



# ABA proposes licence condition on QTQ Brisbane

On 4 February, the ABA advised the licensee of Nine network commercial television station QTQ Brisbane of its intention to impose an additional condition on its licence.

The ABA intends to make compliance with clauses 3.6, 3.7 and 3.8 of the Commercial Television Industry Code of Practice a condition of the licence held by Queensland Television Ltd. These clauses concern the broadcast of program promotions in G viewing periods.

'This is the first time the ABA has notified a licensee of the ABA's intention to make compliance with a code of practice a condition of licence,' said Professor Flint.

In October 1999, the ABA concluded an investigation into an unresolved complaint from a member of the public about the broadcast by QTQ 9 of a promotion for an M classified program, 'Co-Ed Call Girl', in a G viewing period.

'This was the third occasion, in the period August 1998 to October 1999, that the ABA found the licensee to have breached the code of practice with regard to the broadcasting of program promotions in G viewing periods,' said Professor Flint.

'The community has a rea-

sonable expectation that material broadcast during G viewing periods will be mild in impact and not contain any matter likely to be unsuitable for children to watch without supervision,' Professor Flint added. 'In proposing to impose an additional condition upon the licence the ABA is addressing this expectation.'

The two other investigations by the ABA concerned the placement of promotions for the M classified programs, 'Chippendales: A Secret History', and 'Peter Benchley's Creature'.

Under section 43 of the Act, the ABA is required to give the licensee written notice of its intention and a reasonable opportunity to make representations to the ABA about the matter. The proposed changes must also be published in the *Gazette*.

The ABA has given the licensee until 3 March 2000 to make representations to the ABA about the matter.

Under the Act, more serious sanctions may be imposed for a breach of a licence condition than for a Code of Practice infringement. Possible sanctions include referral to the Director of Public Prosecutions for possible prosecution, cancellation or suspension of a licence.

## Extract from the Commercial Television Industry Code of Practice

### Promotions in G programs

3.6 Only a promotion for a P, C, G or PG program, or for an unclassified news, current affairs or live or near-live sporting program, may be broadcast during the following programs, provided that the content of the promotions complies with Clause 3.8:

- 3.6.1 cartoon programs in G viewing periods on any day;
- 3.6.2 G programs in weekend G viewing periods which are promoted for viewing by children, or are likely to attract substantial numbers of children (as defined in Clause 3.3.3);
- 3.6.3 programs between 5.00pm and 6.00pm on any weekday, other than news, current affairs, live or near-live sporting programs and other programs that are not promoted to children nor are likely to attract substantial numbers of children. In those programs a promotion for an M program may be broadcast, provided that the content of the promotion complies with Clause 3.8.

3.7 In other G programs, and in news, current affairs and live or near-live sporting programs, a promotion for a P, C, G, PG or M program may be broadcast, provided that the content of the promotion complies with Clause 3.8.

### Restrictions in G viewing periods and in certain other G programs

3.8 Special restrictions apply to the content of program promotions in G viewing periods, or in G programs which start at 3.30pm on a weekday, or which are broadcast between 7.30pm and 8.30pm on any day. All such program promotions must comply with the G classification requirements set out in Clause 2.11, and in addition must include no material which involves any of the following:

- 3.8.1 the use of guns, other weapons or dangerous objects in a manner clearly intended to inflict harm on, or to seriously menace, people or animals;
- 3.8.2 punches, blows or other physical or psychological violence against people or animals (other than in sequences which clearly depict comedy or slapstick behaviour);
- 3.8.3 any form of violence or cruelty to children;
- 3.8.4 sequences that involve loss of life;
- 3.8.5 close-up vision of dead or wounded bodies;
- 3.8.6 any visual depiction of suicide or intended means of suicide;
- 3.8.7 anything which has more than a very low sense of threat or menace;
- 3.8.8 visual depiction of nudity or partial nudity;
- 3.8.9 visual depiction of, or verbal reference to, sexual behaviour except of the most innocuous kind;
- 3.8.10 socially offensive or discriminatory language.