



## 2LVR Forbes

### Broadcasting advertisements, sponsorship limits per hour

#### The complaint

The Australian Broadcasting Authority (the ABA) received a written complaint alleging that the licensee of 2LVR had, in contravention of legislative requirements, broadcast advertisements.

The ABA investigated two programs:

- *The John Laws Show* broadcast on 28 August 2002 and
- *Over the Fence* broadcast on 15 September 2002

which were interspersed with a number of community service announcements, sponsorship announcements, news, music and station identifications.

#### Decision

The ABA determined that the licensee of 2LVR, Lachlan Valley Community Radio Inc. breached Clause 9(3) of Schedule 2 to the Act by broadcasting sponsorship announcements that exceeded the five minute limit when it broadcast the *John Laws Show* on 28 August 2002. The ABA found that 2LVR did not breach clause 9(1)(b) of Schedule 2 in broadcasting either of the programs that were the subject of the complaint.

#### Action taken

The ABA is aware of previous breaches by this licensee of this licence condition on which Clause 9(3) is based. However, the ABA proposes no further action at this stage in light of the steps taken by the licensee.



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## QTQ9 Brisbane

### Failing to present factual material accurately and representing viewpoints fairly in a program and a program promotion, invasion of privacy

#### The complaint

The ABA received a complaint concerning a segment of *A Current Affair* broadcast by QTQ 9 Brisbane on 7 October 2002. The segment featured the complainant, a cosmetic surgery broker.

The complainant alleged that the segment breached:

- sub-clause 4.3.1 (failed to present factual material accurately and represent viewpoints fairly);
- sub-clause 4.3.5 (invasion of privacy) by trespassing on private property; and
- sub-clause 4.5 (in broadcasting a promotion for a news or current affairs program, failed to present factual material accurately and represent viewpoints fairly).

#### Decision

The ABA determined that the licensee breached sub-clause 4.3.1 of the Commercial Television Industry Code of Practice when it presented

factual material inaccurately and with regard to its representation of the complainant's viewpoints. The ABA further determined that the licensee did not breach sub-clauses 4.3.5 and 4.5.

#### Action taken

In view of the ABA's findings the licensee proposes to take the following steps:

- the decision will be reviewed with staff involved in the presentation of the story
- the treatment of file footage will be discussed with the program's Executive Producer to avoid the implication that those depicted have willingly participated in the story
- the matter will be used as an example for staff training on the code.

The ABA proposes no further action in relation to this matter but will monitor the licensee's compliance.

