

Australian Communications and Media Authority (ACMA) – Sponsorship Announcements Guidelines for Community Radio Broadcasters:-

Who is a sponsor of a licensee or program?

A sponsor is an individual or organisation who provides payment in cash or in kind to a community broadcasting licensee or a program provided under the service. This could be by way of a cash donation or contribution of goods or services that would otherwise be an expense for the licensee in operating the service. The key feature of a sponsorship announcement is its acknowledgment of the financial or in-kind support given by a sponsor to a community broadcasting licensee or a program provided under the service.

The announcement may also promote the activities, events, products, services or programs of the sponsor, provided that it contains an acknowledgment of financial or in-kind support by the sponsor of the licensee or a program.

Sponsorship announcements must be genuine. A licensee must be able to demonstrate (if asked) that the sponsors featured in announcements are actually financial supporters (in cash or in kind) of the licensee or a program provided under the service.

What is a sponsorship 'tag'?

A sponsorship 'tag' is a common term that refers to the on-air label affixed to material that enables a licensee to acknowledge support in cash or in kind given by a person or an organisation to a licensee or a program provided under the service.

What information must a tag contain?

A tag must state the name of the person or organisation that has given support in cash or in kind to the licensee or the program.

Examples of sponsorship of a licensee

- 1FM, sponsored by XYZ.
- XYZ Pty Ltd, sponsor of 1FM.

Examples of sponsorship of a program

- The Chamber Music Program is sponsored by Paganini Violin Strings of Black Forest Road—string-makers to the world's great quartets.

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- Paganini Violin Strings of Black Forest Road—sponsors of The Chamber Music Program.

A tag should:

- be attached to each individual sponsorship announcement. It is not sufficient to broadcast one tag covering a block of announcements;
- be clearly heard and understood; and
- be in the same language as the sponsorship announcement.

Where should tags and announcements be placed?

Community radio

- Tag placement

Tags can be placed in any part of a sponsorship announcement, provided it is clear to listeners that the information to be broadcast and/or that has been broadcast is a sponsorship announcement. However, licensees might prefer to put the tags at the start or the end of each announcement to ensure clarity.

- Sponsorship announcement placement

The Act does not restrict the placement of sponsorship announcements for community radio broadcasting licensees. However, where sponsorship is of a particular program, the association between the sponsorship and the program concerned does need to be clear.

- Sponsorship announcement placement

Sponsorship announcements must not run in total for more than five minutes in any hour for community radio licensees.

It is important when timing sponsorship announcements to count the whole announcement, including the tag and music, exactly as it is broadcast.

To ensure that the five-minute for radio limit is not exceeded, licensees should count the time spent broadcasting sponsorship announcements from the start of each hour.

There is no limit on the number of sponsorship announcements that may be broadcast in each hour, as long as their combined duration does not exceed the permitted number of minutes in any hour of broadcasting.

How does ACMA calculate the allowable minutes?

If ACMA receives a complaint about a licensee exceeding the statutory limit for the broadcast of sponsorship announcements in any given hour of broadcast, it would generally:

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- ask the relevant licensee for a copy of the broadcast for that hour. Any hour of broadcast is taken from the start of each hour;
- review the material and identify the duration of all sponsorship announcements, inclusive of tags and music (translations are obtained from independent NAATI-accredited (National Accreditation Authority for Translators and Interpreters) sources for all non- English broadcasts);
- calculate the duration of each sponsorship announcement to determine whether or not the licensee has, in the hour of broadcast, exceeded the statutory limit.

Who is responsible for sponsorship announcements in sold airtime?

The term 'sale of airtime' describes a practice where a licensee enters into any arrangement under which a person accepts consideration in cash or in kind from an individual or organisation in return for allowing that person or organisation to select or provide program material during an agreed timeslot.

This practice should be approached with caution in circumstances where the licensee has also permitted that person to sell sponsorship time. Licensees engaging in this practice generally sell airtime in 30-minute or one-hour blocks. In some cases, licensees sell the airtime excluding the sponsorship minutes, which they sell separately. In other cases, licensees sell airtime inclusive of the sponsorship minutes, which a broadcaster may then on-sell to other individuals or organisations.

