LOCAL GOVERNMENT ELECTIONS 2006 GUIDELINES ON GOVERNMENT COMMUNICATION DURING AN ELECTION PERIOD

Background

1 It is normal practice in most democracies that, during an election period, particular attention is paid to ensuring that government communication structures and officers do not act in a way that advantages or disadvantages participants in the electoral contest.

2 Prior to the national elections in 1999, Government Communication and Information System (GCIS) developed guidelines on government communications during the formal election period.

3 On 31 March 1999, Cabinet decided on a possible "framework to be formulated to regulate against the dissemination of government information during election periods" in a way that is to the advantage of one political party and to the disadvantage of others. It adopted the Guidelines on 28 April 1999.

4 The Guidelines, also adopted during the Local Government elections in 2000, remain relevant and are meant to assist government communicators and other relevant public servants in determining the specific parameters within which they should conduct their work in the election period. The Guidelines have been decided upon at the initiative of Government. The IEC may, independently take whatever relevant steps it deems necessary on this matter.

Public Service Act

5 In accordance with the Public Service Act, public servants are prohibited from acting in a manner that is intended to promote or prejudice any political party. In particular, Section 36 (c) stipulates that "an officer or employee may not draw up or publish any writing or deliver a public speech to promote or prejudice the interests of any political party."

6 According to the Public Service Coordinating Bargaining Council Resolution No 1 of 2003, an employee will be guilty of misconduct if she or he, among other things: "...misuses his or her position in the public service to promote or to prejudice the interests of any political party." This includes the use of government resources.

7 During an election period, these and other provisions of the Act continue to apply to all public servants. Communication agencies and components of government and their employees have to exercise special care to ensure that their media products, statements and public events for which they are responsible, do not promote or prejudice any political party.

Scope of Application

8 On promulgation of the election date in the Government Gazette, the IEC publishes the election timetable which provides the legislative framework within which certain electoral processes must take place. During this election period, the IEC's Code of Conduct and Independent Communication Authority of South Africa, ICASA, regulations apply. This period will be determined once the date for the election has been promulgated and party lists are submitted and participating parties and candidates confirmed. The period will end when election results are certified and announced.

9 Strictly formulated, during an election period: "state-financed media shall not be used for the purpose of promoting or prejudicing the interests of any political party."

10 What is state-financed media?

'State-financed media' means any newspaper, book, periodical, pamphlet, poster, media release or other printed matter, or statement, or any audio and video material, or any information in electronic format such as CD-Rom, internet or e-mail which is produced and disseminated to the public, and which is financed by, and directly under the control of, government".

11 These regulations apply to communicators and other relevant public servants. In so far as Ministers and other political representatives, contractual workers and employees in role-playing posts are concerned, the parameters of their political work in government are regulated by the Ministerial Handbook; and they are not the subject of these Guidelines.

Constitutional Rights and Obligations

12 Communication officers and their agencies should continue meeting the obligation of government to provide information to the citizenry.

13 Communication officers should continue exercising their responsibility to promote and defend the policies, programmes and actions of the government.

14 Like all other citizens, communication officers have the freedom of association: to belong to any party of their choice. Subject to provisions of the Public Service Act quoted above, any political activities that individual public servants, including communicators, may wish to undertake, in their own private time and in their personal capacity, is their own private matter.

15 These guidelines shall be distributed to all communication officers in government departments and services as well as other public servants whose work may relate to the matters raised herein. The responsibility for this will lie with the Heads of Department and Heads of Communication.

ISSUED BY: GOVERNMENT COMMUNICATION & INFORMATION SYSTEM

Date: January 2006