

## **Te faiga o he Faitioga (complaint) e uiga ki he mea e fakahalalau mai i te Televihe pe ko te Leitiō**

Kāfai e i ei hō popōlega e uiga ki he mea na fakahalalau mai i he polokalame televihe pe i te leitiō, i lalo o te tūlāfono, e mafai ke fai hau faitioga ma ke mautinoa ko tau faitioga ka matuā hukehuke māeaea lelei. Ko te fai o ni faitioga aloakia, e mautinoa ai e fehoahoani nā tino e mātamata ki nā televihe ma fakalogologo ki nā leitiō, ki te fakamautūga o nā tūhaga tau fakahalalauga (broadcasting standards).

Ko te takiala tēnei e fakamālamalama ai nā fekuikuiakiga e pa ki ei nā faitioga aloakia (formal complaints), ma te gālua a te Pūlega Tūhaga tau Fakahalalauga (BSA) i te iloiloga o nā faitioga e kave ki nā ofiha o fakahalalauga.

### **Ni ā nā mea e mafai ke fai ki ei haku faitioga?**

E mafai ke fai hau faitioga aloakia e uiga ki ho he polokalame e manatu koe kua ia holiagia nā tūhaga tau fakahalalauga. Ko te mea e takua ko he polokalame, ko ho he mea e fakahalalau mai i te televihe pe i te leitiō, e aofia ai nā polokalame pe ko nā fakaaliga tau pihinihi. E mafai foki ke faitio koe e uiga ki he fakaaliga tau politiki ka ko hēki faia he faigā pālota lautele.

### **Ni ā nā mea e takua ni 'tūhaga tau fakahalalauga'?**

Ko nā tino pe ko nā kamupani fai fakahalalauga uma e tatau ke fai he lātou takutinoga ka tauhi pea lava ma fakamamalu e ki lātou nā tūhaga tau fakahalalauga. E i ei nā Tūlāfono tau Fakahalalauga (Codes of Broadcasting Practice) e fakamaumau ai nā tūhaga iēnei kae e aofia ai:

- te fakamautūga o nā tūhaga e fakatatau ki te tūlaga lelei ma te fakaaloologia o nā polokalame
- ke mautinoa e fetau ma pāleni nā manatu fakaalia i nā tala fou ma mea tutupu i te vaitau nei
- ke mautinoa ko tagata ma fakalāpotopotoga e aloakia ma fai fakalelei
- ke mautinoa ko nā polokalame e hē tuhi kehea ai pe fakakino ai ho he vāega o tagata
- ke mautinoa ko nā fakamatalaga e fakamāonia te hako
- e hē aiā ki te malu puipuia (privacy) o he tino
- e hako te fakavahegaga (classification) o nā polokalame
- ke mautinoa e puipuia nā tamaiti e mātamata ki nā televihe

E fa ia Tūlāfono tau ki te Faiga o nā Fakahalalauga (Codes of Broadcasting Practice) – mo nā polokalame TV, TV Totogi, Leitiō ma nā Faigā Pālota – ma e maua mai i te [www.bsa.govt.nz](http://www.bsa.govt.nz),

pe i te telefoni pe tuhi ki te BSA. E tatau ke faitau e koe te Tūlāfono e talafeagai, ka ko hēki faia tau faitioga

## **E fai vēhea haku faitioga aloakia?**

E tatau ke muamua tuhi koe ki te ofiha o fakahalalauga e fakaaga ki ei tau faitioga. Oioti te mea e kehe mai ai, ko he faitioga e fakatatau ki te malu puipua (privacy) o koe. Ko he faitioga vēnei e mafai ke kave hako ki te BSA.

Ko te auala e hili atu te faigōfie ke fai ai hau faitioga, ko te fakaaogā o te pepa faitio a te BSA e maua i te kupega o te vāteatea – [www.bsa.govt.nz](http://www.bsa.govt.nz). Ko tētahi auala ko te lafo o hau meli uila ki te ofiha o fakahalalauga e fakaaga ki ei tau faitioga. Ko nā tuātuhi o te lahi o nā ofiha o fakahalalauga e mafai ke maua i te kupega o te vāteatea a te BSA pe a te ofiha o fakahalalauga e kave ki ei tau faitioga.

