

SBS Code of Practice

July 2021



Foreword

The *Special Broadcasting Service Act 1991* (Cth) sets out the SBS Charter, including SBS's principal function to provide multilingual, multicultural and Indigenous broadcasting and digital media services that inform, educate and entertain all Australians. Our breadth of distinctive content intentionally reflects the diversity of contemporary Australia.

The SBS Code of Practice, as approved by the SBS Board in fulfilling its functions, outlines the principles and policies that guide SBS, ensuring the highest standards of editorial independence and integrity apply to our content. This is critical to gaining and preserving the trust of audiences, and to meeting the expectations of Australians at a time when the reliability and role of independent public media services is more important than ever.

The SBS Code of Practice is set within a framework of three principles, against which SBS holds itself accountable – Trust, Transparency and Respect. It details SBS's obligations regarding matters such as accuracy for factual content, impartiality and balance in our news and current affairs, scheduling of content, advertising and sponsorship, and complaints handling.

Together with other SBS policies and guidelines, the SBS Code of Practice guides SBS to independently determine what is broadcast or published across its channels and platforms, with the Managing Director, as the Editor-in-Chief and member of the SBS Board, having final editorial responsibility.

In Australia's ever-changing media landscape, SBS takes seriously its responsibility to ensure its policies are fit for purpose and support the high standards expected of us, maintaining SBS's reputation for independence, impartiality and editorial integrity. The SBS Code of Practice has therefore developed over time to reflect community standards, audience needs, changes in the sector, regulatory updates, and any substantial changes to SBS's suite of services. This Code also reflects the changing ways in which we are engaging with Australians, applying standards to all SBS-produced and acquired content, no matter how it is delivered and covers all our content – from social media platforms and streaming services to traditional television and radio over the air.

SBS's vision is to inspire all Australians to explore, respect and celebrate our diverse world, thereby contributing to social cohesion. With clear benchmarks and principles set out in the SBS Code of Practice, SBS will continue to deliver on its Charter and purpose, with essential services for our diverse communities and high quality, independent, distinctive content relevant to today's Australia.

James Taylor
Managing Director

Contents

Foreword	2
1. Introduction	4
2. Application	5
2.1 SBS Content and Platforms	5
2.2 Context	6
3. Trust	7
3.1 Editorial Independence and Integrity	7
3.2 Accuracy	7
3.3 Diversity of Views and Perspectives	7
4. Transparency	9
4.1 Harm and Offence	9
4.2 Advertising and Sponsorship	11
4.3 Community Information	12
5. Respect	14
5.1 Prejudice, Racism and Discrimination	14
5.2 Self-identification	14
5.3 Culturally and Linguistically Diverse Content	14
5.4 Indigenous Cultures	15
5.5 Privacy	17
6. Feedback, Comments and Complaints	18
6.1 Feedback, Comments and General Complaints	18
6.2 Code Complaints about Content as Broadcast or Published	18
7. Glossary	22
Appendix 1	24
SBS System of Classification for Television Broadcasting Services	24

1. Introduction

The SBS Code of Practice (Code) sets out the principles and policies SBS uses to guide its content to ensure that SBS maintains the highest standards of editorial independence and integrity.

In addition to and distinct from this Code, SBS adheres to a range of other **policies and practices** relevant to the delivery of its services.

The Code may be amended from time to time to ensure it remains fit for purpose.

In fulfilling its obligations under the *Special Broadcasting Service Act 1991* (Cth), which includes the **SBS Charter**, SBS operates on the principles of **Trust, Transparency and Respect**. These principles define who we are, guide the creation of content across all our platforms, and are the standards by which we hold ourselves accountable. Through these principles, all Australians can be assured that SBS will deliver on its promise to audiences.

Gaining and maintaining the **Trust** of audiences is central to all that we do.

SBS is a source of trustworthy information that embraces a plurality of views which support and contribute to a diverse and vibrant society.

SBS applies robust editorial standards. Audiences can have confidence that SBS news and current affairs will be accurate, balanced and impartial. SBS presents a wide range of perspectives and information to encourage open and constructive discussion within Australia.

SBS undertakes to be **Transparent** in the information it provides to audiences, and the way in which it delivers its services.

SBS offers an extensive and diverse range of content, and provides guidance so audiences can choose the content that best fits their needs.

Respect is at the core of SBS. SBS facilitates respectful interactions, encourages the expression of different perspectives, and fosters understanding.

SBS is the home of diversity and inclusion. SBS supports and contributes to a vibrant and cohesive multicultural society by providing multilingual and multicultural radio, television and digital media programs and services to meet the needs of Australia's multicultural society and Aboriginal and Torres Strait Islander communities. In doing so, SBS promotes understanding and acceptance of the cultural, linguistic and ethnic diversity of all Australians.

In providing these services SBS balances the rights of individuals to privacy with the public interest.

