

# Frequently Asked Questions

## Review of the Community Radio Broadcasting Codes of Practice

### 1. When were the Codes approved?

The ACMA approved the Community Radio Broadcasting Codes of Practice (the Codes) on Wednesday 15 October, 2024.

The Codes will come into effect the 1 July 2025.

### 2. Why review the Codes?

As the sector organisation representing the majority of licensees, the Community Broadcasting Association of Australia (CBAA) is obligated to coordinate a periodic review of the Codes to ensure the Codes remain relevant in the contemporary media environment.

For compliance purposes, obligations in the Codes must be clearly assessable and enforceable. Where possible, the requirements set out in the current Codes have been worded to better enable stations to meet their communities' needs in the way that works best for them.

The last time the Codes were renewed was 2008. Much has changed since then and the draft Codes have been updated to reflect the contemporary media environment, technologies and community standards.

### 3. How were the Codes endorsed?

The final version of the revised Codes was endorsed by the sector in Oct 2024. CBAA sought the endorsement of Community Broadcasting Licensees to support the request for the ACMA's formal registration of the revised Codes in Oct 2024.

Stations were individually contacted for their endorsement with 98% of responses endorsing the Codes. This was an important milestone following two rounds of consultation with community broadcasters, and detailed consultation with the ACMA.

### 4. What was the consultation process?

An extensive consultation and research process took place to prepare the draft Codes for this review by the sector and the general public.

The development of the proposed Codes was initially informed by a study led by Steve Ahern, consultation with sector organisations and analysis of member feedback, data, ACMA investigations and review of a CBAA Codes Advisory Committee.

There have also been two rounds of public consultation:

- Round One was available from 27 October 2022 to 15 December 2022 which shared major redrafting of the Codes for public feedback.

*The Round One consultation saw 9 of 10 draft Codes receive over 90% approval or approval with minor changes. 7 of 8 draft Guiding Principles on exhibition received over 90% approval or approval with minor changes.*

You can find a copy of our What We Heard Report on our website: [CBAA | Revised Codes](#)

- Round Two from 28 September 2023 to 26 October 2023 shared an updated version taking on feedback from Round One.  
Feedback from Round Two has helped us to make further improvements.

### 5. What was the sector's feedback?

The CBAA received feedback from the consultations about the updated Codes better reflecting the changing community standards and that they are easier to understand, more flexible, and less onerous for stations to comply with.

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Some feedback offered helpful suggestions to clarify the wording of codes or suggested guidance material to support codes.

## **6. What is the current status of the Codes?**

The Community Radio Broadcasting Codes of Practice 2008 version remains in force.

The revised Community Radio Broadcasting Codes of Practice (2025) has been registered by the ACMA. The new Codes will not come into force until July 1, 2025.

## **7. What are the next steps?**

The approved Codes will not come into force until July 1, 2025.

Stations have until that time to support staff and volunteers to understand the changes before they come into effect.

CBAA is developing training and guidance materials to support all broadcasters to understand and comply with the codes. These will be published ahead of July 1.

## **8. How will CBAA support broadcasters to understand and comply with the new codes?**

The new Codes will be accompanied by practical easy-to-use guidance material to help your station check off the things it needs to do to comply with the new Codes. The guidance material will provide templates for policies, processes to follow and suggestions for best practice.

The CBAA, other sector peak organisations and the Community Media Training Organisation play a key role in providing stations and station workers with the tools and information they need to comply with the Codes and will be on hand to provide support, e-learning, training, and advice when the new Codes come into force.

Our aim is that the new Codes will be easier to follow and not place any significant new administrative burden on stations. So, if you are already doing everything you need to do to comply with the existing Codes, it should not be burdensome to ensure you are complying with the new Codes. The introduction of the new Codes will provide you with an opportunity to review your governance policies and processes and make improvements. The guidance material will help your station to apply good governance principles, meet community standards and comply with your licence conditions.

## **9. What are the Key changes to the Codes?**

Code obligations

- Key changes to the Codes have been made in an effort to, as far as possible, remove obligations that may be duplicative of legislative requirements and in some cases, replacing highly prescriptive requirements with obligations that provide licensees with increased flexibility for deciding how they will meet code obligations.
- There are 10 Codes in the revised Codes. The existing (2008) Codes has 8 Codes. Code 3: General programming of the existing Codes has been broken into 3 separate Codes - Code 4: Material not suitable for broadcast, Code 5: News and Journalistic Content and Code 6: Emergency Information.

Guiding principles

- The Guiding Principles build upon the existing Guiding Principles with new principles committing to the self-determination of Aboriginal and Torres Strait Islander peoples and overcoming prejudice and discrimination as well as a reference to the sector's role in celebrating languages.

Legislative matters

- Throughout the document, there are "Other Legislative Matters" boxes which contain reminders about some of the other obligations on licensees that are additional to the Code, but which do not form part of the Code.

