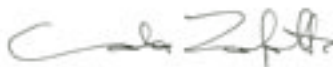


FOREWORD

The SBS Board is required under section 10(1)(j) of the *Special Broadcasting Service Act 1991* to develop Codes of Practice relating to programming matters and to notify these Codes to the Australian Broadcasting Authority.

Section 10(1)(b) of the Act also requires the Board to develop and publicise SBS's programming policies. The SBS Codes of Practice fulfil these and other legislative requirements.

SBS is aware of its responsibilities to its viewers and listeners and it welcomes comment on its programming. A detailed explanation of SBS's complaints handling procedures is set out in Code 7. At the front of this booklet, separate from the Codes, is an 'easy guide' of how to contact SBS if you are seeking further information, would like to make a comment or a formal complaint. At the back of this booklet you will find the SBS Service Charter and 'principles of service'.



Carla Zampatti
CHAIRMAN

CONTENTS

SBS CODES OF PRACTICE

2

1. Introduction	4	3.7 Consumer Advice	19
2. General Program Codes and policies	7	3.8 Time Zones	20
2.1 Prejudice, Racism and Discrimination	7	3.9 Classification Categories	20
2.2 Language and Diversity	10	4. Advertising and Sponsorship	22
2.3 Self-Identification when referring to groups and individuals	12	5. Community Information	24
2.4 News and Current Affairs	12	5.1 General	24
2.5 Religions	15	5.2 Radio Only	25
2.6 Interviews, Talkback and Audience Responses	15	6. Political Broadcasts and Election Coverage	26
2.7 Privacy	15	7. Comments and Complaints about SBS Programming	27
2.8 Closed Captioning for people who are deaf or hearing impaired	16	7.1 Introduction	27
3. Television Classification Code	17	7.2 Information and comments	27
3.1 Introduction	17	7.3 Complaints	28
3.2 Violence	17	7.4 How to make a formal complaint	28
3.3 Suicide	18	7.5 Timing	29
3.4 Sex and Nudity	18	7.6 Complaints which will not be investigated	29
3.5 Variations of Language and Terminology	19	7.7 Complaints in languages other than English	29
3.6 Classification Symbols	19	7.8 How SBS deals with complaints	29

7.9 Complaints Committee	30
7.10 Replies to formal complaints	30
7.11 SBS's response to formal complaints which are upheld	31
7.12 What to do if you are dissatisfied with SBS's response	31
7.13 Informal complaints	31

APPENDIX A

Office of Film and Literature Classification Guidelines for the Classification of Films and Computer Games	33
--	----

The SBS Service Charter	48
-------------------------	----

1

INTRODUCTION

SBS CODES OF PRACTICE
INTRODUCTION

4

The SBS Codes of Practice sets out the principles and policies SBS uses to guide its programming. The Codes embrace the principal Charter function of SBS:

"... to provide multilingual and multicultural radio and television services that inform, educate and entertain all Australians, and, in doing so, reflect Australia's multicultural society."

SBS's role as a multilingual and multicultural national broadcaster ensures that SBS's services will be distinctive in Australian broadcasting. Across SBS's services, audiences can expect a reflection of the diversity of Australia, and programming which is consistent with SBS's Vision: 'Communicating Australia's Living Diversity'.

SBS believes that its audiences are best served by exposure to a wide range of cultures, values and perspectives. As a result, SBS's programming can be controversial and provocative and may at times be distasteful or offensive to some.

SBS will present diversity carefully and responsibly, ensuring a balance of views over time. SBS is for all Australians. Accordingly, it aims to represent the different experiences, lifestyles, perspectives, cultures and languages within Australia.

SBS Television and Radio have different priorities and play complementary roles in pursuing SBS's objectives. Nevertheless, the principles and policies of SBS programming are the same for Television and Radio and, except where indicated, these Codes of Practice apply to all SBS broadcasting and datacasting services.

SBS's new media content is also selected and developed in accordance with these Codes. Online material is excluded from the jurisdiction of the Australian Broadcasting Authority for the purposes of complaints investigation.

SBS TELEVISION

SBS Television emphasises cross-cultural awareness by exposing audiences to a wide range of cultures and perspectives and by presenting the reality of Australia's multicultural society. Most SBS Television programs are either in English or carry English subtitles. This recognises the role of English as Australia's common language and gives SBS Television the widest possible reach across Australian society. In broadcasting programs from non-English speaking countries, SBS Television provides a medium where people from a non-English speaking background can watch programming which is in their first language.

SBS RADIO

SBS Radio serves Australia's cultural communities by broadcasting in more than 60 languages. Many programs serve audiences from different countries and cultures. Some programs and program segments are in English.

SBS Radio assists communities to participate as fully as possible in Australian society. Where possible, it also supports the maintenance and development of their cultural identities and provides cross-cultural links. While exploring issues relevant to all Australians, SBS Radio fulfils different roles, including information provider, news source, entertainer, educator, cultural vehicle, commentator and a medium for diverse community voices. Language groups endeavour to be responsive to the needs and expectations of community audiences while remaining impartial and objective.

SBS NEW MEDIA

SBS New Media provides comprehensive text, video and audio services on the SBS website, www.sbs.com.au. The online services extend and enhance SBS Television and Radio programming, providing individual sites for SBS-produced television programs and SBS Radio's language programs. New Media creates original digital content and takes SBS programming into new environments. SBS does not publish material on the website that it would not be prepared to broadcast.

2

**GENERAL PROGRAM
CODES AND POLICIES****2.1 PREJUDICE, RACISM AND
DISCRIMINATION**

SBS seeks to counter attitudes of prejudice against any person or group on the basis of their race, ethnicity, nationality, gender, age, sexual preference, religion, physical or mental disability, occupational status, or political beliefs. While remaining consistent with its mandate to portray diversity, SBS will avoid broadcasting programming which clearly condones, tolerates or encourages discrimination on these grounds.

SBS views racism as a serious impediment to achieving a cohesive, equitable and harmonious society, and is committed to its elimination. SBS seeks to correct distorted pictures of cultural communities and issues of race generally. It does this through programming which reflects the reality of Australia's cultural diversity and exposes racist attitudes.

SBS aims to ensure that programs either counter or do not support individual or group stereotyping.