Through delivery of its content and services, SBS helps new arrivals understand the country they now call home, while helping all Australians to better understand and respect each other and our many cultures, to aid social cohesion.

2. Application

2.1 SBS Content and Platforms

The Code applies to content that is produced, commissioned, acquired or otherwise obtained by SBS for broadcast or publication on its platforms over which SBS has editorial control (SBS content).

This includes:

- audio and video content, and written material, including television and radio programs, online articles, podcasts, apps and social media posts;
- program-related material such as program, channel and network promotions.

SBS platforms include:

- SBS television broadcasting services;
- SBS radio broadcasting services;
- SBS digital media services including on demand services such as SBS On Demand; podcasts; and SBS online;
- SBS accounts and services on third party platforms including social media platforms.

References to 'SBS' in this Code refer to all SBS platforms unless otherwise indicated.

The Code does not apply to:

- the content of advertisements, sponsorship announcements, and community service announcements (CSAs);
- third party posts on SBS social media accounts, which are subject to the **SBS Network Terms and Conditions**;
- SBS program schedules (including the electronic program guide).

SBS aims as far as possible to apply consistent standards across its platforms. Due to differences in broadcasting and digital media platforms, there may be some variation in the application of certain provisions in this Code.

SBS also operates under a range of related policies and industry standards and regulations which do not form part of the Code, including the **SBS Editorial Guidelines**.

2.2 Context

The application of the Code is guided by context. What is unacceptable in one context may be appropriate and acceptable in another.

The Code does not prevent the presentation of factual material, opinion, or material that is humorous, satirical, artistic or dramatic in nature. This includes material that may be offensive or distasteful to particular audiences.

When assessing context, including in relation to the assessment of complaints, SBS will consider a range of factors, including:

- the nature of the content – including its genre, subject matter and editorial purpose;
- the platform or service on which the content is broadcast or published;
- reasonable audience expectations;
- the reasonable sensitivities of the anticipated audience.

3. Trust

3.1 Editorial Independence and Integrity

SBS is committed to preserving the trust and confidence of all Australians, who rely on SBS's editorial independence and integrity across all its content.

NITV is primarily produced by, for and about Aboriginal and Torres Strait Islander peoples. Maintaining the trust and respect of the Indigenous community is paramount.

SBS independently determines what is broadcast and published on SBS platforms.

3.2 Accuracy

SBS will not knowingly and materially mislead audiences in the presentation of factual material.

SBS will apply reasonable efforts to ensure that factual material including news and current affairs, is gathered and presented with due accuracy, having regard to the circumstances, and facts known, at the time of broadcasting or publishing the content.

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

SBS will take reasonable and timely steps to correct significant errors of fact.

3.3 Diversity of Views and Perspectives

SBS is committed to broadcasting and publishing content that reflects a diversity of experiences, beliefs, cultures and languages.

SBS will seek to represent a comprehensive range of views and perspectives, subject to the availability of appropriate material.

SBS will give due weight to the available evidence relating to particular subject matter.

SBS may broadcast and publish content, such as documentaries and opinion pieces, which are presented from particular points of view or which explore specific aspects of issues. Such content is not required to present every viewpoint or all available material relating to a particular issue or to allocate equal time to different viewpoints.

NITV gives primacy to Aboriginal and Torres Strait Islander voices, interests, and perspectives. NITV reflects the diversity of Aboriginal and Torres Strait Islander peoples and features a range of views in its presentation of Indigenous perspectives.

3.3.1 Balanced and impartial news and current affairs

SBS-produced and SBS-commissioned news and current affairs content seeks to provide a balanced and impartial presentation of issues and events, including through the provision of a range of relevant and material viewpoints. News and current affairs content may include opinion and comment.

SBS will make reasonable efforts to ensure news and current affairs content is gathered and presented with due impartiality and is balanced. It will take into consideration the circumstances at the time of broadcast or publication, the nature and immediacy of the material being reported, and the public interest.

SBS's commitment to impartiality and balance requires SBS to present over time and across the schedule a wide range of significant views, not misrepresenting them or unduly favouring one over another.

This 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 presentation of critical and provocative points of view.

SBS independently decides the content of news and current affairs programs and other published material.

In relation to news content, for major issues that are contentious, balance should be provided over the period in which the issue is active where practical through the presentation, as far as possible, of principal relevant viewpoints. For other matters, balance should be provided over a reasonable period.

NITV presents news and current affairs from the perspectives of Aboriginal and Torres Strait Islander peoples.

3.3.2 Non-SBS-produced news and current affairs

SBS broadcasts and publishes substantially unedited news and current affairs content from international sources (WorldWatch) and from news agencies.

SBS will identify the source of this material so that audiences can exercise their own judgement about how issues and information are presented.

Content that is broadcast and published under this provision will be preceded by a disclaimer advising audiences that it may not reflect SBS editorial standards.

