



ABA ENDORSES TELEVISION CODE OF PRACTICE

The ABA has endorsed a code of practice which will be the basis for commercial television program regulation.

The television code was developed by the Federation of Commercial Television Stations (FACTS) after extensive consultation with the television industry, the public and the ABA. The code will take effect from 5 September.

'The ABA is very encouraged by the responsiveness shown by the television industry to community concerns in the development of their code', said Mr Brian Johns, ABA Chairman. 'During the process of consultation, community safeguards were strengthened in relation to program classification, advertising time, program promotions and the portrayal of women and indigenous peoples in the media.'

Under the *Broadcasting Services Act 1992*, broadcasters are to develop codes relating to programming matters and complaints procedures. These codes will replace all ABA program standards except those for children's television and Australian content on television.

Significantly, the FACTS code will introduce the new M and MA classifications to television, in line with the classification system for film and video. MA programs will only be broadcast after 9 p.m., which is a tighter control on the broadcast of stronger material. In addition, consumer advice will be required so that viewers can make more informed choices about their own viewing and that of their children.

For the calculation of advertising time, the prime time viewing band will be extended to cover the period 6 p.m. to midnight. This will give broadcasters greater flexibility to take into account different program styles when scheduling non-program matter.

Over the expanded six hour prime time period, less non-program matter can be scheduled than is allowed under the current television program standard. The current average limits per hour for advertising time have been retained under the code.

The code also includes the new complaints procedures. If people wish to complain about programs, they must first make their complaint to the broadcaster concerned. If they do not receive a response within 60 days, or if the reply is unsatisfactory, they can ask the ABA to investigate.

The ABA found the FACTS code met the three criteria for registration because it provides appropriate community safeguards, it has been endorsed by a majority of commercial television operators and the public has been given adequate opportunity to comment.

Members of the public can obtain copies of the code from 5 September by calling FACTS on (02) 960 2622.

DEVELOPMENT OF CODE

In developing its code FACTS conducted two rounds of public consultation using television and press advertisements in August/September 1992 and February/March 1993. More than five hundred submissions were received in response to these advertisements.

In April this year FACTS provided the ABA with a draft code of practice, a rationale for the development of its code and copies of all submissions received. Since that time FACTS has consulted extensively with the ABA and other organisations. Following this process, a number of amendments and additions were made to the code.

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The code closely follows the ABA's existing television program standards and has seven sections. These deal with the purpose and objectives of the code; the classification of program material; program promotions; news and current affairs programs; the time occupied by non-program matter; the classification and placement of commercials and arrangements for the processing of complaints.

ADMINISTRATION OF CODE

The code will be administered by

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the FACTS Administration Council. The Council will meet four times each year to review the operation of the code and the ABA will be invited to attend these meetings as an observer. A report on code administration by broadcasters will be published each year, which will detail complaints received about compliance with the code. The industry intends to review the code after three years.

DETAILS OF THE CODE

Through consultation, community safeguards have been strengthened in the following areas:

Program Classification:

The program classification system will require broadcasters to apply the film classification system administered by the Office of Film and Literature Classification (OFLC), and to make any modifications to films to ensure they are suitable for broadcast on television. Nothing will be permitted in the M and MA classifications which was not previously permitted in the AO classification.

Programs classified MA may only be broadcast between the hours 9 p.m. and 5 a.m. M programs may be shown between 8.30 p.m. and 5 a.m. and between 12 noon and 3 p.m. on weekdays. On-screen consumer advice will be provided for M and MA programs detailing the main elements which have contributed to the classification.

Program Promotion:

There will be restrictions to program promotions and their placement, which must have regard to the times when children are expected to form a substantial part of the viewing audience. Promo-

tions for MA programs are not to be broadcast before 7.30 p.m. or in G-classified programs between 7.30 p.m. and 8.30 p.m. Similarly, promotions for M programs may not be shown during cartoon programs in G periods.

Complaints:

The complaints process has been made more accessible. The code lays down detailed requirements on how stations are to respond to written complaints. It ensures that licensees publicise the existence of the code and its complaint procedures and that there are adequate procedures for receiving and responding to oral complaints.

The complaints code acknowledges the need for television broadcasters to install telephone typewriters to assist hearing impaired and deaf people. While this form of complaint will be treated as an oral complaint, the station will contact the person within 10 days to advise them of the formal complaint procedures.

Anti-Discrimination:

A number of anti-discrimination provisions are contained in the code, such as specific provisions relating to the prohibition of programs which may seriously offend the cultural sensitivities of Aboriginal and Torres Strait Islander people.

FACTS has consulted with relevant groups about Advisory Notes, which are intended to operate as an adjunct to the code. These notes relate to the portrayal of women and men, also the portrayal of Aborigines and Torres Strait Islanders.

Advertising Time on Television:

The code will expand the prime time viewing band for advertising to cover the period 6 p.m. to 12 midnight (it is 6 p.m. to 10.30 p.m. under the current standard). This extension is in line with the definition of prime time in Television Program Standard (TPS) 14, dealing with Australian content on television.

The wider band will allow stations greater flexibility in the scheduling of non-program content, having regard to the artistic integrity of programs and the type of program being broadcast. An expanded prime time would also take into account the later starting time of some films, such as 9 p.m. for movies classified MA.

Over the expanded six hour prime time period, less non-program matter can

be scheduled than is allowed under the current television program standard.

The current average limits per hour will be retained for non-program matter. In prime time the average amount per hour will be 13 minutes, with the potential to go up to a maximum of 15 minutes in any hour. At other times, the average will be 15 minutes with a maximum of 16 minutes permitted in any hour.

Concern has been expressed that stations could 'load-up' non-program matter in the early hours of the evening. The code provides a guarantee that there will be no more than fourteen minutes of non-program matter scheduled in any four hours in the prime time period.

Although this would enable two hours in which non-program matter may be scheduled for 15 minutes per hour, this is permissible under the current rules. Compliance will still be required with the overall average amount of non-program matter that can be broadcast per hour - a maximum of 78 minutes over the six hour prime time band compared with 82 and a half minutes under the existing program standard.

The code presents a very clear statement on the issue of program promotions, providing a more stringent approach to the content and scheduling of program promotions than would be required for material broadcast generally.

When the code is registered on 5 September, it will replace the existing television standards, except for those covering Australian content and children's television. The code will operate in conjunction with the ABA's television program standards in these areas.

WHAT'S HAPPENING ABOUT CODES FOR OTHER SECTORS OF THE BROADCASTING INDUSTRY?

Codes for commercial radio were registered by the ABA on 17 May. In December 1992 and February 1993 the ABC and SBS respectively notified the ABA they had developed codes relating to programming matters and complaints (the ABA is not required to register the national broadcasters' codes). Community radio broadcasters are also required to develop codes on similar matters, including a code on sponsorship.

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