SBS strives to eliminate stereotyping by presenting members of different groups in a variety of roles and by avoiding simplistic representations.

2.1.1 Women

SBS aims to promote a greater awareness of the contributions of women through programming which reflects the range of roles in which women are involved in society.

The portrayal of women should not create or reinforce sexual, gender or racial stereotypes. Programs which suggest that the exploitation of women is acceptable will be avoided.

SBS provides opportunities for women to direct, produce and present programs. A high level of involvement from women is sought in all program strands, particularly those dealing with issues of concern to women.

SBS seeks to challenge stereotypes by reflecting a wide variety of cultural mores and roles. SBS understands that different cultural groups have different perceptions of women.

...Continued ►

SBS may broadcast programs which directly challenge these accepted cultural views.

2.1.2 Indigenous Australians

'Indigenous Australians' refers to the Aboriginal peoples and Torres Strait Islanders of Australia. SBS recognises the social, cultural and spiritual integrity of indigenous societies and acknowledges the diversity across and within these societies. SBS aims to promote and facilitate among all Australians an understanding of indigenous cultures, values and aspirations, and supports the goals of reconciliation.

SBS aims, over time, to provide programming which caters for the diverse and changing needs of all indigenous peoples and deals with contemporary issues of importance to Indigenous Australians. SBS strives for maximum involvement of indigenous people in all aspects of the production and presentation of such programs.

In the production, commissioning and presentation of indigenous programming, SBS will endeavour to ensure that proper regard is paid to the sensitivities, cultural traditions and languages of indigenous peoples. SBS recognises the need of indigenous communities to maintain their cultures, languages and traditions, and will seek to provide programs to that end.

SBS will be sensitive to the many cultural issues that surround media presentation of indigenous people and issues.

It is critical that the cultural practices of Aboriginal and Torres Strait Islander peoples are observed in any media programming and news reporting. The bereavement practices of indigenous people are region specific. It is the responsibility of program makers, news editors and producers to verify and observe local practices when making programs that depict or represent recently deceased indigenous people or reporting on recently deceased indigenous people.

Where appropriate, footage or sound recordings of deceased indigenous people will be preceded by a warning.

Program makers, producers and journalists will refer to the SBS publication *The Greater Perspective* (1997) which contains the Protocol and Guidelines for the Production of Film and Television on Aboriginal and Torres Strait Islander Communities. *The Greater Perspective* sets out six principles which program makers, producers and journalists should follow when making or producing programs relating to Indigenous Australians. These principles refer to the need for program makers and producers to:

- be aware of and challenge their own prejudices, stereotyped beliefs and perceptions about indigenous people;
- be aware that an indigenous view of indigenous issues may differ from a non-indigenous view;

- consult with indigenous people in the making of programs about indigenous people, particularly with those who are the subject(s) of the program;
- conduct dealings with indigenous people openly and honestly which includes informing indigenous people involved of the consequences of any proposed agreements and of their right to seek independent legal advice;
- respect the lands and cultural property of indigenous people, as well as the subject(s) of programs; and
- be sensitive to the cultures of indigenous people and undertake consultation and negotiation with the people concerned prior to and during the making of a program.

2.2 LANGUAGE AND DIVERSITY

2.2.1 Introduction

SBS's Charter responsibilities include contributing to the retention and continuing development of language and other cultural skills and providing programming in people's preferred languages. Many languages are spoken in Australia. As far as practicable, SBS aims to reflect this diversity in its programming, while at the same time remaining consistent with its other Charter responsibilities.

Accordingly, SBS embraces its role as an established medium through which Australia's cultural communities retain and develop their individual languages. On both its Television and Radio networks, SBS seeks to provide programs in which people from a non-English speaking background can hear their first language.

SBS recognises English as the common language of Australia and therefore as a major vehicle through which SBS can promote cross-cultural awareness.

2.2.2 Allocation of Airtime for Community Languages – Radio

SBS Radio is a multilingual and multi-cultural broadcaster with a direct role in serving Australia's diverse language communities. In recognition of this role, the allocation of airtime to particular languages on SBS Radio is based on the size of the community speaking a particular language and other criteria which are reviewed from time-to-time on the basis of Census data and in consultation with communities. These may include, for example, age, recency of arrival, English language proficiency and employment rates.

2.2.3 English and Non-English Language and Cultural Content – Television

SBS Television is a multicultural broadcaster serving all Australians. To reach across Australian society, SBS provides:

- English language programming which is readily accessible to a general population;
- English-subtitled non-English language programming which

may serve the needs of particular communities and is accessible to a wider audience; and

- non-English language programming which directly serves the needs of particular communities and may be of some interest to other audiences.

SBS seeks in its yearly television schedule to achieve a balance between television programs in English and programs in languages other than English.

SBS aims, as far as possible and over time, to provide programs on SBS Television across all languages spoken in the community and to present programming from a wide variety of cultural perspectives. Program selection will take into account variations in the availability and quality of programming from different television industries around the world, as well as the need to meet the range of SBS's programming objectives.

2.2.4 Subtitling and Voice-overs – SBS Television

The main way SBS Television makes non-English language programming accessible to a wider Australian audience is through English subtitles. Most subtitles are produced in-house by SBS. SBS also uses voice-overs and re-narrations.

SBS seeks to reflect faithfully the cultural ambience of imported programs. SBS believes the interests of viewers are best served by subtitles and voice-overs which carry the impact of the original language. However, it is not always possible or desirable to make literal translations. In many languages, expressions in common usage which are not considered offensive or obscene could in English translation appear crude and vulgar, and vice versa. Where literal translations would distort the overall tone and intent of a program, more appropriate English expressions are substituted.

2.3 SELF-IDENTIFICATION WHEN REFERRING TO GROUPS AND INDIVIDUALS

SBS encourages different groups and individuals to express their cultural identity. Accordingly, SBS does not impose labels on cultural groups, but uses groups' self-identification, if it is freely chosen. SBS is not subject to the desires of any one group as to how any other group is to be identified.

While SBS accepts self-identification of cultural groups, this policy has no implications other than recognition of group identity within the Australian community. It should not be interpreted as recognition of any historical or political claims or conferring official authority on activities counter to the policies or practices of other governments. SBS recognises the nationality of people in accordance with their country of current citizenship.

