



7.1 INTRODUCTION

SBS values audience feedback on its programming. Comments from viewers and listeners are immediate sources of feedback about SBS programming, and an important way for SBS to keep in touch with community opinion.

7.2 MAKING A COMPLAINT THAT SBS HAS ACTED CONTRARY TO ITS CODES OF PRACTICE

Where a person believes that SBS has acted contrary to its Codes of Practice in its Television or Radio programming, the person should first contact SBS. Complainants who wish SBS to reply formally should put the matter in writing. To assist SBS's investigation, the complainant should, where possible, identify the Code in question, and indicate how a breach may have occurred. It is also helpful if the complainant specifically identifies the program in question as well as the date and time of broadcast.

If the complainant does not receive a response within 60 days after making the complaint, or considers SBS's response to be inadequate, the person may make a complaint to the Australian Broadcasting Authority (ABA) about the matter, under Part 11 of the *Broadcasting Services Act 1992*:

The ABA may then investigate the complaint and, if it believes that the complaint is justified, can recommend SBS take action to comply with the relevant Code.

It may also recommend SBS take other action in relation to the complaint, such as the broadcasting of an apology. The ABA will notify the complainant about the outcome of any investigation.

If SBS does not, within 30 days of the recommendation, take action that the ABA considers to be appropriate, the ABA may give the Minister a written report on the matter. This report will then be tabled in Parliament.

Complaints about SBS services other than Television, Radio and datacasting cannot be referred to the ABA.

7.3 HOW SBS DEALS WITH COMPLAINTS

7.3.1 Written Complaints

SBS will make every reasonable effort to address the major concerns of all correspondents, except where a complaint is clearly frivolous, vexatious or not made in good faith. Written complaints will be promptly acknowledged and normally answered within six weeks from initial receipt by SBS. If appropriate, SBS will send a holding reply, acknowledging receipt of the complaint and promising a subsequent and more detailed response.

A person with appropriate editorial responsibility will deal with written complaints by assessing whether or not the broadcast is consistent with the Codes of Practice.

SBS may decide at its discretion whether to investigate anonymous complaints. Where complaints are received on a confidential basis, SBS may choose to protect the identity of the complainant.

7.3.2 Complaints by Telephone and Electronic Mail

SBS appreciates that, for many people, the telephone or email is the preferred way of expressing a view about programming.

Due to resource considerations and limitations on the availability of programming staff, SBS does not usually provide a detailed or written response to telephone calls or electronic mail about particular programs. However, comments received by phone or email will be noted and brought to the attention of management. To trigger SBS's formal complaints procedures for the investigation of alleged breaches of the Codes of Practice, a fax or letter is required.
(See Code 7.2/7.3)

7.3.3 Language and Translations

SBS believes that people should be able to communicate with SBS in the language with which they feel most comfortable.

SBS has linguistic specialists, mainly within Radio and Subtitling. Telephone comment in languages other than English can be handled if a request is made either in writing (in the non-English language) or through the SBS switchboard (initially in English to arrange details).

Letters in languages other than English may not be handled within the same time frame as letters received in English because of the need for translation.

In some cases, all or part of a program will need to be translated into English. Where this is the case, SBS will advise complainants of the delay. SBS seeks the cooperation of complainants in allowing for a reasonable period for the complaint to be addressed.

7.3.4 Who to Ask

The SBS Policy Unit coordinates the handling of programming complaints. Complainants should direct enquiries about the complaints handling process or about the progress of their complaint to the Head of Policy. (See below for contact details.)

