

## Ministry of Mass Media and Information

### Code of Media Ethics

#### Preamble

All Electronic and Print media institutions including Websites and journalists shall adhere to this code of Media Ethics which aims to ensure that the Electronic and Print media and Websites in Sri Lanka are free and responsible and sensitive to the needs and expectations of the receivers of the message it sends out whilst maintaining the highest standards of journalism.

Those standards require Electronic and Print media and Websites to strive for accuracy and professional integrity, and to uphold the best traditions of investigative journalism in the public interest, unfettered by distorting commercialism or by improper pressure or by narrow self-interests which are against the bare norms of media freedom. Electronic and Print media and publications in Websites and journalists, while free to hold and express their own strong opinions, should give due consideration to the views of others and endeavour to reflect social responsibility.

This code protects both the rights of the individual and upholds the public's right to know. It should be honoured to the letter as well as in the spirit - neither interpreted so narrowly as to compromise its commitment to respect the rights of the individual nor so broadly as to prevent publication in the public interest.

#### 1. No publications should be published which

- (a) offends against expectations of the public, morality of the country or tend to lower the standards of public taste and morality
- (b) contains criticism affecting foreign relations
- (c) contains derogatory remarks on religious groups or communities or promoting communal or religious discord which may affect religious and communal harmony
- (d) contains anything obscene, defamatory, deliberate falsehood and suggestive innuendos and half truths or willful omissions
- (e) contains information which could mislead the public
- (f) is likely to encourage or incite violence or contains anything against maintenance of law and order or which may promote anti-national attitudes
- (g) contains anything amounting to contempt of court
- (h) contains materials against the integrity of the Executive, Judiciary and Legislative
- (i) criticizes maligns or slanders any individual or groups of persons such as ethnic, linguistic or religious or such segments of the public
- (j) contains details of a person's family life, financial information, race, caste, religion, sexual orientation, physical or mental illness or disability and one's home or family and individuals in hospitals unless it has a direct relevance to the public interest
- (k) encourages superstitions or blind belief
- (l) promote atrocity, drug abuse, brutality sadism, sexual salacity and obscenity
- (m) denigrates the poor

## 2. Accuracy

All reasonable efforts shall be made by the editors/journalists of Electronic and Print media institutions including Websites to ascertain the accuracy of the contents of their publications and broadcasts.

## 3. Corrections and Apologies

Where it is recognized by the editor that a publication/broadcast contain incorrect information and or facts it shall be corrected promptly with due prominence and with an apology where appropriate, except where the proposed correction or apology is against the wishes of the aggrieved party.

## 4. Opportunity to Reply

A fair and reasonable opportunity to reply shall be given to individuals and organizations in respect of factually incorrect statements endangering their reputation, dignity, honor, feelings, privacy and such reply shall be given due publicity in a similar manner.

## 5. Clear difference between fact and opinion

Every journalist shall use all reasonable means at his command in any publication to be published to draw a clear distinction between any statement of fact on the one hand any expression of opinion or criticism on the other.

## 6. On special situations

6.1 Particular care shall be taken to ensure that in cases involving grief or shock, inquiries and approaches are handled with sensitivity and discretion.

6.2 When reporting suicide cases extreme care shall be taken not to give excessive details of the method used.

### 6.3 Re-creation of incidents

Crimes and accidents should only be repeated as news and should not be dramatically performed emphasizing the incidents therein.

### 6.4 Exhibition of corpses

Corpses should not be exhibited in newscasting and in reporting incidents

## 7 Criminal cases

In reporting accounts of crime or criminal cases' publications shall not, unless required by law:

- disclose the identity of victims of sex crimes
- Knowingly name any young person accused of a criminal offence who is below the age of 18 years and who has no previous convictions.
- identify without consent relatives of a person accused or convicted of a crime.

## 8. Confidential sources

Every journalist shall observe secrecy regarding any source of information unless the person who gave him such information authorizes the disclosure of his identity.

## 9. Dignity

9.1 Every journalist shall safeguard the dignity of his profession. He shall not accept any bribe in money, in kind or service for any matter connected with or incidental to his profession and

9.2 The journalist shall not commit plagiarism.

## 10. Women and Children

10.1 No publications shall be published which denigrates women through the depiction in any manner of the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprave, corrupt or injure the public morality or morals

10.2 No publications shall be published which denigrates children

10.3 Care shall be taken to ensure the publications meant for children do not contain any bad language or promote sexuality or violence.

10.4 Care shall be taken that a child's gullibility or trust is not abused.

10.5 Children shall not lose their rights to privacy because of the fame or notoriety of their parents or because of events in their schools.

10.6 Publication of material concerning a child's private life shall not be encouraged.

## 11 Obtaining information

11.1 Factual programme-makers shall not in the ordinary course obtain or seek information or pictures through misrepresentation or deception except where the disclosure is reasonably believed to serve an overriding public interest and the material cannot reasonably be obtained by other means.

