

# New community broadcasting sponsorship guidelines released

ACMA has released the *Community Broadcasting Sponsorship Guidelines 2008* to replace guidelines issued by the former Australian Broadcasting Authority in 2003. The new guidelines follow a series of recent breaches of licence conditions for sponsorship and advertising limits by a number of community broadcasters.

Under the *Broadcasting Services Act 1992* (the BSA), all community broadcasting licensees are subject to a licence condition that prevents them from broadcasting advertisements.

However, licensees may broadcast a range of announcements and other promotional material that the BSA does not regard as advertisements. For example, licensees may broadcast sponsorship announcements as long as they meet requirements for 'tagging' (acknowledgments of financial support) and hourly sponsorship limits (five minutes for radio and seven minutes for television).

ACMA Chairman Chris Chapman said that the sponsorship guidelines will help community broadcasting licensees to understand their obligations regarding the restrictions on advertising and the requirements for sponsorship announcements.

Based on an analysis of ACMA investigations into community broadcasting issues in the five years from 2002–03 to 2006–07, it was evident that the main areas of concern included:

- what constitutes an advertisement
  - what constitutes a sponsorship announcement and should therefore be included in the calculation of the five-minute limit for radio or seven-minute limit for television
  - which material could be considered to be accidental or incidental accompaniment to the broadcast of other matter and therefore not considered an advertisement
  - what constitutes a promotion of a licensee's service or program
  - which material broadcast as part of a program might be considered advertising
  - the licensee's responsibility for material broadcast despite having sold air time, including sponsorship slots, to program providers.
- The guidelines explain the general ban on advertisements and the exceptions to the general ban, which include accidental or incidental unpaid advertisements, sponsorship announcements, community information or promotional material, and station promotions.

ACMA released draft guidelines on 23 November 2007 for public comment and received 13 submissions. Issues raised in submission have been considered in the finalised sponsorship guidelines. The guidelines are advisory only and explain, rather than replace, the requirements of the BSA.

If in doubt, licensees are encouraged to seek independent legal advice on the application of the BSA to particular situations.

Release of the guidelines follows a recommendation of the House of Representatives Standing Committee on Communications, Information Technology and the Arts inquiry into community broadcasting that ACMA update the sponsorship guidelines by 30 June 2008.

The new sponsorship guidelines are available on the ACMA website at <[www.acma.gov.au](http://www.acma.gov.au)> (go to For the public: Consumer & community advice > Broadcasting: Community broadcasting > Codes of practice, forms and guidelines).

