



# **CODES OF PRACTICE 2006**

**(INCORPORATING AMENDMENTS AS AT AUGUST 2010)**

## FOREWORD

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In accordance with its Act, SBS is committed to the highest standards of broadcasting excellence and integrity. The *SBS Codes of Practice* help achieve this by setting the benchmark for SBS programming. They set out the principles and policies followed by SBS in fulfilling its Charter obligations to provide multicultural and multilingual programming to all Australians. At the same time, they detail SBS's guiding principles and obligations concerning matters such as program classification, advertising and sponsorship, community information, political broadcasts and election coverage, and complaints handling.

The *SBS Codes of Practice* have been developed and modified over time to better meet changes in the broadcast industry and to respond, in the most effective and timely manner, to changing audience needs and demands.

SBS is aware of its responsibilities to its Television, Radio and Online audiences and it will continue to pursue programming goals that don't just meet their demands but exceed their expectations.

**Carla Zampatti**  
CHAIRMAN

# CONTENTS

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<b>INTRODUCTION</b>	4
<b>1 GENERAL PROGRAMMING</b>	5
1.1 Introduction	5
1.2 Diversity of views and perspectives	5
1.3 Prejudice, racism and discrimination	5
1.4 Language and diversity	7
1.5 Self-identification when referring to groups and individuals	8
1.6 Religions	9
1.7 Suicide	9
1.8 Interviews, talkback and audience responses	9
1.9 Privacy	9
1.10 Closed captioning for people who are hearing impaired or deaf	9
<b>2 NEWS AND CURRENT AFFAIRS</b>	10
2.1 Introduction	10
2.2 Accuracy, impartiality and balance	10
2.3 Non-SBS sources for news and current affairs programming	11
2.4 Violence and distressing events in news and current affairs	11
<b>3 OVERSEAS NEWS AND CURRENT AFFAIRS</b>	12
<b>4 TELEVISION CLASSIFICATION CODE</b>	13
4.1 Introduction	13
4.2 Violence	13
4.3 Sex and nudity	14
4.4 Variations of language and terminology	14
4.5 Classification categories	14
4.6 Consumer advice	15
4.7 Time zones	15
<b>5 ADVERTISING AND SPONSORSHIP</b>	16
<b>6 COMMUNITY INFORMATION</b>	17
6.1 General	17
6.2 SBS Radio	17
<b>7 POLITICAL BROADCASTS AND ELECTION COVERAGE</b>	19
<b>8 COMMENTS AND COMPLAINTS ABOUT SBS PROGRAMMING</b>	20
8.1 Introduction	20
8.2 Information and comments	20
8.3 Complaints	20
8.4 How to make a formal complaint	21
8.5 Timing	21
8.6 Complaints which will not be investigated	21
8.7 Complaints in languages other than English	21
8.8 How SBS deals with complaints	21
8.9 Complaints Committee	22
8.10 Replies to formal complaints	22
8.11 SBS's response to formal complaints that are upheld	22
8.12 What to do if you are dissatisfied with SBS's response	22
8.13 Informal complaints	23
<b>APPENDIX A: Guidelines for the Classification of Films and Computer Games 2005</b>	24

# INTRODUCTION

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SBS is an independent national broadcaster operating under its own Act of Parliament (*Special Broadcasting Service Act 1991* – SBS Act). The SBS Act guarantees SBS's editorial independence. Under the Act, SBS has sole responsibility for determining its content.

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 are distinctive in Australian broadcasting.

SBS Television, Radio and Online 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, Radio and Online. Unless stated otherwise, references in these Codes to programs or program material broadcast cover content broadcast on SBS's television and radio services and online content produced by SBS and published on SBS's website (on the domain [www.sbs.com.au](http://www.sbs.com.au)).

## **SBS TELEVISION**

SBS Television emphasises cross-cultural awareness by exposing audiences to a wide range of cultures, languages, and perspectives and by reflecting 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 culturally and linguistically diverse backgrounds can watch programming which is in their preferred 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.

