

National censorship guidelines and advertising codes for radio, television and transnational broadcasting organisations

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**National Censorship Guidelines &
Advertising Codes for Radio, Television and
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by

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In the history of broadcasting it is recorded that Sound broadcasting was first introduced to Sri Lanka in 1924. It was established in a small scale covering a limited area and was maintained as a Government Department. In 1966 the status of the Government Broadcasting Department was changed to a liberalised Corporation by an Act of Parliament cited as Ceylon Broadcasting Law No: 37 of 1966. Although former Broadcasters may have followed certain Guidelines and Ethics in their times, National Guidelines to be followed by Broadcasters have not been framed until this Act came into operation. This Act provided guidelines to the Corporation on a broader outlook of communication such as rules, regulations and ethics of broadcasting.

Television was originally conceived in Sri Lanka as a private concern under the name of Independent Television Network but later it was taken over by the government and was maintained in the capacity of a Government Owned Business Undertaking. In 1982 Sri Lanka Rupavahini Corporation was incorporated as the National Television Station under the Sri Lanka Rupavahini Corporation Act No: 6 of 1982 which Act also provided guidelines for the audio visual communication. In terms of both the Sri Lanka Broadcasting Corporation Act and the Sri Lanka Rupavahini Corporation Act, no person other than these Corporations shall maintain Radio and Television Broadcasting Stations unless such person has obtained a licence from the Minister in charge of Broadcasting.

Presently Broadcasting Organizations in Sri Lanka include two categories viz. National Stations established under aforesaid Acts and Private Organizations established under the licences issued by the Minister in terms of the said Acts. At present there are two Private Broadcasting Stations and Four Private Television Stations operating in the Country.

Both the National Sound Broadcasting and Television Corporations have prepared their own Codes of Ethics and Guidelines within the framework set out in the respective Acts of Parliament, giving much attention to the following matters which are very important concepts in Sri Lanka:-

1. Enhancing the proper conduct of the people and their cultural standards.
2. Dispelling ignorance.
3. Improving co-operation and mutual confidence among Sri Lankan communities.
4. Bringing about an improvement in culture and language.
5. Recognising and protecting the concept of "family" which is the basic unit of the society.

Both these Acts specifically states that Electronic Media should function in the interest of the public and General Requirements have been laid down to be fulfilled when making programmes. As such the programmes broadcast by the Corporation should comply with the following requirements.

- (a) that nothing is included in any such programme which offends against good taste or decency or is likely to incite to crime or to lead to disorder or to offend any racial or religious susceptibilities or to be offensive to public feelings;
- (b) that the programmes maintain a proper local, regional and international balance and a balance in their subject-matter and a high general standard of quality;
- (c) that any news given in the programme (in whatever form) is presented with due accuracy and impartiality and with due regard to the public interest.

In addition Electronic Media Services are specifically required to recognise the ultimate sovereignty of the people of the country and their commitment to Parliamentary Democracy, Fundamental Rights, the rights of the Buddhist Religion for special recognition without denying other religions their places in society, the multi ethnic character of Sri lankan society and the respect for rights of all communities which are set out in the constitution of the Democratic Socialist Republic of Sri Lanka.

In consideration of the above described concepts and requirements Broadcasting Corporation and Rupavahini Corporation both have separately formulated their own guidelines of Censorship and Advertising Codes within the framework set out in the legislation. As Radio had been well established, when television was introduced to the country and as many people who pioneered the television media have formally worked for Radio, our television code of ethics have been much influenced by the code of ethics of the Radio. Except for inclusions made to cover the additional visual parts of the television, Censorship Guidelines and Advertising Code followed by both Radio & television are initially the same.

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First I would like to discuss censorship guidelines followed by State Broadcasting Corporations in brief. Since population of Sri Lanka consists of Sinhalese, Tamils and Muslims etc., programmes should be made to safeguard against errors of taste and judgement which may have a harmful effect on the multi racial and multi religious society. Therefore to maintain a high degree of quality in programmes the general principles which govern all programmes have been set out. In addition much emphasis has been given to programmes directed at children and family units.

1. Generally all programmes should observe a high degree of Common Sense and ordinary good taste in general, respect for Law and Order, Communal harmony, religious, cultural and social values, parental and adult authority, good morals and clean living, consideration for individual opinions of the public and special regard for the needs of children and youth.