WorldWatch is provided to cater for the individual language and cultural needs of Australia's diverse multicultural communities. It provides a unique and regular news service from the places of origin of many of Australia's residents in their own language. It also offers all Australians a perspective on world news events. Much of the material is in a language other than English and is not subtitled. WorldWatch services are drawn from a variety of overseas sources including government, public and commercial.

4. Transparency

4.1 Harm and Offence

SBS broadcasts and publishes innovative and, at times, challenging material. SBS content can be controversial and provocative and could be considered distasteful or offensive to some.

Material that is likely to cause harm and offence must be justified by context, and adequate protective measures provided.

4.1.1 Violence, distressing events and other harmful material in news, current affairs and other content that is not classified

The decision to broadcast or publish violent images or audio and other potentially harmful material (such as offensive language), is based on the editorial relevance of the material, including its newsworthiness and whether it is in the public interest, together with proper regard for the likely audience and their reasonable sensitivities.

SBS will not sensationalise violent events or present them for their own sake.

SBS avoids sensationalised and exaggerated treatment of news events. In covering distressing events, SBS requires content makers to exercise sensitivity, particularly when approaching, interviewing or portraying people who are distressed.

The timing and content of breaking or live news and other live content can be unpredictable. As far as is practicable, SBS will exercise due care in the selection of audio and images taking into account the likely composition of the audience.

Where appropriate, content containing violent or distressing images or audio will be preceded by timely and appropriate warnings advising that some audience members may find the material distressing.

4.1.2 Suicide

Suicide is a legitimate subject for content but one that should be portrayed with a high degree of sensitivity. SBS will take care to avoid describing or showing methods of suicide in great detail. Where methods are described, SBS will have regard to context and editorial relevance.

4.1.3 Classification and scheduling of content

SBS will ensure that content is scheduled appropriately, taking into consideration a range of factors including the platform, service, type of content and likely composition of the audience.

SBS television programs and program promotions broadcast on SBS television broadcasting services and re-transmitted on SBS On Demand are assessed by SBS under SBS's television classification system. SBS's system of classification for television broadcasting services is set out in Appendix 1.

SBS online content is dealt with under the provisions of the **Guidelines for the Classification of Films** under the *Classification Act 1995* (Cth) (in accordance with Schedule 7 to the *Broadcasting Services Act 1992* (Cth)).

The following content (including relevant program promotions) is not subject to classification under this section: news programs (including news updates), current affairs programs, sports programs. This material is assessed and broadcast and published in line with **section 4.1.1**.

Advertisements and sponsorship announcements, and CSAs are subject to different classification processes (see **section 4.2** and **section 4.3** respectively).

Classification categories

SBS uses the following classification categories:

- General (G)
- Parental Guidance (PG)
- Mature (M)
- Mature Audience (MA15+)

Classification symbols

The classification symbol of the PG, M or MA15+ program being shown will be displayed at the start of a program on SBS television broadcasting services and as part of the program information on SBS On Demand.

Classification advice

Advice on the principal reasons for an M or MA15+ classification decision will be given at the start of the program on SBS television broadcasting services and as part of the program information on SBS On Demand. In exceptional cases, classification advice may be provided prior to the beginning of the program.

SBS may provide other appropriate classification advice for a PG classified program where the program contains material of a strength or intensity that SBS reasonably believes parents or guardians of young children may not expect.

Scheduling program promotions

Program promotions will not exceed the classification of surrounding or adjacent programming matter.

Where content in which the program promotion is placed is unclassified, program promotions will be scheduled with regard to the time zone.

Time zones

SBS will generally broadcast television programs and program promotions on SBS television broadcasting services in accordance with the time zone indicated for each classification category as set out in **Appendix 1**.

As PG content can be shown at any time, parents or guardians will need to assess the suitability of content when supervising children's viewing.

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 time zone provided a clear indication of the nature and content of the program, in the form of classification advice for example, is given at the start of the program.

Some programs may be broadcast or received outside their classification time zone including where individuals choose to access the broadcast signal outside of their local area.

4.2 Advertising and Sponsorship

SBS may broadcast and publish advertisements and sponsorship announcements on its broadcasting and digital media platforms.

The SBS Board is required to develop guidelines on matters relating to advertising and sponsorship and these are available in the **SBS Editorial Guidelines**.

The selection and placement of advertisements and sponsorship announcements on its platforms, including any restrictions, is a matter for SBS.

SBS has adopted the following definition of advertisement:

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 recommend, directly or indirectly, that product, service, person, organisation or line of conduct.

SBS has adopted the following definition of sponsorship announcement:

Matter, for which SBS receives consideration in cash or in kind, which advises audiences of a sponsorship relationship with SBS and actively promotes the product, service, person, organisation or line of conduct of the sponsor in a favourable way.

Advertisements and sponsorship announcements must be readily distinguishable from SBS content.

In relation to SBS's television broadcasting services, SBS takes account of the advertising restrictions in the **Commercial Television Industry Code of Practice** (1 December 2015) which relate to the timing and placement of advertisements and sponsorship announcements, including in relation to particular product categories.

