



COMMERCIAL RADIO
AUSTRALIA

Codes of Practice & Guidelines

SEPTEMBER 2013

Commercial Radio Australia Limited ACN 059 731 467

TABLE OF CONTENTS

TABLE OF CONTENTS	2
THE CODES OF PRACTICE	3
DEFINITIONS.....	4
CODE OF PRACTICE 1:.....	8
PROGRAMS UNSUITABLE FOR BROADCAST	8
CODE OF PRACTICE 2:.....	10
NEWS AND CURRENT AFFAIRS PROGRAMS	10
CODE OF PRACTICE 3:.....	12
ADVERTISING	12
CODE OF PRACTICE 4:.....	13
AUSTRALIAN MUSIC	13
CODE OF PRACTICE 5:.....	19
COMPLAINTS	19
CODE OF PRACTICE 6:.....	22
INTERVIEWS AND TALKBACK PROGRAMS.....	22
CODE OF PRACTICE 7:.....	23
COMPLIANCE WITH THE CODES	23
CODE OF PRACTICE 8:.....	24
BROADCAST OF EMERGENCY INFORMATION.....	24
CODE OF PRACTICE 9:.....	25
LIVE HOSTED ENTERTAINMENT PROGRAMS	25
CODE OF PRACTICE 10:.....	26
PROMOTION OF GAMBLING AND BETTING ODDS IN LIVE SPORTS COVERAGE	26
GUIDELINES AND EXPLANATORY NOTES	30
GUIDELINES ON BROADCASTS OF	31
EMERGENCY INFORMATION	31
GUIDELINES ON THE PORTRAYAL OF INDIGENOUS AUSTRALIANS ON COMMERCIAL RADIO.....	32
EXPLANATORY NOTES TO THE GUIDELINES ON THE PORTRAYAL OF INDIGENOUS AUSTRALIANS ON AUSTRALIAN COMMERCIAL RADIO.....	33
GUIDELINES AND EXPLANATORY NOTES ON THE PORTRAYAL OF WOMEN ON COMMERCIAL RADIO.....	36
GUIDELINES AND EXPLANATORY NOTES ON THE PORTRAYAL OF SUICIDE AND MENTAL ILLNESS ON COMMERCIAL RADIO.....	38

THE CODES OF PRACTICE

Purpose

These Codes have been developed in accordance with the requirements of section 123 of the *Broadcasting Services Act 1992* and have been registered by the Australian Communications and Media Authority (ACMA) after endorsement by commercial radio broadcasters and consultation with the listening public. The Codes aim to ensure that commercial radio broadcasters have regard to prevailing community standards in broadcast material, while protecting their right to responsible freedom of speech.

Review of the Codes

It is intended that the Codes will be formally reviewed after they have been in effect for three (3) years. If, within that time, it is shown that the Codes require substantive change, the public will be given adequate opportunity to comment on the changes that may be proposed.

DEFINITIONS

ACMA means the Australian Communications and Media Authority.

advertisement means material broadcast:

- (a) a purpose of which is to draw public attention to, or to promote, directly or indirectly, an organisation, a product, a service, belief or course of action; and
- (b) for which consideration has been provided by, or on behalf of, an organisation or supplier of the product or service, to a licensee, a presenter, or an associate of a presenter.

After Play means a period of 30 minutes immediately following the conclusion of Play.

AMPCOM means the Australian Music Performance Committee.

associate of a presenter means:

- (a) a person who has the authority to enter into agreements for the provision of the presenter's services; or
- (b) a corporation or trust in which the presenter has a greater than 50% company or beneficial interest, or a corporation of which the presenter is a director.

Australian means a person who is a citizen of, or is ordinarily resident in, Australia.

Australian performance period means the total period of 126 hours occurring in each week between the hours of 6.00 am and 12.00 midnight daily.

Before Play means a period of 30 minutes immediately preceding the commencement of Play.

Betting Odds means comparative, generally monetary, odds offered in respect of a game or event for a bet on the chance of any occurrence or outcome within that particular game or event, or the overall outcome of the game or event. For the avoidance of doubt, Betting Odds includes comparative odds offered in respect of horse, harness or greyhound racing.

Commercial relating to Betting or Gambling means a distinct audio promotional reference for a gambling or betting organisation or service that provides generic information about the organisation's brand, business or services. A commercial relating to betting or gambling does not include:

- a commercial relating to such things as Government sanctioned lotteries, lotto, keno or contests; or
- a commercial relating to entertainment or dining facilities at places where betting or gambling takes place, or a tourism commercial which incidentally refers to betting or gambling, provided in each case that the contents do not draw attention to betting or gambling in a manner calculated to directly promote their use; or

- an accidental or incidental accompaniment to the broadcasting of other matter and the Licensee receives no direct or indirect benefit (whether financial or not) for broadcasting the commercial (in addition to any direct or indirect benefit that the licensee receives for broadcasting the other matter).

Commentator means a person who is a host, guest, or is otherwise participating in a Live Sporting Event and includes a person calling, or providing analysis on, the sporting event or game. It does not include bona fide talk-back callers or other contributors, such as clearly identified representatives of gambling organisations.

consideration means any money, service or other valuable consideration that is directly or indirectly paid, promised, charged or accepted for material that is broadcast, or is to be broadcast, but does not include a product or service provided free to a person solely for the purpose of having the product or service reviewed.

CRA means Commercial Radio Australia Limited.

current affairs program means a program a substantial purpose of which is to provide interviews, analysis, commentary or discussion, including open-line discussion with listeners, about current social, economic or political issues.

digital-only means services broadcast using DAB+ technology and not also simulcast in analogue.

licensee means a holder of a commercial radio broadcasting licence.

