

# New commercial television industry code of practice comes into effect

A new code of practice for commercial free-to-air television services came into operation on 1 January 2010, providing important viewer safeguards and the potential for greater program choice on emerging digital multi-channels.

'The past five years have seen significant changes to commercial free-to-air television broadcasting in this country including, last year, the launch of digital multi-channels that give Australians more program choice,' said Chris Chapman, Chairman of the ACMA.

'While the new code allows some greater flexibility for broadcasters in programming for these multi-channels, the ACMA has ensured that industry also correspondingly introduces related community safeguards.'

Developed by Free TV Australia, the Commercial Television Industry Code of Practice 2010 replaces the previous code, which has been operating since

'It is important that parents and carers know about the new arrangements so they can help mediate children's television viewing accordingly. Therefore, commercial free-to-air broadcasters are required under the code to undertake a 12-month community education campaign to comprehensively inform viewers,' said Mr Chapman.

Licensees must also, for the life of the code, provide consumer advice with any PG-classified program on the multi-channels where material may be stronger than expected by parents and guardians of young viewers and the program corresponds with the main channel's G programming time zones.

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2004. The new code provides viewer safeguards for a range of matters including the classification of programs and program promotions, reporting of news and current affairs and time occupied by non-program matter.

Under the new code, PG-classified programs may be shown at any time on a commercial television broadcaster's multi-channels. However, G classification time zones will continue to apply to the main digital and analog services before and after school on weekdays and between 6.00 am and 10.00 am on weekends.

'The transition pathway to a full digital environment, with its underpinnings in the Broadcasting Services Act, allows greater flexibility on multi-channels for a time-limited period,' said Mr Chapman.

For the first time, viewers will be able to lodge complaints electronically using a live online form. For administration establishment reasons, this initiative will take effect on 1 March 2010 under provisions in the new code.

'This is a major yet inevitable enhancement to the code as broadcasters themselves go online in search of new revenues and enhanced service offerings to their audience base,' said Mr Chapman. 'It is also a positive response to submissions from members of the public and recommendations of the ACMA's *Reality Television Review* and recent senate inquiries.

'The community has expressed a strong preference for electronic complaints-lodgement and the ACMA has vigorously pursued this innovation to make it more convenient for viewers to lodge complaints,' he said.

New features of the code include:

- > Amended sex and nudity restrictions in MA programs—all depictions of sexual activity or nudity and all verbal sexual references must now be relevant to the story line or program context and must not be high in impact.
- > New provisions intended to encourage broadcasters to correct significant factual errors in news and current affairs programs in a timely manner.
- > Scope for broadcasters to schedule additional amounts of non-program matter on digital multi-channels, facilitating flexibility in program scheduling in the channels' establishment period.
- > New protections in reality television programs, as recommended in the ACMA's *Reality Television Review*, where broadcasters will be expressly prohibited from presenting participants in reality television programs in a highly demeaning or highly exploitative manner. ☞

The new Commercial Television Industry Code of Practice 2009 is available on the Free TV Australia website at [www.freetv.com.au](http://www.freetv.com.au).

A summary of key amendments to the code and a link to the ACMA's *Reality Television Review* are available on the ACMA website at [www.acma.gov.au](http://www.acma.gov.au) (go to About ACMA: News & media centre > Media releases > ACMA media release 183/2009 – 18 December).