



Ref: V/N-NAE/19/078

Mr. Beejhaye Ramdenee, Director, MBC  
Mr. Nicolas Adelson, Managing Director, Viva Voce Ltée (Radio One)  
Mr. Eshan Kodarbux, Executive Chairman, Radio Plus Ltd  
Mr. Balkrishna Kaunhye, Managing Director, Top FM Ltd  
The Director, First Talk Ltd (Waaza FM)  
The Company Secretary, Mayfair and Purely Communications Ltd (Planet FM)  
Mr. Sherry Singh, Chief Executive Officer, Mauritius Telecom Ltd  
Mrs. Ghislaine Tchibozo, General Manager, MC Vision Ltd  
Mr. Jimmy Hope, General Manager, Mediacom Ltd  
Mrs. Roselys Collard, Director, Vitiro Ltd (DSTV)

14 October 2019

Dear Sir/Madam,

**Re: The National Assembly Elections 2019**

1. The National Assembly Elections 2019 is scheduled for 07 November 2019. This letter is in addition to, and not in derogation of, the Guidelines for Private and Public Broadcasters, the Authority wishes to remind licensees of the following:

(a) The Independent Broadcasting Authority Act:

**"4. Objects of Authority**

The Authority shall—

**(i) ensure that broadcasting services—**

**(i) are of such a nature as not to encourage or incite crime or racial hatred leading to disorder or offending public feeling;**

(...)

**(iii) are impartial and accurate;"**

(b) the IBA Code of Conduct for Broadcasting Services:

**"3. News**

**(1) Broadcasting licensees shall report news truthfully, accurately and objectively.**

**(2) News shall be presented in the correct context and in a balanced manner, without intentional or negligent departure from the facts, whether by—**

**(a) distortion, exaggeration, or misrepresentation;**

**(b) material omission; or**

**(c) summarisation.**

- (3) *Only that which may reasonably be true, having due regard to the source of the news, may be presented as fact, and such facts shall be broadcast fairly with due regard to context and importance. Where a report is not based on fact or is founded on opinion, supposition, rumours or allegations, it shall be presented in such manner as to indicate clearly that such is the case.*
- (4) *Where there is reason to doubt the correctness of a report and it is practicable to verify the correctness thereof, it shall be verified. Where such verification is not practicable, that fact shall be mentioned in the report.*
- (5) *Where it subsequently appears that a broadcast report was incorrect in a material respect, it shall be rectified forthwith, without reservation or delay. The rectification shall be presented with such a degree of prominence and timing as may be adequate and fair so as to readily attract attention.*

#### **4. Comment**

- (1) *Broadcasting licensees shall be entitled to comment on and criticise events of public importance.*
- (2) *Comment shall be presented in such manner that it appears clearly to be comment, and shall be made on facts truly stated or fairly indicated and referred to.*
- (3) *Comment shall be an honest expression of opinion.*

#### **5. Controversial issues of public importance**

- (1) *In presenting a programme in which controversial issues of public importance are discussed, a broadcasting licensee shall make reasonable efforts to fairly present significant points of view either in the same programme, or in a subsequent programme forming part of the same series of programmes presented within a reasonable period of time and in substantially the same time slot.*
- (2) *A person whose views have been criticised in a broadcasting programme on a controversial issue of public importance shall be given a reasonable opportunity by the broadcasting licensee to reply to such criticism, should that person so request.*

#### **6. Elections**

*During any period starting, in respect of National Assembly elections, on the day of election and ending on the day poll is to be taken, all licensees shall comply with such guidelines as shall be issued by the Authority.”*

(c) the IBA Code of Ethics:

### **“2.1 Principle**

*In a modern society, citizens have a right to information and broadcasters have the freedom to produce programmes satisfying that right. This freedom is linked only by the obligations of fairness, balance and a respect for truth, qualities which lie at the heart of impartial and accurate broadcasting.*

