



# ABA finding on tax reform advertisements

## The complaint

The ABA investigated both commercial television and commercial radio advertisements about the Government's proposed tax reform package after receiving a complaint on 20 August 1998 from Senator John Faulkner, Leader of the Opposition in the Senate and Shadow Minister for Public Administration, Government Services and Territories.

Senator Faulkner's letter to the ABA stated, in part:

I note that the television and radio advertisements have been, 'authorised by N. Minchin for the Commonwealth Government, Parliament House, Canberra'.

...

In my submission, the campaign is improperly authorised as being on behalf of the Commonwealth Government.

## The advertisements

The commercial radio and television advertisements were about the Government's proposed taxation reforms.

Senator the Hon. Nick Minchin advised the ABA in writing that he was the person responsible for approval of the content of the advertisements and the decision to present them for broadcasting. The ABA was also advised that at the time of giving the authorisation Senator Minchin lived in Canberra.

## Legislative framework

Under the provisions of the Act, if a broadcaster broadcasts political matter at the request of another person, the broadcaster must, immediately afterwards, cause the required particulars (or authorisation) in relation to the matter to be announced.

Clause 4 of Part 2 of Schedule 2 of the Act

requires broadcasters to identify certain political matter.

On 11 November 1992 the ABA approved the following form for the announcement of the required particulars as defined in clause 1 of Schedule 2:

1. If the political matter is broadcast by radio the broadcaster shall cause the required particulars to be broadcast in the form of a spoken announcement.
2. If the political matter is broadcast by television the broadcaster shall cause the required particulars (other than those contained in paragraph (c) of the definition of required particulars in clause 1 of Schedule 2) to be broadcast in the form of a spoken announcement, and cause all the required particulars to be broadcast in the form of images of words.

## Decision

The ABA found that the authorisation announced immediately after the Commonwealth Government's tax reform advertisements complied with the Broadcasting Services Act.

The purpose of the provisions is to assist the general public in their identification of broadcasts which are political and to identify the government, political party, interest group or person who authorised the matter and requested its broadcast.

While the authorisation contained information in addition to that required, the inclusion of this information only assisted in satisfying the purpose of the provisions.

### Investigation reports

Copies of these investigation reports are available from the ABA, price \$10.00, tel. (02) 9334 7700.

The report, and the ABA's guidelines, *Guidelines for the Broadcasting of Political Matter*, are also available on the ABA web site <[www.aba.gov.au](http://www.aba.gov.au)>.