2. Programme material which includes the following are not acceptable and subject to be censored.

- (a). Any matter that constitutes a breach or incitement to a breach of any law of the State of Sri Lanka or generally accepted rules of safety in the home or in public;
- (b). Matter which is critical of democratic institutions or systems of government in general or matter which disparages directly or inferentially any product, service, organisation, person or traditions and customs of any community;
- (c). Any Statement that might give offence to the people of any friendly foreign country or in anyway could be interpreted as being inconsistent with the foreign policy of the Government of Sri Lanka;
- (d). Any matter that would destroy or tend to destroy public confidence or create a feeling of insecurity or disharmony in the community;
- (e). Obscene or offensive jokes, innuendos, songs, oaths or sacrilegious expressions and any remark of doubtful propriety;
- (f). The name of any individual or institution in connection with advertising without his/her/its permission in writing;
- (g). The use of the Deity's name except in reverence; or as part of a standard classic work;
- (h). Matter unsuitable for children intended for transmission at times when large numbers of children are likely to form the audience;
- (i). Matter that may promote crime or public disorder or which could be injurious to the well being of people in general or any community or the devotees of any religion;

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- (j). Statements that could be considered as libellous, offensive or subversive or contains terms, words, or subject matter not generally considered acceptable in polite conversation;
 - (k). Matter that describes graphically or repellantly any physical condition or function or simulates the symptoms or effects of any ailment;
 - (l). Statements or suggestions that may be considered offensive of religious views racial traits and the like;
 - (m). Matters that constitute a breach of or contravenes any legislation of the government of Sri Lanka or generally accepted rules of safety in the home or in public;
 - (n). Matters of such a nature as would destroy or would tend to destroy public confidence or create any feelings of insecurity in the country;
 - (o). Matter which may tend to be critical of democratic insitutions or systems of government.
3. Guidelines to be followed by programme makers are, that
- (1). Dramatic programmes should not simulate the presentation of News or events in such a way as to mislead or cause alarm to listeners;
 - (2). Respect should be shown for the sanctity of marriage and the importance of the home and family. Divorce should not be treated casually or as an easy or normal solution to marital problems;
 - (3). Reference to mental or physical afflictions should be handled with caution and finesse to avoid offence or anxiety to sufferers of similar ailments;
 - (4). While certain forms of gambling are acceptable in the society, it is undesirable to introduce any thing which unduly emphasises betting or which might promote an interest in gambling;
 - (5). Fortune telling, astrology and other forms of ocultsim such as spiritualism, mind, character or palm reading and numerology should be treated with circumspection, even when these form part of a dramatic plot;
 - (6). A programme which includes a presentation of religious rites should ensure that these are accurately presented and that the treatment of the whole subject, and the persons associated with it, is correct and dignified;
 - (7). Reference to the use of intoxicating liquor, drunkenness and adiction to smoking, drugs and narcotics should be limited to the needs of the plot and the characterization and should never be presented as desirable or commendable;
 - (8). Intimate relationships should not be given prominence. However such visuals are not allowed on no account.

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- (9). Such vices as greed, cruelty, brutality, intolerance, bribery, selfishness, unfair exploitation of others and similar unworthy motivations should never be presented in a favourable light;
- (10). The deliberate use of horror for its own sake or of sound effects likely to cause alarm are not permitted;
- (11). No programme should contain matter which, if imitated, could be harmful to the well-being of individuals or the community, such as the explanation of the technique of crime, incitement or violence or anti-social behaviour or the description in detail of any form of violence or brutality;
- (12). Any matter which derides or otherwise discredits or ridicules the law and its enforcement or which discredits democratic or social service institutions should not be permitted.

4). Programmes directed at family units

Such programmes should be produced and presented in a way that parents may feel secure in allowing children to watch these programmes without supervision and that family groups of all ages may watch with complete confidence and without embarrassment.

To obtain that standard following guidelines have been given.

- (a). The selection of subject matter and the treatment of themes should be wholesome and fresh and that the more sordid aspects of life should be played down or avoided;
- (b). All subjects likely to cause undesirable emotional disturbance in children should be avoided; in particular horror, torture and the use of the supernatural to arouse anxiety or fear;
- (c). Gangs and the activity of gangsters and terrorists should be excluded from programmes where ever possible and if portrayed should invariably be portrayed as contemptible;
- (d). Dramatic action should not be over accentuated and morbid sound effects, intended to anticipate or simulate death or injury should not be used;
- (e). Ill treatment of children or animals should not be presented;
- (f). The use of language should always be of a high standard; slang and incorrect speech should be strictly avoided.

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5). Programmes directed at children

To maintain the special standards of children's programme the following requirements should be observed.