The licensee is ultimately responsible for ensuring that all material broadcast on its service, including material broadcast under sale of airtime agreements, does not breach the terms of its licence. This includes ensuring that:

- Sponsors referred to in sponsorship announcements have actually given support in cash or in kind to the licensee or a program broadcast by the licensee;
- Sponsorship announcements are correctly tagged;
- Sponsorship announcements do not exceed the statutory limit

Who is responsible for retransmitted or syndicated programming?

Each licensee that retransmits programs from other community services or broadcasts syndicated programs from commercial stations or any other source remains responsible for the retransmitted or syndicated programming broadcast on their service.

Broadcasting programming not produced by the licensee but obtained from other sources is increasingly a feature of community radio. However, licensees that broadcast retransmitted or syndicated material remain responsible for compliance with the Act and any applicable codes of practice.

What licence conditions are at risk of being breached?

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Retransmitting community programming runs the risk of a licensee exceeding the statutory limit for sponsorship announcements of five minutes in any hour of broadcasting for radio or seven minutes in any hour of broadcasting for television.

If programs are obtained from other community services, a licensee should be aware that sponsorship announcements in that retransmitted material may breach the ban on advertising. Such announcements are only permitted where the sponsor is:

- a financial or in-kind supporter of the licensee that broadcasts the announcement; or
- a sponsor of the program being retransmitted.

Broadcasting programming syndicated from commercial stations also means a licensee runs the risk of breaching the licence condition not to broadcast advertisements.

Some broadcasters mistakenly believe that if they do not receive any payment for advertisements that appear in a syndicated commercial feed, they are not in breach of the licence condition ban on advertisements. However, any advertisement broadcast, paid or unpaid, could potentially breach the licence condition.

What can a licensee do to ensure compliance?

To overcome the potential for a breach of the ban on advertising or, where applicable, the statutory limit on sponsorship, a licensee retransmitting community programming should ensure that the sponsorship announcements in them are removed where a sponsor has not provided support in cash or in kind to that licensee or the program being broadcast.

Licensees broadcasting programming syndicated from commercial stations should ensure that the advertisements in them are removed to overcome the potential for a breach of the ban on advertising. Simply adding a tag to an advertisement in retransmitted or syndicated programming where there is no relationship between the licensee broadcasting the announcement and the sponsor does not ensure compliance.

Western Sports Media Inc has in place the following Sponsorship Actions to ensure

Compliance:-

- All sponsorship announcements for air are to be checked by the **Production Manager** for compliant tagging to ensure the tag is in the same language, can be clearly heard and understood, and that the tag is attached to each individual sponsorship announcement. The tags should be placed at the start or end of each announcement to ensure clarity.
- All sponsorship announcements for air are to be scheduled by the **Production Manager** in the computer airplay daily running list, and their time placement is to be as such to comply with the total cumulative sponsorship timing, and it must not run in total for more than five (5) minutes in any hour to ensure compliance is met.

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- All programming broadcast or retransmitted from sources other than that produced for air by Western Sports Media Inc must be checked by the **Production Manager** to ensure that the sponsorship announcements in them are removed where a sponsor has not provided support in cash or in kind to that licensee or the program being broadcast.
- All On-Air Announcers, and Program Production staff receive training on Community Broadcasting Sponsorship Guidelines, and the guide “Community Broadcasting Sponsorship Guidelines 2008” produced by ACMA forms part of this training. It is essential that on air announcers complete this training to enable them to distinguish between permitted promotional material and material that constitutes an advertisement. Failure to comply with the licence condition in this area carries with it serious penalties.
- All programming that is aired on Western Sports Media Inc must be logged continuously 24/7 and saved for six months to allow backward retrieval for a minimum of six (6) months. ACMA will be provided with a copy of any requested hour if ACMA receives a complaint about the Licensee Western Sports Media Inc exceeding the statutory limit for the broadcast of sponsorship announcements in any given hour of broadcast.
- On-going monitoring by way of sampling all programs (in particular programs of talk- back, and interview format) is undertaken by the **Production Manager** to identify in a preventative sense any possible non permitted promotional material. This on-going monitoring additionally includes content analysis of Community Announcements prior to airing.