

CANADIAN ASSOCIATION OF BROADCASTERS' CODE OF ETHICS (2002)

<https://www.cbsc.ca/codes/cab-code-of-ethics/>

Background

The purpose of this Code of Ethics is to document the realization by proprietors and managers of broadcasting stations, networks and specialty services ("broadcasters"), that, as an integral part in the media of communications of this nation, their first responsibility is to the radio listeners and television viewers of Canada for the dissemination of information and news, the supply of a variety of entertainment programming to meet the various tastes of listeners and viewers, and the necessity for ethical business standards in dealing with advertisers and their agencies.

It is recognized that the most valuable asset of a broadcaster is public respect, which must be earned and can be maintained only by adherence to the highest possible standards of public service and integrity.

The electronic form of publication known as private commercial broadcasting is a highly competitive business devoted to provision of service to the public in all its interests - business, political, recreational, informational, cultural and educational - for profit.

Revenues from advertising make possible non-government broadcasting and make all types of programmes available to the Canadian people including news, information, education, and entertainment. Each broadcaster is responsible for the programming of the licensed station, network or service. This responsibility can only be met by bringing influence to bear upon all who have a hand in the production of programs including sponsors, producers of live and recorded programs, advertising agencies and talent agencies.

Clause 1 – General Programming

Recognizing the varied tastes of the public it shall be the responsibility of broadcasters to so program the various stations, networks and services that, as far as possible, all groups of listeners and viewers shall have from these, some part of the programming devoted to their special likes and desires.

Clause 2 – Human Rights

Recognizing that every person has the right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall ensure that their programming contains no abusive or unduly discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status or physical or mental disability.

Clause 3 – Sex-Role Stereotyping

Recognizing that stereotyping images can and do have a negative effect, it shall be the responsibility of broadcasters to exhibit, to the best of their ability, a conscious sensitivity to the problems related to sex-role stereotyping, by refraining from exploitation and by the reflection of the intellectual and emotional equality of both sexes in programming. Broadcasters shall refer to the Sex-Role Portrayal Code for Television and Radio Programming [since March 17, 2008, replaced by the [Equitable Portrayal Code](#)] for more detailed provisions in this area.

Clause 4 – Children's Programs

(1) Recognizing that programs designed specifically for children reach impressionable minds and influence social attitudes and aptitudes, it shall be the responsibility of broadcasters to provide the closest possible supervision in the selection and control of material, characterizations and plot.

(2) Nothing in the foregoing shall mean that the vigour and vitality common to children's imaginations and love of adventure should be removed. It does mean that such programs should be based upon sound social concepts and presented with a superior degree of craftsmanship, and that these programs should reflect the moral and ethical standards of contemporary Canadian society and encourage pro-social behaviour and attitudes. Broadcasters should encourage parents to select from the richness of broadcasting fare the best programs to be brought to the attention of their children.

(3) Broadcasters shall refer to the [CAB Violence Code](#) for special provisions relating to the depiction of violence in children's programming.

Clause 5 – News

(1) It shall be the responsibility of broadcasters to ensure that news shall be represented with accuracy and without bias. Broadcasters shall satisfy themselves that the arrangements made for obtaining news ensure this result. They shall also ensure that news broadcasts are not editorial.

(2) News shall not be selected for the purpose of furthering or hindering either side of any controversial public issue, nor shall it be formulated on the basis of the beliefs, opinions or desires of management, the editor or others engaged in its preparation or

delivery. The fundamental purpose of news dissemination in a democracy is to enable people to know what is happening, and to understand events so that they may form their own conclusions.

(3) Nothing in the foregoing shall be understood as preventing broadcasters from analyzing and elucidating news so long as such analysis or comment is clearly labeled as such and kept distinct from regular news presentations. Broadcasters are also entitled to provide editorial opinion, which shall be clearly labeled as such and kept entirely distinct from regular broadcasts of news or analysis.

(4) Broadcasters shall refer to the [Code of Ethics](#) of the Radio and Television News Directors of Canada ("RTNDA") [since 2011 renamed the Radio Television Digital News Association ("RTDNA")] for more detailed provisions regarding broadcast journalism in general and to the [CAB Violence Code](#) for guidance with respect to the depiction of violence, graphic reporting of delicate subject matter or the use of explicit language in news and public affairs programming on television.

Clause 6 – Full, Fair and Proper Presentation

It is recognized that the full, fair and proper presentation of news, opinion, comment and editorial is the prime and fundamental responsibility of each broadcaster. This principle shall apply to all radio and television programming, whether it relates to news, public affairs, magazine, talk, call-in, interview or other broadcasting formats in which news, opinion, comment or editorial may be expressed by broadcaster employees, their invited guests or callers.