## **SBS ONLINE**

SBS Online provides comprehensive text, video and audio services on the SBS website, [www.sbs.com.au](http://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. SBS Online creates original content and takes SBS programming into new environments.

# 1 GENERAL PROGRAMMING

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## 1.1 INTRODUCTION

This section applies to all programs broadcast on SBS's television and radio services and online content produced by SBS and published on SBS's website (on the domain [www.sbs.com.au](http://www.sbs.com.au)).

An important consideration in the application of the following *Codes of Practice* is context. What is unacceptable in one context may be appropriate and acceptable in another.

In particular, these Codes do not prevent the presentation of genuinely-held opinion or material that is factual or presented in the context of a humorous, satirical or dramatic work.

Satire is a long-established mode of expression and has a proper place on SBS. SBS may broadcast program material that adopts a humorous or satirical approach to people and institutions.

SBS's programming can be controversial and provocative and may at times be distasteful or offensive to some. Not all viewpoints presented will be shared by all audience members.

## 1.2 DIVERSITY OF VIEWS AND PERSPECTIVES

SBS is for all Australians. Accordingly, SBS is committed to broadcasting programs that reflect a diversity of experiences, lifestyles, beliefs, cultures and languages within Australia.

SBS will seek to represent a range of significant perspectives on issues of public interest, subject to supply and quality of programs.

Some subject matter broadcast by SBS may be considered controversial. Section 70A of the SBS Act states "...SBS may determine to what extent and in what manner political matter or controversial matter will be broadcast by the SBS".

SBS's standards for the presentation of news and current affairs are set out in Codes 2 and 3 of these *Codes of Practice*.

SBS may broadcast other programs, such as documentaries, which are presented from particular points of view or explore a specific aspect of an issue. Such programs are not required to present every viewpoint or all available material relating to a particular issue or allocate equal time to different viewpoints.

## 1.3 PREJUDICE, RACISM AND DISCRIMINATION

SBS seeks to counter attitudes of prejudice against any person or group on the basis of their race, ethnicity, nationality, sex, age, sexual preference, religion, disability, mental illness, or marital, parental or occupational status. While remaining consistent with its

mandate to portray diversity, SBS will avoid programming which clearly condones, tolerates or encourages discrimination on these grounds.

SBS views intolerance of difference, and racism in particular, as a serious impediment to achieving an equitable and harmonious society. SBS promotes the benefits of Australian multiculturalism as the most effective way to counter racism and promote social cohesion and harmony.

To this end, SBS seeks to provide programming which tells the stories of contemporary multicultural Australia, helps audiences understand the diverse cultures that constitute the Australian community, and contributes to a sense of belonging and national identity.

SBS aims to ensure that programs either counter or do not promote, endorse, or reinforce inaccurate, demeaning or discriminatory stereotypes.

SBS supports the elimination of all forms of discrimination against women.

The representation of women should not create or reinforce stereotypes regarding sexuality, gender or race. SBS will avoid broadcasting programs that suggest that the exploitation of women is acceptable.

SBS understands that different cultural groups have different perceptions of women. SBS may broadcast programs which directly challenge these accepted cultural views.

### **1.3.1 Indigenous Australians**

'Indigenous Australians' refers to the Aboriginal and Torres Strait Islander peoples 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 Australians and deals with contemporary issues of importance to Indigenous Australians. SBS strives for maximum involvement of Indigenous Australians 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 Australians. 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 issues.

It is critical that the cultural practices of the Aboriginal and Torres Strait Islander peoples of Australia are observed in any programming and news reporting. The bereavement practices of Indigenous Australians 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 Australians or reporting on recently deceased Indigenous Australians.

Where appropriate, images, footage or sound recordings of deceased Indigenous Australians 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 Australians;
- be aware that an indigenous view of indigenous issues may differ from a non-indigenous view;
- consult with Indigenous Australians in the making of programs about Indigenous Australians, particularly with those who are the subject(s) of the program;
- conduct dealings with Indigenous Australians 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 Australians, as well as the subject(s) of programs; and
- be sensitive to the cultures of Indigenous Australians and undertake consultation and negotiation with the people concerned prior to and during the making of a program.

