



2 HHH FM Limited
ABN 17 093 755 312
25 Edgeworth David Avenue
Hornsby NSW 2077

PROGRAMMING POLICY

Policy number	HHHP001	Version	1.5
Drafted by	Stephen Holland	Approved by Board on	20 February 2023
Responsible person	Company Secretary	Scheduled review date	By 19 February 2024

INTRODUCTION

Central to the Programming Philosophy is the need for 2 HHH FM Limited (Triple H) to meet the needs and desires of the citizens of the Hornsby Shire Council and Ku-ring-gai Municipal Council of NSW within the resources available at any given period. Providing a balanced program that reflects those requirements as well as giving fair and reasonable access and opportunity to community groups will provide Triple H with material and human resources.

Given that the current population of the broadcast area is estimated at over 260 000 people (2016), the Board and Programme Committee will adopt a decision making process that will include the following considerations when deciding on which programs will go to air, remain on-air or be taken off air;

- Similar existing programs on metropolitan stations
- Public demand
- Equity related issues
- Compatibility with existing station policy/direction
- Resources - financial and human
- Availability of time
- Sponsorship (if applicable)

PURPOSE

This policy is designed to provide guidance to the Programming Committee and Programme Presenters on what constitutes an acceptable programme on Triple H.

ON AIR CRITERIA

The Programming team will regularly (at least quarterly) review our overall programme schedule. Our content that we put to air will always require amending as we reflect our ever-changing target market. For example, we may move certain “shows” to a time better suited for the target audience, introduce new or remove existing shows in line with our current marketing direction, or change the content or presenters of existing shows.

In addition, one of our key objectives is to provide a means for aspiring broadcasters from the local community to gain industry experience (refer our ACMA permanent licence application: “We actively encourage the use of Triple H as a “stepping-stone” for members of

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the community looking to develop a career in Broadcasting”). We therefore actively encourage members to become announcers and must be able to accommodate these new volunteers into our programme.

For the above to occur, we will need to ask from time to time current announcers to give up their slot for a period. This is simply to allow others to “have a go” and not necessarily a permanent change. We wish all announcers, current or past, to be active members of the organisation, and announcers that make way for others, and continue to contribute will be given preference when new slots become available.

The decision on who to ask to give up a show should the need arise will be based on the compliance of a current show to station policies, procedures and guidelines (but not limited to) the following criteria (listed in no order of importance):

- Preparing and working to a template that has been approved by Programming
- Playing all required pre-recorded segments as per the logs (e.g. sponsor announcements)
- Submitting completed template after each show
- Evidence of continually seeking ways to improve the show, working with Programming or Board where appropriate
- Evidence of prior preparation of the show
- Evidence of involving and promoting community interest in the show (this does not mean popularity of the show)
- Organised or attended fund-raising activities
- Organised or assisted in the marketing survey, shopping centre promotion
- Organised in assisted with a promotional event such as Outside Broadcast.
- Participated in or led a committee meeting
- Participated in activities of the committee for which member has volunteered
- Contributed, in writing, to a grant application
- Provided a qualified (i.e. likely) sponsorship lead
- Provided constructive feedback, in writing, to a peer
- Compliance to the Community Radio Codes of Practice
- Compliance with Triple H FM’s Standards, Procedures Policies and Guidelines
- Compliance with administrative procedures
- Organised for a local artist to play live or be interviewed at the studio
- Contributed positively to the Triple H web site(s)
- Read the Triple H web site(s) and various notice boards at the station. (i.e.: “I didn’t see the notice” is not considered acceptable)
- Contributed to newsletters and other station initiatives
- Attended required member meetings (e.g. AGM; relevant “shift” meetings, etc)
- Assist in new initiatives as requested by the Board or a committee or sub-committee.
- Implementing new initiatives (as approved by relevant committee or Board) that contribute to the financial success and/or overall objectives of the Organisation.
- Pay membership fees on time.

Put simply, the more an announcer contributes to the organisation “off-air”, the better chance they will remain on-air.

Note: Non-compliance with Station Policy on Procedures Rules and Standards may not only result in removal of a member from on air duties but may also jeopardise his or her membership.