This Code does not cover the content of advertisements and sponsorship announcements. Advertisements and sponsorship announcements broadcast or published by SBS must comply with the relevant industry standards. Complaints about the content of advertisements and sponsorship announcements are managed through the advertising industry's self-regulatory scheme (Ad Standards).

4.2.1 Restrictions on the promotion of odds and commercials relating to betting and gambling in live sports coverage

SBS television and radio broadcasting services

SBS follows the provisions in the:

- Commercial Television Industry Code of Practice which restrict the promotion of odds and commercials relating to betting and gambling which are broadcast during a live sporting event on SBS television broadcasting services (Appendix 3: Restrictions on Promotion of Odds and Commercials relating to Betting and Gambling which are broadcast during a Live Sporting Event (30 March 2018)); and
- Commercial Radio Code of Practice which restrict the promotion of gambling and betting odds in live sports coverage on SBS radio broadcasting services (Section 9 Promotion of gambling and betting odds in live sports coverage (30 March 2018)).

For the purposes of the application of these provisions to SBS:

- any reference to a 'Licensee' is to be read as a reference to SBS;
- any reference to a 'licence area' is to be read as a reference to an SBS commercial market (see 'Note').

Note: For national markets, or where geographically targeted time-shifted advertising cannot be delivered in the case of live-to-air coverage of a sporting event, the time zone is AEST or AEDT (as applicable).

Some programs may be broadcast or received outside their local time zone including where individuals choose to access the broadcast signal outside of their local area.

SBS digital media services

SBS digital media services are subject to similar rules under the Broadcasting Services (Online Content Service Provider) Rules 2018.

4.3 Community Information

SBS provides a limited amount of free airtime on its television and radio broadcasting services, and its digital media platforms, for community information announcements and community promotional material, known as community service announcements (CSAs).

SBS allocates free airtime for CSAs to Australian charities, community organisations and other relevant entities to promote services or events of a social, cultural, welfare, educational or beneficial nature, or other matter in the public interest.

In the selection of CSAs, SBS will consider a range of factors including:

- its role as a multicultural and Indigenous broadcaster to contribute to meeting the communications needs of Australia's multicultural and Indigenous communities;
- the character and the aims and objectives of the entity;
- the financial status of the entity;
- the subject matter of the CSA.

The following matter does not qualify as a CSA:

- Political matter including matter that promotes a political party or a candidate for political office, or matter that advocates for a change in the law.¹
- Social, religious and any other matter that SBS considers to be controversial or potentially divisive to the community.
- Announcements that strongly promote a commercial entity or the interests of an individual, either directly or indirectly.

The placement of CSAs on SBS services is subject to the availability of airtime and will be determined entirely at SBS's discretion.

CSAs will normally be broadcast or published as separate announcements. CSAs may also be broadcast or published as announcements within content as SBS considers appropriate.

Decisions regarding the selection and placement of CSAs are subject to SBS's editorial independence and integrity. SBS retains the right to edit any material provided.

CSAs broadcast on SBS television services are classified and placed in line with the provisions relating to advertising in **section 4.2**.

Complaints about the content of CSAs are managed through the advertising industry's self-regulatory scheme (**Ad Standards**).

4.3.1 Allocation of free airtime – elections and referendums

SBS may provide information about elections and referendums to Australia's diverse communities through the allocation of free airtime to:

- qualifying political parties during federal and state government elections;
- the Yes/No cases in referendums.

Information on the allocation of free airtime is available on the **SBS website**.

The allocation of free airtime does not imply SBS support for the views contained in the material broadcast or published.

¹ Such material is addressed in section 4.3.1.

5. Respect

5.1 Prejudice, Racism and Discrimination

SBS seeks to counter attitudes of prejudice against any person or group on the basis of race, colour, ethnicity, nationality, sex, sexual orientation, gender identity, age, religion, disability, mental or physical illness, marital, parental or occupational status.

SBS will avoid content which clearly condones, tolerates, or encourages prejudice and discrimination, taking into account the context in which the material is presented. This includes avoiding gratuitous emphasis on particular attributes, or the unjustified use of stereotypes. This does not prevent SBS from presenting discussion of issues relating to these matters, including in ways that may be provocative or satirical.

SBS understands that different cultural groups have different perceptions and values. SBS may broadcast or publish content which directly challenges accepted cultural views where it is editorially relevant and justified by the context.

5.2 Self-identification

SBS acknowledges that different groups and individuals have the right to self-identify.

SBS may use an individual's or a group's self-identification.

SBS will take into account context and avoid the unjustified use of derogatory terms used by one cultural group to describe another.

While SBS accepts self-identification where appropriate, this has no implications other than recognition of a group identity within the Australian community and is not a recognition of any historical or political claims.