Live Sporting Event means:

- live-to-air sporting broadcasts the primary purpose of which is that Commentators call the Play and comment live during and on Play;
- such sporting broadcasts delayed for time zone reasons and broadcast as plausible “live”, without reformatting;
- such sporting broadcasts delayed in the licence area in which the event is being held pursuant to a requirement of the relevant sporting organisation (known in the industry as “delay against the gate”);
- replay material where such a sporting broadcast, which was scheduled as live-to-air, has been temporarily suspended (e.g. during rain breaks in cricket coverage), provided that normal or stand-by programs have not been resumed.

For the purposes of Code 10, a *Live Sporting Event* does not include broadcasts of sports programs that contain primarily analysis, award presentations or information.

Long Form Live Sporting Events include:

- sporting events of extended duration, such as golf, cricket (excluding 20/20 cricket) and motor sports events;

- tournaments for single sports that involve concurrent games or matches, such as tennis championships; and
- multi-sport events, such as the Olympic and Commonwealth Games.

music or musical item does not include music in advertisements, program promotions, station promotions or theme or bridging music.

new Australian performance means a sound recording of a previously unpublished performance of a musical item performed by an Australian which has been on sale to the Australian public for a period not exceeding twelve (12) months from the date which is recorded in *The ARIA Report* as the date of its initial release in Australia.

news program means a program or bulletin, the predominant purpose of which is to present factual new information on current events and which is typically prepared by journalists.

new release means a previously unpublished sound recording that has been on sale to the Australian public for a period not exceeding twelve (12) months from the date which is recorded in "*The Aria Report*" as the date of its initial release in Australia.

Play means the period of actual run of play or active progress of the sporting event or game which is the subject of the Live Sporting Event. It commences at the time the players enter the field of play directly before the start of the sporting event or game, and concludes at the time the players leave the field of play after the end of the sporting event or game. It includes *ad hoc* unscheduled breaks such as:

- stoppages for injuries; and
- stoppages for adjudication by third or TV umpires/referees; and
- time outs and substitutions in games such as basketball.

For the avoidance of doubt, **Play** does not include:

- periods of on-field training before a sporting event or game where a player or participant returns to the dressing rooms or sheds before formally entering the field of play;
- any period prior to the first coin toss for a Session of tennis and any period commencing 5 minutes after the broadcast coverage of the run of play or active progress for each Session of tennis.

Presenter means a person who is an on-air presenter of a program broadcast by a licensee.

Program/s means all matter broadcast and is specifically referred to in and applicable to Code of Practice 1.

Promotion of Betting Odds means any audio message, made in the course of a Live Sporting Event that provides Betting Odds. A Promotion of Betting Odds does

not include references that are accidental or incidental to the Live Sporting Event, such as a bona fide caller to the program inadvertently mentioning Betting Odds provided the Licensee receives no direct or indirect benefit (whether financial or not) for broadcasting the promotion (in addition to any direct or indirect benefit that the licensee receives for broadcasting the Live Sporting Event).

Scheduled Breaks in Play means pre-determined stoppages in a sporting event or game, as determined by the rules and regulations of the sport that is the subject of a Live Sporting Event. A Scheduled Break in Play will differ depending on the sporting event or game that is the subject of the broadcast, for example:

Sport	Scheduled Break
Cricket	Tea breaks, lunch and change of innings
Rugby League	Half time Between full time and commencement of golden point
Rugby Union	Half time
Soccer	Half time Between full time and extra time
AFL	Quarter time, half time and three quarter time
Tennis	End of each set
Formula One and Moto GP	Between each practice round, qualifying round and races
Basketball	Quarter time, half time and three quarter time Between full time and overtime
Netball	Quarter time, half time and three quarter time
Olympic and Commonwealth Games	Between each day, twilight and night session. A distinct break (including when during a session, the broadcast switches from one event still in Play to another event in Play at the same time), such break to occur not more than once every two hours.

This is not an exhaustive list and other sporting events or games may also contain Scheduled Breaks in Play.

Session means:

- in relation to tennis, the day, twilight or evening session of matches as scheduled by the organisers of the relevant tournament or competition; and
- in relation to test cricket, the three distinct sessions of a match that are divided by lunch and the tea break; and
- in relation to one-day cricket, each innings.

Unscheduled Breaks in Play mean breaks when Play is suspended or delayed due to weather or other uncontrollable events and participants are yet to enter the area of Play or have left the area of Play as a result of the suspension or delay of Play.

CODE OF PRACTICE 1: PROGRAMS UNSUITABLE FOR BROADCAST

Purpose

The purpose of this Code is to prevent the broadcast of programs which are unsuitable having regard to prevailing community standards and attitudes.

Proscribed Matter

- 1.1 A licensee must not broadcast a program which in all of the circumstances:
- (a) is likely to incite, encourage or present for its own sake violence or brutality;
 - (b) simulates news or events in such a way as to mislead or alarm listeners;
 - (c) presents as desirable:
 - (i) the misuse of alcoholic liquor; or
 - (ii) the use of illegal drugs, narcotics or tobacco.
 - (d) depicts suicide favourably or presents suicide as a means of achieving a desired result; or
 - (e) is likely to incite hatred against, or serious contempt for, or severe ridicule of, any person or group of persons because of age, ethnicity, nationality, race, gender, sexual preferences, religion, transgender status or disability.
- 1.2 Nothing in sub-clause 1.1 prevents a licensee from broadcasting a program of the kind or kinds referred to in those sub-clauses if the program:
- (a) is presented reasonably and in good faith for academic, artistic (including comedy or satire), religious instruction, scientific or research purposes or for any other purposes in the public interest, including discussion or debate about any act or matter.

Interpretation

Codes 1.1 (e) and 1.2 shall be interpreted according to the principles in case law that apply to the interpretation of corresponding legislation.