PROGRAMME STANDARDS

Prohibited Matter

As licensee Triple H will not permit the broadcasting of program which may;

- Incited, encourage or present for their own sake violence or brutality;
- Simulate news or events in such a way as to mislead or alarm listeners;
- Present as desirable the misuse of alcoholic liquor;
- Promote or advertise the use of tobacco;
- Present as desirable the misuse of drugs or narcotics.
- Incite or perpetuate hatred against; or gratuitously vilify; any person or group on the basis of ethnicity, nationality, race, gender, sexual preference, religion or mental disability. TRIPLE H recognizes the need for equity and social justice in program content and opportunity.
- Be harmful to children in any way

Australian Music Performances

Triple H will ensure that during the Australian Performance Period;

- (a) Not less than 30% of the total time occupied in the broadcasting of music shall consist of music performed by Australians.
- (b) For the purposes of paragraph (a) where more than one performer is involved in a musical performance, that performance shall be predominantly by Australians.
- (c) Where, at any time during the Australian Performance Period, Triple H broadcasts music or musical items dictated by listener requests:
 - (i) The time occupied in the broadcasting of music may be reduced by the time occupied by music broadcast as a result of such listener requests;
 - (ii) The total number of musical items broadcast may be reduced by the number of musical items broadcast as a result of such listener requests.
- (d) Paragraph (a) shall not apply if an occasional special program is dedicated to an overseas performer or performance or an overseas music style or theme.
- (e) Paragraph (a) shall not apply if the broadcast period is less than one hour.

News Programs

News programs (including news flashes) transmitted by Triple H **must**;

- Present news accurately.
- Not present news in such away as to create public panic, or unnecessary distress to listeners.
- Distinguish news from comment.

Contests

All contests transmitted by Triple H **must**;

- (a) be conducted fairly;
- (b) Announce winners on air immediately;
- (c) Be restricted to members of the members and subscribers and exclude:
 - (ii) Employees of Triple H
 - (iii) Family members of employees of Triple H
 - (iv) Contest winners within the previous calendar month

Talkback And Interviews

Triple H will not transmit the words of an identifiable person unless;

- (a) That person has been informed in advance that the words may be transmitted; or
- (b) In the case of words, which have been recorded without the knowledge of the person, that person has subsequently, but prior to the transmission, indicated consent to the transmission of the words.

Current Affairs Program

Objectives: The objective of this program standard is to ensure that current affairs programs are presented;

- (a) With accuracy and fairness; and
- (b) In a way, which allows informed public debate on issues, which affect the community.

TRIPLE H's OBLIGATIONS;

- (a) Factual material is presented accurately and that reasonable efforts are made to correct substantial errors of fact at the earliest possible opportunity;
- (b) Factual material is distinguished from commentary and analysis; Commentary/analysis may include opinion or elaboration.
- (c) Reasonable efforts are made or reasonable opportunity given to present significant points of view when dealing with controversial issues of public importance, either within the same program or in similar programs, while that issue has relevance to the community;
Appropriate research, time and opportunity must be given for interested or relevant parties within a reasonable time to provide fairness and enhance newsworthy reporting to the public.
- (d) Viewpoints are not misrepresented, and material is not presented in a misleading manner by giving wrong or improper emphasis, by editing out of context, or by withholding relevant available facts;
- (e) Respect is given to each person's legitimate right to protection from unjustifiable use of material which is obtained without an individual's consent or other unwarranted and intrusive invasions of privacy;
- (f) Issues involving children and/or others unable to understand the implications of their comments or actions will be assessed on an individual basis by the BOARD and management of TRIPLE H in conjunction with relevant government authorities prior to any transmissions.

Political Programming / Commentary

Triple H is an apolitical radio broadcaster. Program content of a political nature **MUST** always be clearly identified as such. Producers and announcers must ensure that content presented has been researched and that due consideration has been given to all points of view. Fair and reasonable opportunity must be given to all parties involved in the respective issue or discussion.

Producers and announcers must have the content approved by the Station Manager and Program Director.

Producers and announcers must have completed the Announcers' Training Course, which will address this area.

All Producers and announcers must adhere to the Triple H Constitutional Objects, Triple H Station Policy and the Community Broadcasting Association of Australia Codes of Practice.