Clause 7 – Controversial Public Issues

Recognizing in a democracy the necessity of presenting all sides of a public issue, it shall be the responsibility of broadcasters to treat fairly all subjects of a controversial nature. Time shall be allotted with due regard to all the other elements of balanced program schedules, and the degree of public interest in the questions presented. Recognizing that healthy controversy is essential to the maintenance of democratic institutions, broadcasters will endeavour to encourage the presentation of news and opinion on any controversy which contains an element of the public interest.

Clause 8 – Religious Programming

Broadcasters should endeavour to make available to the community adequate opportunity for presentation of religious messages and should also endeavour to assist in all ways open to them the furtherance of religious activities in the community. Recognizing the purpose of the religious broadcast to be that of promoting the spiritual harmony and understanding of humanity and of administering broadly to the varied religious needs of the community, it shall be the responsibility of each broadcaster to ensure that its religious broadcasts, which reach persons of all creeds and races simultaneously, shall not be used to convey attacks upon another race or religion.

Clause 9 – Radio Broadcasting

Recognizing that radio is a local medium and, consequently, reflective of local community standards, programming broadcast on a local radio station shall take into consideration the generally recognized access to programming content available in the market, the demographic composition of the station's audience, and the station's format. Within this context, particular care shall be taken by radio broadcasters to ensure that programming on their stations does not contain:

- (a) Gratuitous violence in any form, or otherwise sanction, promote or glamorize violence;
- (b) Unduly sexually explicit material; and/or
- (c) Unduly coarse and offensive language.

Clause 10 – Television Broadcasting

Scheduling

(a) Programming which contains sexually explicit material or coarse or offensive language intended for adult audiences shall not be telecast before the late viewing period, defined as 9 pm to 6 am. Broadcasters shall refer to the [CAB Violence Code](#) for provisions relating to the scheduling of programming containing depictions of violence.

(b) Recognizing that there are older children watching television after 9 pm, broadcasters shall adhere to the provisions of Clause 11 below (viewer advisories), enabling viewers to make an informed decision as to the suitability of the programming for themselves and their family members.

(c) In order to provide viewers with the benefit of Canadian program classification and viewer advisories not available on foreign distant signals, broadcasters which have CRTC-permitted substitution rights over programming which is imported into their markets before the late viewing period, may employ substitution, notwithstanding Clause 10(a).

(d) Broadcasters shall take special precautions to advise viewers of the content of programming intended for adult audiences, which is telecast before 9 pm in accordance with Clause 10(c).

(Note: To accommodate the reality of time zone differences, and Canadian distant signal importation, these guidelines shall be applied to the time zone in which the signal originates.)

(e) Promotional material which contains sexually explicit material or coarse or offensive language intended for adult audiences shall not be telecast before 9 pm.

(f) Advertisements which contain sexually explicit material or coarse or offensive language intended for adult audiences, such as those for theatrically presented feature films, shall not be telecast before 9 pm.

Clause 11 – Viewer Advisories

To assist consumers in making their viewing choices, when programming includes mature subject matter or scenes with nudity, sexually explicit material, coarse or offensive language, or other material susceptible of offending viewers, broadcasters shall provide a viewer advisory

(a) at the beginning of, and after every commercial break during the first hour of programming telecast in late viewing hours which contains such material which is intended for adult audiences, or

(b) at the beginning of, and after every commercial break during programming telecast outside of late viewing hours which contains such material which is not suitable for children.

Suggested language for suitable viewer advisories is outlined in [Appendix A](#). The suggestions are meant as possible illustrations; broadcasters are encouraged to adopt wording which is likeliest to provide viewers with the most relevant and useful information regarding the programming to which it applies.

Clause 12 – Contests and Promotions

All on-air contests and promotions shall be conceived and conducted fairly and legitimately and particular care shall be taken to ensure that they are not misleading, potentially dangerous or likely to give rise to a public inconvenience or disturbance and that any prizes offered or promises made are what they are represented to be.

Clause 13 – Advertising (General Principles)

(a) Recognizing the service that commercial sponsors render to listeners and viewers in making known to them the goods and services available in their communities and realizing that the story of such goods and services goes into the intimacy of the home, it shall be the responsibility of broadcasters and their sales representatives to work with advertisers and agencies in improving the technique of telling the advertising story so that these shall be simple, truthful and believable, and shall not offend prevailing community standards of tolerability.

(b) Advertising is to be made most effective not only by the use of an appropriate selling message but by earning the most favourable reaction of the public to the sponsor by providing the best possible programming. Nothing in the foregoing shall prevent the dramatization of the use, value or attractiveness of products and services. While appropriate legislation protects the public from false and exaggerated claims for drugs,

proprietary medicines and foods, it shall be the responsibility of broadcasters and their sales representatives to work with the advertisers of these products and the advertising agencies to ensure that their value and use are told in words that are not offensive. Recognizing also that advertising appeals or commentaries by any advertiser that cast reflection upon the operation of a competitor or other industry or business are destructive of public confidence, it shall be the responsibility of broadcasters, so far as it lies within their power to do so, to prevent such advertising appeals or commentaries from being broadcast.