- (a). All scripts for children's programmes should be carefully written having in mind the particular audience for which they are intended.
- (b). Children should be encouraged in the art of correct speech and pronunciation.
- (c). All stories must reflect respect for law and order, adult authority, good morals and clean living.
- (d). The art of good speech should be encouraged;
- (e). Where children appear as artistes in a programme, precocity should be discouraged. Children should be portrayed as naturally as possible so that children viewing could have an immediate rapport with them.
- (f). Music included in such programmes should be designed, where possible, to teach appreciation of quality to broaden children's knowledge not only of the music of their own community or group but that of other communities as well.
- (g). Contests which encourage children to enter strange places and to converse with strangers present a definite element of danger and must be avoided. Such contests are those which encourage children to collect wrappers or box tops.
- (h). A communal outlook should be discouraged and programmes with a local background or theme should always seek to promote a sense of unity with other communities and loyalty to the State of Sri Lanka.
- (i). Whenever gangs, gangsters or terrorists are mentioned in any programme it should be in such a way as to bring them into contempt in the eyes of the children. No doubts of any sort should be created in the minds of children at the end of a programme.
- (j). Themes or subjects more suitable for adults should not be used in the planning and production of children's programmes.

Adventure stories are accepted subject to the prohibition of using torture or suggestion of torture, Present or impending horror, supernatural or of superstition likely to arouse fear in children, profanity or vulgarity. Where applicable the hero or heroine or other sympathetic characters must be portrayed as intelligent or morally courageous. The theme must stress the importance of mutual respect of one man for another, and should emphasise the desirability of fair play and honourable behaviour. Cowardice, malice, deceit, selfishness, and disrespect for law must be avoided in the delineation of any character presented in the light of hero to the child. Programmes should not end with an incident which will create morbid suspense or hysteria in their minds which will leave children emotionally upset.

Now I would like to present a brief out-line of the Advertising Codes in effect. Advertising have been categorised under three major topics:-

- 1). General Standards,
- 2). Medical advertising and
- 3). Advertising and children.

In addition to this television Advertising Code contains another category relating to Financial Advertising.

(A). General Standards

The general principle which governs all advertising is that it should be legal, clean, honest and truthful. To maintain these standards it is stressed in the codes that all advertisers and their agencies must be prepared to produce evidence to substantiate any descriptions, claims or illustrations found in their copies. In addition to all requirements setout below, all advertisements are bound by and subjected to the censorship guidelines.

Advertisements for products or services specifically concerned with the following are not acceptable.

- (a) breath testing devices and products which tend to mask the effect of alcohol;
- (b) matrimonial agencies and correspondence clubs;
- (c) fortune-tellers and like;
- (d) undertakers or other associated with death or burial;
- (e) unlicensed employment services, registers or bureaus;
- (f) organisations/companies/persons seeking to advertise for the purpose of giving betting tips;
- (g) betting.
- (h) Cigarettes, Liquors and Alcoholic Beverages.

In this effect advertisers who market more than one product are not allowed to use advertising copy devoted to an acceptable product for purposes of publicising the brand name or other identification of an unacceptable product.

Advertisements should not be distasteful, blatant in theme or contain matters which are generally not considered acceptable topics of conversation in social groups. Any sound effects which might startle the listening public or in any manner is objectionable should not be incorporated in advertisements. These sounds include but not limited to rapid gun fire or fire shots, massed aeroplane effects, sirens, bombardments, screams, fire engines, ambulances and explosives. In addition phrases normally used as attention-getters for national purposes, such as: "Stand by for an important announcement", "flash", "Attention please",

"We interrupt our programme" and the like are not allowed to use to introduce advertisements.

Advertisements are not allowed to include technical devices which, by using images of very brief duration, exploits the possibility of conveying a message to, or otherwise influencing the minds of, members of an audience without their being aware, or fully aware of what has been done. Advertisements must not without justifiable reason play on fear, exploit the superstitions carry excessively noisy or strident audible matter, and use words "International standard" without obtaining clearance from Sri Lanka Standard Institution. Advertising the services of certain professions in which it is deemed unethical to advertise and advertising by or on behalf of anybody, the objects whereof are wholly or mainly of a religious or political nature are not allowed. No advertisement must be directed towards any religious or political end or have any relation to any industrial dispute.

Without limiting to the following, advertisements are not accepted which introduce or incorporate:

- (a) False or questionable statements or any other form of misrepresentation.
- (b) Testimonials which do not reflect the genuine experience or opinion of a competent witness. Anonymous Advertising testimonials shall not be permitted.
- (c) Statements of prices and values not in accordance with specified facts or any misleading price claim or comparison.
- (d) Comments upon products other than those of the advertiser, or upon industries, professions or institutions.
- (e) Matter which is prohibited in the post as fraudulent, deceptive or objectionable.
- (f) Reference to any remedy or other product, the sale of which or the method of sale of which constitute a violation of law.
- (g) Reproduction techniques used to mislead the consumer eg. the use of glass to stimulate the effects of floor or furniture polishes.
- (h) Any imitation, likely to mislead consumers.
- (i) Use of letter S.O.S. or sound effects spelling out the signal or any spoken distress signal used in radio telephone etc.
- (j) Personal Hygiene products.
- (k) Controversial activities or opinions.