In the production of programs, SBS will avoid the use of derogatory terms used by one cultural, national or religious group to describe another.

In the transmission of purchased programs, SBS will take care not to endorse such usage.

2.4 NEWS AND CURRENT AFFAIRS

2.4.1 Introduction

Section 10(1)(c) of the SBS Act makes it a duty of the SBS Board to *"... ensure by means of the SBS's programming policies, that the gathering and presentation by the SBS of news and information is accurate and is balanced over time and across the schedule of programs broadcast."*

SBS believes in the right of our audience to make up its own mind after a fair, objective, balanced and professional presentation of the issues. SBS provides a forum for views on important issues to be communicated to audiences and seeks to present the widest range of opinion over time.

From time to time, SBS issues guidelines to assist broadcasters and journalists, particularly in handling controversial issues which could create tensions within the

community. SBS journalists are also encouraged to work to the Code of Ethics of the Media Entertainment and Arts Alliance.

Accuracy is the highest priority of news and current affairs and SBS will take all reasonable steps to ensure timely acknowledgment and correction of any errors of fact.

SBS avoids sensationalised and exaggerated treatment of issues and events. In covering murders, accidents, funerals, suicides and disasters, SBS expects its program makers to exercise great sensitivity, particularly when approaching, interviewing and portraying people who are distressed. SBS will report suicides only when such reporting is in the public interest and in accordance with legal restrictions in some States prohibiting the publication of a finding of suicide by a coroner unless the coroner has made an order allowing publication. Any reporting of suicide will be in moderate terms, usually avoiding details of method. (See Code 3.3)

SBS has a policy of self-identification (see Code 2.3 above) and does not arbitrate on the validity of territorial claims.

SBS journalists will identify themselves and SBS before proceeding with an interview for broadcast.

2.4.2 Non-SBS Sources for News and Current Affairs Programming

SBS draws on many sources for its television and radio news and current affairs programming. Sources include domestic and overseas stringers, international news agencies, national news services, services available on the Internet, newspapers and journals.

SBS journalists and producers are expected to draw on their specialised knowledge of homeland affairs to judge the news value and reliability of stories from outside sources.

All journalists and contributors gathering, processing or presenting news for SBS are required to observe the SBS Codes of Practice.

2.4.3 Overseas Television News and Current Affairs Programs

SBS Television broadcasts, substantially unedited, news and current affairs programs from other countries. Much of the material is in non-English languages and un-subtitled. In selecting such programming, SBS endeavours to ensure a level of quality which is appropriate to the SBS schedule. These programs are drawn from a variety of overseas sources – government, commercial and public – and are often produced and interpreted from particular editorial perspectives. Prior to broadcast, SBS will clearly identify the source of the programs so that audiences can exercise their own judgement about how issues and information are presented.

A decision on whether to introduce a new program to the schedule of overseas television news and current affairs programs should be based not only on the size of the language community within Australia but also on a careful assessment of all

available programming sources in that language to determine which, if any, is best suited to serving the community's particular needs.

2.4.4 Violence in News and Current Affairs

The decision whether to broadcast certain pictures or sounds which portray violence is based on their newsworthiness and reporting value, together with a proper regard for the reasonable susceptibilities of audiences to the detail of what is broadcast. SBS will not sensationalise violent events, or present them for their own sake. Where appropriate, news segments will be preceded by a warning that the material may be distressing to some viewers or listeners.

The timing and content of newsflashes are unpredictable. Accordingly, particular care will be exercised in the selection of sounds and images, and consideration given to the likely composition of the audience.

News updates and news promotions which portray elements of violence will not be scheduled during obviously inappropriate programs, especially programs directed at young children.

2.5 RELIGIONS

SBS is aware of the need for a responsible examination of the role of religion in society. In broadcasting programs about religion, SBS will not support any particular religion over any other, nor intentionally provide a medium for one religion to denigrate another.

SBS recognises the importance of religion for the many communities that make up Australian society and the potential for programming dealing with religion to cause cross-cultural tensions. Accordingly, SBS will be sensitive and careful in dealing with issues of religion.

2.6 INTERVIEWS, TALKBACK AND AUDIENCE RESPONSES

SBS will not transmit the words of an identifiable person unless:

- that person has been informed in advance that the words may be transmitted; or
- in the case of words which have been recorded without the knowledge of the person, the person has subsequently, but prior to the transmission, indicated consent to the transmission of the words; or
- the manner of the recording has made it manifestly clear that the material may be broadcast.

2.7 PRIVACY

The rights of individuals to privacy should be respected in all SBS programs. However, in order to provide information to the public which relates to a person's performance of public duties or about other matters of public interest, intrusions upon privacy may, in some circumstances, be justified.

2.8 CLOSED CAPTIONING FOR PEOPLE WHO ARE HEARING IMPAIRED OR DEAF

In accordance with the *Broadcasting Services Act 1992* (Schedule 4), as far as is practicable SBS will provide a captioning service for:

- television programs, other than non-English language programs, transmitted during the of hours 6.00pm and 10.30pm; and
- television news programs and television current affairs programs, other than non-English language programs, transmitted outside these hours.

In addition, in agreements negotiated with the Human Rights and Equal Opportunity Commission, SBS has agreed to staged increases in captioning levels on its main channel, reaching at least 60% of all programs (6.00am until midnight) by the end of 2007.

Where programs have been closed captioned, this will be clearly identified on screen at the start of the program. Closed captioned programs will be clearly marked when program information is provided to the press or when captioned programs are promoted. Where possible, open captioning advice will be provided if technical problems prevent scheduled closed captioning. SBS will endeavour to increase the amount of closed captioning, as resources permit.

3

TELEVISION CLASSIFICATION CODE

3.1 INTRODUCTION

The Television Classification Code covers all programs broadcast on SBS Television, with the exception of news and current affairs, general information, and sport programs.

The SBS system of television program classification is based on the Guidelines for the Classification of Films and Videotapes issued by the Office of Film and Literature Classification (OFLC). (The OFLC Guidelines are at Appendix A.)

SBS believes that the integrity of programs is best retained if programs are broadcast unaltered. However, SBS will schedule programs or, if necessary, modify them in accordance with OFLC guidelines to ensure that they are suitable for broadcast, or for broadcast at particular times. SBS's classification system gives special attention to levels of violence, sex and nudity, and use of language.