11.2 The use of secret recording would only be considered where it is necessary to the credibility and authenticity of the story.

11.3 The journalist shall not cause the people who caught up in emergencies or suffering a personal tragedy under any pressure to provide interviews or reveal information.

## 12. Reporting events

Journalists intend to examine events involving trauma to individuals, shall try to minimize the potential distress to surviving victims or surviving relatives in re-casting the story.

## 13. Advertising code

13.1 Advertising carried out in the electronic and print media including websites shall be so designed as to conform to the laws of the country and shall not offend morality, decency and religious susceptibilities of the subscribers.

13.2 No advertisement shall be permitted which

(a) derides any race, caste, colour, creed and or nationality

(b) tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way

(c) presents criminality as desirable

(d) exploits the National emblem, National flag and National Anthem or any part of the Constitution or the person or personality of a national leader or a state dignitary

(e) in its depiction of women, children and differently abled persons violates the Constitutional guarantees to all citizens.

13.3 No advertisement shall be permitted which is for Unacceptable Products or Services coming within the recognized character of or specially concerned with, the following-

(a) breath testing devices and products tend to mask the effect of alcohol

(b) fortune-tellers and the like

(c) undertakers or others associated with death or burial

(d) unlicensed employment services, registers or bureaus

(e) organizations/companies/persons seeking to advertise for the purpose of giving betting tips

(f) Betting

(g) Cigarettes, Liquors and Alcoholic Beverages

N.B. - An advertiser who markets more than one product may not use advertising copy devoted to an acceptable product for purpose of publishing the brand name or other identification of an unacceptable product.

13.4 No advertisement may contain any descriptions, claims or illustrations which directly or by implication mislead about nature of the product or service advertised or about its suitability for the purpose recommended.

13.5 It is accepted that the technical limitations of photography can lead to difficulties in securing a realistic portrayal of a subject, and that the use of special techniques or substitute materials may be necessary to overcome these difficulties. These techniques must not be abused. No advertisement in which such techniques been used shall be accepted, unless the resultant picture presents a fair and reasonable impression of the product or its effects and is not intend to mislead.

13.6 Advertisements indicating price comparisons or reductions must comply with the trade regulations, visual and verbal presentations of actual and comparative prices and cost must be accurate and incapable of misleading by undue emphasis or distortion.

13.7 Advertisements shall not discredit or unfairly attack other products, services or other advertisements. In featuring product benefits, any comparison (either stated or implied) with other products or services must be fair, capable of substantiation and in no way misleading.

13.8 Any imitation likely to mislead viewers, readers, and listeners even though it is not of such a kind to give rise to a legal action for infringement of copyright or for 'passing off', must be avoided.

13.9 Advertisements shall not describe goods or samples as "free" unless the goods or samples are supplied at no cost or no extra cost (other than actual postage or carriage) to the recipient. A trial may be described as "free" although the customer is expected to pay the cost of returning the goods, provided that the advertisement makes clear the customer's obligation to do so.

13.10 No advertisement may contain a direct or indirect reference to a guarantee which purports to take away or diminish the statutory or common law rights of a purchaser.

13.11 Advertisements inviting the public to take part in competitions, where allowable under the law, shall state clearly how prospective entrants may obtain the conditions including the arrangement for the announcement of results and for the distribution of prizes.

13.12 The goods or services advertised shall not suffer from any defect or deficiency as mentioned in the Consumer Protection Act Food Act, and/or any other law concern in the subject matter advertised.

13.13 No advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super-natural property or quality, which is difficult of being proved.

13.14 Indecent, vulgar, suggestive, repulsive or offensive themes or treatment shall be avoided in all advertisements

13.15 All advertisements shall be clearly distinguishable from the programme and shall not adversely affect the recipient.

13.16 No advertisements permitted which contains anything causing embarrassment or affect the morale of the Armed Forces, Police and Civil Security Force.

13.17 Advertising and Children:

13.17.1 The Reading/Viewing/Listening Child-

No product or service may be advertised and no method of advertising may be used in association with a programme intended for children or which large numbers of children are likely to view/listen, which might result in harm to them physically, mentally or morally, and no method of advertising may be employed which takes advantage of the natural credulity and sense of loyalty of children

In particular -

No advertisement shall be allowed which leads children to believe that if they do not own the product or service advertised they will be inferior in some way to other children or that they are able to be held in contempt or include for not owning it.

13.17.2 The Child in Advertisements - The appearance of children in advertisements is subjected to the following conditions:

(a) Employment - It shall be noted that the conditions under which children are employed in the making of advertisements are governed by laws applicable for the time being.

(b) Contributions to Safety- Any situations in which children are to be seen in advertisements shall be carefully considered from the point of view of safety.

In Particular:

(i) Children shall not appear to be unattended in street scenes, shall not be playing on the road, or other safe areas; shall not be published stepping carelessly off pavement or crossing the road without due care.

(ii) Children shall not be published leaning dangerously out of windows or over bridges or climbing dangerous cliffs.

