



## **2018 Fourth Quarter (October – December)**

### **NCC Report on Broadcasting Supervision**

The National Communications Commission (NCC) is the independent authority that supervises broadcasting media; the supervision of broadcasting contents and operations are its primary responsibilities. This report is not only an analysis of public complaints about broadcasting content and business operation, but it is also the NCC's record of the violations of broadcasting regulations in the industry. It aims to help the public understand the status of broadcasting supervision, as well as allow participation in the supervision of radio and television media.

NCC regulates broadcasting media according to the Radio and Television Act, the Satellite Broadcasting Act, as well as other related regulations. Although currently there is no specific agency responsible for the supervision of internet content, in accordance with Article 46 of the Protection of Children and Juveniles Welfare and Rights Act, NCC coordinated with responsible competent authorities to commission civil associations to establish a platform for the public to complain/report about internet-related problems. Consequently, the iWIN website (<https://i.win.org.tw/iWIN/>) was launched on August 1, 2013. The public may file a complaint with respects to online content to iWIN; reports are then published monthly on the website to enable the public to track how complaints are being processed. Therefore, online content complaints cases have been excluded from this report.

Meanwhile, in order to create a policy-governing environment that holds the media active, self-regulatory, and accountable, the NCC enhanced the mechanism for broadcasting complaints and revolutionized the complaints processing procedure. Since December 11, 2017, certain cases have been transferred to respective businesses for consideration and processing. By doing so, the NCC expects the complaints website to become a platform that facilitates communication between citizens and media.

This report shows only the statistical evidence of complaints regarding radio and TV media. It does not necessarily mean that the related programs or broadcasting businesses mentioned in this report violated relevant regulations. The following is a statistical report about complaints concerning radio and TV media in the fourth quarter of 2018 (October to December). Complaint cases are divided into three main sections and are analyzed and reported accordingly.

## ◆ Broadcasting Complaints Overview

According to the data on audience complaints about television and radio compiled by the NCC during the fourth quarter of 2018 (October to December), 962<sup>1</sup> complaints were made in total: 928 against television (96.5%; 23 were forwarded to television networks to handle or to use as reference), and 34 against radio (3.5%). Please see Figure 1.

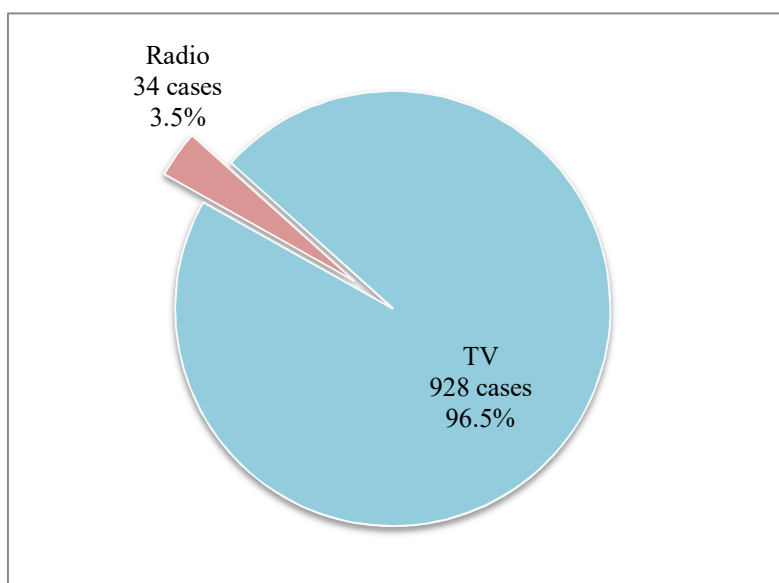


Figure 1: Complaints by Media Type (Q4 2018)

Table 1 shows that of the total 962 complaints, 413 cases (42.93%) and 317 cases (32.95%) were submitted by males and females respectively; another 232 cases (24.12%) were made by people either not specifying or unwilling to disclose their gender.

Table 1: Complaints by Gender (Q4 2018)				
	Male	Female	Unspecified	Total

<sup>1</sup> A total of 119 invalid cases not related to TV or radio were excluded.

<b>TV</b>	393	307	228	928
<b>Radio</b>	20	10	4	34
<b>Total</b>	413	317	232	962
<b>Percentage</b>	42.93%	32.95%	24.12%	100.0%

Figure 2 shows that 716 complaints (74.4%) were made through the NCC’s Broadcasting Content Complaints website specifically set up by NCC, while 246 cases (25.6%) were made through other means, such as telephone, email, and cases forwarded from other agencies.