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(B). Medical Advertising

This part of the code applies to the advertising to the public of medicines, treatments and appliances for the prevention or alleviation of any ailment, illness or disease. Basically no advertisement for medical products and services are permitted unless approved by a recognised medical organisation. Visual presentation of doctors, dentists etc, which give the impression of professional advice is not allowed. Advertisements shall not contain any matter which could be regarded as advertising the prevention, care or relief of serious diseases which should rightly be under the care of medical practitioner. Basically much attention has been given to provide for provisions to prohibit disparaging medical profession or the value of professional attention and treatment expressly or by implication, when advertising.

When using a testimonial in an advertisement it shall be honestly obtained and shall be limited to the actual views of the user and should not be given by a person well known in public life, sports and entertainment etc. Some of such diseases have been described in these codes. Even claims to cure minor ailments such as colds, corns or toothaches are also not allowed but may claim to alleviate or relieve such minor ailments. Advertising of medical products such as habit forming drugs, weight reducing agents, medicines containing gland extracts and electronic and magnetic appliances are strictly prohibited according to our codes.

Medical Advertisements should not contain any offer to refund money to dissatisfied users. When subject matter is Vitamins it is not allowed to state or imply that good health is likely to be endangered solely because people do not supplement their diet with vitamins or that vitamins will give adequate protection against or treatment for virus infections, or unqualified statements that the medical profession supports such claims.

(C). Advertising and Children

In Television Advertising Code, provisions applicable to the advertisements viewed by children and advertisements which contain appearance of children, have been separately and precisely set out.

(i). Advertisements viewed by Children

In advertisements intended for children or which large numbers of children are likely to see, it is not allowed to advertise product or service which might result in harm to them

physically, mentally or morally or to employ methods of advertising which takes advantage of the Natural Credulity and sense of loyalty of children.

To be more precise, advertisements

- (a) encourage children to enter strange places or to converse with strangers in an effort to collect coupons, wrappers etc.
- (b) Contains appeals to children which suggest that unless the children buy or encourage others to buy the product they will be failing in some duty or lacking in loyalty towards some person.
- (c) Leads children to believe that if they do not own the product, they will be inferior in some way to other children and/or liable to be held in contempt or ridicule for not owning it,

are not accepted for Broadcast. When making advertisements for children, it is stressed to take into consideration that they are not encouraged to make themselves a nuisance to other people in the interest of any particular product or service. If the advertiser offers a free gift with a product main emphasis of the advertisement must be on the product and not on the gift and a fair portrayal of the gift must be given.

(ii). Child in Advertisements

Basic requirements are that children seen in advertisements should be reasonably well-mannered, well-behaved, and situations in which they appear should be carefully considered from the point of view of safety. This includes but not limited to appearance of children in street scenes, unless they are old enough to be responsible for their own safety, leaning dangerously out of windows or over bridges, using matches or any gas or main powered appliances, driving or riding on agricultural machines etc. Children should not be made to speak advertising slogans although they may be used to advertise products as long as their presence is relevant to the product sold.

(D). Financial Advertising

Basic requirements of all advertisements offering services and facilities of a financial nature are that they should comply with all relevant legal requirements and facts should be correctly presented without exaggeration to mislead the viewer. To maintain the credibility of the Corporation when financial offers or services are advertised in its channel, advertisers are required to present full and detailed information in connection with offers or services to the Corporation for approval of such advertisements.

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Local advertising codes provide for sponsorship which is a vital part of advertising in electronic media. Except for specifically restricted programmes such as daily news transmissions, religious programmes and political broadcasts, sponsorship is accepted for all other programmes in general.

In the case of private Television Stations guidelines are given when the Certificates are issued by the Minister. However they are also required to perform according to the guidelines given in the Acts and the Broadcasting and Commercial Codes of Ethics prepared and followed by the State Corporations. In discussing the guidelines applicable to the private Broadcasting, it is worth while to note that they are prohibited to handle Broadcasting of News relating to the Homeland. It is a prestige enjoyed by the National Broadcasting and Television Corporations to have the presentation of local news solely vested with them.

Receiving Transnational Broadcasting is not restricted by Law in Sri Lanka. Hence if any individual is willing to receive Transnational Broadcasting, he could do so by using a Dish Antenna which is little expensive for the common man.

Monitoring Committees have been appointed by the Minister in charge of Broadcasting, to observe the compliance of the above rules by the programme makers. Specifically these rules are to be strictly observed with regard to Teledrama's and children's programmes which attract a very large audience.

Monitoring is being done at two stages. First at the Script level before the production is done and secondly when the production is completed. If any thing is found in contrary to the above rules, producers are informed to edit such things and programmes are not accepted to broadcast until they are rectified.

In conclusion I wish to emphasise that all the Sensorship Guidelines and Advertising Codes of ethics are stipulated to produce programmes and advertisements of high quality which will contribute towards upgrading of the social standards of the community while preserving their oriental culture.

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