Program Content and Language, including Sex and Sexual Behaviour

- 1.3 (a) Program content must not offend generally accepted standards of decency (for example, through the use of unjustified language), having regard to the demographic characteristics of the audience of the relevant program.
- (b) For the purposes of determining:
- (i) the audience of the relevant program; and
 - (ii) the demographic characteristics of that audience,
- regard must be had, in particular, to the results of any official ratings surveys of the licensee's service in the prior 12 months, (or, in the case of any licensee service operating in regional areas, the most recent official ratings surveys for the licensee's service).
- 1.4 Licensees must not broadcast audio of actual sexual acts.
- 1.5 Licensees must not broadcast a feature program which has an explicit sexual theme as its core component unless it is broadcast between 9.30 pm and 5.00 am and an appropriate warning is made prior to commencement of the program and at hourly intervals during broadcast of the program.
- 1.6 Nothing in clause 1.5 prevents a licensee from broadcasting a program at any time, of the kind referred to in that clause, if the program is in the public interest, including discussion or debate about current events.

CODE OF PRACTICE 2: NEWS AND CURRENT AFFAIRS PROGRAMS

Purpose

The purpose of this Code is to promote accuracy and fairness in news and current affairs programs.

2.1 News programs (including news flashes) broadcast by a licensee must:

- (a) present news accurately;
- (b) not present news in such a way as to create public panic, or unnecessary distress to reasonable listeners;
- (c) distinguish news from comment; and
- (d) not use material relating to a person's personal or private affairs, or which invades an individual's privacy, unless there is a public interest in broadcasting such information.

2.2 In the preparation and presentation of current affairs programs, a licensee must use reasonable efforts to ensure that:

- (a) factual material is reasonably supportable as being accurate; and
- (b) substantial errors of fact are corrected at the earliest possible opportunity.

A failure to comply with the requirement in Code 2.2(a) to broadcast factual material that is reasonably supportable as being accurate will not be taken to be a breach of the Code if a correction, which is adequate and appropriate in all the circumstances, is made within 30 business days of the licensee receiving a complaint or a complaint being referred to the ACMA (whichever is later).

2.3 In the preparation and presentation of current affairs programs a licensee must ensure that:

- (a) the reporting of factual material is clearly distinguishable from commentary and analysis;

- (b) reasonable efforts are made or reasonable opportunities are given to present significant viewpoints when dealing with controversial issues of public importance, either within the same program or similar programs, while the issue has immediate relevance to the community;
- (c) viewpoints expressed to the licensee for broadcast are not misrepresented and material is not presented in a misleading manner by giving wrong or improper emphasis or by editing out of context; and
- (d) the licensee does not use material relating to a person's personal or private affairs, or which invades an individual's privacy, unless there is a public interest in broadcasting such information.

CODE OF PRACTICE 3: ADVERTISING

Purpose

The purposes of this Code are to ensure that advertisements are distinguishable from other content.

- 3.1 Advertisements broadcast by the licensee must be presented in such a manner that the reasonable listener is able to distinguish them, at the time of the broadcast, from other program material.
- 3.2 For the avoidance of doubt, this Code is not intended to catch an unplanned, incidental reference to a product, service or organisation where no consideration for such reference is received.

CODE OF PRACTICE 4: AUSTRALIAN MUSIC

Purpose

- 4.1 The purpose of this Code is to implement the object, set forth in the *Broadcasting Services Act 1992*, of promoting the role of broadcasting services in developing and reflecting a sense of Australian identity, character and cultural diversity, by prescribing minimum content levels of Australian music.

The commercial radio industry is committed to supporting the music of Australian artists and composers. The quotas adopted by the industry depend upon the availability of Australian music to suit station formats. The commercial radio industry will continue to encourage the increased production by the record industry of Australian music relevant to stations formats and the preferences of the Australian listening public.

Broadcast of Australian Music

- 4.2 Subject to this Code, a licensee must ensure that during the Australian Performance Period, either:
- (a) the applicable proportion of the total time occupied by the broadcasting of music by the radio service consists of music performed by Australians; or
 - (b) in the case of a licensee which broadcasts musical items of a reasonably similar duration, the applicable proportion of the total number of musical items broadcast by the radio service consists of musical items performed by Australians.

Broadcast of Australian Music... continued

- 4.3 (a) For the purposes of clause 4.2, the applicable proportion of total time or total number of musical items (as the case may be) in respect of a radio service must be determined based upon the predominant format of the service in accordance with the following scale:

Category	Format of Service	Applicable Proportion
A	<ul style="list-style-type: none"> ➤ Mainstream Rock ➤ Album Oriented Rock ➤ Contemporary Hits ➤ Top 40 ➤ Alternative 	Not less than 25%
B	<ul style="list-style-type: none"> ➤ Hot/Mainstream Adult Contemporary ➤ Country ➤ Classic Rock 	Not less than 20%
C	<ul style="list-style-type: none"> ➤ Soft Adult Contemporary ➤ Hits & Memories ➤ Gold - encompassing Classic Hits ➤ Hip Hop 	Not less than 15%
D	<ul style="list-style-type: none"> ➤ Oldies ➤ Easy Listening ➤ Easy Gold ➤ Country Gold 	Not less than 10%
E	<ul style="list-style-type: none"> ➤ Nostalgia ➤ Jazz ➤ NAC (smooth jazz) 	Not less than 5%
F	<ul style="list-style-type: none"> ➤ All other formats of service (including, without limitation, programs which are predominately comprised of open-line, news, talk and sport content) 	N/A

Note: All formats subject to review as set out in Attachment "A".

Broadcast of Australian Music... continued

- (b) In the case of a radio service whose format is within categories A, B or C of clause 4.3(a), the broadcast of New Australian Performances as a proportion of total Australian Performances prescribed by this clause shall be in accordance with the following table, when calculated across all Australian Performance Periods occurring in any financial year, subject to clause 4.3(d).