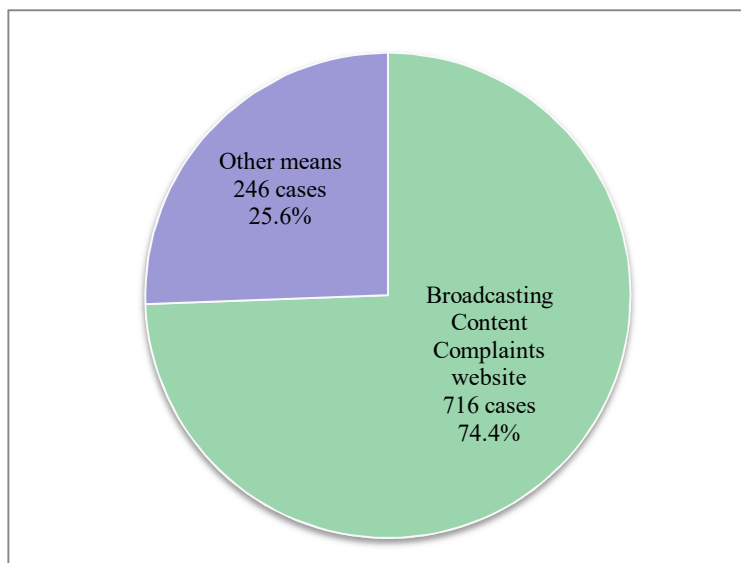


Figure 2: Means of Filing Complaints (Q4 2018)

Table 2 shows that 898 (93.3%) of the 962 complaints against TV and radio pertained to inappropriate content, while 64 (6.7%) of the complaints were specific to business operations. Of the complaints pertaining to inappropriate content, the most frequent type of complaint was that of the 380 complaints (39.5%) for “false or unjust contents” (including commercials for food, medicine, and cosmetics exaggerating benefits). A further 166 complaints (17.3%) were concerning “disrupting public order or adversely affecting good social customs; 153(15.9%) “comments on the contents or wording of certain channels (radios)/programs/commercials”; 68 complaints (7.1%) concerning “commercial violations (including broadcasting time, length, and content) and 30 complaints (3.1%) that were “business operations suggestions for the NCC.” The total number of these top five types of complaints amounted to 797, accounting for 82.9% of all complaints. Please see Table 2 for the numbers and percentages of other types.

<b>Table 2: Complaints by Inappropriate Content and Operations Category (Q4 2018)</b>			
<b>Item</b>		<b>Cases</b>	<b>%</b>
<b>Content</b>	False or unjust contents (including exaggerations in food, medicine, and cosmetics commercials)	380	39.5%
	Disrupting public order or adversely affecting good social customs	166	17.3%
	Comments on the contents or wording of certain channels (radios)/programs/commercials	153	15.9%
	Commercial violations (including broadcasting time, length, and content)	68	7.1%
	Business operations suggestions for the NCC	30	3.1%
	Disregard for professional ethics of journalism	27	2.8%
	No distinction between programs and commercials	20	2.1%
	Harmful content for children and juveniles	14	1.5%
	Regulations/information inquiries	14	1.5%
	Inappropriate commercial content or broadcasting	11	1.1%
	Sexually discriminatory content	6	0.6%
	Other <sup>2</sup>	9	0.9%
	<b>Subtotal</b>		<b>898</b>
<b>Operations</b>	Suggestions on overall broadcasting policies/regulations or NCC’s administration	27	2.8%
	Issues regarding the management of radio and TV operations	15	1.6%
	Issues regarding program planning/production/broadcasting	15	1.6%
	Inappropriate customer service attitude	7	0.7%
	<b>Subtotal</b>		<b>64</b>
<b>Total</b>		<b>962</b>	<b>100.0%</b>

Of the 898 complaints about inappropriate radio and television content, 866 were made against television. A further analysis of the program type

<sup>2</sup> Other complaints regarding inappropriate content included: “inappropriate program rating” (4 complaints), “overly frequent replays” (2 complaints), “illegal use of captions or text” (2 complaints), and “program rescheduling without prior notice” (1 complaint).

showed that the majority were against “news reports” with 581 cases (67.1%), followed by “commercials” with 106 cases (12.2%), “general programs<sup>3</sup>” with 88 cases (10.2%), “non-specific programs” with 38 cases (4.4%), “political talk shows” with 33 cases (3.8%), and “general talk shows” with 20 cases (2.3%). Please refer to Figure 3.

