

Making a Complaint

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1. Film and videotape

If you believe a film has been wrongly classified, you can make a complaint.

You can find out the classification of a film released for cinema exhibition or for video hire, by searching the database at Australian Government Classification website at www.classification.gov.au. Note that there may be more than one film of the same title, so it is important to identify by date, director or otherwise, the particular film of concern to you.

If you are concerned about the classification, you can complain either to the Australian Government Classification website at www.classification.gov.au or the South Australian Classification Council at agd@agd.sa.gov.au. As well as identifying the film, you should say why you disagree with the classification.

As background to your complaint, you may like to refer to the classification guidelines, which indicate what content is permissible in each classification category. The guidelines are also available on the Australian Government Classification website.

If you do not disagree with the classification of a film, but believe someone has broken the law by showing or hiring the film contrary to restrictions which apply to films of that classification, see **Breach of classification or decency laws**.

2. Books, newspapers and magazines

If you wish to complain about offensive or unsuitable content in a publication, or you believe a publication has been wrongly classified, you can complain either to the Australian Government Classification website at www.classification.gov.au, or the South Australian Classification Council, at agd@agd.sa.gov.au. You should identify the publication, including, in the case of a periodical, the particular issue, and say what your concerns are. If your concerns relate to a particular page or pages, please identify them.

You can find out the classification of a publication which has been submitted for classification, by searching the database at the Australian Government Classification website at www.classification.gov.au. However, the law does not require all publications to be classified, so many publications are not listed on the database.

As background to your complaint, you may like to refer to the classification guidelines, which indicate what content is permissible in each classification category. The guidelines are also available on the Australian Government Classification.

If you do not disagree with the classification of a publication, but believe someone has broken the law by selling or delivering the publication contrary to legal restrictions, see **Breach of classification or decency laws**.

If your complaint is about advertising in a publication, you can complain to the Advertising Standards Bureau, which can be contacted at www.advertisingstandardsbureau.com.au.

If your complaint is not about offensive or unsuitable content or advertising, but about poor journalism or inappropriate print media reporting, you can take this up with publisher and subsequently the Australian Press Council, using the procedure explained on their website at www.presscouncil.org.au.

3. Computer games

You can find out the classification of a computer game, by searching the database at the Australian Government Classification website at www.classification.gov.au.

If you are concerned about the classification, you can complain either to the Australian Government Classification website at www.classification.gov.au or the South Australian Classification Council, at agd@agd.sa.gov.au. As well as identifying the game by title (and where possible, by maker), you should say why you disagree with the classification.

As background to your complaint, you may like to refer to the classification guidelines, which indicate what content is permissible in each classification category. The guidelines are also available on the Australian Government Classification website.

If you do not disagree with the classification of a game, but believe someone has broken the law by demonstrating or selling the game, or allowing children to play it, contrary to restrictions which apply to films of that classification, see **Breach of classification or decency laws**.

4. Internet sites

If you wish to complain about offensive or illegal content on an internet site, or adult material which is not protected by a password or PIN, contact the Australian Communications and Media Authority at www.acma.gov.au and complete the on-line complaint form. However, note that this does not include complaints about offensive or unsolicited email.

5. Advertising material

If you are concerned about offensive or inappropriate advertising, such as on television, in the press, on billboards or in the form of 'junk mail', you can complain to the Advertising Standards Bureau at www.advertisingstandardsbureau.com.au.

6. Theatrical performances

If you wish to complaint about a play, concert, dance performance or other type of theatrical performance, contact the Classification of Theatrical Performances Board at agd@agd.sa.gov.au. Give details of when and where the performance is on, and why you are concerned about it.

7. Television or radio programmes

If you are concerned about a commercial television or radio broadcast, you should initially complain to the station concerned. Commercial stations are governed by a legally binding Code, which contains rules about program content and hours at which certain programmes and advertisements can be shown. The Code also requires the station to accept and deal with complaints from the public. You can lodge a complaint up to 30 days after the broadcast, although it is best to complain as soon as possible. The station must normally respond in writing within 30 days.

If you are not satisfied with the response you get from the station, you are entitled to take the matter up with the Australian Communications and Media Authority (AMCA) at www.acma.gov.au The AMCA website contains a complaint form and detailed information about the responsibilities of broadcasters.

If your complaint is about the ABC, you can complain direct to the ABC via its website at www.abc.net.au If your complaint is about SBS, you can complain direct to SBS via its website at www.sbs.com.au

The South Australian Classification Council has no power to deal with complaints about television or radio broadcasting.

8. Offensive products

Items such as clothing, mugs, ornaments, and novelty products are not covered by the *Classification (Publications Films and Computer Games) Act 1995*. They cannot be classified either by the Australian Government Classification Office or the South Australian Classification Council.

If you are concerned about merchandise which you consider inappropriate, you may wish to speak or write to the retailer concerned. Most retailers wish to avoid offending their customers and may be willing to vary their display or cease stocking certain items if this is what their customers want.

Alternatively, if the items are of an indecent or offensive nature, the retailer may be committing the offence of selling indecent or offensive material, or exhibiting it in a public place, contrary to s. 33 of the Summary Offences Act. In that case, you may wish to report the matter to police.

9. Audio recordings

Offensive audio recordings are dealt with by an industry code of practice, rather than by legal restrictions. Recordings which may give offence should be labelled with a sticker, either identifying that the item contains moderate impact coarse language and/or themes (a 'Level One' warning'), strong impact coarse language and/or themes (a 'Level Two' warning) or that the item is not recommended for persons under 18 (a 'Level Three warning'). These labels are intended to warn consumers, but it is not illegal for the retailer to sell these recordings. Recordings containing lyrics which explicitly and gratuitously deal with and promote, incite or instruct in matters of hard drug abuse, criminal violence, sexual violence, bestiality, incest and child abuse, should not be sold.

If you are concerned about offensive language or lyrics on an audio recording, you can complain to the retailer, and/or to the Australian Record Industry Association, phone (02) 8569 1144. The retailer should display information about the code and how you can complain, or you can obtain further information at the ARIA website, www.aria.com.au.

10. Breach of classification or decency laws

The Australian Government Classification Board and the South Australian Classification Council can deal with complaints about the classification of an item. However, these bodies cannot deal with complaints about breaches of the classification laws (such as admitting a child to a film which he or she is not legally entitled to see, or selling a film or game without the legally required markings and consumer advice). A breach of the law is a criminal offence.

If the law has been broken, you can complain to the person responsible (such as the cinema operator or store manager concerned) and report the offence to the police. Police have power to prosecute breaches of classification laws, just like other laws.