Category	New Australian Performances As a Proportion of Total Australian Performances
A	Not less than 25%
B	Not less than 20%
C	Not less than 15%

- (c) The commitment on the part of licensees to play a minimum level of New Australian Performances in accordance with sub-clause 4.3(b) is subject to the release of such Performances by the Australian record industry in numbers that are substantially the same as those released in the financial year ending 30 June, 1998. If, in any financial year during the time that this Code is in force, there is a substantial decrease in the release of New Australian Performances, Commercial Radio Australia may revise the proportions of New Australian Performances as a proportion of total Australian Performances, contained at clause 4.3(b), after discussion with AMPCOM, provided that any change that may eventuate will not affect the licensees obligations under clause 4.2 and 4.3(a).
- (e) Clause 4.3(b) does not apply to a licensee that does not include New Releases in its weekly play lists, having regard to its format.

4.4 For the purposes of clause 4.3, the category into which a radio service falls must be nominated by the licensee and if any dispute arises as to the appropriateness of any such nomination the category will be determined by AMPCOM, on the basis of the predominant format of the service.

- 4.5 For the purposes of clause 4.2, where more than one performer is involved in a musical performance, the musical items concerned shall be regarded as being performed by an Australian if the performance is predominantly by one or more Australians.

Changes to Formats

- 4.6 A licensee must notify AMPCOM by written notice (through Commercial Radio Australia) of any material change to the format of a radio service operated by it, having regard to the tables in Clause 4.3, no later than 7 days after the change is made and must provide AMPCOM with all documentation reasonably required by it in relation to the change to the format.

Role and Objectives of AMPCOM

- 4.7 The role and objectives of AMPCOM are set out in Attachment "A".

Digital Only Services

- 4.8 This Code of Practice 4 does not apply to digital-only services.
- 4.9 This exemption will be reviewed in conjunction with the next material review of the Commercial Radio Codes of Practice.

Australian Music Performance Committee (AMPCOM)

The Australian Music Performance Committee (AMPCOM) is a voluntary association comprising representatives of Commercial Radio Australia Limited, the Australian Record Industry Association (ARIA), the Australian Music Publishers Association, the Musicians' Union and the Media Entertainment and Arts Alliance.

The objects of AMPCOM are:

- (a) To maximise the exposure of Australian music on commercial radio, having due regard to the availability of appropriate broadcast-worthy material and the needs and preferences of the Australian listening public.
- (b) To monitor the commercial radio industry's observance of Code of Practice 4 of the Commercial Radio Codes of Practice (Australian Music) registered by the Australian Communications and Media Authority ("the Code").
- (c) To monitor the music industry's production of Australian music performances and composition.
- (d) To monitor the effects of the Code on performers, composers, producers of sound recordings, musicians and broadcasters.
- (e) To review the operation of the Code and to recommend changes to CRA as considered necessary.
- (f) To consider such other matters, relevant to the above objects, as the Committee thinks fit.

Australian Music Performance Committee (AMPCOM)... continued

In pursuance of the above objects:

- (a) The Committee must meet at least quarterly.
- (b) Commercial Radio Australia must use best endeavours to ensure that stations treat the Code requirements as a "safety net", in anticipation that the majority of licensees will exceed the requirements, subject to the availability of suitable material.
- (c) Commercial Radio Australia undertakes to provide regular half-yearly reports to AMPCOM on the performance by Commercial Radio Australia members in relation to the Code, and to produce and publish an annual report, which will show individual licensees' performances.
- (d) ARIA undertakes to provide regular reports on the production and availability of sound recordings featuring Australian and non-Australian music in the categories identified in the Code.
- (e) The parties agree that, having regard to the current nature of the Australian music industry and the extent to which Australian artists perform Australian compositions, the interests of Australian composers are protected by the Code.
- (f) AMPCOM will be responsible for deciding into which category each station's format falls if a dispute about that matter arises.

CODE OF PRACTICE 5: COMPLAINTS

Purpose

The purpose of this Code is to prescribe:

- (a) the method of handling complaints made by members of the public to licensees regarding compliance with these Codes; and
- (b) the manner of reporting by the commercial radio industry to ACMA on complaints so made.

Complaints

5.1 For the purposes of this Part, a complaint is an assertion:

- (a) made in writing by letter or fax by a person who signs the letter or fax and provides his or her name and address or, where the licensee has technological capacity, by an online electronic complaint form in which identifying information of the complainant is required;
- (b) to a licensee or a person at the radio station concerned who is acting with the apparent authority of the licensee;

that the licensee has broadcast matter which, in the opinion of the complainant, breaches these Codes. Complaints need not specify the particular section of the Code to which the complaint relates, but must adequately identify the material broadcast and the nature of the complaint.

5.2 The licensee must make appropriate arrangements to ensure that complaints are received and recorded by a responsible person during normal office hours.

Telephone Comments

5.3 Licensees welcome telephoned comments from listeners, which they regard as valuable feedback on reactions to their service.

- 5.4 Listeners who telephone a station alleging a breach of the Codes, and who wish to make a complaint, will be asked to make the complaint in writing, in accordance with the provisions of clause 5.1.

Advice in Writing

- 5.5 Written complaints must be conscientiously considered by the licensee and the licensee must use its best endeavours to respond substantively in writing within 30 business days of the receipt of the complaint. If the licensee needs to investigate the complaint or obtain professional advice and a substantive response is not possible within 30 business days, the licensee must, in any event, acknowledge receipt of the complaint within 30 business days and provide a final reply within 45 business days of receiving the complaint.
- 5.6 The response must inform the complainant that he or she has the right to refer the complaint to the ACMA if the complainant is not satisfied with the response of the licensee.