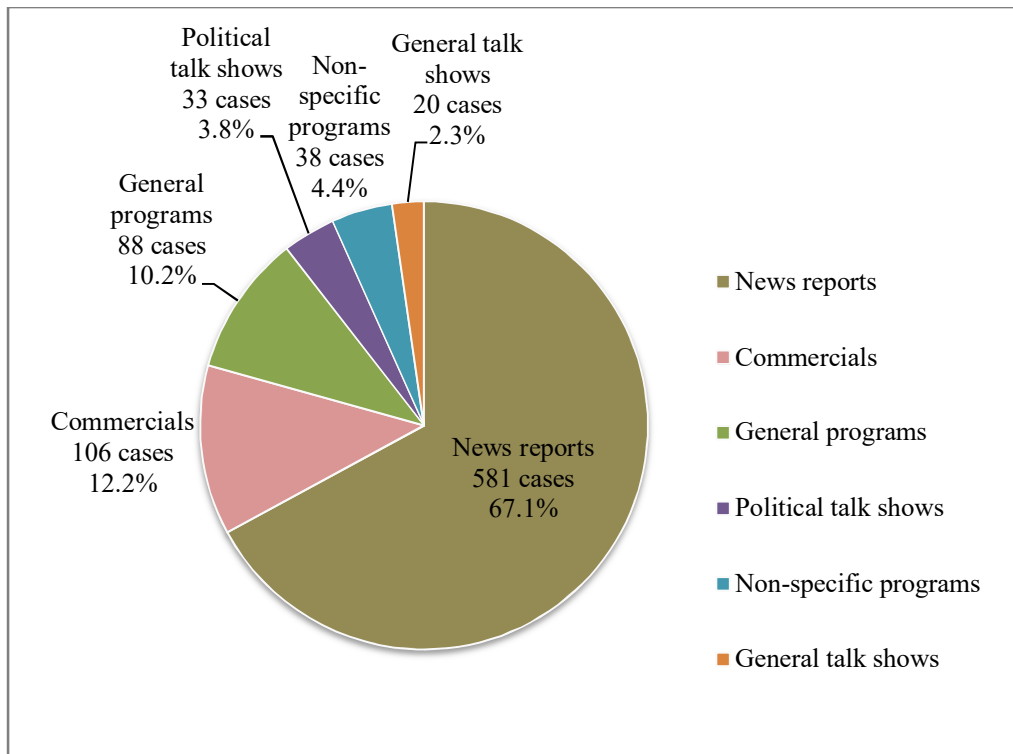


Figure 3: Complaints Received Against Types of TV Programs (Q4 2018)

Of the 32 complaints against radio, the majority were concerning “variety shows<sup>4</sup>” with 20 cases (62.5%). There were also 5 cases (15.6%) about “music radio programs,” 3 cases (9.4%) concerning “commercials,” 2 cases (6.3%) regarding “programs of other types,” and 2 cases (6.3%) involving “political talk shows.” Please refer to Figure 4.

<sup>3</sup> General programs include variety shows; films and series; infomercials; children’s programs; and programs about finance/economics/stock market, folk religion, or education and culture.

<sup>4</sup> Variety shows either refer to highly diverse program content or when the public did not specify a specific program in the complaint.

