



Action taken

In response to the breach finding, Nine Network Australia Pty Ltd has taken the following steps:

- a copy of the ABA's final report will be circulated and discussed with pro-

ducers and reporters at *60 Minutes* and

- the report will be used as an example in Nine's ongoing training in relation to the application of the code.

The ABA considers these actions address the compliance issues raised by the investigation and will continue to monitor the licensee's performance in this regard. ☐

BTQ 7 Brisbane

Scheduling excessive amounts of non-program matter

The ABA has found that Channel Seven Brisbane Pty Ltd, the licensee of commercial television service BTQ Brisbane, breached the Commercial Television Industry Code of Practice 2004 by scheduling more than the permissible 13 minutes per hour of non-program matter.

The complaint

On 23 March 2005 the ABA received an unresolved written complaint regarding the number of advertisements broadcast by BTQ during the movie *The Battle of Britain* on 27 February 2005. The complainant alleged that the number

of advertisements was excessive and complained about the short breaks between program and non-program matter. The complainant was also concerned that certain scenes were cut from the movie to allow more time for advertisements.

Decision

The ABA has determined that the licensee breached clause 5.6.1 of the code by scheduling more than the permissible 13 minutes per hour of non-program matter.

Action taken

In response to the breach finding, the licensee has taken the following steps:

- the scheduler responsible for the error was spoken to
- the schedules will be continuously checked and double checked and
- the appropriate verification and checking procedures have been reiterated to all schedulers.

The ABA considers these actions address the compliance issues raised by the investigation and will continue to monitor the licensee's performance in this regard. ☐

Triple J

Inappropriate and gratuitous language, failure to respond to complaint

The ABA has found that the Australian Broadcasting Corporation breached the ABC Code of Practice 2004 by using inappropriate and gratuitous language on the Triple J *Breakfast Show* and failing to provide a response to a complaint.

The complaint

On 10 February 2005, the ABA received a written complaint alleging that the *Breakfast Show* broadcast on the ABC's Triple J network on 23 November 2004 used inappropriate language. The complainant also alleged that the broad-

caster failed to respond to his complaint.

Decision

The ABA determined that the broadcaster:

- breached clause 2.2 of the ABC Code of Practice 2004 (use of inappropriate and gratuitous language) and
- breached clause 9.2 of the code (failing to provide a response to the complainant within 60 days of receipt of complaint).

Action taken

In response to the breach finding, the ABC has taken the following steps:

- apologised to the complainant in relation to the use of inappropriate and gratuitous language, and for the failure to deal with his complaint and
- introduced a system to monitor complaints and will train staff to remind them of correct complaints handling procedures.

The ABA considers these actions address the compliance issues raised by the investigation and will continue to monitor the broadcaster's performance in this regard. ☐