Stale Complaints

- 5.7 If a complaint is made more than 30 days after the broadcast of the material on which the complaint is based, the licensee is not obliged to comply with this Code of Practice 5.

Unwarranted Complaints or Anonymous Material

- 5.8 The licensee must make every effort to resolve complaints made in accordance with this Code, except where the complaint is, in the reasonable opinion of the licensee, frivolous, vexatious or an abuse of the complaint process under the Code.
- 5.9 The licensee is under no obligation to respond to or record complaints provided anonymously to the licensee or not made in accordance with this Code.

Record of Complaints

- 5.10 A record of complaints must be kept by the licensee in written form and must include:
- (a) the date and time the complaint is received;
 - (b) the name and address of the complainant;

- (c) the substance of the complaint;
- (d) the substance and date of the licensee's response(s)

and each such record must be retained by the licensee for a period of one (1) year from the date of receipt of the complaint.

- 5.11
- (a) The licensee must cause an extract of the records of complaint prepared in accordance with Clause 5.12 to be supplied to Commercial Radio Australia in a form agreed between the ACMA and Commercial Radio Australia upon 14 days' notice by Commercial Radio Australia to the licensee, for inclusion in industry complaints data provided by Commercial Radio Australia to the ACMA.
 - (b) Where a licensee is not a member of Commercial Radio Australia, the licensee must provide the extract of the record of complaints directly to the ACMA and in the same form agreed to by ACMA and Commercial Radio Australia.

CODE OF PRACTICE 6: INTERVIEWS AND TALKBACK PROGRAMS

Purpose

The purpose of this Code is to prevent the unauthorised broadcast of statements by identifiable persons.

- 6.1 A licensee must not broadcast the words of an identifiable person unless:
- (a) that person has been informed in advance or a reasonable person would be aware that the words may be broadcast; or
 - (b) in the case of words which have been recorded without the knowledge of the person, that person has subsequently, but prior to the broadcast, expressed consent to the broadcast of the words.

CODE OF PRACTICE 7: COMPLIANCE WITH THE CODES

Purpose

The purpose of this Code is to promote compliance with the requirements of these Codes of Practice.

- 7.1 Licensees must comply with the Codes, but a failure to comply will not be a breach of the Codes if that failure is due to:
- (a) material being broadcast which the licensee believed on reasonable grounds did not breach the Codes; or
 - (b) a reasonable mistake; or
 - (c) reasonable reliance on information supplied by another person; or
 - (d) an act or default of another person, or to an accident or some other cause beyond the licensee's control
- and the licensee took reasonable precautions and exercised due diligence to avoid the failure.
- 7.2 Each licensee must on at least one occasion in each week during the period that the Codes are in force broadcast on each commercial radio service operated by it an announcement publicising the existence of the Codes and a general description of the nature and effect of their operation. Such announcements must be broadcast at different times and in different programs from week to week.

CODE OF PRACTICE 8: BROADCAST OF EMERGENCY INFORMATION

Purpose

The purpose of this Code is to ensure licensees have procedures in place to enable the timely and accurate broadcast of emergency information.

Broadcast of emergency information

- 8.1 A licensee will, in consultation with appropriate emergency and essential service organizations, implement a set of internal procedures to enable the timely and accurate broadcast of warnings and information supplied by such organizations relating to an existing or threatened emergency.
- 8.2 A designated position in relation to each station is to be identified as the contact officer during business and non-business hours for all matters relative to this Code.
- 8.3 It is recognised that compliance by the licensee with clause 8.1 of this code is dependent upon the cooperation of the emergency or essential service organisations. A licensee will not be regarded as in breach of this code if any emergency or essential service organisation declines or fails to respond to the licensee's request to consult or provide relevant information.
- 8.4 In developing internal procedures pursuant to clause 8.1, a licensee will not be responsible for inaccurate information provided by any emergency or essential service organisation or for the failure of an emergency or essential service organisation to comply with the procedures.
- 8.5 A licensee will review and, where necessary, update procedures annually.

CODE OF PRACTICE 9: LIVE HOSTED ENTERTAINMENT PROGRAMS

Purpose

The radio industry recognises that many people in the community consider children to have a special vulnerability in the context of live hosted entertainment programs and this Code is intended to address those concerns.

- 9.1 Subject to Codes 9.2 to 9.3 below, a licensee must not broadcast a program which, in all of the circumstances:
- (a) treats participants in live hosted entertainment programs in a highly demeaning or highly exploitative manner; or
 - (b) treats children participating in live hosted entertainment programs in a demeaning or exploitative manner.

Demeaning: A depiction or description, sexual in nature, which is a serious debasement of the participant.

Child/children: a person/people under 16 years old.

Exploitative: Clearly appearing to purposefully debase or abuse the participant for the enjoyment of others, and lacking moral, artistic or other values.

Live hosted entertainment program: a program (excluding any news program and any current affairs program) that is produced and broadcast live to air and is a hybrid program, a substantial part of which includes the following components:

- (a) a live host; and
 - (b) one or more of the following:
 - competitions;
 - stunts;
 - pranks.
- 9.2 Straightforward telephone only competitions, such as “call to win”, shall be excluded from the scope of “competitions” for the purposes of Code 9.
- 9.3 The obligation on a licensee under Code 9.1 will not be taken to have been breached in relation to adults if:
- (a) the participant consents prior to the broadcast of the relevant content in the program; and
 - (b) the licensee informed the participant of the character of the relevant segment to be broadcast.

CODE OF PRACTICE 10: PROMOTION OF GAMBLING AND BETTING ODDS IN LIVE SPORTS COVERAGE

Purpose

The purpose of this Code is to address concerns about the promotion of gambling and betting odds in sports coverage.