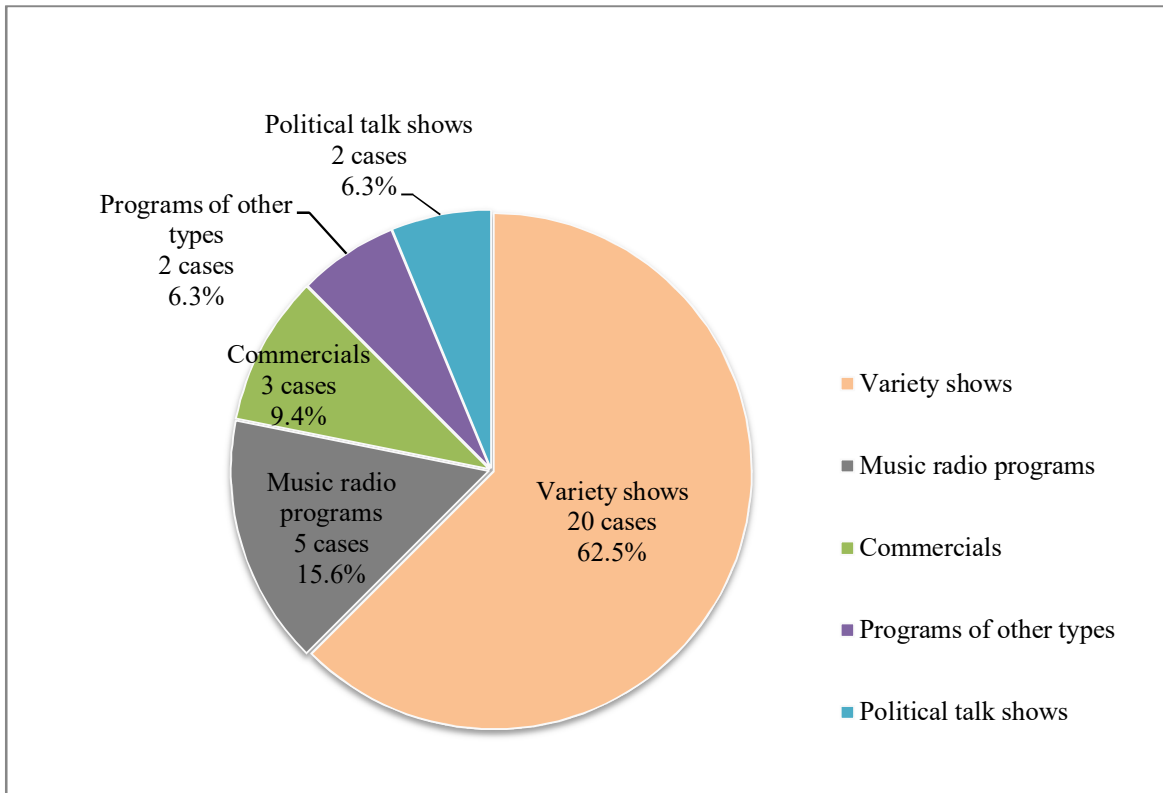


Figure 4: Complaints Received Against Types of Radio Programs (Q4 2018)

### ◆ Major Complaints against Television

The majority of the television content-related complaints in the fourth quarter of 2018 were in the categories of “news reports” and “commercials.” Amongst the 581 news report-related complaints, the majority pertained to “false or unjust contents,” with 312 cases (53.7%), followed by 115 cases (19.8%) pertaining to “disrupting public order or adversely affecting good social customs,” and 87 cases (15.0%) that were “comments on the contents or wording of certain channels/programs/commercials.” The total number of these three most common types of complaints concerning inappropriate content amounted to 514, accounting for 88.5% of all TV news report-related complaints. Please see Table 3 for more details.

**Table 3: Complaints about TV News Reports by Inappropriate Content Category (Q4 2018)**

Television program type (including commercials)	Inappropriate content category	Cases	%
News reports	False or unjust contents	312	53.7%

Disrupting public order or adversely affecting good social customs	115	19.8%
Comments on the contents or wording of certain channels/programs/commercials	87	15.0%
Disregard for professional ethics of journalism	23	4.0%
Business operations suggestions for NCC	18	3.1%
No distinction between programs and commercials	10	1.7%
Commercial violations (including broadcasting time, length, and content)	7	1.2%
Regulations/information inquiries	3	0.5%
Illegal use of interstitial subtitles	2	0.3%
Harmful content for children and juveniles	2	0.3%
Inappropriate program rating	1	0.2%
Sexually discriminatory content	1	0.2%
<b>Total</b>	<b>581</b>	<b>100.0%</b>

An analysis of the 107 complaints about the inappropriate content of TV commercials in the fourth quarter shows that “commercial violations (including broadcasting time, length, and content)” was the most common type of complaint with 55 cases (51.9%). It was followed 24 cases (22.6%) pertaining to “false or unjust contents” and 12 cases (11.3%) that were “comments on the contents and wording of certain channels/programs/commercials.” The total number of these top three types of inappropriate content complaints amounted to 91, accounting for 85.8% of all complaints against TV commercials. Please see Table 4 for more details.

