

CODE OF PRACTICE OVERVIEW

The Commercial Television Industry Code of Practice (the Code) sets out a range of rules on what can be shown on Australian commercial free-to-air television. This Fact Sheet provides an overview of the Code.

What is the Code?

The Code is developed by Free TV Australia in consultation with the public and is registered with the Australian Communications and Media Authority (the ACMA).

The Code operates alongside the *Broadcasting Services Act 1992* (BSA), other ACMA Standards and regulatory requirements.

In addition to the Code, Free TV maintains Advisory Notes to help broadcasters understand and respond to a range of matters such as the portrayal of Aboriginal and Torres Strait Islander peoples, the portrayal of people with a disability, and emergency information broadcasts. These Advisory notes can be found by [clicking here](#).

The ACMA has the power to investigate viewer complaints and determine compliance with Code provisions.

Key areas of the Code include:

- **Classification**, classification zones and proscribed material;
- **News and current affairs**;
- **Disclosure** of commercial arrangements;
- **Time limits** on non-program matter;
- **Scheduling/placement of commercials** and other non-program matter; and
- **Complaints** handling.

Registration of the Code

The updated Code was registered by the ACMA on 10 November 2015 following widespread public consultation.

A copy of the updated Commercial Television Industry Code of Practice (effective 1 December 2015) can be found [here](#).

The updated Code:

- is **simpler**; and
- focuses on **key safeguards** like accuracy, privacy, vilification/discrimination, upsetting material and classification.

Classification zones have been updated, allowing broadcasters to offer a greater variety of content at times when viewers want to watch.



Classification and proscribed material

In order to comply with the Code, most material on television **must be classified and scheduled in accordance with specified classification zones**.

G and PG classified material is permitted at any time, while stronger material is subject to time-based restrictions. Broadcasters cannot broadcast content that exceeds MA15+.

For more information on classification zones, [click here](#).

Additional restrictions apply at certain times in order to limit children's exposure to content intended for adult audiences. More information on these rules can be found in Section 2 of the [Code](#).

Classification requirements don't apply to news, current affairs and sports programs; however material must still be selected with care, taking into account the likely audience and the relevant public interest.

Classification information is generally required at the beginning of a program. Consumer advice must also be provided for certain programs.

Material likely to provoke or perpetuate intense dislike, contempt or ridicule based on age, colour, gender, national or ethnic origin, disability, race, religion or sexual preference is generally not permitted.

News and current affairs

Broadcasters must present **factual matters accurately and must not misrepresent viewpoints**.

News must be fair and impartial. However current affairs programs are not required to be impartial and may take a particular stance on issues.

Other key requirements are:

- May not broadcast material which invades an individual's **privacy** without consent, unless justified by public interest.
- Must not broadcast **material that is likely to distress or offend** a substantial number of viewers unless justified by public interest.
- **Must observe special sensitivity and care requirements** in relation to suicide, images or interviews with witnesses or traumatic incidents and images of dead or seriously wounded people.
- Must make reasonable efforts to **correct or clarify significant errors** of fact, which may be done during a later episode of the program or an appropriate website.

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Disclosure of commercial arrangements

A factual program that endorses or features products or services as part of a commercial arrangement must disclose that fact. Disclosure can be made in-program, in credits, on the program's website, or in some other way that adequately alerts viewers to the arrangement.

In any program principally directed to children, a product or service featured or endorsed as part of a commercial arrangement must be presented as a discrete segment with sponsorship clearly disclosed.

Advertising time limits

The Code aims for reasonable balance between program and non-program matter, respecting viewers' interests in uncluttered program presentation and advertisers and broadcasters' commercial interests. The Code therefore limits the amount of commercial and promotional matter that can be scheduled in any hour, with lower overall limits applying between 6:00pm and midnight.

The new Code has no changes to advertising time limits.

Advertising restrictions

The Code has appropriate restrictions on advertising of products and services of particular community concern or sensitivity, including:

- Alcohol;
- Betting and gambling;
- Condoms and adult services (e.g. telephone sex lines and similar services);
- X18+/R18+ rated films or video games.

For more information on advertising restrictions under the new Code please see Free TV's [Advertising Restrictions Fact Sheet](#).

Complaints handling

Broadcasters will investigate and respond in writing to valid complaints made about matters covered by the Commercial Television Industry Code of Practice that are received within 30 days of the relevant broadcast.

For more information about how to make a complaint please refer to Free TV's [Viewer Feedback and Complaints Fact Sheet](#).

If a complainant does not receive a response within 60 days or is dissatisfied with the response received they may refer the matter to the Australian Communications and Media Authority.

Comparisons to other media

Under the new Code of Practice commercial free-to-air television remains the most strongly regulated platform for accessing content, as the following table illustrates.

	Free TV	Pay TV (eg Foxtel)	SVOD (eg Netflix)	Radio	Apple TV/ iTunes	Other Online (eg YouTube)
Restrictions on alcohol advertising	✓	✗	✗	✗	✗	✗
Time zones – classification-based viewing times	✓	✗	✗	✗	✗	✗
Advertising time limits	✓	✗	✗	✗	✗	✗
Restrictions on gambling advertising	✓	some	✗	some	✗	✗
No content higher than MA15+	✓	✗	✗	✗	✗	✗
Restrictions on advertising of adult products and services	✓	✗	✗	✗	✗	✗

Need more information?

Additional information and a copy of the Commercial Television Industry Code of Practice can be found on the Free TV website at www.freetv.com.au.

Or you can write or call us at:
44 Avenue Rd, Mosman NSW 2088
Telephone: 02 8968 7100