Promotion of Betting Odds

- 10.1 The Promotion of Betting Odds during a Live Sporting Event is prohibited during:
- (a) Play;
 - (b) Scheduled Breaks in Play; and
 - (c) Unscheduled Breaks in Play.
- 10.2 The Promotion of Betting Odds by Commentators during a Live Sporting Event is prohibited:
- (a) Before Play; and
 - (b) After Play.
- 10.3 The Promotion of Betting Odds by persons other than Commentators during a Live Sporting Event is permitted only:
- (a) Before Play; and
 - (b) After Play.

Commercials relating to Betting or Gambling

- 10.4 Subject to clause 10.6, the broadcast of Commercials relating to Betting or Gambling during a Live Sporting Event is permitted only:
- (a) Before Play;
 - (b) during Scheduled Breaks;
 - (c) during Unscheduled Breaks; and
 - (d) After Play.

10.5 For the avoidance of doubt, clause 10.4 applies to each sporting event or game in tournament for a single sport (such as the Rugby World Cup) or a Long Form Sporting Event (such as the Australian Open Tennis) as if each sporting event or game was broadcast on an individual match basis.

Long Form Live Sporting Event

10.6 **Long Form Live Sporting Event** Clause 10.1 does not prevent the Promotion of Betting Odds (in the form of spot commercials or paid, clearly identified sponsorship segments delivered by persons other than Commentators) during a Long Form Live Sporting Event:

- (a) before Play has commenced; and
- (b) during Play, as part of a distinct break and otherwise in accordance with the rules set out below for each Long Form Live Sporting Event:

Tennis	Not more than once per Session. To be placed between matches where the broadcast moves from one match to another.
Golf	Not more than once on each day of competition.
Formula 1, Moto GP and V8 Supercars	Not more than once on each day of competition. To be placed no later than the end of the warm-up lap for V8 Supercars Championship Series Race, or the relevant feature race.
Cricket	Not more than once on each day of competition. To be placed between each Session.
Olympic and Commonwealth Games	Not more than once every 3 hours on each day of competition

provided that the Promotion of Betting Odds is not for a race, event, match or game that has already commenced; and

- (c) After Play.

- 10.7 For a Long Form Sporting Event (other than tennis) which lasts for more than 1 day, Play commences 5 minutes before the broadcast coverage of the run of play or active progress of competition for that day, and concludes 5 minutes after the broadcast coverage of the run of play or active progress of competition for that day. Play does not include periods of analysis, re-play footage or discussion that occurs before and after the coverage of the run of play or active progress of the event for each day.

Representatives of gambling organisations

- 10.8 During a Live Sporting Event, a representative of a gambling organisation must be clearly identified at all times and must not:
- (a) be, or be represented as being, part, or a guest, of a commentary team or a Commentator at any time; or
 - (b) appear in a Promotion of Betting Odds or a Commercial relating to Betting or Gambling at or around the venue, or be represented as being at or around the venue, at the time and the place that game or match which is the subject of the Live Sporting Event is taking place.
- 10.9 The Promotion of Betting Odds and Commercials relating to Betting or Gambling must be accompanied by a short responsible gambling message.
- 10.10 The Promotion of Betting Odds and Commercials relating to Betting or Gambling must not be directed at children, portray children as participating in betting or gambling or portray betting or gambling as a family activity.
- 10.11 The Promotion of Betting Odds and Commercials relating to Betting or Gambling must be socially responsible and not mislead the audience.
- 10.12 The Promotion of Betting Odds and Commercials relating to Betting or Gambling must not make exaggerated claims, associate betting or gambling with alcohol, or associate betting or gambling with success or achievement.

Exceptions

- 10.13 This Code does not apply where:
- (a) the Live Sporting Event is a live feed from outside Australia;
 - (b) the licensee has not added Promotions of Betting Odds or Commercials relating to Betting or Gambling;
 - (c) it is not reasonably practicable to remove material that includes the Promotion of Betting Odds or Commercials relating to Betting or Gambling inserted by the international supplier; and

- (d) the licensee does not receive any direct or indirect benefit for the Promotion of Odds or the Commercial relating to Betting or Gambling in addition to any direct or indirect benefit received from broadcasting the event.

10.14 This Code does not apply where the listener's exposure to the Promotion of Betting Odds or Commercials relating to Betting or Gambling is the result of an active choice to switch to an alternative service related to the broadcasting of the event (for example, by accessing a url or subscription service).

10.15 This Code does not apply to any broadcast that focuses on live horse, harness or dog racing.

GUIDELINES AND EXPLANATORY NOTES

Broadcasts of Emergency Information

Portrayal of Indigenous Australians on Commercial Radio

Portrayal of Women on Commercial Radio

Portrayal of Suicide and Mental Illness on Commercial Radio

GUIDELINES ON BROADCASTS OF EMERGENCY INFORMATION

These guidelines are to assist in defining an emergency and identifying appropriate emergency service organisations – these guidelines do not form part of the Codes.

Broadcasters are encouraged to refer to these guidelines in relation to the Code of Practice 8:

Guidelines

An emergency is generally regarded as a situation in which there is an imminent or actual threat within the community, where life and/or property are at risk and which requires a significant and coordinated response by emergency or essential service organisations.

A range of emergency and essential service organisations will be relevant for each licence area.

As a general guide, emergency or essential service organisations include Police, Fire, Rural Fire Service, Ambulance, State Emergency Service (SES), water, port or health authorities and the Bureau of Meteorology.

The licensee and appropriate emergency or essential service organisations in the licence area should jointly identify, develop and maintain effective lines of communication.

A licence area may have an Emergency Management Committee/Counter Disaster Council or equivalent organisation formed under State/Territory legislation, which is responsible for issuing guidelines to identify key emergency organisations and procedures for broadcasting emergency information. If so, it may be useful to become familiar with such guidelines and procedures.

