

The full reports on these investigations into potential breaches by licensees are on the ACMA website, www.acma.gov.au. Go to ACMA > Publications > Broadcasting > Investigations and then Radio operations and Television operations. The reports are arranged in order of licensee.

QTQ Brisbane breached Children's Television Standards

Nine Network commercial television service QTQ Brisbane has breached two provisions of the Children's Television Standards by failing to broadcast a program for pre-school children (P program) on Tuesday 27 December 2005.

The children's television standards require a licensee to broadcast at least 30 minutes of P programs every weekday. QTQ's failure to re-schedule the missed P program also resulted in the licensee failing to meet its annual quota for the broadcast of P programs. Under the children's television standards, all commercial television licensees must broadcast at least 130 hours of P programs per year.

'It is particularly important for young children to be able to rely on watching suitable programs in regular time spots,' said ACMA Chairman Chris Chapman. 'ACMA considers that the failure to broadcast the P program, leaving a shortfall in the quota, is a serious matter.'

The objective of the Children's Television

Standards is to ensure Australian children have access to a variety of quality programming made specifically for them. The standards help to promote quality and diversity and deliver a quantity of children's television on commercial television, and are important in regulating children's television in the public interest.

QTQ admitted the failure to broadcast the P program, but asked ACMA to take into account the mitigating circumstances in which the breaches occurred. On 27 December, the Nine Network announced the death of Mr Kerry Packer. The Nine Network decided to broadcast an unscheduled tribute to Mr Packer, who was CEO of Publishing and Broadcasting Limited, the company that owns QTQ Brisbane. The tribute program was broadcast from Sydney and because of the one-hour time difference between Sydney and Brisbane during daylight saving time, it led to QTQ not broadcasting the scheduled P program

before crossing to its scheduled live cricket broadcast.

Although it was open to QTQ Brisbane to seek an exemption (under clause CTS 3(1)(k) of the Children's Television Standards) for the failure to broadcast the program on that day, the exemption was not sought, nor was the breach rectified.

A significant factor in the failure to achieve the annual quota by QTQ Brisbane was the limited flexibility to redress the shortfall close to the end of the year and the fact that the licensee was only aiming to meet the minimum quota.

ACMA has accepted an undertaking from QTQ to broadcast an additional 30 minutes of P programs during 2006 to make up for the shortfall during 2005.

CHILDREN'S TELEVISION STANDARDS

The Children's Television Standards prescribe annual quotas, based on a calendar year, for children's (C) and pre-school (P) programs.

Commercial television licensees are required to broadcast 390 hours a year of programs directed to children, of which 130 hours must be P programs. A licensee must also broadcast at least 30 minutes of P programs every weekday between 7.00 am and 4.30 pm.

At the beginning of each year, commercial television licensees must provide a schedule to ACMA that shows the time periods during they will broadcast C programs and P programs throughout that year. In practice, each network provides a schedule for affiliated licensees and non-affiliated licensees provide separate schedules. Only C and P programs broadcast in accordance with the schedule provided count towards the annual quota.

If a licensee wishes to diverge from the scheduled programming arrangements, specific exemptions and procedures apply. Unless a broadcast P program falls within an exempt category or complies with the set procedures, the program will not count towards the quota.