## **1.4 LANGUAGE AND DIVERSITY**

### **1.4.1 General**

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. As far as practicable, SBS aims to reflect Australia's linguistic 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 culturally and linguistically diverse communities retain and develop their languages. SBS seeks to provide programs in which people from a culturally and linguistically diverse background can hear their preferred language.

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

### **1.4.2 Allocation of airtime for community languages – Radio**

SBS Radio is a multilingual and multicultural 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 factors such as the size of the community speaking a particular language and other criteria which are reviewed from time-to-time in consultation with communities.

### **1.4.3 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 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.

### **1.4.4 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. Where literal translations would distort the overall tone and intent of a program, more appropriate English expressions are substituted.

## **1.5 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.



## **1.6 RELIGIONS**

SBS broadcasts in accordance with the principle that Australia is a secular democracy.

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. 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.

## **1.7 SUICIDE**

Suicide is a legitimate subject for programming but one that should be portrayed with a high degree of sensitivity. Care should be taken to avoid describing or showing methods of suicide in any great detail. Program makers should be alert to the dangers of making such behaviour attractive to the vulnerable. Where methods are described, program makers should have regard to context and editorial requirements.

## **1.8 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;
- 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;
- the manner of the recording has made it manifestly clear that the material may be broadcast; or
- in the rare case of a recording obtained without permission or an interview for which consent has been withdrawn, the broadcast is demonstrably in the public interest.

## **1.9 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.

## **1.10 CLOSED CAPTIONING FOR PEOPLE WHO ARE HEARING IMPAIRED OR DEAF**

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

- television programs, other than non-English language programs, broadcast between 6pm and 10.30pm; and
- television news and current affairs programs, other than non-English language programs, broadcast outside these hours.

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 media or when captioned programs are promoted. Where possible, open captioning advice will be provided if technical problems prevent scheduled closed captioning.

## **2 NEWS AND CURRENT AFFAIRS**

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### **2.1 INTRODUCTION**

This Code applies to all programs produced by the News and Current Affairs division of SBS, produced by SBS Radio for inclusion in the News and Current Affairs segments in SBS Radio's programs. Television news and current affairs programs produced overseas are dealt with in Code 3.

SBS believes in the right of the audience to make up its own mind after an objective presentation of the issues.

### **2.2 ACCURACY, IMPARTIALITY AND BALANCE**

SBS is committed to achieving the highest standard of news and current affairs presentation. To this end, all reasonable effort must be made to ensure that the factual content of news and current affairs programs is accurate, having regard to the circumstances, and facts known, at the time of preparing and broadcasting the programs.

SBS will take reasonable steps to ensure timely correction of significant errors of fact.

The requirement for accuracy does not mean that an exhaustive coverage of all factual material relating to matters broadcast must be presented.

While the emphasis in news is the reporting of factual information, news programs, as well as current affairs programs, may include comment and analysis.

Reasonable effort should be made to ensure news and current affairs programs are balanced and impartial, having regard to the circumstances at the time of reporting and broadcasting, the nature and immediacy of the material being reported, and public interest considerations.

The commitment to balance and impartiality requires SBS to present – over time and across the schedule of programs broadcast on the relevant service (Television, Radio or Online) – a wide range of significant views, not misrepresenting them or unduly favouring one over another.

It does not require SBS to present all viewpoints on an issue or to allocate equal time to different points of view. Neither does it preclude a critical examination of controversial issues or the expression of critical and provocative points of view.

The decision as to whether it is appropriate for a range of views or particular views to be included within a single program or story is a matter for editorial discretion.

In relation to news programs, for major issues that are matters of controversy, balance should be provided over the period in which the controversy is active. Balance will be provided through the presentation, as far as possible, of principal relevant viewpoints.