GUIDELINES ON THE PORTRAYAL OF INDIGENOUS AUSTRALIANS ON COMMERCIAL RADIO

These guidelines are to assist in defining acceptable practice in the portrayal of Indigenous Australians on commercial radio – these guidelines do not form part of the Codes.

Broadcasters are encouraged to refer to these guidelines in relation to the Code of Practice 1.1(e):

Guidelines

1. A broadcaster should avoid prejudicial or belittling references to, or undue emphasis on, a person because of their being Aboriginal or Torres Strait Islander peoples.
2. It is not up to a broadcaster to question a person's aboriginality. Acceptance of a person's claims of aboriginality can only come from within the Aboriginal community.
3. Media reports about Aboriginal and Torres Strait Islander peoples should respect the protocols of those people.
4. Care should be exercised in depicting problems encountered by Aboriginal and Torres Strait Islander communities to achieve a balanced approach that does not unduly emphasise negative aspects to the exclusion of positive developments (eg descriptions of problems could usefully include efforts being made by the people themselves to resolve them).
5. As part of this balance, where material is broadcast that:
 - reports on a negative aspect of a person, a group of Aboriginal or Torres Strait Islander people, and
 - draws attention to the person or group being Aboriginal or Torres Strait Islanders:
 - the broadcaster of the material should use reasonable endeavours to give the person or group an opportunity to reply to the material, and should cause the reply to be broadcast.
6. The positive portrayal of Indigenous Australians in programs and news media should ideally assist those communities to:
 - maintain and pass on to their descendents their cultures and traditions;and
 - facilitate an understanding of Indigenous Australians' cultures among all Australians.

EXPLANATORY NOTES TO THE GUIDELINES ON THE PORTRAYAL OF INDIGENOUS AUSTRALIANS ON AUSTRALIAN COMMERCIAL RADIO

The Guidelines can be assisted by the initiation of programs which sensitise non-Indigenous journalists and program-makers to the values of Indigenous people.

Representatives of the National Indigenous Media Association of Australia (NIMAA) may be contacted for advice on an appropriate spokesperson on a news story focussing on the Aboriginal or Torres Strait Islander communities, or simply checking on the sensitivity of broadcasting details of an issue concerning those people.

Of particular offence to Aboriginal people are what they claim to be the myths, allegations and incidents which reinforce negative stereotypes and generalisations which range from the totally untrue, through the partially untrue, to true statements taken out of context.

Terminology

It is preferable to refer to Indigenous Australians or Aboriginal People rather than an Aborigine. It is also acceptable to refer to Indigenous Australians by their regional identification:-

Koori	(NSW, Vic, Tas)
Murri	(Qld)
Nungar	(SA)
Nyungar	(WA – southern)
Yamatyi	(WA – northern)
Wongi	(WA – eastern)
Yolngu	Arnhem Land

Note: The above regions are not necessarily defined by state borders. Refer to the local Aboriginal Media Unit to determine the correct terminology for your region. If there is any doubt, check with a second source, otherwise you could cause offence.

Other common terminology

Aboriginal	See Aborigine. The word “Aboriginal” is an adjective used to describe something associated with Aborigines.
Aboriginality	The qualities inherent in being an Aborigine relating to Aboriginal heritage and culture.
Aborigine	An Indigenous person of Australia. Descendant of the first inhabitants of Australia with a living history spanning more than 40,000 years. The word “Aborigine” is a noun which also refers to any Indigenous person, but is not a popular term (see earlier reference).
Racism	Less favourable treatment of a person or group on the basis of race and discriminatory behaviour towards, serious contempt for, or severe ridicule of, any person or group on the basis of race.
Sacred Site	A tract of land that has strong religious meaning to all or some Aboriginal people.
Site of Significance	A tract of land that has strong meaning to all or some Aboriginal people but may not have strong religious meaning.
Torres Strait Islander	A person of Torres Strait island descent living in or coming from the group of islands between the Northern Australian and New Guinea coasts.
Visitors Permit	A permit to enter designated Aboriginal areas. Obtained from Aboriginal Community Councils or Land Councils.

Unacceptable terminology

The following terms are offensive to Aboriginal people and should be avoided. The alternatives are listed.

Abo, Abbo	Aboriginal person, Indigenous Australian, Koori (NSW, Murri (QLD), etc
------------------	--

Boong/Black	See Abo
Gin	Aboriginal woman, Aboriginal person, Koori, etc
Half-Caste	A concept used by non-Aborigines to divide Aborigines. The definition of Aborigine relates to self-identification and acceptance by the Aboriginal community. Degrees of descent are irrelevant and act against the solidarity of Aboriginal people.
Quarter-Caste	
Part Aboriginal	
Full-Blood	
Lubra	See Gin
Native	See Aborigine

GUIDELINES AND EXPLANATORY NOTES ON THE PORTRAYAL OF WOMEN ON COMMERCIAL RADIO

These guidelines are to assist in defining acceptable practice in the portrayal of women on commercial radio – these guidelines do not form part of the Codes.

Women represent over 50% of the Australian population and as such there should be fair and accurate portrayal in the media that recognises the significant and ongoing changes in women's attitudes and their evolving role in society.

In recognition of this, members of Commercial Radio Australia are encouraged to use the following Guidelines to assist in understanding and meeting the objects of Code 1.1(e).

Guidelines

In the portrayal of women on commercial radio, broadcasters should avoid promoting or endorsing inaccurate, demeaning or discriminatory descriptions of women.

