

INFORMATION SHEET

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.

Please refer over for examples of authorisation tags.

Authorisation tag examples:

Format for authorisation tag where a commercial is authorised by a political party:

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) for the (name of political party), (town, city or suburb of where the principal office of the party is located)</i>	<i>Authorised by (name) for the (name of political party), (town, city or suburb of where the principal office of the party is located).</i>
<i>Spoken by/Speakers (names of all people who speak in the body of the commercial)</i>	

OR if the person who speaks is also the person who authorises it, the tag can read as:

<i>Spoken and authorised by (name), for the (name of the political party), (town, city or suburb)</i>	<i>Authorised by (name) for the (name of the political party), (town city or suburb)</i>
---	--

Format for authorisation tag where a commercial is not authorised by a political party eg Government, lobby group etc:

Video	Audio
Cut to GRAPHIC with no other visual on screen	V/O to commence once GRAPHIC appears with no music or SFX under
<i>Authorised by (name), (town, city or suburb in which the person lives or, if the person is a corporation or association, in which the principal office of the person is situated).</i>	<i>Authorised by (name), (town, city or suburb in which the person lives or, if the person is a corporation or association, in which the principal office of the person is situated).</i>
<i>Spoken by/Speakers: (names of all people who speak in the body of the commercial)</i>	

OR if the person who speaks is also the person who authorises it, the tag can read as follows:

<i>Spoken and authorised by (name), (town, city or suburb)</i>	<i>Authorised by (name), (town city or suburb)</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: [CAD Handbook - A-Z Television Production Checklist](#) - Audio Requirements for Commercials

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

For further information please contact CAD on 02 8968 7200 or email us at cad@freetv.com.au