



Criteria for a complaint

1. Before registering a complaint, check that the broadcaster has signed BCCSA code (check signatories) as the BCCSA does not deal with complaints regarding broadcasters that have not signed the code.

the complaint does not concern an advertisement broadcast by a signatory who is also subject to the Code of the Advertising Practice of the Advertising Standards Authority of South Africa.

2. Ensure that you have the date, time and channel of the broadcast

3. Examples of the material and reasons why the broadcast might have contravened the BCCSA's Code of Conduct.

4. Post, fax or email the complaint to the BCCSA. Complaints must not be anonymous and should include a physical address and contact numbers. Petitions and Orchestrated complaints are not acceptable.

5. The BCCSA will deal with the complaint based on the BCCSA procedure.

Lodging a complaint

Complainant – shall include any individual or any association, body, corporation, institution, political party, organisation or movement, society, union, or any office-bearer duly nominated in writing to represent such association, body, corporation, institution, political party, organisation or movement, society or union for the purposes of pursuing the complaint.

Formulating a valid complaint

Complaints – shall be made to the Registrar in writing and it is important to provide full details. If you see or hear something that concerns you, write down the following details:

- the date and time and channel of broadcast
- the name of the broadcast programme
- examples of the material within the context that might have contravened the Code.

A written complaint shall be made as soon as possible, but not later than 30 -calendar days after the date of broadcast. The Registrar may upon reasonable grounds accept late complaints if in his or her opinion there is good and satisfactory explanation for delay.

The Registrar shall only accept a complaint:

- which is not anonymous, or which, in his or her opinion, is not fraudulent, frivolous, malicious or vexatious;
- which is directed at a signatory of the BCCSA Code;
- which does not concern an advertisement broadcast by a signatory who is also subject to the Code of the Advertising Practice of the Advertising Standards Authority of South Africa.

How will your complaint be considered?

The Registrar or Chairperson will decide whether the complainant falls within the ambit of its Code and will then entertain it. Upon acceptance of a complaint the Registrar shall immediately notify the Respondent in writing of the complaint. The Respondent will receive a copy of the complaint and be required to supply a copy of the broadcast with comment on the complaint. The Commission will then consider your complaint either at a hearing or adjudication at its discretion.

What is an adjudication?

Adjudicating a complaint is when one of the BCCSA members appointed by the Chairperson shall forthwith endeavour to achieve a settlement or a decision in terms of the Code. For appeals see BCCSA Constitution Clause 2.5 of Procedural Rules.

What is a tribunal?

Tribunals are held in a boardroom, open to the public. The Registrar shall notify all parties of the date, time and venue at which the dispute will be adjudicated upon. It shall not be obligatory for either party to appear personally before the Committee, but they are entitled to attend and to address the Panel. The parties shall be entitled to legal representation when appearing before the Committee. If the Committee finds against a Respondent who is present, the Respondent shall be given an opportunity to address the Committee in mitigation of any sanction that may be imposed in terms of the Constitution of the BCCSA.

Findings

The Chairperson shall cause any findings, reasons for a finding and/or requirements of the Adjudication Committee to be sent to the Complainant and to the Respondent who shall carry out the Committee's directions and put into effect any decision which the Committee may have taken in terms of the Constitution.

Where to send complaints

Send correspondence to one of the following:

Broadcasting Complaints Commission of South Africa
PO Box 412365, CRAIGHALL, 2024
Fax Number: (011) 326 3198
e-mail address: bccsa@nabsa.co.za

For further information please contact us on
(011) 326 3130 or
International +27 (11) 326 3130