3.2 VIOLENCE

SBS acknowledges that violence is part of everyday life which must be dealt with responsibly. SBS recognises that for many people, particularly children, the portrayal of physical and psychological violence has a unique potential to distress and disturb. Accordingly, it is SBS policy to keep violence in its programs to a minimum and not to present it gratuitously.

In assessing program content involving violence, consideration is given to numerous factors including:

- context;
- degree of explicitness;
- propensity to alarm, distress or shock;
- significance in relation to the 'message'; and
- social importance of content.

SBS believes that violence should not be presented in such a manner as to glamorise it or make it attractive. It is important when violence is portrayed that, as a rule, its serious consequences are not glossed over.

Where violence is presented, SBS will, where appropriate, broadcast an advance warning to viewers. (Code 2.4.4 deals with violence in news and current affairs.)

The presentation of violence in drama requires careful consideration. SBS rejects the use of violence as an easy substitute for other dramatic values. However, violence has always been a powerful ingredient in the dramatic tradition and SBS accepts that there are occasions when authors and directors use violence to make a substantial point about society and human relationships.

3.3 SUICIDE

SBS recognises that any portrayal of suicide requires a high degree of sensitivity. SBS will not broadcast material which is likely to incite or encourage self-harm or suicidal behaviour.

3.4 SEX AND NUDITY

In assessing program content involving sex and nudity, consideration is given to factors including:

- judgement of a program's bona fides;
- the responsibility with which visuals and subject matter are treated, particularly the treatment of sexual activity involving children or minors;
- the degree of explicitness of visuals; and
- the impact which visuals have in the context of a program as a whole.

Non-consenting sexual activities and the treatment of people as sex objects should not be presented or endorsed as acceptable behaviour.

3.5 VARIATIONS OF LANGUAGE AND TERMINOLOGY

SBS programming includes variations of language and terminology used by different groups and communities. Expressions used by one group may be distasteful to another. Accordingly, SBS will take into account use of language when classifying programs and deciding the kinds of warnings provided to viewers.

SBS believes that audiences should receive programs unaltered. Therefore, strong language will only be removed from original programs if SBS believes it is inappropriate to the classification time zone.

3.6 CLASSIFICATION SYMBOLS

SBS will broadcast programs with the following classifications:

- General (G),
- Parental Guidance Recommended (PG),
- Mature Audience (M),
- Mature Adult Audience (MA15+), and
- Mature Adult Audience - strong violence (MAV 15+).

(These classification categories are explained at 3.9.)

With the exception of news and current affairs, general information, and sports programs, the classification symbol of the PG, M, MA 15+ or MAV 15+ program being shown will be displayed at the start of the program.

3.7 CONSUMER ADVICE

The reasons for a M, MA 15+ and MAV 15+ classification will be shown before the program. SBS may provide other appropriate consumer advice at the start of the program. In particular, SBS will provide appropriate consumer advice at the start of a PG classified program where SBS considers that the program contains material of a strength or intensity which SBS reasonably believes parents or guardians of young children may not expect.

3.8 TIME ZONES

The time zones indicated for each classification in Code 3.9 (below) are guides to the most likely placement of programs within that classification.

The recommended placements are not hard and fast rules and there will be occasions when programs or segments of programs will appear in other time slots. For example, an arts program or a segment of an arts program may appear during a weekend daytime program. There must be sound reasons for any departure from the time zone for a program classification.

Programs that deal in a responsible manner with serious moral, social or cultural issues may appear outside their normal classification period provided a clear indication of the nature and content of the program is given at the start of the program.

Some individuals and groups choose to access programming directly from a satellite signal outside of the area for which the signal is intended. In these cases, SBS cannot guarantee

that people will receive SBS programs in their local areas at the times for which the programs are classified and scheduled.

3.9 CLASSIFICATION CATEGORIES

G – General (suitable for all ages)

G programs, which include programs designed for pre-school and school-age children, are suitable for children to watch on their own. They may be shown at any time.

PG – Parental Guidance (parental guidance recommended for persons under 15 years of age)

PG programs may contain adult themes and concepts which, when viewed by those under 15 years, may require the guidance of an adult. They may be shown between:

- 8.30am and 4.00pm on weekdays;
and
- 7.00pm and 6.00am on weekdays;
and
- 10.00am and 6.00am on weekends.

M (Mature Audience), MA 15+ (Mature Adult Audience) and MAV 15+ (Mature Adult Audience – strong violence)

M, MA 15+ and MAV 15+ programs are those which, because of the material they contain, or because of the way the material is treated, are recommended for viewing only by persons aged 15 years or over. While most adult themes may be dealt with, the degree of explicitness and intensity of treatment will determine what can be accommodated in the M, MA 15+ and MAV 15+ classification categories.

M: The less explicit or less intense material will be included in the M classification. M programs may be shown between:

- noon and 3.00pm on weekdays that are school days; and
- 8.30pm and 5.00am on any day of the week.

MA 15+: The more explicit and more intense material will be included in the MA 15+ classification. MA 15+ programs may be shown between:

- 9.00pm and 5.00am on any day of the week.

MAV 15+: Material classified MAV 15+ is unsuitable for MA 15+ classification because of the intensity and/or frequency of violence. MAV 15+ programs may be shown between:

- 9.30pm and 5.00am on any day of the week.

X and R (not suitable for television)

X and R programs are those programs that contain material which cannot appropriately be classified by SBS as G, PG, M, MA 15+ or MAV 15+ because the material itself, or the way it is treated, renders them unsuitable for television. X and R programs must not be shown at all.

4

ADVERTISING AND SPONSORSHIP

SBS CODES OF PRACTICE
ADVERTISING AND SPONSORSHIP

22

Section 45 of the SBS Act provides that SBS may only broadcast advertisements or sponsorship announcements that run before or after programs or during natural breaks and that run in total for not more than five minutes in any hour of broadcasting. It is the responsibility of the SBS Board to develop and publicise appropriate advertising and sponsorship guidelines.

The Board has determined that advertising and sponsorship announcements may be broadcast on SBS Radio and Television.