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SPONSORSHIP

Triple H will encourage sponsorship to raise the station's annual revenue in the following areas;

- (a) Sponsorship: packages of entitlements for business and government departments that provide funding for equipment and start up operating costs.
- (b) Announcements: packages of pre-recorded and live announcements (15, 20, 30 and 60 second duration options) which promote products/services of businesses. These businesses are recognized on-air as sponsors supporting the station.
These will **NOT** exceed five minutes per hour in total.
- (c) Program Dedication: specific pre-recorded or live programs are sponsored by businesses (program duration will vary). These businesses are recognized on-air as sponsors supporting the station. Time allocated for this will be calculated into the permitted five minutes per hour.
- (d) Production Fee: Triple H can act as producers for audio recordings and charge a fee if directed by the Board or management.
- (e) Production Facility Fee: Triple H can lease the studio facilities to community groups that have qualified technicians and financial security to cover all costs (ie. Fees and damage to equipment insurance) at a set fee as directed by the Board or management.

Proposals

Triple H will produce proposals for potential clients, which will include;

- (a) Introduction (includes explanation of Triple H and its purpose)
- (b) Concept (the specific package/activity/program)
- (c) Value (the specific value to the client from the concept)
- (d) Cost (the specific payment structure from the client to the station)
- (e) Obligations (obligations from both parties to each other)
- (f) Guidelines (ACMA and other legal requirements that the client must be aware of)
- (g) Contract (a copy of the legally binding contract to be signed by both Parties)
- (h) Timeline (on-air schedule/copy approval/payment /dates)
- (i) Back up (follow up procedure to establish the success of the completed concept)

No sponsor will have real or implied influence on programme content.

All sponsors will be made aware that the station will honour the stipulated terms of agreement but under no circumstances will the station allow a sponsor to gain an unfair advantage over any individuals, groups, businesses of any other body.

In addition sponsorship will not be available for the use of political gain or manipulation.

All sponsors will be clearly informed that only the station will make decisions on; broadcasting staff, schedules and other station responsibilities.

All Sponsors must acknowledge that Triple H will not air their sponsorship announcements in the hour in which an interview they are participating in is aired.

The sponsor will not be acknowledged as a station sponsor before during or after an interview.

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LEGALITIES

Triple H is responsible for ensuring that all transmitted material meets with ACMA guidelines and the Broadcast Services Act (Cth) 1992 legal requirements. The station is responsible for any breaches and is liable for defamatory material even if on-air or production personnel did not write or record the offending material. All presenters and production personnel must be fully aware (via training programs) of the following legalities;

DEFAMATION: broadcasting a statement that is likely to make 'reasonable people' think worse about a person or group may constitute DEFAMATION. The following criteria should be considered:

- (a) An obvious statement which clearly damages a person's reputation
(Eg. Mr. Smith is a lying thief);
- (b) A less obvious statement, which contains innuendo or inference, which casts speculation or dispersion on someone's reputation (eg. Reading between the lines);
- (c) A statement which contains a special meaning understood by a select few who specific facts which, by being broadcast, may degrade another person. (Eg. An in-joke).

Expressing what is perceived, as the truth for the betterment of the wider community is NOT a safeguard against legal suit. When in doubt consultation with management is the only option to be taken by volunteers. Management must consult the Board Chairman if there is any doubt on their behalf. Triple H will NOT assist in legal fees if these guidelines are not adhered to.

The following defense claims are not acceptable;

- (a) I thought it was the truth (impression/opinion)
- (b) It is a fact (strong rumor/opinion)
- (c) I made a mistake/ I didn't mean to hurt anyone
- (d) I was just repeating what ... said/wrote

WHEN IN DOUBT DON'T SAY IT

Injurious Falsehood

Defamation damages someone's reputation while Injurious Falsehood covers "malicious broadcasting of a false statement about trading or activities".

This covers three areas;

<i>Slander of Goods</i>	attacking the quality of a person's goods
<i>Slander of Title</i>	falsely suggesting that someone doesn't own the property
<i>Malicious Falsehood</i>	falsely suggesting a person died, retired, ceased to trade, etc

Obscenity

It is an offence for Triple H to broadcast indecent or obscene matter.

Material is obscene if it:

- (a) Offends, to a substantial degree, the average man or woman in the Australian community;
- (b) Offends, to a substantial degree, the contemporary standards of decency currently accepted by the Australian community.

