

Producing a TVC containing Political Matter including Election Material

The following points need to be considered when producing a television commercial promoting Political Matter (including election material):

- The Broadcasting Services Act 1992 defines “political matter” very broadly as “any political matter”. A commercial dealing with an issue that falls within this broad definition of political matter must comply with the provisions of the BSA. Even when commercials are broadcast outside an election period or are not on behalf of a political party, they may still be deemed political matter. Broadly, to be deemed political matter, the matter must, when viewed objectively, be able to be characterised as participation in the political process or as an attempt to influence or comment upon that process.
- It is usually advertising by Government, lobby groups and other interest groups that will require consideration under the political matter provisions of the BSA. However, it should be kept in mind that these provisions apply to any ad that contains political matter. Although this would be rare, an ad that is principally about advertising products/services but which contains a political statement would also need to be considered under the political matter provisions.
- Under certain circumstances advocacy advertising by lobby and other interest groups may fall within the political matter provisions of Schedule 2, Sections 1, 3 and 4 of the BSA. This applies to both election and non-election periods.
- In such circumstances, an “authorisation tag” must appear immediately after the commercial. It must be separate from the content of the commercial but included in the overall length.
- CAD will also review commercials prior to broadcast for the purposes of classification and protecting broadcasters from liability for publishing defamatory material. CAD reserves the right to require substantiation relevant to defamation assessment.
- Commercials containing political matter must comply with the relevant provisions of the BSA. During an election, the person authorising the commercial is expected to ensure that the commercial complies with all relevant laws including the applicable Electoral Act.
- The content required in an authorisation tag will depend on whether the TVC has been authorised by a ‘disclosure entity’, an entity that isn’t a disclosure entity, or an individual. A ‘disclosure entity’ is defined in section 321B of the *Commonwealth Electoral Act 1918* and generally refers to persons or entities that have a clear and obvious interest in the outcome of elections, such as political parties, associated entities, candidates and Senate groups, and persons that are (or will be) required to provide a return to the Australian Electoral Committee related to political expenditure or gifts over certain thresholds.
- Authorisation tags must be announced and shown in the language used for the rest of the communication.

Please refer over for examples of authorisation tags.

Authorisation tag examples:

Format for authorisation tag where a commercial is authorised by a disclosure entity that is not a natural person:

Video	Audio
Cut to GRAPHIC with no other visual on screen	V/O to commence once the GRAPHIC appears with no music or SFX under
<i>Authorised by (name of the natural person responsible for giving effect to the authorisation) for the (name of disclosure entity (as included in the most recent return given in relation to the entity under Part XX of the Commonwealth Electoral Act 1918, if a return has been given in relation to the entity under that Part)), (relevant town or city of the entity)</i>	<i>Authorised by (name of the natural person responsible for giving effect to the authorisation) for the (name of disclosure entity (as included in the most recent return given in relation to the entity under Part XX of the Commonwealth Electoral Act 1918, if a return has been given in relation to the entity under that Part)), (relevant town or city of the entity)</i>

Format for authorisation tag where a commercial is authorised by a natural person:

Video	Audio
Cut to GRAPHIC with no other visual on screen	V/O to commence once the GRAPHIC appears with no music or SFX under
<i>Authorised by (name of the person who authorised the broadcasting of the political matter), (town or city in which the person lives)</i>	<i>Authorised by (name of the person who authorised the broadcasting of the political matter), (town or city in which the person lives)</i>

Format for authorisation tag where a commercial is authorised by an entity that is not a disclosure entity or a natural person:

Video	Audio
Cut to GRAPHIC with no other visual on screen	V/O to commence once the GRAPHIC appears with no music or SFX under
<i>Authorised by (name of entity), (relevant town or city of the entity)</i>	<i>Authorised by (name of entity), (relevant town or city of the entity)</i>

Please note: The longest single line in the authorisation should not extend beyond the standard TV essential width. An authorisation graphic must be held on screen long enough and be large enough for the average viewer to read its contents. After the voice-over, the essential 0.5 seconds of silence at the end is in addition to this period.

See: [Audio Requirements for Commercials](#) - A-Z Television Production Checklist

Refer: [CAD Procedures for Review of Election Advertisements](#)