

# Chapter 6

## Related Matters

6.1 During the course of the inquiry, some submitters raised other issues associated with broadcasting or the media in Australia. This chapter examines some of the issues that do not fit within the first three terms of reference.

### Advertising

6.2 Contributors to this inquiry raised a number of issues relating to advertising on television and radio, including:

- Confusion about the appropriate complaints mechanism;
- Perceived loosening of restrictions in terms of content, particularly with regard to sexual content;
- Relaxation of restrictions during live sporting events; and
- Response to complaints.

6.3 Who to complain to about inappropriate advertising has been an issue raised with the Committee. Advertisements broadcast on television and radio are required to comply with the Australian Association of National Advertisers Code of Ethics. If a complainant feels that the broadcaster has not complied with the time zone requirements under the code of practice, a complaint may be made to the broadcaster. Other complaints regarding commercial advertising should be referred to the Advertising Standards Board.

6.4 The Committee is aware that advertising during live sporting events is not subject to the same requirements as non-sporting events. These advertising rules have been developed and ratified through proper procedure. However, the Committee notes that it is the right of any member of the public to have their opinion heard on this subject.

6.5 A number of contributors expressed disappointment in the handling of complaints about advertising, similar to the situation of complaints about programs described in Chapter 5 of this report. The Committee does not condone complainants being treated with a lack of respect, and again notes the right of any member of the public to complain.

## Electronic games

6.6 An issue raised by the Young Liberal Movement Victoria, and supported by the NSW Council for Civil Liberties, is the lack of a classification scale 'for adults only' for electronic games:

Currently both television and film have classifications for 'adults only' content. This ensures that this category of media is accessible for those in the appropriate age bracket (over 18).

In the case of television this requires responsible parental supervision and in the case of film, adherence to legal requirements by cinemas and DVD hirers and sellers.

No such 'adults only' classification scale exists for electronic games.

Instead, electronic games deemed to contain 'adults only' content are banned from sale in Australia. As a result, game studios are forced to either modify their products and release edited versions or decide to not release their product in Australia at all.

The irony is that these games are fairly accessible online.<sup>1</sup>

6.7 The Committee notes the inconsistency of the current situation but is aware that the matter is under review by the Attorney-General's Department.

## Current legislation before the Senate

6.8 The Committee is aware that the bill entitled the *Classification (Publications, Films and Computer Games) Amendment (Assessments and Advertising) Bill 2008* has been presented and read for the first time in the Senate. YMA objects to the intention of part of the bill that proposes to:

...[A]mend the classification procedures for films that are compilations of episodes of a television series so that an application for classification of such a film may be accompanied by a report that complies with conditions set out in a new Commonwealth instrument...<sup>2</sup>

6.9 YMA objects on the grounds that:

If passed, this legislation will give undue weight to recommendations by the TV industry, which will presumably be based on the classification given by the network that screened it.<sup>3</sup>

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1 Young Liberal Movement Victoria, *Submission 57*, p. 3.

2 Explanatory Memoranda, *Classification (Publications, Films and Computer Games) Amendment (Assessments and Advertising) Bill 2008*, [http://parlinfoweb.parl.net/parlinfo/view\\_document.aspx?ID=2891&TABLE=EMS](http://parlinfoweb.parl.net/parlinfo/view_document.aspx?ID=2891&TABLE=EMS) (accessed 4 June 2008).

3 Young Media Australia, *Submission 79*, p. 7.

6.10 The Committee is aware of the proposed legislation and notes that the Senate will examine the merits of the bill in due course.

**Senator Anne McEwen**  
**Chair**

