Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 735 04 September / September 2026 No. 55341

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845

9 771682 584003 55341

AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

No.		Gazette No.	Page No.
	GENERAL NOTICES • ALGEMENE KENNISGEWINGS		
Electoral Commission / Verkiesingskommissie			
4138	Local Government: Municipal Electoral Act, 2000 (Act No. 27 of 2000): Electoral Code of Conduct countering Disinformation in the Local Government Elections	55341	3

ELECTORAL COMMISSION

NOTICE 4138 OF 2026

THE ELECTORAL CODE OF CONDUCT COUNTERING DISINFORMATION IN THE LOCAL GOVERNMENT ELECTIONS

The Electoral Commission, acting in terms of section 88 of the Local Government: Municipal Electoral Act, 2000 (Act No. 27 of 2000), hereby issues the Electoral Code of Conduct Countering Disinformation in Local Government Elections, as set out in the Schedule below.

The Electoral Commission hereby designates Real 411 as the online complaints mechanism in terms of Item 4(e) for the reporting of complaints relating to disinformation in terms of the Electoral Code of Conduct Countering Disinformation in Local Government Elections.

This gazette is also available free online at **www.gpwonline.co.za**

ELECTORAL CODE OF CONDUCT ON COUNTERING DISINFORMATION IN LOCAL GOVERNMENT ELECTIONS

PURPOSE AND SCOPE

1. This Electoral Code of Conduct on Countering Disinformation in Local Government Elections ("**Disinformation Code**") is published as an additional code of conduct in terms of section 88(a) of the Local Government: Municipal Electoral Act 27 of 2000 ("**the Act**") to promote free, fair and orderly local government elections by—

    a. giving practical effect to the constitutional rights guaranteed in the Constitution of the Republic of South Africa, 1996 (including sections 10 (*dignity*), 14 (*privacy*), 16 (*freedom of expression*) and 19 (*political rights*) of the Constitution) and the prohibition on intentionally false election-related information as provided for in law (including section 69(2) of the Act and item 9(1)(b) of the Electoral Code of Conduct per Schedule 1 thereof);

    b. fostering an informed and vibrant information ecosystem characterised by credibility, diversity and pluralism, and safeguarding the flow of accurate and trustworthy election-related information in the public interest that is resilient to disinformation, manipulation and inauthentic online behaviour;

    c. guiding those with political influence on the reasonable standard of conduct in guarding against and responding to disinformation that seeks to undermine electoral integrity and democratic processes by identifying measures to counter the risk of harm that disinformation poses to electoral integrity; and

    d. providing for effective measures, both proactive and responsive, to address the exigencies of disinformation in the digital environment, including the role of social media platforms and artificial intelligence.

2. The Disinformation Code—

    a. becomes binding from the date on which it is issued and published by notice in the Government Gazette until the date on which the election results are declared; and

    b. applies to all election-related communications, conduct and campaign activities by political parties and candidates, whether undertaken directly or through any person acting on their instruction, authority or for reward, both online and offline, and in respect of paid and unpaid content and communication.

3. Nothing in this Disinformation Code shall be construed as limiting lawful criticism, opinion, commentary, fair reporting, satire, parody or legitimate democratic debate insofar as it constitutes protected speech.

DEFINITIONS

4. For purposes of this Disinformation Code, the terms below are understood as follows:

    a. '***cyberbullying***' means the use of digital technology or technological devices to threaten or harass another person, and '***cyberbully***' has a corresponding meaning.

    b. '***disinformation***' means, with reference to section 69(2) of the Act, as the publication of any false information, knowing it to be false or without believing on reasonable grounds that the

This gazette is also available free online at **www.gpwonline.co.za**

information is true, with the intention of disrupting or preventing an election, creating hostility or fear in order to influence the conduct or outcome of an election, or influencing the conduct or outcome of an election.

c. '***doxed'*** means the intentional online exposure of an individual's identity, private information or personal details without their consent with the intent of causing harm.

d. '***inauthentic online behaviour***' means to denote online activity that is deceptive in nature, including the use of false identities, coordinated networks of accounts, automated bots, or other mechanisms designed to create a deceptive impression of authenticity, popularity, or public support.