7.4 WHERE TO ADDRESS COMPLAINTS AND COMMENTS ABOUT SBS PROGRAMMING

Viewers or listeners who would like their comments about SBS programming brought to the attention of management and programming staff should call the SBS switchboard in Sydney:

Telephone (02) 9430 2828
Toll Free 1800 500 727

or, alternatively, write to the appropriate programming area within SBS, at the following address:

Special Broadcasting Service
Locked Bag 028
Crows Nest NSW 1585
Facsimile (02) 9430 3700

Contact details for matters relating to SBS Radio Melbourne are as follows:

Manager
SBS Melbourne
PO Box 294
South Melbourne VIC 3205
Telephone (03) 9685 2525
Facsimile (03) 9686 7501

Viewers or listeners wishing to complain about a possible breach of the SBS Codes of Practice, or comment on or enquire about SBS programming policies should write to or fax:

Head of Policy
Special Broadcasting Service
Locked Bag 028
Facsimile 02 9430 3047

The SBS Web site is at: www.sbs.com.au

The email address for comments about programming is: comments@sbs.com.au

THE SBS SERVICE CHARTER

Principles of Service

SBS is committed to serving all Australians and will:

- Follow its programming policies as set down in the SBS Codes of Practice
- Make all reasonable efforts to explain SBS's programming policies and practices
- Ensure that feedback from audiences is communicated to people who make programming decisions
- Thoroughly investigate programming complaints and, in responding, seek to address all major issues raised
- Acknowledge when mistakes are made and take all reasonable measures of redress
- Seek to be accessible to everyone
- Provide the highest possible technical quality in the delivery of SBS services.

HOW TO CONTACT US

INFORMATION

If you want further information:



Go to www.sbs.com.au for program, schedule and corporate information or



Phone SBS Public Relations
Sydney 02 9430 2828
Toll Free 1800 500 727
or



Write to or fax the Head of Television or Head of Radio or the Manager, SBS Melbourne at the address below.

If you do not receive the information you requested or you require additional assistance, contact the SBS Policy Unit by **phoning** 02 9430 3813 or **writing** to the Sydney address below.

Note: SBS does not normally provide copies of programs broadcast on SBS Television. We can provide you with a form to help you source a particular program.

COMMENTS

If you wish to comment about SBS programming or other matters and do not require a response, you may:



Email SBS at comments@sbs.com.au or



Phone SBS Public Relations
Sydney 02 9430 2828
Toll Free 1800 500 727
or



Write to or fax the Head of Television or Head of Radio or the Manager, SBS Melbourne at the address below.

SBS will record your comments and advise management and relevant staff of your views.

COMPLAINTS

If you want a written response to a complaint about SBS programming or other matters, you must write to or fax us. SBS will not normally respond to emails about programming issues.

To help SBS answer your complaint:



Check the SBS Codes of Practice to identify whether they deal with your particular concern. If they do, tell us which Code you think applies to your issue.



Write to or fax the Head of Television or Head of Radio or the Manager, SBS Melbourne at the address below.

SBS will investigate and respond to your complaint within 60 days. Normally you will receive a response more quickly but you will be advised of any delay.

If you are dissatisfied with SBS's response to your complaint:

You may write to

- the same department or area, or
- the Head of Policy

at the address below, specifying your concerns.

If you are complaining that SBS has breached its Codes of Practice, you are also entitled to write to the Australian Broadcasting Authority (ABA).

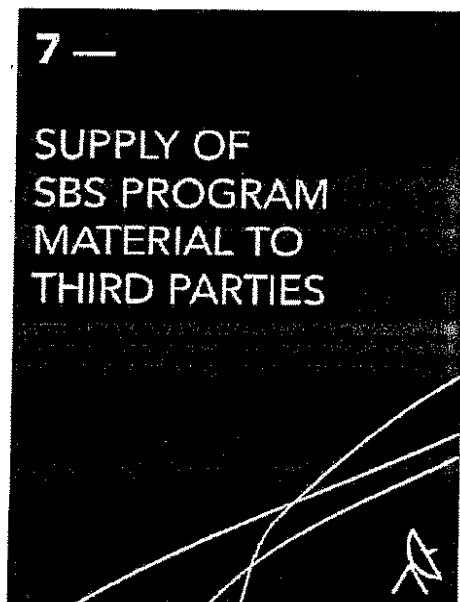
PO Box Q500
Queen Victoria Building
Sydney NSW 1230
(www.aba.gov.au)

The ABA will investigate your complaint and make a determination as to whether or not SBS has breached its Codes of Practice.