SBS has adopted the following definition of 'advertisement':

1. Matter which draws the attention of the public, or a segment thereof, to a product, service, person, organisation or line of conduct in a manner calculated to promote or oppose, directly or indirectly, that product, service, person, organisation or line of conduct.
2. For the purpose of these conditions, the term advertisement does not include:
 - a. the broadcasting by SBS of matter of an advertising character as an accidental or incidental accompaniment of the broadcasting of other matter if SBS does not receive payment or other valuable consideration for broadcasting the matter;
 - b. an announcement of not more than 10 seconds duration at the beginning and end of a program giving the name and business of the sponsor of the program, if the program is not less than 15 minutes long;
 - c. consideration for broadcasting the announcement ;
 - d. a station identification; and
 - e. a program promotion.

As an associate member of Free TV Australia, SBS takes account of the Classification and Placement of Commercials and Community Service Announcements contained in Section 6 of the Commercial Television

Industry Code of Practice 2004, where it relates to commercials.

Advertisements broadcast by SBS Radio must not be presented as news programs or other programs and must comply with all other SBS Codes of Practice so far as they are applicable. The SBS Board has also determined that SBS will take account of the applicable codes of advertising.

Advertising announcements must not distract from the value of SBS Radio and Television programs as a medium of information, education and entertainment. Natural program breaks, as referred to in Section 45(2)(a) of the SBS Act, include:

- any pause during coverage of an event where audiences miss none of the proceedings that relate directly to the event (for example, rest periods in sports events); and
- the junctions of the program segments that are contained in SBS Radio programs.

As far as possible, SBS ensures that potential advertisers are informed of SBS's responsibilities as a national multicultural broadcaster. The aim is to equip advertisers with sufficient background to enable them to select advertisements appropriate for the schedule. SBS is aware that some advertisements broadcast by commercial stations may not be suitable for SBS because of SBS's other programming policies and objectives. As with all programming, SBS reserves the exclusive right to determine what is broadcast on SBS services.

The following material is not considered to be advertising or sponsorship for the purposes of calculating the five minute per hour limit:

- publicity for SBS programs, products, services or activities;
- material overlaid on the test pattern, or similar non-programming material; and
- community information (see Code 5 below).

5

COMMUNITY INFORMATION

SBS CODES OF PRACTICE
COMMUNITY INFORMATION

24

5.1 GENERAL

SBS allocates a limited amount of free airtime on the Television and Radio schedules to community and charitable organisations for the broadcast of community information. Section 46 of the SBS Act requires that SBS develop and publicise guidelines on the kinds of material that it is prepared to broadcast.

SBS will broadcast announcements and material on the basis that the public interest is being served. In the selection and placement of this material, SBS will take into account its role as a multicultural broadcaster, in particular its Charter duty to contribute to meeting the communications needs of Australia's multicultural society, including ethnic and Indigenous communities.

SBS will decide the best way to communicate community information to its audiences. This may be as a separate community announcement and/or within other program segments as appropriate. SBS may edit any material provided.

SBS will not broadcast the following as Community Information:

- Political matter (i.e. matter that promotes a registered political party or lobbies for a change in legislation);
- Social, religious or any other matter that SBS considers to be controversial or potentially divisive to the community;
- Announcements that strongly promote a commercial organisation, either directly or indirectly.

Community information broadcast on SBS Television will generally be of national relevance. SBS may consider State-specific announcements where there are special public interest considerations. State-specific announcements may attract an administrative charge.

Pre-recorded material provided to SBS for broadcast must be of a production quality acceptable to SBS. Placement of community service announcements in the schedule is subject to the availability of airtime.

5.2 RADIO ONLY

SBS Radio also allows the following to be broadcast as Community Information:

- Community announcements which are directed at listeners of a Language Program and deal with forthcoming events of a social, cultural, welfare or educational nature within the community. (For this sort of announcement, organisations may be charged some production fee if the form of the broadcast is other than a simple announcement.)
- Program segments or interviews to discuss work and/or services provided by individuals or groups on a commercial basis, provided a special need for the information has been identified within the language community.
- Campaigns by government departments and instrumentalities which provide information about, and access to, government services for people from non-English speaking backgrounds, particularly for new migrants. (Such announcements attract production and/or airtime charges, as appropriate.)

6

POLITICAL BROADCASTS AND ELECTION COVERAGE

SBS CODES OF PRACTICE
POLITICAL BROADCASTS AND ELECTION COVERAGE

26

Section 70A(1) of the SBS Act allows SBS to determine to what extent and in what manner political matter or controversial matter will be broadcast by SBS.

SBS provides information to the community about elections through:

- the allocation of free airtime to political parties; and
- coverage of elections and election issues through regular SBS news and current affairs services.

During Federal election campaigns, SBS provides free airtime on Television and Radio to political parties for their policy speeches and statements on election issues. Free airtime is also available on Radio for State election campaigns.

As a general guide, the Government and the Opposition are allocated equal time and minor parties are treated on the basis of their representation in the Federal or State parliaments as appropriate. Referenda are treated in a similar manner. Any additional time which political parties wish to be

allocated on SBS Television and Radio is considered to be advertising for which parties are charged accordingly.

Further information on the allocation of free airtime is available from SBS on request.

7

**COMMENTS AND
COMPLAINTS ABOUT
SBS PROGRAMMING****7.1 INTRODUCTION**

SBS values all audience feedback and comments on its programs and services. Whether complimentary or critical, all comments are immediate sources of feedback and an important way to keep in touch with audience and community opinion.

7.2 INFORMATION AND COMMENTS

For information about SBS programs or content, you can go to our website www.sbs.com.au.

For further information or to give us your comments:

TELEPHONE:

For all our services

1800 500 727 (Toll free)

(02) 9430 2828 (Sydney)

For SBS Radio Melbourne services

(03) 9949 2121 (Melbourne)

1300 303 328 (Local call charge)

OR WRITE TO:

Head of Television,
Head of Radio or Chief Technology
Officer (Online and New Media)
SBS Locked Bag 028
Crows Nest, NSW, 1585

OR FAX:

(02) 9430 3047

OR SEND AN EMAIL:

comments@sbs.com.au.

If a program has its own website with a comments page, you can send an email to that program.