e. '***online complaints mechanism***' means an online platform designated by the Electoral Commission of South Africa ("**the Commission**") from time to time for the reporting of instances of disinformation.

f. '***online platform***' means to include social media platforms that enable users to create and share content, video-sharing platforms and services, and messaging applications.

g. '***political advertising***' means advertising intended to advance the interests of any particular party or candidate, for which payment has been made directly or indirectly in the form of money or other consideration, and '***political advertisement***' has a corresponding meaning.

h. '***synthetic content***' means audio, image, video or text that is generated through the use of artificial intelligence.

PUBLIC COMMITMENT

5. Every political party and candidate expressly acknowledges—

a. the intrinsic importance of information integrity, transparency and trustworthy news media in enabling the electorate to make informed political decisions and the risk of harm that disinformation causes to free, fair and credible elections;

b. the vital role of political parties and candidates in creating an enabling environment for the exercise of political rights and supporting the mandate of the Commission to safeguard free, fair and credible elections;

c. the incumbent duty on political parties and candidates to refrain from and prevent any deliberate manipulation of the public including through the use of digital technologies such as artificial intelligence and inauthentic online behaviour; and

d. that protecting the personal information of voters is essential to maintaining public trust and upholding free, fair and credible elections.

6. Accordingly, every political party and candidate commits to—

a. uphold and comply with the Disinformation Code in good faith and to take all reasonable, appropriate and necessary measures to fulfil its terms;

b. ensure that information disseminated by them, for them or on their behalf is reliable, substantiated and checked for accuracy prior to dissemination;

c. refrain from conducting any disinformation campaign and from producing, disseminating, sponsoring or encouraging the dissemination of any disinformation or other false or misleading information knowing it to be false or without believing it on reasonable grounds to be true;

This gazette is also available free online at **www.gpwonline.co.za**

d. take reasonable steps, as soon as reasonably practicable, but no later than 36 hours of becoming aware, to publicly retract and correct any disinformation or other false and misleading information that has been disseminated by them, for them or on their behalf, and to publicly censure any person responsible for disseminating such disinformation;

e. raise public awareness of the Disinformation Code, promote and instruct compliance with its terms, in particular among office-bearers, representatives, members and supporters; and

f. contribute positively towards electoral integrity and cooperate fully with the Commission as well as other relevant electoral stakeholders in efforts related to countering disinformation.

DUTY TO COMPLY

7. In giving effect to these commitments, every political party and candidate undertakes not to produce, disseminate, sponsor or encourage the dissemination of any information or content that—

a. they know to be false or do not believe on reasonable grounds to be true or which demonstrates a reckless disregard for verifiable information;

b. may reasonably be construed as supporting or encouraging the dissemination of disinformation or that may contribute to the fuelling or escalation of disinformation contrary to the objects of the Disinformation Code;

c. may reasonably give rise to voter dissuasion, public violence, harassment, hate speech or discrimination based on a prohibited ground contemplated in section 1 of the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 4 of 2000); and

d. is intended to deflect or discredit legitimate criticism or reportage by improperly labelling it as false.

8. With respect to office-bearers, representatives, members and supporters, every political party and candidate undertakes to—

a. take reasonable steps to promote awareness of and encourage compliance with this Disinformation Code;

b. encourage such persons to comply with this Disinformation Code and provide them with support and training in understanding and applying its provisions;

c. exercise oversight in respect of communications and platforms under their direct control and supervision;

d. take steps, as soon as reasonably practicable, but not later than 36 hours of becoming aware, to publicly retract, where possible, and correct any disinformation or other false and misleading information disseminated by the party or candidate, or by a third party on their behalf or at their instruction; and

e. where appropriate and within their control, publicly condemn and appropriately sanction any member or nominated candidate for acting in contravention of the Act, the Disinformation Code or other relevant law.