<b>Table 4: Complaints About TV Commercials by Inappropriate Content Category (Q4 2018)</b>			
<b>Television program type (including commercials)</b>	<b>Inappropriate content category</b>	<b>Cases</b>	<b>%</b>
<b>Commercials</b>	Commercial violations (including broadcasting time, length, and content)	55	51.9%
	False or unjust contents	24	22.6%

	Comments on the contents and wording of certain channels/programs/commercials	12	11.3%
	Disrupting public order or adversely affecting good social customs	8	7.5%
	Harmful content for children and juveniles	6	5.7%
	Sexually discriminatory content	1	0.9%
<b>Total</b>		<b>106</b>	<b>100.0%</b>

During the fourth quarter of 2018 (October to December), the following programs, news reports, and commercials received more than 10 complaints: the “African Swine Fever Epidemic” news report (EBC News), the “News at 1 p.m.” program (TVBS News), the “Change in China” program (TVBS), the “Pro-Family Referendums” commercial (multiple channels), and a commercial for the mobile game “Legend of the Empress” (multiple channels). Please see Table 5 for more information.

<b>Table 5: Complaints About Programs, News Reports, and Commercials on Satellite Television (Q4 2018)</b>			
<b>Program/News Report/Commercial Name</b>	<b>Channel</b>	<b>Content Type</b>	<b>Cases</b>
African Swine Fever Epidemic	EBC News	News report	293
News at 1 p.m.	TVBS News	News report	58
Change in China	TVBS	Variety show	52
Pro-Family Referendums	Multiple channels	Commercial	47
Legend of the Empress	Multiple channels	Mobile game commercial	14

**1. The news report “African Swine Fever Epidemic” aired by EBC News received a total of 293 complaints.**

Complaints:

At 9 a.m. on Dec. 13, 2018, EBC News aired a total of three news reports, entitled “First National Alert Issued for African Swine Fever,



Violators to be Fined NT\$1 Million,” “Five African Swine Fever Cases Detected in 40 Days, First National-Level Alert Issued,” and “Online Rumors Circulate About Free Taobao Pork Sausage Gifts, Public Advised to Thoroughly Cook or Discard Pork Sausages.” The public submitted complaints claiming that the news reports were imparting false and misleading information, which could result in a worsening of the epidemic.

Actions of the NCC:

- (1) The NCC sent a letter of advice to EBC News on Dec. 14, 2018 and also requested the Council of Agriculture to determine the rights and responsibilities for this issue.
- (2) In response, a statement issued by EBC News indicated the title of the news report in question was simplified due to restrictions on the number of characters that could be displayed. To avert public misgivings, it produced and aired two follow-up reports on the same day to again explain the proper handling procedures for problematic meat products. It also launched an investigation into news report contents and reinforced awareness and training of its news production and broadcasting units to conform to the requirements of the law. The Bureau of Animal and Plant Health Inspection and Quarantine under the Council of Agriculture stated in a written response that the news report in question did not fully explain the handling method.
- (3) During the NCC’s 839<sup>th</sup> committee meeting on Jan. 16, 2019, it was determined that the news report content incorrectly conveyed information on preventing the epidemic, which could potentially result in gaps in prevention efforts for African swine fever epidemic and disrupt public order. The content was also in violation of Article 27, Paragraph 3, sub-paragraph 3 of the Satellite Broadcasting Act, which states that contents of programs may not disrupt public order. Therefore, a resolution was passed to issue a fine of NT\$200,000 in accordance with Article 53, Paragraph 2 of the aforementioned act.

**2. Concerning the reports entitled “Hundred Year Culture of Rail-Transported Foreign Good ‘Saveloy’” broadcast by “News at 1 p.m.” (TVBS News) and “Change in China” (TVBS) received a total of 58 and 52 complaints, respectively:**

As of Dec. 17, 2018, a total of 110 public complaints had been received. The complaint can be summarized along the lines that Taiwan is currently making a great effort to prevent African swine fever from

spreading to Taiwan; the Council of Agriculture and other agencies have repeatedly reminded the public through various methods not to bring pork products from China and other affected areas into the country. However, these two programs still aired reports on meat products from China and appeared to be encouraging the purchase of such products in violation of legislation on agricultural products and in disregard of media responsibilities.