Comments received in this way will be compiled into a report and circulated to management and relevant staff but you will not receive a written reply from SBS.

7.3 COMPLAINTS

Audiences may wish to complain about particular SBS programs and content.

A complaint that alleges that SBS has acted contrary to these Codes of Practice in its programming or content will be treated as a formal complaint provided the complainant follows the steps in Code 7.4. SBS must investigate and respond to formal complaints.

SBS is not required to investigate other complaints. These will be treated as informal complaints. Code 7.13 explains how SBS handles informal complaints.

7.4 HOW TO MAKE A FORMAL COMPLAINT

To make a formal complaint about SBS programs or content, you need to identify yourself (name and address) in a letter or facsimile addressed to:

Audience Affairs Manager
Special Broadcasting Service
Locked Bag 028
Crows Nest, NSW, 1585
Fax: (02) 9430 3047

Alternatively, you can complete the official complaints form at www.sbs.com.au/complaints

You must identify the program concerned and the date of broadcast and explain what aspect of the program you are complaining about. If you are complaining about online or new media content, you will need to identify where you viewed it. If possible, identify the Code of Practice which you believe applies to the program or content.

7.5 TIMING

Complaints about a particular Television or Radio broadcast must be received by SBS within six weeks of the broadcast. Any investigation of complaints after this period is at the discretion of SBS.

7.6 COMPLAINTS WHICH WILL NOT BE INVESTIGATED

SBS will not investigate or respond to complaints from persons not resident in Australia, unless the person is identified in the program complained of. It is at the discretion of SBS to investigate anonymous complaints. SBS will not investigate complaints that are frivolous, vexatious or not made in good faith.

7.7 COMPLAINTS IN LANGUAGES OTHER THAN ENGLISH

SBS believes that people should be able to communicate with SBS in their preferred language. If SBS receives a formal complaint in a language other than English, SBS will generally have the complaint translated into English. In some cases, all or part of a program may also be translated. Where this is the case, SBS will advise the complainant of any expected delay. In such cases, SBS appreciates the cooperation of complainants in allowing a reasonable period for the complaint to be addressed.

7.8 HOW SBS DEALS WITH COMPLAINTS

The Audience Affairs Manager reports directly to the Managing Director and is independent of all SBS programming departments. The Audience Affairs Manager is responsible for undertaking a proper and fair investigation, determining whether the complaint is upheld or not, replying to the complainant and managing enquiries and issues about the complaints handling process.

...Continued ►

Complaints received by SBS will be assessed as formal or informal. Once a complaint has been assessed as formal, the Audience Affairs Manager will send a letter to the complainant:

- acknowledging receipt of the complaint;
- informing the complainant that the Audience Affairs Manager will investigate the matter;
- providing an estimated timeframe for the complaint to be responded to; and
- advising the complainant of the circumstances in which SBS's response can be reviewed by the Australian Broadcasting Authority.

7.9 COMPLAINTS COMMITTEE

If necessary, the Audience Affairs Manager or the Division can refer a complaint to SBS's Complaints Committee for further consideration. The Complaints Committee will then review the complaint and any recommendations of the Audience Affairs Manager and make an independent determination of whether to uphold or dismiss the complaint.

7.10 REPLIES TO FORMAL COMPLAINTS

The Audience Affairs Manager will endeavour to provide a written response to the complaint within 30 days of receipt of the complaint, but in any event must do so within 60 days. The complainant will be advised of:

- whether the complaint is upheld or not;
- the reasons for SBS's decision; and
- the right of the complainant to refer the matter to the Australian Broadcasting Authority if not satisfied with SBS's response.

7.11 SBS RESPONSE TO FORMAL COMPLAINTS THAT ARE UPHELD

If a formal complaint is upheld, SBS, at its discretion, may take action including:

- acknowledging that a breach has occurred;
- apologising for the impact of the breach;
- placing a correction, retraction or apology on the SBS website;
- broadcasting the correct information; or
- broadcasting an apology for the impact of any breach.

7.12 WHAT TO DO IF YOU ARE DISSATISFIED WITH SBS'S RESPONSE

If you have made a formal complaint and:

- you have not received a response within 60 days after making it; or
- you received a response within that period which you consider to be inadequate, you may complain to the Australian Broadcasting Authority (ABA)*, under section 150 of the Broadcasting Services Act 1992.

* See box on page 32

The ABA can only investigate complaints about SBS Television programs (including datacasting) and Radio programs.

If the ABA investigates a complaint and finds that it is justified, it may recommend SBS take action to comply with the relevant Code of Practice or other action relating to the complaint. If SBS does not take the recommended action of the ABA within 30 days, the ABA may give the Minister a written report on the matter which will be tabled in Parliament.

7.13 INFORMAL COMPLAINTS

Where a written complaint (other than by email) is assessed as informal, the complaint will be referred to the relevant program or content area, which will determine the appropriate action.

While SBS is not required to investigate and respond to informal complaints, SBS will make reasonable efforts to address the major concerns in informal complaints received by

letter or facsimile, except where the complaint is frivolous, vexatious or not made in good faith.

Due to resource considerations, SBS does not usually provide a detailed or written response to telephone calls or emails. However, comments received by email or phone are noted and brought to the attention of management and relevant staff.

EXTERNAL REVIEW OF COMPLAINTS

Requests for external review of complaints under Code 7.12 should be addressed to the:

Australian Broadcasting Authority
(ABA)*
PO Box Q500
Queen Victoria Building
Sydney NSW 1230
(www.aba.gov.au)

* It is expected that the ABA will be succeeded during 2005 by the Australian Communications and Media Authority (ACMA). The above contact details will still apply.

APPENDIX

A**Guidelines for the
Classification of
Films and Computer
Games 2003**

Australian Government

Office of Film and Literature Classification

1

INTRODUCTION TO THE GUIDELINES



34

Background

The *Guidelines for the Classification of Films and Computer Games* (the **Guidelines**) are a tool for classifying films and computer games. They help explain the different classification categories, and the scope and limits of material suitable for each category. They are revised from time to time, with extensive community input.

The legal context

The national classification scheme is based on:

- the Commonwealth *Classification (Publications, Films and Computer Games)* Act 1995 (the **Act**), and
- a cooperative agreement between Commonwealth, State and Territory governments.