INFORMATION INTEGRITY

9. Recognising the indispensable role that openness, transparency and information integrity plays in free, fair and credible elections, every political party and candidate commits to—

This gazette is also available free online at **www.gpwonline.co.za**

a. maintain transparency, diligence and accountability in respect of all communications disseminated by them, for them or on their behalf throughout the electoral cycle; and

b. proactively disclose key information in the public interest of relevance to the elections or the electorate, including information relating to their structures, processes, decisions, expenditure and policies.

10. Every party and candidate undertakes not to use, or to encourage or sponsor the use of, any technology or tool that gives rise to or amplifies the spread of disinformation or is intended to manipulate political discourse or the electorate, including—

a. falsified, fabricated, doxed or stolen data or material;

b. targeted advertising, micro-targeting or prioritisation of targeted falsehoods directed at particular individuals or groups based on confidential or sensitive personal information or inherent characteristics as contemplated under the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) and other relevant law;

c. any type of deceptive content, including synthetic content, intended to mislead;

d. inauthentic online behaviour such as fake accounts or automated bots, intended to manipulate voter opinions; and

e. cyber-bullying.

SPECIFIC MEASURES: ONLINE PLATFORMS

11. Cognisant of the increasing role of online platforms in the spread and amplification of disinformation or other false and misleading information, including via social media platforms and messaging applications through the use of digital technologies, every political party and candidate undertakes to put in place appropriate and effective measures in order to—

a. uphold the highest standards of transparency, diligence and accountability in respect of all political advertising placed, published or disseminated on an online platform;

b. to take reasonable steps to monitor content on their own or associated online platforms in order to identify any posts comprising disinformation, including user-generated content by a third party, and take rapid action to publicly correct and limit the further spread of the disinformation;

c. maintain an appropriate record of any disinformation disseminated by or on behalf of the party or candidate, posted on their own or associated online platforms, for purposes of notifying the Commission and any investigation process that may be pursued in response thereto;

d. maintain transparency, diligence and accountability in respect of all political advertising regardless of medium; and

e. safeguard all personal information in their possession or under their control from any unlawful or unauthorised use or access through a data breach.

12. In order to give effect to these commitments, and without limitation to any other measure related to countering disinformation, every political party and candidate commits to the following specific measures:

a. to report all instances of disinformation or suspected disinformation distributed via an online platform to the established Online Complaints Mechanism designated by the Commission within 36 hours of becoming aware of this;

This gazette is also available free online at **www.gpwonline.co.za**

b. to ensure all political advertising, including any political advertisement distributed via an online platform, is clearly and appropriately labelled with reference to the applicable political party or candidate prior to distribution, taking into consideration the medium used for distribution and the public importance in ensuring the labelling is clear, visible and accessible to the public;

c. to ensure that any synthetic content is appropriately labelled and marked as "synthetic content" prior to distribution, taking into consideration the nature, purpose and likely consequence of the content, the extent to which it comprises synthetic content and the public importance in avoiding confusion or uncertainty regarding the authenticity thereof; and

SUPPORT IN THE WORK OF THE COMMISSION

13. Every party and candidate commits to respect, promote and support the constitutional and legal mandate of the Commission, the Commissioners and staff and its work in countering the threat of harm that disinformation poses to electoral integrity.

14. Moreover, every political party and candidate undertakes—

a. not to produce, disseminate, sponsor or encourage the dissemination of any disinformation regarding the Commission, the Commissioners or staff;

b. not to produce, disseminate, sponsor, or encourage false information with the intention of misleading the public or materially undermining electoral integrity;

c. to publicly correct any disinformation published or disseminated about the Commission, the Commissioners or staff;

d. to support the Commission's initiatives aimed at countering disinformation through, including for instance promoting media and information literacy, voter education and multi-stakeholder engagements to the extent practicable; and

e. to assist in any lawful investigation related to the publication or dissemination of disinformation in accordance with the law.

PROHIBITIONS

15. Any contravention or failure to comply with a provision of the Disinformation Code constitutes a breach and is subject to sanction as contemplated under the Act.

ADDITIONS AND AMENDMENTS

16. The Commission may add to or amend any provision of the Disinformation Code as provided for in section 88(b) of the Act.

This gazette is also available free online at **www.gpwonline.co.za**

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

This gazette is also available free online at **www.gpwonline.co.za**