Triple H warns the presenters and producers of the station that, because of the impact that obscene matter may have on listeners, the following considerations must be undertaken prior to going to transmission;

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- (i) The added value that the obscenity has to the purpose of the program (ie. context and justification);
- (ii) Pre-transmission warning given to listeners (ie. disclaimer);
- (iii) Age of likely listeners;
- (iv) Time of broadcast.

Seditious Libel

This area is covered in Prohibited Matter.

Blasphemy

Blasphemy Laws state that in Australia **it is an offence** to broadcast material that vilifies Religions, their beliefs, Gods and Holy Book. Triple H will not broadcast material that conflicts with these laws. Equitable respect to other religions is demanded from all presenters and producers of programs generated or re-transmitted by Triple H.

Programs that fairly discuss and analyze religion must be approved by management and have a station disclaimer immediately prior to and following the transmission.

Sensitive Material

No program shall;

- (a) Contain any explanation of techniques of crime in such a way as to invite imitation;
- (b) Describe in detail any form of violence or brutality;
- (c) incite a person to violence;
- (d) Simulate news or events in such a way as to alarm, distress or mislead listeners;
- (e) Denigrate religious faiths or beliefs;
- (f) Present as desirable the abuse of intoxicating liquor;
- (g) Present as desirable the use of drugs or narcotics except under medical direction;
- (h) Include horror for its own sake;
- (i) Encourage children to enter strange places or to converse with strangers for any purpose.

These standards are applicable provided that they do not prohibit the broadcasting - in good faith and at appropriate times, under appropriate circumstances - of;

- (i) Genuine works of artistic or literary merit; and
- (ii) The serious presentation of moral and social issues.

In these circumstances warning of the nature of the program must be given in advance publicity, at its commencement and at appropriate intervals during the program.

PRIOR CONSULTATION MUST OCCUR WITH THE STATION MANAGER

Contempt Of Court

All presenters and producers of broadcast material must follow the following guidelines;

- (a) Do not broadcast material, which may influence or prejudice an impending or current trial - approved news reports are permissible but not discussion;
- (b) Do not broadcast material that may 'scandalize' the court (ie. reckless commentary of decisions/judges etc.). Any criticism must be researched and objective;
- (c) All sources of information must be revealed on request from the Board, management and/or courts.

Contempt Of Parliament

Consideration must be given when broadcasting material that;

- (d) Exerts improper pressure on members of Parliament; or
- (e) Brings Parliament into disrespect; or
- (f) Discloses secret proceedings of Parliamentary committees.

Presenters and producers must decide the objective value to the program, and Triple H, of breaching these guidelines prior to transmitting the program.

Copyright

All presenters and producers must be fully aware of the COMMONWEALTH COPYRIGHT ACT, which, in short, states:

...the exclusive right held by the maker of a work to publish, reproduce, perform, broadcast and adapt that work for a specified duration is usually the life of the maker plus 75 years.

Do not copy something and Broadcast it without the Permission of the Maker

You can do the following;

- (a) Read an EXTRACT but you **MUST**;
 - (i) Acknowledge the author (maker)
 - (ii) Keep it short
- (b) Broadcast News obtained elsewhere but you **MUST**;
 - (i) Re-write it into your own form; or
 - (ii) Gain permission from its maker to re-broadcast.
- (c) Make a critique, review or news report but you **MUST**;
 - (i) Acknowledge the maker or source;
 - (ii) Apply a news angle to any quote or summary.
- (d) Transmit a program that has been CLEARLY made available to Triple H but **NOT** a program that has been made available by associates from elsewhere which has been recorded for them and subsequently passed on to Triple H.
- (e) Play copyright music, which has been approved via industry licensing and royalty schemes, which permit their broadcasting by radio stations.

However you **MUST NOT** use these recordings to promote the sale of goods and services (ie. Background music for sponsorship announcements). Music for the latter purpose is identified in the Music Library.

All programs created by Triple H are included in the station's copyright.

The Re-broadcasting of those programs is subject to Board or management approval only.

- (f) Annual APRA and AMCOS fees will be paid for by Triple H.

Cash For Comment

No announcers, producers, employees or volunteers are permitted to enter into any arrangement where they are reimbursed in money or kind in return for on-air "positive commentary". Comments made on-air must be clearly distinguished in accordance with stated Triple H Policies.

RELATED DOCUMENTS

AUTHORISATION

Date of Board Approval

2 HHH FM Limited