5.3 Culturally and Linguistically Diverse Content

SBS produces, broadcasts, subtitles and publishes content in languages other than English in delivering its services and serving Australia's diverse language communities.

These services enable social, civic and economic participation in Australian society for people who speak a language other than English, by providing Australian news, entertainment and information in different languages. Content produced for particular language or cultural communities may also be provided in English.

SBS content in a range of languages supports the continuity and development of cultural identity and language, fosters community connection, and enhances understanding across cultures in Australia.

SBS-produced language content facilitates a tolerant and respectful exchange of opinion on a range of issues. SBS will not promote the views of one group above another. SBS encourages the free expression of a wide range of views and opinion including when such opinions may be considered controversial.

NITV aims to reflect the linguistic diversity of Aboriginal and Torres Strait Islander peoples in its content, subject to the supply of programming. In all its programming, including news and current affairs, NITV may speak directly to Indigenous audiences using vernacular Aboriginal English, Kriol and other Indigenous languages.

5.4 Indigenous Cultures

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 and respect for Indigenous cultures, knowledges and history.

SBS will be sensitive to cultural issues that surround media presentation of Indigenous issues.

5.4.1 Aboriginal and Torres Strait Islander peoples

SBS recognises the special and unique place of Aboriginal and Torres Strait Islander peoples in Australia's history, culture and society and the importance of maintaining the cultures, language and traditions of Indigenous Australians.

SBS provides content which caters for the diverse and changing needs of all Aboriginal and Torres Strait Islander peoples and deals with contemporary issues of importance to Indigenous Australians. SBS strives for maximum involvement of Indigenous Australians in all aspects of the production of such content.

In its content, SBS will ensure that proper regard is paid to the sensitivities, cultural traditions and languages of Indigenous Australians.

5.4.2 Aboriginal and Torres Strait Islander protocols and culturally appropriate content

Cultural practices of Aboriginal and Torres Strait Islander peoples should be observed in any content produced, broadcast or published.

As home to Australia's dedicated national Indigenous television service, SBS places high importance on Aboriginal and Torres Strait Islander cultural protocols.

SBS respects Indigenous cultural beliefs, traditions, protocols and practices and, where possible, will obtain the appropriate permissions.

SBS exercises editorial discretion when determining whether to broadcast or publish content that contains terminology that is likely to seriously offend or unnecessarily reflect negatively on Indigenous peoples. SBS will take into account the context and circumstances in which the content is to be broadcast or published.

Production protocols

SBS requires content makers to refer to The Greater Perspective: Protocol and Guidelines for the Production of Film and Television on Aboriginal and Torres Strait Islander Communities and The Greater Perspective: Supplementary Guidelines (collectively **The Greater Perspective**) when making or producing content. The Greater Perspective refers to the need for content makers 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;
- engage with Indigenous Australians in the making of content about Indigenous Australians, particularly with those who are the subject of the content;
- 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 subjects of content; and
- be sensitive to the cultures of Indigenous Australians and engage and negotiate with the people concerned prior to and during the making of content.

Representation of deceased Indigenous persons

SBS respects and acknowledges the bereavement and mourning practices of Aboriginal and Torres Strait Islander peoples, including protocols relating to the representation of deceased Indigenous persons.

SBS will provide appropriate warnings to Indigenous audiences where such protocols are in place. However, SBS acknowledges that, because of the diversity and complexity of Indigenous communities, it may not always be possible to comply with relevant protocols and practices and a deceased persons warning may not always be appropriate.

The bereavement practices of Aboriginal and Torres Strait Islander peoples are region specific. SBS requires content makers to verify and observe local practices when reporting on, or making content that depicts or represents, recently deceased Aboriginal or Torres Strait Islander persons. Where appropriate, images, footage or sound recordings of deceased Indigenous Australians will be preceded by a warning.

5.5 Privacy

SBS respects the rights of individuals to privacy.

These rights are balanced against SBS's obligations to report on matters of public interest and to reflect a diversity of experiences.

In order to report on matters of public interest, intrusions upon a person's privacy without their consent may be justified in some circumstances.

SBS operates under the presumption that if material is recorded in public, communication of that material will generally not intrude on a person's privacy.

Note: SBS collects personal information for operational purposes which is subject to the SBS Privacy Policy.

6. Feedback, Comments and Complaints

SBS values all audience feedback, whether complimentary or critical, about its content and platforms. Audience feedback, comments and complaints are an important way for SBS to engage with audiences and to learn about community needs and opinions on SBS's editorial processes and services.

SBS takes complaints about its content and platforms very seriously.

- A complaint made under **section 6.2** that alleges SBS has breached a provision in this SBS Code of Practice will be investigated and managed independently by the SBS Ombudsman.
- Feedback, comments and general complaints about other matters are managed by SBS Audience Relations.

SBS will not provide a formal response to comments and complaints which are submitted on its social media platforms.

SBS will not respond to comments, feedback or complaints that are:

- frivolous, vexatious, not made in good faith; or
- offensive or abusive.