Actions of the NCC:

- (1) On Nov. 29, 2018, the NCC requested the Council of Agriculture to determine if any violations of industry management legislation had taken place. The COA responded on Dec. 7, indicating the content of the aforementioned report had not violated the Statute for Prevention and Control of Infectious Animal Disease and other relevant regulations. The COA also requested “TVBS” on Nov. 27 to postpone the broadcasting of the programs and remove the programs from relevant websites or add a warning to the report.
- (2) The NCC also requested an explanation from the television company on Nov. 29, 2018. The television company responded on Dec. 10, indicating the aforementioned report featured Harbin’s snacks and snacks industry. It also mentioned the current African swine fever epidemic situation, emphasizing that northeast China has been particularly hard hit and discouraging people from making purchases. The company said it had not violated agricultural regulations. As it respects disease prevention efforts, it has already added the comment “China is suffering from an African swine fever epidemic, so please do not bring meat products from affected areas into the country” to the title of the YouTube link. It also made adjustments to the broadcasting and online link warning to comply with the COA’s request.

### **3. The “Pro-Family Referendums” commercial received a total of 47 complaints.**

Complaints:

The public complaints were regarding the “Coalition for the Happiness of our Next Generation – Pro-Family Referendums 11/24” commercial (Chinese and Taiwanese versions) that Taiwan Television, China Television, Chinese Television System, Formosa Television, Next Television News, Formosa Television News, TVBS, TVBS News, TVBS

Entertainment, SET News, SET Taiwan, SET Metro, CTi News, EBC News, EBC Financial News, EBC Drama, EBC Variety, Videoland On TV, GTV Drama, GTV One, USTV News, Era TV, Videoland Drama, Star Chinese, Much TV, JET TV, SET iNEWS, and Super TV were commissioned to air from Nov. 1, 2018 to Nov. 24, 2018. Complaints were centered on that the content was false, involved discrimination, and misled the public.

Actions of the NCC:

- (1) In response to public complaints that the “Coalition for the Happiness of our Next Generation – Pro-Family Referendums” television commercial had false content, involved discrimination, and misled the public, the NCC consulted a video capture of the commercial to determine if its content explicitly violated the laws, regulations, or policies of relevant authorities in the areas of gender equality; referendums and elections; education curriculums; and amending of laws. It also assessed whether the commercial exceeded the scope of the freedom of speech guaranteed by Article 11 of the constitution, and if there was any specific content that infringed on public interest or the rights of others. Moreover, the NCC requested that the Ministry of Justice, the Gender Equality Committee of the Executive Yuan, the Ministry of Education, and the Central Election Commission to provide their professional opinions within their scope of authority regarding the commercial’s disputed statements to determine if any laws were violated. In the case of violations, the agencies were asked to elaborate on the reason to serve as a reference for the NCC during program advertising consultation meetings.
- (2) In addition, considering that the content of the commercial involved social concerns and controversial issues; that the government should administrate according to law, respect the editorial independence of the media, and guarantee the right of citizens to exercise freedom of speech through the media; and to err on the side of caution, the NCC proposed a program advertising consultation meeting to allow a variety of social opinions and values to be expressed through a deliberative democratic dialogue; determine if the disputed commercial content violated laws including the Radio and Television Act and the Satellite Broadcasting Act; provide advice and recommendations; and submit the case to the NCC for deliberation according to administrative procedures. During the NCC’s 839<sup>th</sup>

committee meeting on Jan. 16, 2019, the committee resolved to send a letter to relevant industry (academic) associations to be forwarded to television networks stipulating that commercial content must respect multiculturalism. Moreover, television networks, industry (academic) associations, advertising associations, and representatives of advertising enterprises were invited to this year's television content regulations and operations management exchange forum and broadcast content production and broadcast and operational development forum to discuss cases with controversial commercial content and determine which positions should be adhered to and how to strike the right balance of diverse social opinions in the production and broadcasting of commercials.

**4. A commercial for the mobile game “The Legend of the Empress” received a total of 14 complaints.**

**Complaints:**

The public complaints were regarding vulgar expressions such as “annoying” in a commercial for the mobile game “The Legend of the Empress” aired on multiple channels between Nov. 29 and Dec. 4, 2018.

**Actions of the NCC:**

With regards to the appearance of vulgar expressions in a commercial for the mobile game “The Legend of the Empress,” the NCC reviewed the commercial and determined it had not violated the NCC's regulations. However, in order to respect the opinions of audiences, the NCC will forward the opinions of the public to the mobile game's developer, “Palace Games,” for its reference.