SBS has a policy of self-identification (see Code 1.5) and does not arbitrate on the validity of territorial claims.

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

### **2.3 NON-SBS SOURCES FOR NEWS AND CURRENT AFFAIRS PROGRAMMING**

SBS draws on many sources for its 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 Radio 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 SBS journalists and contributors gathering, processing or presenting news for SBS are required to observe the SBS *Codes of Practice*.

### **2.4 VIOLENCE AND DISTRESSING EVENTS IN NEWS AND CURRENT AFFAIRS**

The decision to broadcast violent images or sounds is based on their newsworthiness, 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.

Given that the timing and content of newsflashes are unpredictable, care should 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 should generally not be scheduled during programs directed at young children.

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 the method. (See Code 1.7)

### **3 OVERSEAS NEWS AND CURRENT AFFAIRS**

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SBS Television broadcasts, substantially unedited, news and current affairs programs from other countries. These bulletins are broadcast as a service to individual language and cultural communities within Australia, providing a window into events in communities' homelands. 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 communities' particular needs as determined in consultation with the community concerned.

## 4 TELEVISION CLASSIFICATION CODE

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### 4.1 INTRODUCTION

This Code applies to all programs broadcast on SBS Television, with the exception of news and current affairs, sport programs and general information.

The SBS system of television program classification is based on the 'Guidelines for the Classification of Films and Computer Games 2005' (published at Appendix A) made under the *Classification (Publications, Films and Computer Games) Act 1995*.

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 the 'Guidelines for the Classification of Films and Computer Games 2005' 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.

### 4.2 VIOLENCE

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

### **4.3 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 non-consensual sexual activities and any 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.

### **4.4 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.

### **4.5 CLASSIFICATION CATEGORIES**

SBS will broadcast programs with the following classifications:

- General (G)
- Parental Guidance Recommended (PG)
- Mature Audience (M)
- Not suitable for people under 15 (MA 15+)
- Not suitable for people under 15 - strong violence (MAV 15+)

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.

#### **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
- before 6.00am and from 7.00pm on weekdays; and
- before 6.00am and after 10.00am on weekends; and
- on SBS's secondary multi-channels at any time.

#### **M – Mature Audience**

##### **MA 15+ – Not suitable for people under 15**

##### **MAV 15+ – Not suitable for people under 15 (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 18+, R 18+ and RC – Refused Classification (not suitable for television)**

X 18+, R 18+ and RC (Refused Classification) 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 18+, R 18+ and RC (Refused Classification) programs must not be shown at all.

## **4.6 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.

## **4.7 TIME ZONES**

The time zones indicated for each classification in Code 4.5 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 classified M may appear during a weekend daytime schedule. SBS should have 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, in the form of consumer advice for example, is given at the start of the program.

Due to local scheduling arrangements, some programs will be broadcast in some locations outside their classification time zone.

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.

When SBS is retransmitted via subscription services or other operators, the times during which SBS programs are made available on those services may be outside the control of SBS. In these circumstances time zone restrictions in relation to different categories of program may be determined by the retransmission service in accordance with its relevant regulatory requirements.



## 5 ADVERTISING AND SPONSORSHIP

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This Code applies to advertising and sponsorship announcements broadcast on SBS Television and SBS Radio.

SBS may broadcast advertisements and sponsorship announcements that run in total for not more than five minutes in any hour of broadcasting.

Revenue from advertisements and sponsorship announcements assists in the funding of programming which fulfils SBS's Charter obligations.

SBS has adopted the following definition of 'advertisement':

1. Matter, for which SBS receives consideration in cash or in kind, 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:
  - 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;
  - 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;
  - a station identification; and
  - a program promotion.

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;
- community information (see Code 6 below); and
- allocation of free airtime to political parties (see Code 7 below).

The SBS Board will develop guidelines on matters relating to the placement and duration of advertisements and sponsorship announcements as well as the kinds of advertising and sponsorship announcements particular genres of programs may carry.