6.1 Feedback, Comments and General Complaints

Comments, feedback and general complaints about SBS content and platforms can be made by contacting SBS [here](#).

Comments or feedback which require a detailed response or specific assistance may be directed to the relevant team or employee within SBS.

General complaints will be referred to the relevant team to determine the appropriate action. SBS is not required to investigate and respond to these complaints. Where a written complaint is received, SBS will make reasonable efforts to address the concerns raised.

SBS does not usually provide a written response to comments, feedback or complaints made by telephone and will deal with the matter as it considers appropriate.

6.2 Code Complaints about Content as Broadcast or Published

A complaint alleging that SBS has breached a provision in the Code will be managed by the SBS Ombudsman and investigated independently. Feedback will not be treated as a Code complaint.

The SBS Ombudsman reports directly to the Managing Director and is independent of all SBS Divisions.

Complaints received prior to the broadcast or publication of the content are not Code complaints.

SBS is not obliged to investigate complaints from people not resident in Australia, or non-Australian entities. SBS will not investigate anonymous complaints.

SBS will suspend the investigation of any complaint which is or becomes the subject of legal proceedings. Resumption of any investigation depends upon the nature and outcome of the legal proceedings.

6.2.1 How to make a Code complaint

A Code complaint about SBS content can be made by contacting SBS [here](#).

You need to:

- identify yourself by name and provide both your email and postal addresses;
- identify the content that is of concern to you and the date you viewed, heard or read it;
- state the platform on which you heard, read or saw the content, for example the name of the SBS television or radio channel, digital service, podcast or website;
- explain what aspect of the content you are complaining about; and
- if possible, identify which section or sections of this Code applies to the content.

Complaints relating to privacy may only be made by or on behalf of the person who considers their privacy was intruded upon.

Code complaints in languages other than English

If SBS receives a complaint in a language other than English, SBS will have it translated into English and will rely on that translation.

Time periods for making a Code complaint

Code complaints must be received by SBS within four (4) weeks of the date of the television or radio broadcast, or from the date the content was first made available on an SBS digital media service.

6.2.2 Confidentiality

Generally, a complainant's identity will be kept confidential by SBS and will only be disclosed to relevant SBS staff as required for the purpose of an investigation by the SBS Ombudsman.

SBS respects the confidentiality of Code complainants and will not disclose the identity of individual complainants publicly unless:

- SBS is required by law to do so;
- the complaint has been made public by the complainant; or
- the complaint is a matter of public record.

6.2.3 How SBS deals with Code complaints

Complaints received by the SBS Ombudsman will be assessed to determine whether they meet the criteria of a Code complaint.

Once a complaint has been assessed as a Code complaint, the SBS Ombudsman will send a written reply by email 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, where applicable, that they make seek an external review through the Australian Communications and Media Authority (ACMA)

In some cases, all or part of a program broadcast or published in a language other than English may need to be translated. This may involve some delay.

Complaints Committee

The SBS Ombudsman or the relevant SBS Divisional Director may refer a Code complaint to the SBS Complaints Committee for further consideration. The Complaints Committee will review the Code complaint and any recommendations by the SBS Ombudsman and make an independent determination as to whether to uphold or dismiss the complaint.

The Complaints Committee will decide how to inform itself at its discretion.

The Complaints Committee is composed of the Managing Director (Chair), the SBS Ombudsman, the SBS Content Directors, and the Director of the Corporate Affairs Division (or such equivalent positions as exist from time to time).

Replies to Code complaints

The SBS Ombudsman will endeavour to provide a written response by email to the complainant within 30 days of receipt of a complaint, and in any event must do so within 60 days (subject to delays caused by a need for translation).

In exceptional circumstances an extension to the 60-day deadline may be justified.

The complainant will be informed of the revised timeline and the reasons for the delay.

The complainant will be advised:

- whether the Code complaint is upheld;
- the reasons for SBS's decision; and
- where applicable, their right to refer the matter to the ACMA if not satisfied with SBS's response.

SBS response to Code complaints that are upheld

If a Code complaint is upheld SBS, at its discretion, may take action including:

- acknowledging that a breach has occurred;
- apologising;
- broadcasting or publishing corrected information; or
- broadcasting or publishing a correction, retraction or apology.

6.2.4 Referral to the ACMA

Complainants:

- who have not received a response within 60 days after making it or, in exceptional circumstances, within the advised time period; or
- who received a response within that period which they consider to be inadequate;

may complain to the ACMA, under section 150 of the *Broadcasting Services Act 1992* (Cth).

The ACMA does not deal with complaints about content on SBS digital media services unless it relates to a retransmitted television or radio broadcasting service.

6.2.5 Complaints about illegal and offensive content on SBS digital media services

The eSafety Commissioner may investigate complaints about illegal and offensive content on SBS digital media services (excluding retransmitted radio or television broadcasting services).