(c) Broadcasters shall refer to the [CAB Violence Code](#) with respect to the rules on the advertising of promotional material or advertisements containing scenes of violence. Broadcasters shall also adhere to the Canadian Code of Advertising Standards, the Gender Portrayal Guidelines, the Broadcast Code for Advertising to Children, all of which are administered by [Advertising Standards Canada](#), and the Code for Broadcast Advertising of Alcoholic Beverages [which is administered by the [Canadian Radio-Television and Telecommunications Commission](#)]. The aforementioned Codes and Guidelines are all subject to endorsement by the Canadian Association of Broadcasters from time to time.

Clause 14 – Advertising (Details)

(a) Broadcasters recognize that they are responsible for the acceptability of advertising material they broadcast. All commercials must conform to applicable laws and regulations.

(b) Broadcasters shall ensure that advertising material within a newscast is clearly distinguishable from the news information adjacent to it. To this end, any commercial message broadcast within a newscast should not be read by the newsreader.

(c) Broadcasters shall ensure that there is no influence by advertisers, or the perception of such influence, on the reporting of news or public affairs, which must be accurate, balanced, and objective, with fairness and integrity being the paramount considerations governing its reporting.

Clause 15 – Prohibition of Subliminal Devices

Broadcasters must take all reasonable steps to avoid broadcasting any advertising material or program that makes use of any subliminal technique or device, which means any technique or device that is used to convey or attempt to convey a message to a person by means of images or sounds of very brief duration, or by any other means, without that person being aware that such a device is being used, or being aware of the substance of the message being conveyed or attempted to be conveyed.

Clause 16 – Community Activities

It shall be the responsibility of each broadcaster to serve to the utmost of its ability the interests of its particular community and to identify itself actively with worthwhile community activities.

Clause 17 – Education

While recognizing that all programs possess, by their very nature, some educational value, broadcasters will do all in their power to make specific educational efforts as useful and entertaining as possible. To that end, they will continue to use their time and facilities and to cooperate with appropriate educational groups in an attempt to augment the educational and cultural influences of school, institutions of higher learning, the home and other institutions devoted to education and culture. When practical, advantage should be taken of opportunities to consult such institutions on what suitable material is available and how it may best be presented. Where practical, factual material for public enlightenment should be included by broadcasters, advertisers and their agencies.

Clause 18 – Employees

(a) Each broadcaster shall endeavour to secure the highest calibre of persons who are qualified for and suitable to the duties for which each is hired. Every attempt shall be made to make service in the broadcasting industry an attractive and permanent career, permitting employees to contribute through their manner of living and personal achievements to the station's prestige in the community. Each employee shall receive, in addition to minimum guarantees provided by applicable legislation, fair remuneration and treatment in accordance with the standards prevailing in the particular community at any time. The general intent of this section is realization that any industry is most often judged by the type of employees it attracts, the manner in which they conduct themselves and are able to live and the opinion of the industry for which they work. Recognizing this as a valuable asset, the broadcaster will do everything possible to maintain and further the best type of staff relations.

(b) Broadcasters should refer to the Employment Equity Act, the Employment Equity Regulations, 1986, the 1992 Policy on Gender Portrayal (P.N. CRTC 1992-58, September 1, 1992) and Implementation of an Employment Equity Policy (P.N. CRTC 1992-59, September 1, 1992) for the rules and policies relating to employment equity issues.

Appendix A – Viewer Advisories

Broadcasters may preface their advisories with the following:

"As a member of the Canadian Broadcast Standards Council, CXXX -TV is pleased to provide this viewer advisory."

"As a member of the Canadian Broadcast Standards Council, CXXX-TV is providing this advisory to assist its viewers in making their program choices"

The following are examples of advisories pertaining to sexually explicit material, coarse or offensive language intended for adult audiences, or other subject matter. They are provided as a guide to assist broadcasters in fulfilling their obligations to the CAB Code of Ethics, to ensure their viewers are provided with adequate information in making their program selection. Each broadcaster is encouraged to develop and implement advisories which are suitable for its market and which will ensure that its programming is broadcast to a suitable audience.

"The following program contains scenes of coarse language and is not suitable for younger children."

"The following program contains sexually explicit material intended for adult audiences. Viewer discretion is advised."

"The following program contains sexually explicit material. Viewer discretion is advised."

"The following program contains scenes of violence, coarse language and nudity intended for adult audiences. Viewer discretion is advised."

"The following program deals with mature subject matter and is intended for adult audiences. Viewer discretion is advised."

"The following program deals with mature subject matter and contains scenes of nudity and coarse language. Viewer discretion is advised."