*‘Due’ means adequate or appropriate to the subject and nature of the programme.*

### **2.2 Factual Programmes**

*In all factual programmes, due impartiality and accuracy must be preserved. This may be secured in a number of different ways, depending on the purpose and format of the programmes. Those primarily addressed to an examination of issues already in the arena of public debate should give a fair representation of the main differing views on the matter.*

#### **(i) News**

- *Reporting should be dispassionate and the treatment of news should be even-handed.*
- *Significant mistakes in news should be acknowledged and corrected on the same channel at the first available opportunity and should be appropriately scheduled.*

### **2. Due Impartiality and Due Accuracy**

#### **(ii) Special Impartiality Requirements: News and other Programmes**

*Matters of political or industrial controversy and matters relating to current public policy. Matters of political or industrial controversy are political or industrial issues on which politicians, industry and or the media are in debate. Matters relating to current public policy need not be the subject of debate but relate to a policy under discussion or already decided by government or by bodies mandated by those public bodies to make policy on their behalf.*

#### **(iii) Personal View Programmes**

*Programmes in which an individual contributor is given the opportunity to put forward his or her own views have a valuable place in the schedules. They are, however, subject to specific safeguards in order to ensure compliance with the general provisions relating to due impartiality and due accuracy.*



**These safeguards are as follows:**

- **Each programme must be clearly identified as giving a personal view both in advance announcements and at the start of the programme itself.**
- **Facts must be respected and broadcasters have an obligation to do what they can to ensure that the opinions expressed, however partial, do not rest on false evidence."**

(d) the IBA Code of Advertising Practice:

**"1.4 Unacceptable items**

- (i) **Except for announcement of political events, advertisements shall not: -**
- **be directed towards any political end;**
  - **be inserted by or on behalf of anybody whose objects are wholly or mostly of a political nature;**
  - **have any relation to any industrial dispute;**
  - **show partiality in matters of political or industrial controversy or current public policy.**
- (ii) **Particular care is required, where advertising mentions any Government, political party, political movement or State-specific abuse, so as not to break the spirit of these rules, which are intended to prohibit lobbying or electioneering on politically controversial or partisan issues.**
- (iii) **No advertisement shall contain extracts from broadcasts of parliamentary proceedings.**
- (iv) **No advertisement shall in any way discredit the State.**

**Extreme care should be exercised when an advertisement is referring to a personality representing the State authority. No person in office while the advertisement is broadcast should be represented without authorization.**

- (v) **No debasing of, or any disrespectful comments, against the flag or any other national emblem of the Republic of Mauritius, or of any other country is not allowed.**
- (vi) **Expressions and sound effects associated with news bulletins, newsflashes, cyclone-warning jingles or any other public service announcements, should not be used. Listeners or viewers must be able to readily recognize the message as an advertisement.**



- (vii) **Advertisements must not refer to the use or appearance of any product or service which have already appeared in a non-commercial programme.**

#### **4.1 Political Advertisements**

***This section addresses the issue of political advertising both during election and non-election periods. Political advertising differs from commercial advertising in that the product is a philosophy / slogan rather than goods and services. Political advertising carries a moral implication because the results have potentially far reaching effects on the population at large.***

***Paid political advertisements and announcements on radio must not exceed fifteen (15) seconds and must include only the name of the party, the place, the time of the event(s) and the names of the speakers. Similar requirements are applied for television with a picture background showing only the official symbol and /or colours of the political party."***

- (e) Broadcast licensees are also reminded that two of the important conditions of their licence are that they ought to:
- (a) comply with the IBA Act and its Codes; and
  - (b) comply with the laws of Mauritius.

2. You are reminded that should you fail to comply with the IBA Act and Codes, the laws of Mauritius and your licence conditions, there are applicable sanctions which the Authority may impose and these include, but are not limited to, **suspension and revocation** of licence.

Yours faithfully,



**K. Ramphul  
Acting Director**