1. Do not place undue emphasis on gender and resisting stereotyping.
 - Sexist language is language that unnecessarily excludes one sex or gives unequal treatment to women and men.
 - Negative or inequitable sex-role portrayal refers to language, attitudes or representations which tend to associate particular roles, modes of behaviour, characteristics, attributes or products to people on the basis of gender, without taking them into consideration as individuals.
 - Examples of non-sexist language are:
 - Leader, chair not chairman
 - Police officer not policeman
 - Fire fighter instead of fireman
 - Sales representative not salesman
 - Business executive not businessman
2. Ensure that reporting and "on-air" discussions respect the dignity of women and are non-exploitive.

- Avoid expressions that infer that a person is inferior because she is a woman, or that men have exclusivity, i.e. “that’s a man’s job” or “a woman wouldn’t understand that”, “it’s a man’s world” (the tone of voice can cause more offence than the actual remark).
 - Avoid the use of overt sexual references in relation to a woman’s physical characteristics which have no relevance to the issue under discussion.
3. Recognise the changing roles of women and men in society.
 4. Endeavour to achieve a balance in the use of women and men as experts and authorities and giving equal prominence to the achievements of women.
 5. Do not broadcast material which condones or incites violence against women.
 6. Report and discuss appropriate incidences of violence against women in a way that does not over-emphasise detail, but does include analysis of issues underlying such acts.
 - Media reports of violence against women generally focus on the issue of stranger violence and ignore domestic violence because it does not fit the newsworthiness criteria of being unusual. This does not mean that all stories of domestic violence should be reported, but that incidents of domestic violence, and the reasons for it, should not be ignored on the basis that “it’s only a domestic”.
 - Media reports can tend to emphasise violence that occurs in public places and even if they do report violence in the home, it is more likely to be stranger break-in, rather than violence by an acquaintance. Reporting should therefore be balanced to reflect all violence in society and be factual without being sensational.
 - Care should be taken when reporting instances of violence by men against women which might be seen to offer explanations to diminish men’s responsibility for their actions and even shift blame to the victim.
 - The dignity of a victim can easily be forgotten. Care should be exercised to avoid gratuitous and repetitive detail, such as the state of undress of a victim or description of the crime.

GUIDELINES AND EXPLANATORY NOTES ON THE PORTRAYAL OF SUICIDE AND MENTAL ILLNESS ON COMMERCIAL RADIO

These guidelines are to assist in defining acceptable practice in the portrayal of people suffering from mental illness and in the broadcast of incidents of suicide on commercial radio – these guidelines do not form part of the Codes

Approximately 2,500 Australians die by suicide each year and about one in five people will experience a mental illness at some stage in their lives.

Codes of Practice 1.1(d) and 1.1(e) are designed to provide appropriate community safeguards by prohibiting licensees from broadcasting programs on suicide that are irresponsible or programs that are derogatory towards, or stigmatise people with, mental illness.

The following guidelines on the portrayal of suicide and mental illness on commercial radio do not form part of the Codes. However, members of Commercial Radio Australia are encouraged to use these guidelines to assist them in understanding and meeting the obligations of Codes 1.1(d) and (e).

Guidelines

Portrayal of Suicide

In programs about or relating to suicide, stations should avoid depicting suicide favourably or presenting it as a means of achieving a desired result.

- 1. Check that the language used does not glamorise or sensationalise suicide, or present suicide as a solution to problems.**

For example, it would be better to use “non-fatal” rather than “unsuccessful” when describing a suicide attempt and “increasing rates” rather than “suicide epidemic” when describing rates of suicide. Research shows that over-use of the word suicide may normalise the act.

2. Avoid an approach which glamorises or sensationalises celebrity suicide.

Celebrity suicides usually attract a lot of public attention. Higher rates of suicide have sometimes been recorded after celebrity suicides which received prominent coverage. If a celebrity suicide is reported, care should be taken to ensure that any description of the method used is disclosed only if there is a public interest in providing that information.

3. Exclude detailed descriptions about method of suicide.

Stations should broadcast reports of suicide or attempted suicide only where there is a public interest reason to do so and should exclude any detailed descriptions of the method of suicide or attempted suicide. Such reports should be straightforward and should not include graphic details. Research shows that there may be some correlation between the reporting of methods of suicide and ‘copycat suicides’.

Portrayal of Mental Illness

Studies have shown that the negative portrayal of mental illness impacts significantly on people experiencing mental illness and may influence community attitudes, which in turn may lead to stigmatisation and discrimination against people with mental illness.

In the portrayal of mental illness on commercial radio, licensees should avoid broadcasting a program that stigmatises or vilifies people in the community who are living with a mental illness,

1. Avoid the use of certain derogatory terminology.

Terms such as “cracked up”, “nutcase”, “psycho” and “lunatic asylum” stigmatise and may perpetuate discrimination against people suffering with mental illness. Language that implies mental illness is a life sentence should be avoided – e.g. a person is not “a schizophrenic”, rather, they are experiencing or being treated for schizophrenia. In addition, care should be taken to ensure medical terms are not used out of context – e.g. “psychotic dog”, “schizophrenic economy”.

2. Remember that people with a mental illness are not inherently violent, unable to work, weak or unable to get well.

There are some negative misconceptions about mental illness in the community and radio programs should avoid reinforcing these misconceptions.

Research indicates that people receiving treatment for a mental illness are no more violent or dangerous than the general population and when unwell are more likely to harm themselves than others. In addition, most people with a mental illness recover well with appropriate treatment and support – they work, they have families and contribute to society in many ways.

Recommended resources and further information

Reporting Suicide and Mental Illness: A Resource for Media Professionals. (Commonwealth Government) 2002, 2004.

The resource is available on-line at www.mindframe-media.info or by contacting Auseinet, c/o CAMHS, Flinders Medical Centre, Bedford Park, South Australian, 5042. Telephone: (08) 8201 7670.

Listeners seeking help can be referred to Lifeline 13 11 14 (suicide) or and SANE Australia 1800 68 83 82 (mental illness) or to a GP or health care professional.