All decisions regarding commercial revenue are subject to the overriding principle that the integrity of the SBS Charter and SBS's editorial independence are paramount and shall not be compromised in any way. As with all programming, SBS reserves the exclusive right to determine what is broadcast on SBS services.

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 must not be presented as programming.

## 6 COMMUNITY INFORMATION

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### 6.1 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 Australian communities.

SBS will decide the best way to communicate community information to its audiences. This may be as a separate announcement or an announcement 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; and
- 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.

### 6.2 SBS RADIO

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. Government campaigns are considered to be advertising campaigns where the agreement includes paid airtime.

They are not considered to be advertising campaigns where there is no charge for airtime and are broadcast only at the discretion of SBS Radio.

## 7 POLITICAL BROADCASTS AND ELECTION COVERAGE

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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 Parliament 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 SBS 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.

## 8 COMMENTS AND COMPLAINTS ABOUT SBS PROGRAMMING

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### 8.1 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.

### 8.2 INFORMATION AND COMMENTS

For information about SBS programs or content, you can go to our website [www.sbs.com.au](http://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)

##### **TTY (Communications Impaired)**

1800 502 828 (Toll free)

##### **For SBS Radio Melbourne services**

(03) 9949 2121 (Melbourne)

1300 303 328 (Local call charge)

#### WRITE TO:

Director of Content (Television and Online) or Director of Radio  
SBS Locked Bag 028  
Crows Nest NSW 1585

#### FAX:

(02) 9430 3047

#### SEND AN EMAIL:

[comments@sbs.com.au](mailto: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.

### 8.3 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 8.4. SBS must investigate and respond to formal complaints.

SBS is not required to investigate other complaints. These will be treated as informal complaints. Code 8.13 explains how SBS handles informal complaints.

This Code of Practice does not apply to any complaint concerning a program which is or becomes the subject of legal proceedings.

#### **8.4 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:

**SBS Ombudsman**  
Special Broadcasting Service  
Locked Bag 028  
Crows Nest NSW 1585  
Fax: (02) 9430 3047

Alternatively, you can email [formalcomplaints@sbs.com.au](mailto:formalcomplaints@sbs.com.au) or complete the online complaint form at: [www.sbs.com.au/complaints](http://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.

#### **8.5 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.

#### **8.6 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.

#### **8.7 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.

#### **8.8 HOW SBS DEALS WITH COMPLAINTS**

The SBS Ombudsman reports directly to the Managing Director and is independent of all SBS programming divisions and departments. The SBS Ombudsman 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.

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

- acknowledging receipt of the complaint;
- informing the complainant that the SBS Ombudsman 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 Communications and Media Authority (ACMA)

### **8.9 COMPLAINTS COMMITTEE**

If necessary, the SBS Ombudsman 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 SBS Ombudsman and make an independent determination of whether to uphold or dismiss the complaint.

### **8.10 REPLIES TO FORMAL COMPLAINTS**

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

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

In exceptional circumstances an extension to the 60 day deadline may be justified. Such an extension requires the approval of the Managing Director and the complainant must be informed of the revised timeline for finalising the complaint.

### **8.11 SBS'S 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.

### **8.12 WHAT TO DO IF YOU ARE DISSATISFIED WITH SBS'S RESPONSE**

If you have made a formal complaint in relation to a television program a radio program and:

- you have not received a response within 60 days after making it or, in exceptional circumstances, within the time period as advised to you; or
- you received a response within that period which you consider to be inadequate, you may complain to ACMA, under section 150 of the *Broadcasting Services Act 1992*.

ACMA can only investigate complaints about SBS Television programs and SBS Radio programs. Online material is not included within the jurisdiction of ACMA for the purposes of section 150 of the *Broadcasting Services Act 1992*.

If ACMA 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 action recommended by ACMA within 30 days, ACMA may give the Minister a written report on the matter which will be tabled in Parliament.

### **8.13 INFORMAL COMPLAINTS**

Where a written complaint 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, email 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 telephone are noted and brought to the attention of management and relevant staff.