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### **Ko he faitioga aloakia e tatau ke:**

- tuhituhia (ma ke i loto ai te fakakupuga ‘formal complaint’)
- maua e te ofiha o fakahalalauga e fai ki ei tau faitioga (pe e te BSA pe kāfai e fakatatau ki te malu puipua o koe) i loto o ni aho faigāluenga e 20 mai te aho o te fakahalalauga e faitio ki ei (‘aho faigāluenga’ e hē tau ai nā fakaikuga o te vaiaho (weekends), nā aho mālōlō fakalauaitete ma e kāmata mai i te Aho Kilihimahi ke pa ki te aho 15 lanuali)
- aofia i loto te igoa o te polokalame, te tv channel pe ko te office fakahalalau (station) na fai ai te fakahalalauga, te aho ma te taimi na fai ai
- tuhi ki lalo te tūhaga polokalame pe ko nā tūhaga mai te (Codes of Broadcasting Practice) e talitonu koe kua holia
- fakamatala pe he ā te kua manatu ai koe kua holi e te polokalame te tūhaga pe ko nā tūhaga.

E lelei te fakamanino lelei o te mea e faitio koe ki ei. Mo he fakatakitakiga, tuhi ki lalo nā kupu na fakaaogā e kikila koe e hē fakaaloalo, fakamatala ni taaga pe ni mea na fakatino e kino ma hē māfaufau, pe tuhi ki lalo ni fakakupuga e hē hako ma hē tūlaga fetau. E mafai ke fakafehokotaki e koe te BSA pe kāfai e manakomia e koe he fehoahoani i te fakakupuga o tau faitioga.

## **He ā te taimi e tatau ke kave ai he faitioga e au ki te BSA?**

E fakatonugia e te Tūlāfono a te Mālō (Broadcasting Act 1989) te ofiha o fakahalalauga ke tali atu ki tau faitioga i loto o nā aho faigāluenga e 20 mai te aho e maua ai e ia.

E maua mai loa he tali mai te ofiha o fakahalalauga, e 20 ia aho faigāluenga e i ei ai te avanoa ke kave tau faitioga ki te BSA mo he hukehukega pe he toe iloiloga e ia fakatino tautahi

Kāfai e hē tali mai te ofiha o fakahalalauga i loto o te 20 aho faigāluenga, e 60 ia aho faigāluenga mai te aho o te fakahalalauga e mafai ai ke kave tau faitioga ki te BSA

E mafai ke kave tau faitioga ki te BSA pe kāfai:

- Kua hē fakamāonia e te ofiha o fakahalalauga tau faitioga (pe ho he vāega o tau faitioga) ma kua fofou koe ke toe iloilo te lātou tonu kua fai.
- Kua fakamāonia e te ofiha o fakahalalauga tau faitioga kae ko koe e hē fiafia ki te fakatinoga a ki lātou kua fai.

Kāfai e kave hau faitioga ki te BSA, tuhi ki lalo nā māfuaga kua fofou ai koe ke toe iloilo e ki lātou tau faitioga. E i ei te pepa (form) e maua i te [www.bsa.govt.nz](http://www.bsa.govt.nz) e fakafaigōfie ai ia te koe ke kave tau faitioga ki te BSA.

### **He ā te pa ki ei kāfai e kave (refer) taku faitioga ki te BSA?**

E fakailoa e te BSA ki te ofiha o fakahalalauga kua i ei he faitioga kua kaumai ki a te ki lātou, ma lafo ki ei he kopu o te faitioga (referral), ma lea ki ei mo he lātou tali.

E lafo atu e te BSA he kopu o te tali a te ofiha o fakahalalauga. Kāfai e i ei ni fakakupuga fakaopoopo a te ofiha o fakahalalauga e fai ki te BSA, ka fakataumuna atu ki a te koe mo ni au toe fakamatalaga.

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E fono nā hui e tokafa o te BSA ke kikila ki tau faitioga. E iloilo e ki lātou nā fakamāoniga uma lele ma talanoa ki tau faitioga ma fai ai he tonu pe fakamāonia pe hēai.

Ko te tūlaga māhāni lava e kikila te BSA ki nā fakamatalaga tuhituhia mai tē kua faitioa vēnā ma nā fakamatalaga tuhituhia mai te ofiha o fakahalalauga, e ui lava e mafai e te BSA oi fakatonu he fono (hearing) ke talanoa fakatahi ai, pe kāfai e talafeagai.

Ko te tonu tuhituhia a te BSA e lafo atu ki a te koe ma te ofiha o fakahalalauga. E lafo foki ki nā ofiha o mea tau fakahalalauga (media) nā tino pe ko fakalāpotopotoga e tatau ke kave ki ei (subscribers), ma e tuku foki ki loto o te kupega o te vāteatea (website) a te BSA

Kāfai e fai ni tonu ki ni faitioga e tākua ai kua holia te tūhaga tau ki te malu puipuia o koe (privacy), e fiafia te BSA kāfai e maua ni talohaga ke nahe fakailoagia he igoa (name suppression).

