



# Children's Television Standards Variation 2014 (No. 1)

## *Broadcasting Services Act 1992*

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The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes this Instrument under subsection 122 (1) of the *Broadcasting Services Act 1992*.

Dated 24<sup>th</sup> September 2014

*Chris Chapman*  
[signed]  
Member

*Richard Bean*  
[signed]  
Member/~~General Manager~~

## Australian Communications and Media Authority

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**1 Name of Instrument**

This Instrument is the *Children's Television Standards Variation 2014 (No. 1)*.

**2 Commencement**

This Instrument commences on 24 December 2014.

**3 Variation of the *Children's Television Standards 2009***

Schedule 1 varies the *Children's Television Standards 2009*.

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## Schedule 1 Variations

(section 3)

[1] **CTS 2**

*substitute*

These standards commence on 1 January 2010.

[2] **CTS 5(1), definition of *C material*, paragraph (b)**

*omit*

a C period

*insert*

breaks immediately before, during and immediately after a C program,

[3] **CTS 5(1), definition of *C period***

*substitute*

***C period*** means a period, in the C band, communicated to the public by a licensee under CTS 9 for the broadcast of a C program, or the consecutive broadcast of 2 or more C programs.

[4] **CTS 5(1), definition of *C program***

*substitute*

***C program*** means a program which has been classified by the ACMA, or a person or body appointed by the ACMA for that purpose, as a program which meets the criteria of suitability for children in CTS 6(1), and is broadcast in a C period.

[5] **CTS 5(1), definition of *live coverage***

*omit*

[6] **CTS 5(1), definition of *notifying licensee***

*omit*

[7] **CTS 5(1), definition of *P period***

*substitute*

***P period*** means a period, in the P band, communicated to the public by a licensee under CTS 9 for the broadcast of a P program, or the consecutive broadcast of 2 or more P programs.

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**[8] CTS 5(1), definition of *P* program**

*substitute*

***P* program** means a program which has been classified by the ACMA, or a person or body appointed by the ACMA for that purpose, as a program which meets the criteria of suitability for preschool children in CTS 6(2), and is broadcast in a *P* period.

**[9] CTS 6**

*substitute*

**CTS 6 Criteria of suitability for *C* and *P* programs**

- (1) A program meets the criteria of suitability for a *C* program if it:
  - (a) is made specifically for children, or groups of children, of school age; and
  - (b) is entertaining; and
  - (c) is well produced using sufficient resources to ensure a high standard of script, cast, direction, editing, shooting, sound and other production elements; and
  - (d) enhances the understanding and experience of children of school age; and
  - (e) is appropriate for Australian children of school age.
- (2) A program meets the criteria of suitability for a *P* program if it:
  - (a) is made specifically for preschool children; and
  - (b) is entertaining; and
  - (c) is well produced using sufficient resources to ensure a high standard of script, cast, direction, editing, shooting, sound and other production elements; and
  - (d) enhances the understanding and experience of preschool children; and
  - (e) is appropriate for Australian preschool children.

**[10] CTS 8**

*substitute*

**CTS 8 Requirements that apply to both *C* material and *P* material**

- (1) A licensee must broadcast in each year a total of:
  - (a) at least:
    - (i) 260 hours of *C* material in the *C* band; or
    - (ii) for a licensee's first year of broadcasting – the amount of hours of *C* material in the *C* band worked out using the pro rata formula where *Z* is 260 hours of *C* material; and
  - (b) at least:
    - (i) 130 hours of *P* material in the *P* band; or

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- (ii) for a licensee's first year of broadcasting – the amount of hours of P material in the P band worked out using the pro rata formula where *Z* is 130 hours of P material.
- (2) A licensee must not broadcast:
- (a) in a C period – any program other than a C program; or
  - (b) in a P period – any program other than a P program.
- (3) Subject to CTS 8(4), a licensee must not broadcast more than 3 times within any period of 5 years:
- (a) in C periods – any 1 C program that is an episode or program in a series; or
  - (b) in P periods – any 1 P program that is an episode or program in a series.
- (4) There is no restriction on the number of times a licensee may broadcast an Australian C drama.
- (5) The obligations of a licensee are subject to the exceptions and qualifications contained in subsection 12(4) and section 12A of the Australian Content Standard.

**[11] CTS 9**

*substitute*

**CTS 9 Licensee to give public notice of broadcast times of C and P programs**

- (1) A licensee must communicate to the public the dates, times and channel(s) for the broadcast of C programs in the C band and P programs in the P band:
- (a) at least 6 days in advance;
  - (b) in program schedules on the licensee's website; and
  - (c) by including the classification symbol C or P in the program listing.
- (2) Any variation to the date, time or channel for the broadcast of a C or P program that is made after notice is given under CTS 9(1) must be communicated as soon as possible:
- (a) in program schedules on the licensee's website; or
  - (b) by updating the licensee's electronic program guide; or
  - (c) by some other suitable means of communicating the rescheduled time, date and channel for the broadcast of the displaced C or P program.
- (3) A displaced C or P program that is broadcast at the time and on the date and channel communicated under CTS 9(2) is taken, for the purposes of compliance with CTS 13 or CTS 14, to have been broadcast at the time and on the date and channel for broadcast communicated under CTS 9(1).

**[12] CTS 10**

*omit*

**[13] CTS 11**

*omit*

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- [14] **CTS 12**  
*omit*
- [15] **CTS 13(1)**  
*substitute*  
(1) A licensee must broadcast C material for a continuous period of time by:  
(a) complying with CTS 13(2); or  
(b) after giving written notice to the ACMA of its intention to do so, by complying with CTS 13(3) for the period of time specified in the written notice.
- [16] **CTS 13(2)(c)(ii)**  
*omit*  
; or  
*insert*  
.
- [17] **CTS 13(2)(c)(iii)**  
*omit*
- [18] **CTS 18(2)**  
*omit*  
For CTS 8(2) and CTS 8(3),  
*insert*  
For CTS 8(1),
- [19] **CTS 19(3)**  
*omit*  
CTS 8(5), CTS 8(6),  
*insert*  
CTS 8(3), CTS 8(4),
- [20] **CTS 36(3) and (4)**  
*substitute*  
(3) No advertisement for alcoholic drinks may be broadcast during:

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- (a) a program which has been classified by the ACMA, or a person or body appointed by the ACMA for that purpose, as a program which meets the criteria of suitability for a C program under CTS 6(1) or the criteria of suitability for a P program under CTS 6(2), and which is broadcast outside a C period or P period; or
  - (b) a break immediately before or after a program referred to in CTS 36(3)(a).
- (4) No advertisement or sponsorship announcement broadcast during a program referred to in CTS 36(3)(a), or in a break immediately before or after such a program, may identify or refer to a company, person or organisation whose principal activity is the manufacture, distribution or sale of alcoholic drinks. This requirement is in addition to the requirements of the Commercial Television Industry Code of Practice.

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#### **Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.