New Code 1: Application and Review includes all administrative matters including how the Codes will be applied.

- A new obligation has been included that recognises non-compliance with the Codes due to a reasonable mistake or in respect of a minor matter will not be a breach. This is in line with other industry Codes.

New Code 2: Governance replaces existing Code 1: Our responsibilities in broadcasting to meet our community interest.

- The existing obligation to have policy documents in place that outline the principles of financial membership, the rights and responsibilities of financial members within the organisation, and the rights and responsibilities of the organisation to financial members – has been simplified and broadened into an obligation to make publicly available key governance documents and annual reports, including annual financial statements. This is a key change in response to sector feedback. Having the policy documents outlined in the existing Code remains part of a best practice approach to meeting the new obligations.
- There was concern from a minority of station during the consultation period about annual financial statements being made publicly available, however due to the changes requiring community broadcasters to become charities registered with the ACNC this will already be a requirement for almost all stations and the Code has been retained.
- The Code obligation to keep a register of financial members that can be made available to the ACMA on request has been deleted. However, an obligation to maintain a register of financial members "available on request" is a requirement of legislation.

New Code 3: Our Community replaces existing Code 2: Principles of diversity and independence.

- The obligation to have policy documents in place to cover community participation and volunteering has been deleted. The prescriptive requirements for specific policy documents have been replaced with new obligations that provide greater flexibility for stations to determine how they support and demonstrate community participation and reflect the needs of their community of interest. This is a key change in response to sector feedback.
- The Code now includes an obligation to prioritise the discussion of topics by those with relevant lived experience.

New Code 4: Material not suitable for broadcast replaces Code 3: General programming.

- A new Code to cover gambling has been included at 4.1 c) and d). This is in response to the growth of gambling promotion and broader community concerns about gambling and gambling promotions and related harms.
- New Code 4.1 h) has been redrafted in consultation with the Human Rights Law Centre and the Australian Human Rights Commission in line with current community standards.
- Code 4.2 has been included in line with other industry codes. The wording has been guided by the equivalent SBS Code provision.
- A new obligation has also been added at 4.4 to specifically address privacy matters concerning children.

New Code 5: News and Journalistic Content is now a standalone code replacing existing Code 3.6.

- Obligations under Code 5 apply to 'news and journalistic content' rather than specific programme types as currently articulated in the existing codes.
- Code 5 includes a new obligation to ensure factual material is presented accurately and all News Content is presented with due impartiality.
- The accuracy requirement will apply to all factual material in both news and current affairs programming.
- The concept of "due impartiality" is new and will be applied narrowly to "News Content" in a news bulletin, newsbreak, news update or news flash but not including current affairs. Guidance Material is currently being prepared which will explain the concept of 'due

impartiality'. Due impartiality will not prevent stations from making editorial decisions that best serve their community interest with relevant news and information. Due impartiality doesn't require 50/50 representation of particular viewpoints.

- Code 5 includes a new obligation to include the voices of those with relevant lived experience where practical.
- Code 5 includes a new obligation not to broadcast misinformation or disinformation. This is in line with current community standards.

New Code 6: Emergency Information is now a standalone code replacing existing Code 3.7.

- This is to highlight the critical role of our sector in providing locally specific emergency warnings and health alerts.

New Code 7: First Nations Engagement and Programming replaces existing Code 4: Indigenous programming and coverage of Indigenous issues.

- New Code 7 recognises the role community broadcasters play in promoting and facilitating respect, trust and positive relationships between First Nations people and the wider Australian community.

New Code 8: Australian Music replaces existing Code 5: Australian Music.

- The obligation to consider our community interest when selecting Australian music for broadcast each month has been deleted.

New Code 9: Sponsorship replaces existing Code 6: Sponsorship.

- The obligation to have in place a specific written sponsorship policy that includes broadcasting no more than 5 minutes of sponsorship in any one hour and the obligation to tag sponsorship announcements has been deleted. These have been removed to avoid duplication with the *Broadcasting Services Act 1992*, they are now stated below the Code in the "Other Legislative Matters" box.

New Code 10: Complaints and Disputes replaces existing Code 7: Complaints.

- The Code has been reviewed to provide more clarity between internal complaints and disputes, and breaches of licence conditions, the *Broadcasting Services Act 1992*, and the Codes.
- A new obligation to include the option to consider using an independent mediator in station Complaints and Disputes Policies has been included. There was some concern about this Code during the consultation and in response the Code no longer makes it mandatory to consider an Independent Mediator and rather uses the wording that 'where practical' an independent mediator should be considered.

Guidance material

- The new Codes no longer include Appendices. These will be replaced by an online portal of Guidance Material which will include template policies and easy to understand guidance on how to comply with each Code.

### **How can I get in touch with questions and concerns?**

Please get in touch via [codes@cbaa.org.au](mailto:codes@cbaa.org.au) to schedule a chat with our Codes team.