Under the scheme, the Commonwealth makes the classification decisions, and the States and Territories enforce them.

The Act contains a National Classification Code (the **Code**). It also allows Guidelines to be made. By agreement, the Commonwealth,

State and Territory Ministers can vary the Code and the Guidelines.

The Act requires films and computer games to be classified, using the Code and the Guidelines, before they are released or advertised.

Classification decisions are made by the Classification Board. Its decisions can be reviewed by the Classification Review Board. Administrative support for both Boards is provided by the Commonwealth Office of Film and Literature Classification.

Classification categories

The Act names the classification categories for films and computer games, and the Code describes them. The categories are:

- | | |
|------------|--------------|
| • G | • PG/G(8+) |
| • M/M(15+) | • MA/MA(15+) |
| • R | • X |
| • RC | |

Note: R and X apply to films only.



Australian Government
Office of Film and Literature Classification

2

CLASSIFICATION CRITERIA

The Act

Under the Act, each of the following matters must be taken into account in classifying films and computer games:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults;
- (b) the literary, artistic or educational merit (if any) of the publication, film or computer game;
- (c) the general character of the publication, film or computer game, including whether it is of a medical, legal or scientific character;
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

The Code

Under the Code, classification decisions are to give effect, as far as possible, to the following principles:

- (a) adults should be able to read, hear and see what they want;
- (b) minors should be protected from material likely to harm or disturb them;

- (c) everyone should be protected from exposure to unsolicited material that they find offensive;
- (d) the need to take account of community concerns about:
 - (i) depictions that condone or incite violence, particularly sexual violence; and
 - (ii) the portrayal of persons in a demeaning manner.

Consumer advice

Except for G classifications, the Act requires the Classification Board to provide consumer advice about the content of films and computer games it classifies. (For G classifications, the Act gives the Board the option whether to provide consumer information.) This information helps consumers make informed choices.

3

THE GUIDELINES



Using the Guidelines:

Essential principles

Three essential principles underlie the use of the Guidelines:

- the importance of context
- assessing impact
- the six classifiable elements

Except for the X category, each classification category takes a similar form. It begins with an "impact test" that determines the threshold for the category. It then lists the six classifiable elements, with a statement limiting the content of each element.

Importance of context

Context is crucial in determining whether a classifiable element is justified by the story-line or themes. In particular, the way in which important social issues are dealt with may require a mature or adult perspective. This means that material that falls into a particular classification category in one context may fall outside it in another.

Assessing impact

The Guidelines use the following hierarchy of impact:

- | | |
|-------------|------------|
| • very mild | G |
| • mild | PG/G(8+) |
| • moderate | M/M(15+) |
| • strong | MA/MA(15+) |
| • high | R |
| • very high | RC |

Assessing the impact of material requires considering not only the treatment of individual classifiable elements but also their cumulative effect. It also requires considering the purpose and tone of a sequence.

Impact may be higher where a scene:

- contains greater detail, including the use of close-ups and slow motion
- uses accentuation techniques, such as lighting, perspective and resolution
- uses special effects, such as lighting and sound, resolution, colour, size of image, characterisation and tone
- is prolonged
- is repeated frequently
- is realistic, rather than stylised
- encourages interactivity.



Australian Government
Office of Film and Literature Classification

Interactivity includes the use of incentives and rewards, technical features and competitive intensity.

As a general rule:

- except in material restricted to adults, nudity and sexual activity must not be related to incentives or rewards
- material that contains drug use and sexual violence related to incentives or rewards is Refused Classification.

Impact may be lessened where reference to a classifiable element is verbal rather than visual. For example, a verbal reference to sexual violence is generally of less impact than a visual depiction. Also, some visual impacts have less impact than others: for example, an incidental depiction may have less impact than a direct one.

The classifiable elements

The six classifiable elements in a film or computer game are:

- themes
- violence
- sex
- language
- drug use
- nudity

The classification takes account of the context and impact of each of these elements, including their frequency and intensity, and their cumulative effect. It also takes account of the purpose and tone of a sequence, and how material is treated.

4

CATEGORIES



FOR GENERAL EXHIBITION



PARENTAL GUIDANCE RECOMMENDED
FOR PERSONS UNDER 15 YEARS



RECOMMENDED FOR MATURE
AUDIENCES 15 YEARS AND OVER



PERSONS UNDER THE AGE OF 15
MUST BE ACCOMPANIED BY A PARENT
OR ADULT GUARDIAN



RESTRICTED TO ADULTS
18 YEARS AND OVER



RESTRICTED TO ADULTS
18 YEARS AND OVER
CHILDREN MAY BE DISTURBED BY
EXPOSURE TO THIS FILM. IT IS A
CRIME TO ALLOW THIS FILM TO BE
SEEN BY A PERSON UNDER 18 YEARS

G

GENERAL



Impact test

The impact of the classifiable elements for material classified G should be very mild only.

Note: The G classification is for a general audience. However, it does not necessarily indicate that children will enjoy the film or computer game. Some G films and games contain themes, story-lines or game play that do not interest children.

Classifiable elements

THEMES

The treatment of themes should have a very low sense of threat or menace, and be justified by context.

VIOLENCE

Violence should have only a low sense of threat or menace, and be justified by context.

Sexual violence is not permitted.

SEX

Sexual activity should be very mild and very discreetly implied, and be justified by context.

LANGUAGE

Coarse language should be very mild and infrequent, and be justified by context.

DRUG USE

Drug use should be implied only very discreetly, and be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

PG

PARENTAL GUIDANCE G(8+) GENERAL

PG

Impact test

The impact of the classifiable elements for material classified PG/G(8+) should be no higher than mild.

.....
Note: Material classified PG/G(8+) may contain material which some children find confusing or upsetting, and may require the guidance of parents or guardians. It is not recommended for viewing by persons under 15 without guidance from parents or guardians.
.....

Classifiable elements

THEMES

The treatment of themes should generally have a low sense of threat or menace and be justified by context.

VIOLENCE

Violence should be mild and infrequent, and be justified by context.

Sexual violence is not permitted.

SEX

Sexual activity should be mild and discreetly implied, and be justified by context.