### **EXTERNAL REVIEW OF COMPLAINTS**

Requests for an external review of complaints under Code 8.12 should be addressed to:

Australian Communications and Media Authority (ACMA)  
PO Box Q500  
Queen Victoria Building  
Sydney NSW 1230  
([www.acma.gov.au](http://www.acma.gov.au))



# APPENDIX A

## GUIDELINES FOR THE CLASSIFICATION OF FILMS AND COMPUTER GAMES 2005

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### 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 18+ 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
- moderate – M
- strong – MA 15+
- high – R 18+
- 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.

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.

# Categories

## G – General

### **Impact test**

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**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.

*The following information about the importance of context and assessing impact replicates that on pages 4+5 of the Guidelines, and is reproduced here for ease of application.*

### **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 in one context may fall outside it in another.

### **Assessing impact**

---

The Guidelines use the following hierarchy of impact:

- very mild – G
- mild – PG
- moderate – M
- strong – MA 15+
- high – R 18+
- 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.

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.

#### Classifiable elements

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##### 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.*

# Categories

## PG – Parental Guidance

### Impact test

**The impact of the classifiable elements for material classified PG should be no higher than mild.**

Note: Material classified PG 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 or playing by persons under 15 without guidance from parents or guardians.

*The following information about the importance of context and assessing impact replicates that on pages 4+5 of the Guidelines, and is reproduced here for ease of application.*

### Importance of context

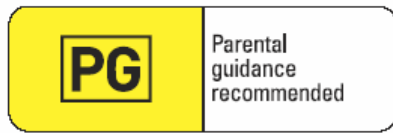
Context is crucial in determining whether a classifiable element is justified by the story-line or themes. In particular, the way in which important social issues are dealt with may require a mature or adult perspective. This means that material that falls into a particular classification in one context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

### Assessing impact

The Guidelines use the following hierarchy of impact:

- very mild – G
- mild – PG
- moderate – M
- strong – MA 15+
- high – R 18+
- 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.

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.

## Classifiable elements

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### 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.*

# Categories

## M – Mature

### **Impact test**

---

**The impact of the classifiable elements for material classified M should be no higher than moderate.**

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

*The following information about the importance of context and assessing impact replicates that on pages 4+5 of the Guidelines, and is reproduced here for ease of application.*

### **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 in one context may fall outside it in another.

### **Assessing impact**

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The Guidelines use the following hierarchy of impact:

- very mild – G
- mild – PG
- moderate – M
- strong – MA 15+
- high – R 18+
- 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.



Recommended  
for mature  
audiences

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.

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.

#### Classifiable elements

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##### 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.*



# Categories

## MA 15+ – Mature Accompanied

### Impact test

**The impact of material classified MA 15+ should be no higher than strong.**

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

*The following information about the importance of context and assessing impact replicates that on pages 4+5 of the Guidelines, and is reproduced here for ease of application.*

### 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 in one context may fall outside it in another.

### Assessing impact

The Guidelines use the following hierarchy of impact:

- very mild – G
- mild – PG
- moderate – M
- strong – MA 15+
- high – R 18+
- 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.

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.

## Classifiable elements

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### 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.*

# Categories

## R 18+ – Restricted

### **Impact test**

#### **The impact of material classified R 18+ should not exceed high.**

Note: This classification category applies only to films. Material classified R 18+ is legally restricted to adults. Some material classified R 18+ may be offensive to sections of the adult community.

*The following information about the importance of context and assessing impact replicates that on pages 4+5 of the Guidelines, and is reproduced here for ease of application.*

### **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 in one context may fall outside it in another.

### **Assessing impact**

The Guidelines use the following hierarchy of impact:

- very mild – G
- mild – PG
- moderate – M
- strong – MA 15+
- high – R 18+
- 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.

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.

#### **Classifiable elements**

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##### **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.*

## Categories

### X 18+ – Restricted

**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.

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 18+ and X 18+ 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 or violence**

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Detailed instruction or promotion in matters of crime or violence.

