



Broadcasting Services (Commercial Radio Advertising) Standard 2012

Broadcasting Services Act 1992

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY determines this standard under subsection 125 (1) of the *Broadcasting Services Act 1992*.

Dated 14th March 2012

Chris Chapman
[signed]
Member

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

Australian Communications and Media Authority

Part 1 Preliminary

1 Name of standard

This standard is the *Broadcasting Services (Commercial Radio Advertising) Standard 2012*.

2 Commencement

This standard commences on 1 May 2012.

3 Revocation

The following standards are revoked:

- (a) the *Broadcasting Services (Commercial Radio Advertising) Standard 2000* (Federal Register of Legislative Instruments (FRLI) No. F2006B00450); and
- (b) the variation to the *Broadcasting Services (Commercial Radio Advertising) Standard 2000* mentioned in the notice of variation registered on FRLI as FRLI No. F2005B03340.

4 Object of standard

The object of this standard is to encourage licensees to respect community standards by ensuring advertising is clearly distinguishable from all other programs.

5 What this standard does

This standard requires licensees to ensure that advertisements are distinguishable from other programs.

6 Definitions

In this standard:

Act means the *Broadcasting Services Act 1992*.

advertisement means material broadcast:

- (a) which draws public attention to, or promotes directly or indirectly, an organisation, product, service, belief or course of action; and
- (b) for which consideration has been provided by, or on behalf of, an organisation or supplier of the product or service, to a licensee, a presenter, or an associate of a presenter.

associate of a presenter means:

- (a) a person (other than the licensee of the presenter) who has the authority to enter into agreements for the provision of the presenter's services; or

(b) a corporation (other than the licensee of the presenter) or a trust in which the presenter has a greater than 50% company or beneficial interest; or

(c) a corporation (other than the licensee of the presenter) of which the presenter is a director.

consideration means any money, service, benefit or other valuable consideration that is directly or indirectly paid, promised, charged or accepted for material that is broadcast, or is to be broadcast, but does not include a product or service provided free to a person solely for the purpose of having the product or service reviewed.

licensee means a holder of a commercial radio broadcasting licence.

presenter means a person who is an on-air presenter of a program broadcast by a licensee.

Part 2

Advertisements clearly distinguishable by listeners

7 Distinguishing Advertisements

Advertisements broadcast by the licensee must be presented in such a manner that the reasonable listener is able to distinguish them, at the time of broadcast, from other program material.

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.comlaw.gov.au>.