

Office of the Minister of Broadcasting, Communications and Digital Media

Memorandum for the Cabinet Appointments and Honours Committee

## **THE BROADCASTING STANDARDS AUTHORITY (BSA): REAPPOINTMENT**

### **Proposal**

- 1 This paper requests the Committee notes my intention to recommend the Governor-General reappoint Paula Rose of Canterbury to the Broadcasting Standards Authority (BSA) for a term of office commencing on the date of appointment and expiring 30 April 2021. Ms Rose has just completed her first term.

### **Background**

- 2 The BSA is established pursuant to section 20 of the Broadcasting Act 1989 (the Act). It has the following functions, pursuant to section 21:
  - a) To receive and determine complaints from persons who are dissatisfied with the outcome of complaints made to broadcasters about the standard of programmes broadcast on television and radio
  - b) To issue to any or all broadcasters, advisory opinions relating to broadcasting standards and ethical conduct in broadcasting
  - c) To encourage the development and observance by broadcasters of codes of broadcasting practice appropriate to the type of broadcasting undertaken by them, in relation to:
    - i) the protection of children
    - ii) the portrayal of violence
    - iii) fair and accurate programming
    - iv) procedures for correcting factual errors and redressing unfairness
    - v) safeguards against the portrayal of persons in programmes in a manner that encourages denigration of, or discrimination against, sections of the community
    - vi) restrictions on the promotion of liquor
    - vii) presentation of appropriate warnings in respect of programmes, including programmes that have been classified as suitable only for particular audiences
    - viii) the privacy of the individual.
  - d) To develop, approve and issue codes of broadcasting practice.
  - e) To conduct research and publish findings on matters relating to standards in broadcasting.

- 3 Section 26 of the Act provides the BSA shall consist of four members, including the Chair. Of these four members, one must be appointed in consultation with representatives of public interest groups in relation to broadcasting, and another in consultation with representatives of the broadcasting industry. The Chair must be a barrister or solicitor of not less than seven years' practice of the High Court whether or not the person holds or has held judicial office.
- 4 This reappointment is for the member appointed in consultation with representatives of public interest groups in relation to broadcasting.
- 5 Other appointment considerations include the need for an appropriate representative balance within the board membership in terms of ethnicity, gender, age, and geographic spread. Appointments, including reappointments, are made by the Governor-General on my recommendation as Minister of Broadcasting, Communications and Digital Media.
- 6 A reappointment, as distinct from an appointment of a new person, is being recommended in this situation as Ms Rose has been a competent and well regarded member and will provide some continuity to the BSA at a time of considerable personnel change. A new member has just been appointed to fill a recent vacancy and the two other BSA members (including the Chair) are completing their terms in the next few months and are not seeking reappointment.

#### **Reappointment.**

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*Withheld under section 9(2)(a)*

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#### **Representativeness of Appointment**

- 8 I am satisfied the reappointment of Paula Rose, as a member, will provide for a well-balanced board in terms of gender, age, ethnicity and geographic representation and an appropriate mix of skills and experience.

#### **Remuneration**

- 9 The BSA fees are set by the Remuneration Authority. I am advised they are \$586 per eight hour day for members.

### **Appointment Process and Consultation**

- 10 I can confirm an appropriate process has been followed in considering the proposed appointee in terms of the State Services Commission appointments guidelines and the Broadcasting Act 1989. Appropriate consultation has been carried out with representatives of public interest groups in relation to broadcasting as required by the Broadcasting Act 1989. The Chair of the BSA, Peter Radich, has also been consulted.

### **Conflict of Interest**

- 11 I can confirm appropriate enquiries concerning conflicts of interest have been carried out in accordance with the Crown Entities Act 2004. No current conflicts have been identified.

### **Timing and Publicity**

- 12 I will issue a press release announcing the appointment of Paula Rose once this has been approved under the Cabinet appointment process and the appointee notified. This paper (with appropriate redactions) will also be released with the consent of the Cabinet Office.

### **Recommendation**

- 13 It is recommended the Committee note my intention to recommend the Governor-General reappoint Paula Rose of Canterbury to the Broadcasting Standards Authority for a term of office commencing on the date of appointment and expiring on 30 April 2021.

Authorised for lodgement

Hon Clare Curran  
Minister of Broadcasting, Communications and Digital Media