(iii) Small Children shall not published climbing up to high shelves or reaching up to take things from a table above their heads.

(iv) Medicines, disinfectants, antiseptics and caustic substances must not be brought within reach of children without close parental supervision nor shall children be shown using these products in anyway, in the process of production of any advertisement.

(v) No advertisement shall be published which depicts children using matches or any gas, paraffin, petrol, mechanical or mains powered appliances which could lead to their suffering burns, electrical shock or other injury:

(vi) Children must not shown driving or operating vehicles or machinery (including agricultural machines, agricultural equipments, tractor-drawn carts or implements).

(vii) An open or fire in a domestic scenes in an advertisement must always have a fireguard clearly visible if a child is included in the scene

(viii) No advertisement which endangers the safety of children or creates in them any interest in unhealthy practices or presenting them in a manner which affect their rights or in an undignified or indecent manner shall not be carried in any media.

13.17.3. Good Manners and Behaviour - Children seen in advertisements shall be reasonably well mannered and well behaved.

### 13.18 Advertising of Medicines and Treatment

13.18.1 Unacceptable Products or Services - Advertisements for medical products and services shall not be permitted unless approved by the Medical Formulary Committee, Ayurvedic Council or any other recognized medical organisation.

13.18.2 Avoidance of Impression Gf Professional Advice - In advertisement for medicines, treatments and products which are claimed to promote health or be non-official in illness, the following shall not be allowed.

(a) Presentations of perperated doctors, dentists, pharmaceutical chemists, nurses, midwives, etc.,

(b) Statements giving the impression of professional advice or recommendation made by persons who appear in the advertisements and who are presented, either directly or by implication, as being qualified to give such advice or recommendation.

To avoid misunderstanding, about the status of the presenter of a medicine or treatment, it may be necessary to establish positively in the course of an advertisement that the presenter is not a professionally qualified adviser.

13.18.3 Hospital Tests - No reference may be made to a hospital test unless the medical committee of the hospital concerned is prepared to vouch for its validity.

13.18.4 Testimonials - No advertisement for a medicine or treatment may include a testimonial by a person well known in public life, sport, entertainment etc.

13.18.5 Vitamins - No advertisements shall state or imply that good health is likely to be endangered solely because people do not supplement their diet with vitamins.

This part of the Code applies to the advertising to the public of medicines, treatments and appliances for the prevention or alleviation of any ailment, illness or disease. It does not apply to advertisements published by or under the authority of a Government Ministry or Department, not to advertisements for medicine, treatments and appliances addressed directly to registered medical or dental practitioners, pharmacists, registered medical or auxiliaries or nurses, sent direct or published in their respective professional or technical journals.

13.18.6 Cure - Advertisements should not contain any claim (directly or by implication) to extirpate any ailment, illness, disease or symptom of ill health.

13.18.7 Illness Requiring Medical Attention - Advertisements shall not offer any medicine or treatment or serious disease conditions or complains which need the attention of a qualified medical practitioner.

13.18.8 Appeals to Fear - Advertisements shall not contain any statement or illustration likely to induce fear on the part of the reader, viewer or listener that he is suffering or may without treatment, suffer, or suffer more severely, from an ailment, illness or disease.

13.18.9 Diagnosis or Treatment Correspondence - Advertisements shall not contain any offer to diagnose or to treat any ailment, illness or disease, or symptoms of ill-health by correspondence; nor invite information in order to advice on or prescribe treatment by correspondence.

13.18.10 Money back offers - Advertisements shall not contain any offer to refund money to dissatisfied users.

13.18.11 College, Hospital, Clinic, Institute, Laboratory - Advertisements shall not contain any reference to a College, Hospital, Clinic, Institute, Laboratory, or similar establishments unless there exists a bonafide establishment corresponding to the description used.

13.18.12 Medical Statements, Trials and Tests - Advertisements shall not contain any medical statement or reference to clinical or other trial or tests which cannot be substantiated by authoritative evidence.

13.18.13 Testimonials - Advertisements shall not contain any testimonials given by a doctor who is not a qualified medical practitioner unless the advertisement makes it clear that the writer is not so qualified.

13.18.14 Social - Friendly advertising scripts- Inappropriate words and phrases should not be used in an advertisement and the way of presentation should not affect the society adversely.

13.18.15 "Natural" Remedies - Advertisements shall not contain any false claims, direct or indirect, that a product is "natural", "nature's remedy" or the like.

13.18.16 Competitions - Advertisements for medicines, treatments and appliances shall not contain any reference to a prize competition or similar scheme.

13.18.17 Products offered particularly to Women - Advertisements shall not suggest or imply that any products, medicines or treatments offered therein will induce miscarriage.

13.18.18 Hypnosis - Advertisements shall not contain any offer to diagnose or treat conditions of ill health by hypnosis.

13.18.19 Vitamin Products - Advertisements shall not contain any unqualified claims that vitamins will give adequate protection against or treatment for virus infections, unqualified statements that the medical profession supports such claims.