SBS ADDRESSES

Sydney
Locked Bag 028
Crows Nest NSW 1585
Fax 02 9430 3700

Melbourne
PO Box 294
South Melbourne VIC 3205
Fax 03 9686 7496



7.1 INTRODUCTION

SBS receives many requests for access to program material. These fall into two categories:

- requests for use of SBS material for commercial or private use;
- requests for material which is, or may be, legally actionable.

7.2 COMMERCIAL AND PRIVATE USE

7.2.1 Use for Commercial Purposes

Any use of SBS program material must be authorised by the relevant Division Head. A licence agreement must be used. Individual SBS employees do not have the right to sell or give away SBS program material.

Except in the case of daily news material covered by reciprocal arrangements between broadcasters, supply of all SBS news material must go through the SBS News Tape Library (Television) or the National Editor (Radio).

7.2.2 Private Use

In general, SBS does not provide or sell SBS program material for private use or exhibition. However, some SBS programs may be purchased on home video through SBS Marketing or nominated distributors. SBS Marketing can provide information about these programs.

Producers of programs may give copies of SBS program material to participants in the program for their personal use.

7.2.3 Use of SBS Program Material in Advertising

Requests for SBS program material for use in television, radio or print advertisements should be referred to the Head of Radio or Head of Television.

Use of SBS program material in political advertisements is not permitted. Material in which individuals are identifiable and which may be used to suggest that those individuals endorse or support a particular product or viewpoint may only be authorised with the consent of those individuals.

7.2.4 Program Complaints

SBS may provide copies of programs which have been broadcast on SBS Television or Radio (at cost) to persons who have made or intend to make a program complaint. SBS does not provide translations of the programs. Material requested by the ABA will be provided free.

7.3 CONTENTIOUS MATERIAL

Contentious material is material in respect of which legal proceedings have been threatened or commenced or are likely to be commenced against SBS or against a third party.

Section 70B of the SBS Act requires SBS to retain copies of all broadcast matter relating to a political subject or current affairs for a period of six weeks from the date of broadcast. If a complaint is made about the matter, it must be retained for 70 days from the date of the complaint.

If SBS is notified that material is required for legal proceedings within the six-week or 70 day retention periods, that material must be retained until legal advice is received that it is safe to dispose of this material. If proceedings have commenced prior to the request, or within the three-month period, the material must be kept until the proceedings have finished.

SBS will provide access to persons requesting a copy of program material if the person is referred to in the program and the request is made within the six week or 70 day period and if the person:

- can describe the program in a manner which enables it to be easily identified; and
- states that they wish to assess whether the material may be actionable against SBS.

7.3 — Continued

SBS will not provide material for use in legal proceedings to which the SBS is not a party unless a subpoena has been issued or the request is made on behalf of both parties to the litigation. This material will be made available at SBS standard rates.

Requests for program material by the police will generally require a search warrant or subpoena except in clear cases of public danger, where assistance to the police will help reduce the risk to public safety.

7.4 PROGRAM-RELATED MATERIAL ON THE WEBSITE

SBS is placing an increasing amount of program-related material on the SBS Website, including audio files and text transcripts for some programs. To answer some requests, it may be helpful to direct people to the website.

7.5 REQUESTS FOR NON-SBS PROGRAMMING

SBS receives many requests for programming that it has broadcast but for which it does not hold rights of sale or distribution. A form is available from Marketing or Public Relations for people making such requests. It explains the reasons that SBS cannot supply many of the broadcast programs and suggestions as to how the program may be obtained from the rights holders.

7.6 VARIATIONS

These policies may be varied in exceptional circumstances such as hardship to the person making the request or prejudice to SBS. Decisions to vary these policies may only be made by the Managing Director or the Head of Radio or Television.