7. Glossary

ACMA means the Australian Communications and Media Authority.

Advertisement means 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 recommend, directly or indirectly, that product, service, person, organisation or line of conduct (section 4.2).

Ad Standards means the industry body that manages the complaint resolution process of the advertising self-regulation system in Australia.

Broadcasting service has the same meaning as in section 3 of the SBS Act.

Code means the SBS Code of Practice.

Code complaint means a complaint that alleges that SBS has breached the SBS Code of Practice for content that has been broadcast or published by SBS (section 6.2).

Content means audio, video, visual and textual material.

CSA means community information announcements and community promotional material (section 4.3).

Digital media service has the same meaning as in section 3A of the SBS Act.

Indigenous Australians refers to the Aboriginal and Torres Strait Islander peoples of Australia.

Managing Director has the same meaning as in section 3 of the SBS Act.

NITV means National Indigenous Television.

Online content means content that is published on SBS's digital media services and on third party digital media services including SBS On Demand, the SBS website, SBS apps, SBS podcasts and SBS social media posts.

SBS means the Special Broadcasting Service Corporation operating under the SBS Act, and includes NITV.

SBS Act means the *Special Broadcasting Service Act 1991* (Cth).

SBS Complaints Committee means a committee comprising the Managing Director, the SBS Ombudsman, SBS Content Directors, and the Director of the Corporate Affairs Division, or such equivalent positions as exist from time to time (section 6.2.3).

SBS content means content that is produced, commissioned, acquired or otherwise obtained by SBS for broadcast or publication on SBS's platforms over which SBS has editorial control (section 2.1).

SBS Content Directors means the Director of Audio and Language Content, the Director of News and Current Affairs, the Director of Marketing, and the Director of Television and Online Content, or such equivalent positions as exist from time to time (section 6.2.3).

SBS platforms includes SBS television and radio broadcasting services, SBS digital media services and SBS accounts and services on third party platforms (section 2.1).

Sponsorship announcement means matter, for which SBS receives consideration in cash or in kind, which advises audiences of a sponsorship relationship with SBS and actively promotes the product, service, person, organisation or line of conduct of the sponsor in a favourable way (section 4.2).

WorldWatch means the range of international news and current affairs bulletins broadcast or published by SBS under section 3.3.2.

Appendix 1

SBS System of Classification for Television Broadcasting Services

The SBS system of television program classification is adapted from the Guidelines for the Classification of Films and Computer Games (2005) made under the *Classification (Publications, Films and Computer Games) Act 1995* (Cth).

The guiding principle in the application of the following classifications is context. What is inappropriate and unacceptable in one context may be appropriate and acceptable in another. Factors to consider include: the artistic or educational merit of the production, the purpose of a sequence, the tone, the camera work, the intensity and relevance of the material, the treatment, and the intended audience.

SBS believes that the integrity of programs is best retained if programs are broadcast unaltered. SBS will schedule programs or, if necessary, modify them in accordance with the SBS classification categories to ensure that they are suitable for broadcast, or for broadcast at particular times.

SBS's classification system gives special attention to culture, violence, sex and nudity, and use of language.

Culture

In fulfilling its role as a multilingual and multicultural media service, SBS reflects a diversity of cultures including those of Aboriginal and Torres Strait Islander communities.

SBS classifies programs based on SBS's knowledge of the cultural context of each program. SBS will interpret the relevant classification elements so as not to impede the presentation of relevant cultural information to audiences or limit its ability to reflect diverse cultural values.

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. SBS does not present violence gratuitously.

In assessing program content involving violence, consideration is given to a range of factors including:

- degree of explicitness;
- propensity to alarm, distress or shock;
- significance in relation to the message; and
- social importance.

The presentation of violence in drama requires careful consideration. 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.

Sex and nudity

In assessing program content involving sex and nudity, consideration is given to a number of factors including:

- the responsibility with which visuals and subject matter are treated, particularly the treatment of non-consensual sexual activities and any sexual activity involving minors;
- the degree of explicitness; and
- the impact that visuals have in the context of a program as a whole.

Language

SBS will take into account the use of coarse language and prevailing community standards when classifying programs.

Classification Categories

G – General

G programs may be shown at any time.

G programs, which include programs designed for pre-school and school-age children, are suitable for children to watch on their own. Some G programs may be more appropriate for older children.

The G classification does not necessarily indicate that the program is one that children will enjoy. Some G programs contain themes or storylines that are not of interest to children.

Whether or not the program is intended for children, the treatment of themes and other classifiable elements will be careful and discreet.

Treatments of classifiable elements in artistic or cultural contexts, such as depictions of nudity in a sexual context, may be permitted if the treatment is discreet, justified by context, and very mild in impact.

Themes: The treatment of themes should be discreet, justified by context, and very mild in impact. The presentation of dangerous, imitable behaviour is not permitted except in those circumstances where it is justified by context. Any depiction of such behaviour must not encourage dangerous imitation. Supernatural or very mild horror themes may be included.

