

## ABA ROLE IN ABC AND SBS COMPLAINTS

**T**he Australian Broadcasting Authority (ABA) will now be able to investigate unresolved complaints made to the ABC and SBS as the national broadcasters have introduced their new codes of practice.

Both broadcasters recently notified the ABA they have developed codes relating to programming matters and complaints.

The introduction of the new codes means people who have complained to the ABC and SBS (about matters covered by the codes), will be able to ask the ABA to investigate their complaint if they have not received a response from the broadcaster, or if they believe the response is inadequate.

'The ABA only comes into the picture right at the end of the new complaints process and operates as an ombudsman if necessary. I'm pleased with the effort put into developing the codes,' said Mr Brian Johns, ABA Chairman.

I am confident both the ABC and SBS will handle complaints in an effective and

timely manner and very few will be brought to us to investigate.'

If the ABA finds a complaint is justified, it can recommend action by the ABC or SBS to ensure compliance with their code. If the broadcaster does not take appropriate action within 30 days, the ABA may give the Minister for Transport and Communications a written report.

The ABC's codes are already operating. SBS introduced its codes on 22 March 1993. SBS codes will be interim until completion of a public consultation process which will involve the new SBS Community Advisory Committee.

Copies of the codes are available from the ABC and SBS.

### **CODES OF PRACTICE**

The ABC and SBS are both required by their legislation to develop codes of practice relating to programming matters and to notify those codes to the Australian Broadcasting Authority.

The ABC codes cover the portrayal of

violence and sex, the use of language, children's, religious and Aboriginal and Torres Strait Islander programs, the portrayal of women and gender stereotyping, news and current affairs, promotions for programs, program classification and complaints handling.

The SBS codes cover prejudice, racism and discrimination, violence, language and terminology, sex and nudity, news and current affairs, religion, children's programs, interviews, talk-back and audience responses, program classification, advertising and sponsorship, community information, political broadcasts and election coverage and complaints handling.

Both the ABC and SBS program classification codes are based on the Office of Film and Literature Classification (OFLC) guidelines - G (General), PG (Parental Guidance), M (Mature audience) - and use the new MA (Mature Adult) classification which restricts a program to broadcast after 9 pm.



## ABA REVIEWS LICENCE CONDITIONS

**T**he ABA has commenced a process of reviewing the validity of conditions imposed by the former Australian Broadcasting Tribunal under the *Broadcasting Act 1942*.

The *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992* preserved most

existing old Act licences as licences for one or other of the new Act's broadcasting service categories. It also made qualified provision for carrying across to the new licences the conditions that the Tribunal imposed on the old ones. But some types of condition were not carried across, specifically:

- a) those that did not apply to the old licence on 4 October 1992 (the last day of operation of the old Act); and
- b) those that are inconsistent with the new Act.

The ABA has examined all such licence conditions and identified several which had ceased to apply by 4 October 1992. It has also concluded that a number of conditions are inconsistent with the new Act. The ABA has written to affected licensees to explain that some conditions no longer apply. It expects to complete

its review of licence conditions during May. All licensees should note that the standard licence conditions are now set out in Schedule 2 of the *Broadcasting Services Act*.

Conditions contained in Part 2 of the Schedule apply to all licensees and providers of class licence services (except that Clause 6 does not apply to community broadcasters).

Part 3 applies to commercial television broadcasters,

Part 4 applies to commercial radio broadcasters.

Part 5 applies to community broadcasters.

Part 6 applies to subscription television broadcasters.

Part 7 applies to class licence service providers.



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