The promotion or provision of instruction in paedophile activity.

Descriptions or depictions of child sexual abuse or any other exploitative or offensive descriptions or depictions involving a person who is, or appears to be, a child under 18 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**

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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**

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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.*



## 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.

### **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**

23–33 Mary Street  
Surry Hills NSW 2010

Locked Bag 3 Haymarket NSW 1240

T. 02 9289 7100

F. 02 9289 7101

email: [oflswitch@oflc.gov.au](mailto:oflswitch@oflc.gov.au)

# HOW TO CONTACT SBS

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## INFORMATION

If you want information about SBS, go to [www.sbs.com.au](http://www.sbs.com.au) where you will find program, schedule and corporate information.

If what you are looking for is not there, you can:

- TELEPHONE:  
Direct (02) 9430 2828 (Sydney)  
(03) 9949 2121 (Melbourne)  
Toll Free  
1800 500 727 (Nationwide)  
or TTY 1800 502 828
  
- WRITE TO OR FAX:  
Director Radio, Director Content (Television and Online)  
SBS, Locked Bag 028  
Crows Nest, NSW 1585  
Fax No: (02) 9430 3047

## COMMENTS

If you would like to comment about SBS programs or content you may:

- EMAIL:  
[comments@sbs.com.au](mailto:comments@sbs.com.au)

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

- TELEPHONE:  
SBS Public Relations  
1800 500 727 (Toll free)  
(02) 9430 2828 (Sydney)
  
- WRITE OR FAX YOUR FEEDBACK TO:  
Director Radio, Director Content (Television and Online)  
SBS, Locked Bag 028  
Crows Nest, NSW 1585  
Fax No: (02) 9430 3047

SBS records all comments and circulates them to management and relevant staff. You will generally not receive a written reply.

See Code 8.13 on page 23 for more about informal complaints.

## **FORMAL COMPLAINTS**

If you want to make a formal complaint about an SBS program or content which you believe breaches these *Codes of Practice*, you will need to follow the steps in Code 8.4 on page 21 and send your complaint to the SBS Ombudsman at:

SBS, Locked Bag 028  
Crows Nest, NSW, 1585  
Fax: (02) 9430 3047

Alternatively, you can send an email to: [formalcomplaints@sbs.com.au](mailto:formalcomplaints@sbs.com.au)

The SBS Ombudsman investigates formal complaints and will acknowledge and respond to your complaint.

## **EXTERNAL REVIEW**

If you have made a formal complaint to SBS and have not received a response within 60 days (or, in exceptional circumstances, within the appropriate period as advised to you) or consider SBS's response to be inadequate, you are entitled to take your complaint to the Australian Communications and Media Authority (ACMA).

ACMA will investigate the complaint and report back to you. See Code 8.12 on page 22 and see box on page 23 for more information about external review of complaints about SBS.

## THE CHARTER OF SBS

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The Charter of SBS is contained in section 6 of the *Special Broadcasting Services Act 1991*.

- 6 (1) The principal function of SBS is 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.
- (2) SBS, in performing its principal function, must:
  - (a) contribute to meeting the communications needs of Australia's multicultural society, including ethnic, Aboriginal and Torres Strait Islander communities; and
  - (b) increase awareness of the contribution of a diversity of cultures to the continuing development of Australian society; and
  - (c) promote understanding and acceptance of the cultural, linguistic and ethnic diversity of the Australian people; and
  - (d) contribute to the retention and continuing development of language and other cultural skills; and
  - (e) as far as practicable, inform, educate and entertain Australians in their preferred languages; and
  - (f) make use of Australia's diverse creative resources; and
  - (g) contribute to the overall diversity of Australian television and radio services, particularly taking into account the contribution of the Australian Broadcasting Corporation and the community broadcasting sector; and
  - (h) contribute to extending the range of Australian television and radio services, and reflect the changing nature of Australian society, by presenting many points of view and using innovative forms of expression.

visit us at [www.sbs.com.au](http://www.sbs.com.au)

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