

THE BSA COMPLAINTS PROCESS



COMPLAINTS PROCESS STEP BY STEP

DO YOU WANT TO MAKE A FORMAL COMPLAINT?



The BSA complaints process

What type of programme can I complain about?

You can complain about any programme broadcast in New Zealand on TV or radio.

How to complain?

Formal complaints must be sent to the broadcaster first (unless it's about privacy only or election programmes, in which case you can send it straight to the BSA).

You need to make your complaint within 20 working days of the broadcast.

What will the BSA accept complaints about?

- ✓ Free-to-air TV programmes
- ✓ Pay TV programmes
- ✓ Radio programmes
- ✓ Programmes viewed or listened to on demand (ONLY if you can supply details of the same material broadcast on TV or radio and lodge your complaint within 20 working days of that broadcast)
- ✓ Election advertisements on TV or radio (during election periods)
- ✗ Advertising (contact the [Advertising Standards Authority](#))
- ✗ Programme scheduling (contact the [broadcaster](#))
- ✗ Broadcaster website written content (contact the [broadcaster](#))
- ✗ Programmes viewed or listened to on demand – if you **cannot** supply details of the same material broadcast on TV or radio (contact the [broadcaster](#))
- ✗ News and current affairs on broadcasters' websites, which has not been on TV or radio (contact the [New Zealand Media Council](#))

What issues can I complain about?

You can complain about the following issues:

- offensive and disturbing content
- promotion of illegal or antisocial behaviour
- children's interests
- discrimination and denigration
- balance
- accuracy
- privacy
- fairness

What is needed for my complaint to be a 'formal complaint'?

To make a formal complaint certain requirements must be met. A formal complaint must:

- be in writing
- relate to a specific broadcast
- be made within the required timeframe (usually within 20 working days of the broadcast)
- include sufficient details to reasonably enable identification of the broadcast, eg:
 - date of the broadcast
 - time of the broadcast (if known, or if not known, a reasonable estimate of the period within which it was broadcast plus as much detail as possible about surrounding broadcast content or any other information to help locate the content)⁶
 - title of the programme
 - channel or station which broadcast the programme
- be an allegation that particular broadcasting standards have been breached.

⁶ Recognising broadcasters' limited resources, and the time which can be involved in locating specific content, a reasonable estimate will generally involve identifying the period within a window of no greater than three hours. However a reasonable estimate of the period may be significantly less where the content is more challenging to locate (ie a single comment or word).

Complaints not meeting these requirements do not fall within the BSA complaints process and broadcasters may treat them as feedback only.

As an agency that deals with freedom of speech issues, we value feedback. However, harmful communications to BSA staff – such as abusive or offensive comments and harassment – are never acceptable and may result in the Authority declining to determine your complaint.

Broadcasters

Retention of Broadcasts:

In the event of a complaint, access to the recording assists the broadcaster to argue their point of view and ensures the BSA gains a correct understanding of the content, context and tone of the broadcast.

Broadcasters are expected to retain recordings of broadcasts for at least 35 days. Where a broadcast is the subject of a complaint (especially where the complainant indicates an intention to refer it to the Authority), broadcasters shall retain the recordings until:

- supplied to the Authority in the context of a complaint referral or
- the expiry of 20 days following the final date for referring the complaint to the Authority (if the broadcaster has received no indication of the complaint's referral to the Authority).

More detailed information about the [complaints process](#) is available on our website.

**FOR MORE INFORMATION GO TO
WWW.BSA.GOV.TZ**