Violence: Violence including sexual violence may be implied very discreetly, but should:

- have a light tone;
- have a very low sense of threat or menace; and
- not be gratuitous.

Sex: Sexual activity should:

- be suggested in very discreet visual or verbal references; and
- not be gratuitous.

Language: Coarse language should:

- be very mild; and
- not be gratuitous.

Drug use: The depiction of the use of drugs should be handled with care. Drug use should be implied only very discreetly, and be justified by context.

Nudity: Nudity outside of a sexual context should not be detailed, or gratuitous.

PG – Parental Guidance

Parental/guardian guidance recommended for people under 15 years.

PG programs may be shown any time.

PG programs may contain adult themes and concepts that, when viewed by those under 15 years, may require the guidance of an adult.

The PG classification signals to parents or guardians that material in this category contains depictions or references which could be confusing or upsetting to children without adult guidance.

Parents or guardians may choose to monitor the material for children in their care. Some may choose to watch the material with children in their care. Others might find it sufficient to be accessible during or after the viewing to discuss the content.

The PG classification does not indicate necessarily that the program is one that children will enjoy. Some PG programs contain themes or storylines that are not of interest to children.

Themes: The treatment of themes should be discreet and mild in impact. Supernatural or mild horror themes may be included.

Violence: Violence may be implied discreetly or stylised and should:

- be mild in impact; and
- not be shown in detail.

Sex: Sexual activity and nudity in a sexual context may be suggested, but should:

- be discreet; and
- not be gratuitous.

Verbal references to sexual activity should be discreet.

Language: Coarse language should be mild.

Drug use: Discreet verbal references and mild visuals of drug use may be included.

Nudity: Nudity outside of a sexual context should not be detailed or gratuitous.

M – Mature

Not recommended for people under 15 years.

SBS, SBS Viceland and SBS World Movies

M programs may be shown between:

- 10.00am and 3.00pm; and
- 7.30pm and 6.00am.

NITV and SBS Food

M programs may be shown between:

- 10.00am and 3.00pm on weekdays that are school days; and
- 7.30pm and 6.00am on any day of the week.

Programs classified M contain material that is considered to be potentially harmful or disturbing to those under 15 years. Depictions and references to classifiable elements may contain detail.

While most themes may be dealt with, the degree of explicitness and intensity of treatment will determine what can be accommodated in the M category – the less explicit or less intense material will be included in the M classification and the more explicit or more intense material, especially violent material, will be included in the MA15+ classification.

Themes: Most themes can be dealt with, but the treatment should be discreet, and the impact should not be strong.

Violence: Generally, depictions of violence should:

- not contain a lot of detail; and
- not be prolonged.

In realistic treatments, depictions of violence that contain detail should:

- not have a strong impact; and
- not be gratuitous.

In stylised treatments, depictions of violence may contain more detail if this does not increase the impact.

Verbal and visual references to sexual violence may only be included if they are:

- discreet; and
- justified strongly by the narrative or documentary context.

Sex: Sexual activity may be implied.

Nudity in a sexual context should not contain a lot of detail, or be prolonged.

Verbal and textual references to sexual activity may be more detailed than visual depictions if this does not increase the impact.

Language: Coarse language may be used.

Generally, coarse language that is stronger, detailed or very aggressive should not be gratuitous.

Drug use: Drug use may be shown discreetly.

Nudity: Nudity outside of a sexual context may be shown but depictions that contain any detail should not be gratuitous.

MA15+ – Mature Audience

Not suitable for people under 15 years.

MA15+ programs may be shown between 8.30pm and 5.00am on any day of the week.

MA15+ programs, because of the matter they contain or because of the way classifiable elements are treated, are not suitable for people aged under 15 years.

Material classified MA15+ deals with issues or contains depictions that require a more mature perspective. This is because the impact of individual elements or a combination of elements is considered likely to be harmful or disturbing to viewers under 15 years of age.

While most themes may be dealt with and can be accommodated in the MA15+ category – the more explicit or more intense material, violent material especially, will be included in the MA15+ classification and the less explicit or less intense material will be included in the M classification.

Themes: The treatment of themes with a high degree of intensity should not be gratuitous.

Violence: Generally, depictions of violence should not have a high impact.

In realistic treatments, detailed depictions of violence with a strong impact should:

- not be prolonged; and
- not be gratuitous.

Depictions of violence in stylised treatments may be more detailed if this does not increase the impact.

Depictions of sexual violence are permitted only if they are not prolonged, gratuitous or exploitative.

Sex: Sexual activity may be implied.

Depictions of nudity in a sexual context that contain detail should not be exploitative. If this does not increase the impact, verbal, textual and audio references may be more detailed than visual depictions,

Language: Coarse language may be used.

Drug use: Drug use may be shown. More detailed depictions should not have a high degree of impact.

Nudity: Nudity should be justified by context.



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