



2000-FM Sydney

Broadcasting advertisements and breaches of a licence condition

Complaint

The ABA received a number of complaints in the period between December 2001 and May 2002 from a single complainant who alleged that programs in the Arabic language broadcast by the licensee had included material that constituted advertisements. The ABA investigated five programs (broadcast on 8 December 2001, 19 January 2002, 19 and 23 March 2002 and 18 April 2002) in regard to the following issues:

- a promotional announcement for the American insurance company AIA broadcast on 8 December 2001
- a promotional announcement about the music retailer Jukebox at the end of an interview broadcast on 19 January 2002
- an interview with a playwright and other material broadcast on 19 March 2002 that amounted to advertising for his play
- an interview with a singer and promotional material for his concerts that amounted to an advertisement for the concert and the concert promoter that was broadcast on 23 March 2002
- a promotional announcement for a prize donor, Ace Travel Service, broadcast on 23 March 2002
- a program broadcast on the 18 April 2002 that mentioned a play *Three Lunatics and a Half* and a musical *A Night in the East* and information that the tickets for these performances were prizes in an on-air contest.

The ABA noted that the programs in question broadcast on 19 and 23 March 2002 included promotional announcements for a number of businesses, including World Money Express. Each was preceded by an announcement that acknowledged sponsorship of the program, but not of the licensee. The ABA also noted that the broadcast of 18 April 2002 included a promotional announcement for World Money Express.

Decision

The ABA determined that the licensee breached paragraph 9(1)(b) of Schedule 2 to the Broadcasting Services Act in its broadcasts on each of five occasions in relation to untagged advertisements.

The ABA determined that the programs broadcast on 19 and 23 March 2002 and 18 April 2002 did not breach paragraph 9(1)(b) of Schedule 2 to the Act in broadcasting community information about the performances.

Action taken

On 2 August 2001, the licensee was issued a notice pursuant to section 141 of the Act requiring that it cease breaching the licence condition.

The ABA held a meeting with the licensee on 27 August 2002. At that meeting, the licensee undertook to implement measures to ensure that similar breaches would not occur in the future.



Investigation reports : breach findings

To view the full report on these investigations, go to the ABA web site:

www.aba.gov.au/tv/investigations/breach_findings/

www.aba.gov.au/radio/investigations/breach_findings/

where the reports are arranged according to month of completion.