



## **For Immediate Release**

### **New Rules for Political Broadcasting**

The March 2, 2012 release by the Utilities Regulation and Competition Authority (URCA) of its Final Decision on the Code of Practice for Content Regulation follows an extensive consultative process initiated in November 2011. The Code establishes new rules for political broadcasting which becomes effective today in time for the lead up to the 2012 general election. The new rules replace the Interim Code of Practice, in place since January 2010 in time for the bye-election in the Elizabeth Constituency in that year. The new provisions became effective upon URCA's publication of the Code and Final Decision.

Political Broadcasting and Political Advertisements is one of six (6) content areas addressed by the new rules. The other areas are Harm and Offence, Protection of Young Persons, Advertising and Sponsorship, News and Factual Programmes and Access Services.

The new Code extends coverage established in the previous interim provisions to now also include local government elections and referendums, in addition to general and bye-elections. In the case of a general election, the defined election period is unchanged, beginning with the dissolution of Parliament and ending with the close of the poll. For the purposes of the Code, the regulations also distinguish a major political party from a political party, defining the former as comprising at least one-fourth of representation in the House of Assembly.

The Code sets out standards for the broadcasting of political advertisements and election programmes arranged and paid for by potential candidates, actual candidates, political parties and other persons or entities within and outside of defined election periods. The Code also requires a broadcaster to disclose the name and political affiliation of any paid political broadcast that it airs. Advertisements and broadcasts must be identified as having been authorised by the advertising candidate and/or political party.

During an election period, political broadcasts and advertisements are permitted only up to midnight at the end of the day before polling day. Broadcasters may allocate broadcast time to include candidates and political parties actually registered in the respective election and any other person or entity wishing to purchase broadcasting time to air political broadcasts and advertisements. Broadcasters are entitled to reject and refuse to broadcast any material the Licensee may deem non-compliant with URCA standards or the licensee's own technical standards, or any written law in The Bahamas.

Broadcasts of political material on polling day are prohibited, including:

- Discussion and analysis of election and referendum issues

- The result or purported result of the voting in a constituency or electoral district before the close of all of the polling stations in that constituency or electoral district
- The results of any opinion poll
- Any political advertisements, political broadcasts or any other election programming produced by or on behalf of a candidate, political party or other person or entity.

The Code prohibits use of material which defames or slanders a political party or candidate and encourages broadcasters to seek legal indemnities from candidates and political parties against defamation, copyright and similar legal risks. URCA's new content provisions also raises standards for editorial programming, requiring that factual information is clearly distinguished from opinion or advocacy. In the case of opinion surveys for instance, Licensees are further obliged to provide viewing and/or listening audiences not only with methodological information about the survey, but also requires disclosure of the identity of any sponsoring entity of that survey. The Code also establishes standards for balanced reporting.

Whereas the previous Interim Code placed specific restrictions on the length, number and volume of broadcasts and advertisements, the new Code does not. URCA holds to international best practice principles that robust debate, advocacy and the expression of political opinions are a desirable and essential part of a democratic Bahamian society. Underpinned by core values of fairness and transparency, the new provisions establish a broadcasting framework for balanced coverage of parties, candidates and issues relevant to an election.

The full Code of Practice for Content Regulation [URCA document reference number ECS 06/2012] may be downloaded from URCA's website, [www.urbahamas.bs](http://www.urbahamas.bs). URCA's publication of the new Code follows a wide-reaching consultative process including industry workshops, public meetings, and television and radio appearances. URCA extends its thanks to all that participated in the process and advises of its intention to proceed with more such activities in the coming months, in an overall industry and public education and awareness effort on understanding the new Code provisions.

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