### **He ā te pa ki ei kāfai e fakamāoniagia e te BSA taku faitioga?**

Kāfai e fakamāonia e te BSA tau faitioga (i.e. kau ma koe kua i ei nā tūhaga tau fakahalalauga kua holi), ka fakailoa atu e ki lātou ki a te koe. Kāfai e fakamāonia e te BSA he faitioga, e ono oi fai e ki lātou ni mea o nā mea iēnei:

- fakatonu te ofiha o fakahalalauga ke fakahalalau he lātou fakamatalaga, mo he fakatakakiga, he fakahakoga pe he fakamālamalamaga o te ikuga kua fai
- fakatonu te ofiha o fakahalalauga ke totogi ki te Mālō e mafai ke pa te maualuga ki te \$5,000 ke toe totogi ai nā tupe fakafano (costs) i te faiga o he tonu e uiga ki te faitioga
- fakatonu te ofiha o fakahalalauga ke totogi he tupe (compensation) ki tē kua āfāina ona kua holia tona malu puipuia (privacy) e mafai ke pa te maualuga ki te \$5,000

- i te lahiga o nā mōliaga e hili te kino, e mafai e te BSA oi fakatonu te ofiha o fakahalalauga ke tāofi loa a lātou fakahalalauga pe ke tāofi a lātou fakahalalauga fakapihinihi mo he taimi e pa ki te 24 itūlā te mataloa.

E ono tonu foki i te BSA ke hēai hana mea e fai. Kāfai e tonu i te BSA ke fai he mea, ka fehili atu pe e i ei he mea e fofou koe ke fai e te ofiha o fakahalalauga.

## **He ā te pa ki ei kāfai e hē fakamāonia e te BSA taku faitioga?**

Kāfai e hē fakamāonia e te BSA tau faitioga, ko tona uiga, i to lātou manatu, ko nā tūhaga tau fakahalalauga e hēki holiagia. Ka tuhi atu te BSA ki a te koe ke fakailoa atu te mea tēnā.

## **E mafai ke apili e au te tonu a te BSA?**

Ko nā tonu a te BSA e mafai ke apili ki ei i te Fale Fakamahino Maualuga (High Court).

Kāfai he ofiha o fakahalalauga e apili e ia he tonu i te Fale Fakamahino Maualuga, ko te tino na faia te faitioga ka tūhia tona igoa ko tētahi pātī (party), kae e ia te ia te haolotoga pe auai ia ki nā fakamahinoga pe hēai.

## **Lihī o nā mea e tatau ke hiaki kāfai e fia fai hau faitioga (Complaint Checklist)**

- E i na maua nei e te ofiha o fakahalalauga tau faitioga i loto o te 20 aho faigālua mai te aho o te fakahalalauga e faitioa āgai ki ei?
- Ko tau faitioga e tuhituhi nei ma tuhi ki loto te fakakupuga ‘formal complaint’?
- E aofia nei i loto o tau faitioga tuhituhia:
  - te igoa o te polokalame kua faitio āgai ki ei?
  - te tv channel pe ko te ofiha leitiō (station) na fakahalalau ai?
  - te aho ma te taimi o te fakahalalauga?

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- Kua fakamau e koe ki lalo te tūhaga pe ko nā tūhaga tau fakahalalauga e talitonu koe kua holi, ma pe kua holi vēhea? [kikila ki nā Tūlāfono tau te Faiga o nā Fakahalalauga (Codes of Broadcasting Practice) mo he takiala ki nā tūhaga]
- Kāfai ko tau faitioga e fakatatau ki he malu puipuia (privacy) kua holi, kua lafo nei e koe ki te BSA i loto o te 20 aho faigālua talu te fai o te fakahalalauga?
- Kāfai koe e hē malie ki te tali atu a te ofiha o fakahalalauga, kua kave (refer) nei e koe te faitioga ki te BSA ke hukehuke ma toe iloilo i loto o he 20 aho faigālua mai te aho na maua ai te tali mai te ofiha o fakahalalauga?

- Kāfai te ofiha o fakahalalauga e hēki tali atu ki tau faitioga i loto o he 20 aho faigālua, kua kave nei e koe te faitioga ki te BSA ke hukehuke ma toe iloilo i loto o he 60 aho faigālua mai te aho na fakahalalau ai te polokalame kua faitio koe ki ei?

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