

Public Notice

Guidelines For Political Mobile Advertising On Safaricom's Premium Rate Messaging Network

As we approach the General Elections, Safaricom Limited recognises that Political Parties and other individuals will be seeking to communicate to the electorate through various media, including Short Message Service (SMS), Multi Media Messages (MMS), video and audio clips ("Political Messages"). This is a welcome development that embraces the importance of mobile technology in Kenya's democratic processes.

However, from past experience, we are acutely aware of the immense potential of mobile technology as a communication tool that can contribute both positively and negatively to the well being of the Nation before, during and after the electoral process.

For this reason, Safaricom is taking an early stand to ensure that our mobile network, which is relied upon by over 19 million Kenyans, is not used as a platform to spread hatred and/or incite the populace to violence through the dissemination of hate-speech via mobile based messaging.

In February 2012, Safaricom sought clear guidelines for such messages from the Communications Commission of Kenya (CCK), the National Cohesion and Integration Commission (NCIC), Independent Electoral Boundaries Commission (IEBC) and the Registrar of Political Parties of Kenya.

As we await further guidance from the aforementioned institutions, Safaricom wishes to notify all Content & Premium Service Providers and the public at large that the following Guidelines for Political Mobile Advertising will be applied with immediate effect:-

1. General

- 1.1. For accountability, Political Messages will only be delivered through licensed Content Service Providers (CSPs) with direct inter-operability agreements with Safaricom.

2. Process

- 2.1. CSPs intending to send Political Messages shall make an application to Safaricom at least forty-eight (48) hours before sending the message. The application shall include as a minimum, the following information:-
 - the verbatim content of the Political Message;
 - a signed Authorisation Letter from the Political Party or individual sponsoring the Political Message in such form as shall be prescribed by Safaricom;
 - certified copies of registration documentation of Political Party or identification documentation of the individual, whichever is applicable;
 - intended timing of the Political Message.
- 2.2. Prior to sending of any proposed Political Message, Safaricom shall vet its content to ensure compliance with these Guidelines. Safaricom will notify the applicants of its decision within eighteen (18) hours of submission of the request.
- 2.3. Safaricom reserves the right to refuse the transmission of a proposed Political Message over its network.

3. Content

- 3.1. No Political Messages shall be sent out through the Safaricom network in the name of Safaricom or bearing any of Safaricom's logos or slogans or otherwise appearing to be associated to Safaricom.
- 3.2. Political Messages must bear the name of the Political Party or individual disseminating the Political Messages.
- 3.3. Political Messages shall not contain offensive, abusive, obscene or profane language.
- 3.4. Political Messages shall not contain inciting or discriminatory language that may or is intended to expose an individual or group of individuals to hatred, hostility or ridicule on the basis of ethnicity, tribe, race, colour, religion, gender or otherwise.
- 3.5. Political Messages shall focus on Party manifestos and shall not dwell on unnecessary attacks on individual persons, their families, their tribe or their associations.
- 3.6. Political Messages shall be in the English or Kiswahili languages only.

4. Timing

- 4.1. Approved Political Messages shall be only sent out between 0800 hrs and 1800 hrs.
- 4.2. CSPs shall comply with the law as regards political campaign periods.

5. Unsolicited Messages

- 5.1. CSPs **SHALL NOT** send unsolicited Political Messages to customers who have not subscribed for the service. CSPs shall ensure that all recipients of Political Messages have opted into the service by SMS registration. Such opt in will require the express consent of the recipients and opt-out procedures must be clearly notified to customers.
- 5.2. CSPs must produce evidence of such consent immediately upon request by Safaricom or any other concerned governmental body or regulator.
- 5.3. CSPs shall strictly adhere to the law regarding the use of customer databases howsoever acquired.
- 5.4. Safaricom shall immediately terminate any CSPs contract for any unauthorised use, sharing or sale of existing customer databases for purposes of sending out Political Messages, Poll Tracking and lobby activities.

6. Adherence to the Law and Guidelines

- 6.1. CSPs shall take legal responsibility for the content of Political Messages and shall fully indemnify and keep indemnified Safaricom against any claims that may arise out of those Political Messages.
- 6.2. CSPs shall strictly adhere to the laws, regulations and guidelines relating to elections and political activities which include the Constitution, Elections Act, Independent Electoral Commission & Boundaries Act, National Cohesion & Integration Act.
- 6.3. Failure to comply with any of these Guidelines shall entitle Safaricom to suspend or terminate the CSPs interoperability Agreement with Safaricom.

Please email your queries or comments to prspsupport@safaricom.co.ke or send an SMS to 333 in regards to this service.

