



# PUBLISHING, FORWARDING OR CREATING FALSE INFORMATION USING ONLINE PLATFORMS IS AN OFFENCE

Botswana Communications Regulatory Authority (BOCRA) advises consumers to be vigilant of and avoid taking part in publishing, forwarding or creating false alarming information and fake news about the novel Corona Virus. Publishing of false statements constitute an offence under section 59 of the Penal Code which reads as follows:

**59 (1) Any person who publishes any false statement, rumour or report which is likely to cause fear and alarm to the public or to disturb the public peace is guilty of an offence.**

In addition, the Communications Regulatory Authority Act makes it an offence to send false information by means of a telecommunications system. Section 55 states that a person who:

**(a) sends, by means of a public telecommunications system, a message or other matter which is offensive or of an indecent, obscene or menacing character;**

**or**

**(b) sends, by public telecommunications system, for the purpose of causing annoyance, inconvenience or anxiety to another person, a message which he or she knows to be false, or persistently makes use, for that purpose, of a public telecommunications system, commits an offence.**

In line with these provisions of the law, the public is urged to exercise responsibility and reject and/or delete reckless messages disseminated within their social groups.

The public is further advised to be weary of misleading advertisements from unscrupulous people who take advantage of the uncertainty and desperation caused by the COVID-19 pandemic. These delinquent individuals scam and cheat unsuspecting consumers with online products and services that:

- Use names, logos and addresses similar to those of online platforms of known public authorities, official experts and international bodies alleging that they have endorsed a product or service without providing hyperlinks or references to official documents;
- Make claims of scarcity or limited quantities of a product or a service to get consumers to buy without due care;
- Collect personal data promising free data, airtime, or even money in exchange for free information updates on Corona Virus;
- Quote doctors, health professionals, experts or any other officials whose identities and credentials cannot be easily verified as having endorsed that a particular product is able to treat or prevent COVID-19 virus or any other illness;
- Show prices that are unusually higher than those of similar products to justify allegations of the product's ability to treat or stop COVID-19 infection; and
- Use language or images which directly or indirectly suggest that a product can prevent or cure COVID-19 infection.

Genuine online platforms provide channels through which inappropriate content should be reported. Consumers are therefore advised to report such misleading claims to the respective online platform administrators and/or the police.

Examples of fake online platforms include:

<http://www.ucrtv.com>

(It published a false report claiming that Botswana had confirmed one case of Corona Virus, through Ministry of Health)

<http://bit.ly/WHO-Recharge>

(It claims to be an online platform for the World Health Organisation and promises people 1GB data in return of Corona Virus information updates)

**Consumers are advised to report misleading information and suspicious claims to the Police.**

**BOCRA will work with Law Enforcement Authorities to ensure that culprits who disseminate fake news using online platforms are prosecuted and/or fined.**

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