LANGUAGE

Coarse language should be mild and infrequent, and be justified by context.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



Australian Government
Office of Film and Literature Classification



M

MATURE M(15+) MATURE

M 15+

Impact test

The impact of the classifiable elements for material classified M/M(15+) should be no higher than moderate.

Note: Material classified M/M(15+) is not recommended for persons under 15 years of age. There are no legal restrictions on access.

Classifiable elements

THEMES

The treatment of themes may have a moderate sense of threat or menace, if justified by context.

VIOLENCE

Moderate violence is permitted, if justified by context.

Sexual violence should be very limited and justified by context.

SEX

Sexual activity should be discreetly implied, if justified by context.

LANGUAGE

Coarse language may be used.

Aggressive or strong coarse language should be infrequent and justified by context.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

MA

MATURE ACCOMPANIED MA(15+) MATURE RESTRICTED



Impact test

The impact of material classified MA/MA(15+) should be no higher than strong.

.....
Note: Material classified MA/MA(15+) is considered unsuitable for persons under 15 years of age. It is a legally restricted category.
.....

Classifiable elements

THEMES

The treatment of strong themes should be justified by context.

VIOLENCE

Violence should be justified by context.

Sexual violence may be implied, if justified by context.

SEX

Sexual activity may be implied.

LANGUAGE

Strong coarse language may be used.

Aggressive or very strong coarse language should be infrequent.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

R

RESTRICTED 18+



Impact test

The impact of material classified R should not exceed high.

.....
Note: This classification category applies only to films. Material classified R is legally restricted to adults. Some material classified R may be offensive to sections of the adult community.
.....

Classifiable elements

THEMES

There are virtually no restrictions on the treatment of themes.

VIOLENCE

Violence is permitted.

Sexual violence may be implied, if justified by context.

SEX

Sexual activity may be realistically simulated. The general rule is "simulation, yes – the real thing, no".

LANGUAGE

There are virtually no restrictions on language.

DRUG USE

Drug use is permitted.

NUDITY

Nudity is permitted.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

X

RESTRICTED 18+



18+

CONTAINS CONSENSUAL SEXUALLY EXPLICIT ACTIVITY

(Restricted to adults 18 years and over*)

*Available only for sale or hire in the ACT and Northern Territory.

.....
Note: This classification category applies only to films. This classification is a special and legally restricted category which contains only sexually explicit material. That is material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults.
.....

No depiction of violence, sexual violence, sexualised violence or coercion is allowed in the category. It does not allow sexually assaultive language. Nor does it allow consensual depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers.

Fetishes such as body piercing, application of substances such as candle wax, 'golden showers', bondage, spanking or fisting are not permitted.



Australian Government
Office of Film and Literature Classification

As the category is restricted to activity between consenting adults, it does not permit any depictions of non-adult persons, including those aged 16 or 17, nor of adult persons who look like they are under 18 years. Nor does it permit persons 18 years of age or over to be portrayed as minors.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



RC

REFUSED CLASSIFICATION

Note: Films that exceed the R and X classification categories will be Refused Classification. Computer games that exceed the MA(15+) classification category will be Refused Classification.

Films and computer games will be refused classification if they include or contain any of the following:

Crime of Violence

Detailed instruction or promotion in matters of crime or violence.

The promotion or provision of instruction in paedophile activity.

Depictions of child sexual abuse or any other exploitative or offensive depictions involving a person who is or who looks like a child under 16 years.

Gratuitous, exploitative or offensive depictions of:

- (i) violence with a very high degree of impact or which are excessively frequent, prolonged or detailed;

- (ii) cruelty or real violence which are very detailed or which have a high impact;
- (iii) sexual violence.

Sex

Depictions of practices such as bestiality.

Gratuitous, exploitative or offensive depictions of:

- (i) sexual activity accompanied by fetishes or practices which are offensive or abhorrent;
- (ii) incest fantasies or other fantasies which are offensive or abhorrent.

Drug Use

Detailed instruction in the use of proscribed drugs.

Material promoting or encouraging proscribed drug use.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

5

LIST OF TERMS



.....
Note: Words which are used in the Guidelines but which are not contained in this List of Terms take their usual dictionary meaning. Refer to the latest edition of The Macquarie Dictionary.
.....

Coercion:

The use of threat or power to force agreement to sexual activity.

Demean:

A depiction or description, directly or indirectly sexual in nature, which debases or appears to debase the person or the character depicted.

Elements:

Themes, violence, sex, coarse language, drug use and nudity.

Exploitative:

Appearing to purposefully debase or abuse for the enjoyment of others, and lacking moral, artistic or other values.

Fetish:

An object, an action or a non-sexual part of the body which gives sexual gratification.

Intensity:

Strength of the treatment or subject matter; strength of engagement or involvement.

Offensive:

Material which causes outrage or extreme disgust.

Sexual Activity:

Matters pertaining to sexual acts, but not limited to sexual intercourse.

Sexual Violence:

Sexual assault or aggression, in which the victim does not consent.

Sexualised Violence:

Where sex and violence are connected in the story, although sexual violence may not necessarily occur.



Australian Government
Office of Film and Literature Classification

Themes:

Social issues such as crime, suicide, drug and alcohol dependency, death, serious illness, family breakdown and racism.

Treatment:

The way in which material is handled or presented.

Violence:

Acts of violence; the threat or effects of violence.

**OFFICE OF FILM & LITERATURE
CLASSIFICATION**

Level 5 and 6
23 - 33 Mary Street
Surry Hills NSW 2001

Locked Bag 3
Haymarket NSW 1240

T. 02 9289 7100
F. 02 9289 7101
www.oflc.gov.au

THE SBS SERVICE CHARTER

SBS CODES OF PRACTICE
THE SBS SERVICE CHARTER

48

PRINCIPLES OF SERVICE

SBS is committed to serving all Australians and will:

- Follow its programming policies as set down in the SBS Codes of Practice;
- Make all reasonable efforts to explain SBS's programming policies and practices;
- Ensure that feedback from audiences is communicated to people who make programming decisions;
- Thoroughly investigate programming complaints and, in responding, seek to address all major issues raised;
- Acknowledge when mistakes are made and take all reasonable measures of redress;
- Seek to be accessible to everyone;
- Provide the highest possible technical quality in the delivery of SBS services.