

# TE HĀTEPE AMUAMU ME ĒTAHI ĀRAHITANGA

---

# TE HĀTEPE AMUAMU IA UPANE

## KEI TE HIAHIA KOE KI TE TUKU AMUAMU ŌKAWA?



# ARATOHU KI TE HĀTEPE AMUAMU A BSA MŌ NGĀ WHAKAATURANGA POUAKA WHAKAATA ME TE REO IRIRANGI

## He aha ngā momo whakaaturanga e taea e au te amuamu?

Ka taea e koe te amuamu mō tētahi whakaaturanga e whakapāohotia ana i Aotearoa i runga i te pouaka whakaata, reo irirangi rānei.

## Āhea tuku amuamu au?

Me tuku koe i tō amuamu i roto i **ngā rā mahi 20 o te pāpāho**. Kāore e taea e koe te tuku amuamu mō tētahi whakaaturanga i mua i tana whakaaturanga.

## He aha ngā amuamu ka whakaaehia e te BSA?

- |   |  |
|---|--|
| ✓ Ngā whakaaturanga pouaka whakaata koreutu   | ✗ Pānuitanga (whakapā atu ki te Advertising Standards Authority)   |
| ✓ Ngā whakaaturanga pouaka whakaata utu   | ✗ Te whakarite hōtaka whakaaturanga (whakapā atu ki te kaipāpāho)  |
| ✓ Ngā whakaaturanga reo irirangi  | ✗ Ngā paetukutuku kaipāpāho (whakapā atu ki te kaipāpāho)  |
| ✓ Ko ngā whakaaturanga ka mātakitakina, ka rongohia rānei i runga i te paetukutuku a te kaipāpāho (Mēnā ka <b>taea</b> ANAKE e koe te tuku i ngā taipitopito o te whakaaturanga pouaka whakaata tuatahi, pāpāho reo irirangi me te tuku i tō amuamu i roto i te 20 rā mahi o taua pāpāho) | ✗ Ko ngā whakaaturanga e tirohia ana, e rongohia rānei i runga i te paetukutuku a te kaipāpāho—mēnā <b>kāore</b> e taea e koe te tuku taipitopito o te pouaka whakaata tuatahi(waea atu ki te kaipāpāho) |
| ✓ Ngā pānuitanga pōtitanga i runga pouaka whakaata, reo irirangi rānei (i ngā wā pōtitanga)   | ✗ Ko ngā pitopito kōrero me ngā take o te wā i runga paetukutuku kaipāpāho, kāore anō kia whakaaturia ki te pouaka whakaata, reo irirangi rānei (whakapā atu ki te Online Media Standards Authority)     |
|   | ✗ Ētahi atu ihirangi ipurangi (kaiwhakarato whakapā)   |

## He aha ngā take ka taea e au te amuamu?

Ka taea e koe te tuku amuamu mō ēnei take e whai ake:

- te āhua tika me te whanonga tika
- ngā mōhiotio whakaaturanga
- te pānga ki ngā tamariki
- te whakarekereke
- te ture me te whanonga tika
- te whakahāwea me te whakahahani
- te waipiro
- te whakatautika
- te tōtikatanga
- te matatapu
- te tōkeke

E whakamāramahia taipitopitotia ēnei take i roto i Te Tikanga o Ngā Mahinga Pāpāho i roto i tēnei Puka Tikanga me tā mātau paetukutuku. Ko ngā paerewa me ngā aratohu kei roto i ia tikanga ka āhua rerekē e ai ki te wāhi i whakapāohotia te whakaaturia (reo irirangi, pouaka whakaaturanga koreutu, pouaka whakaata utu). He ture motuhake anō mō ngā whakaaturanga pōtitanga.

## Me pēhea taku tuku amuamu?

Hei whai wāhi atu ki roto i te hātepe BSA, me 'amuamu ōkawa' ngā amuamu.

Mēnā kei te hiahia noa iho koe ki te whakamōhio atu i te kaipāpāho mō ō āwangawanga, ehara rānei i te take mā te BSA, ka whiriwhirihia hei 'amuamu kōkau'.

Me tuku ngā amuamu ōkawa ki te kaipāpāho i te tuatahi (engari mēnā he amuamu tūmataitinga, he amuamu whakaaturanga pōtitanga, ka taea te tuku tonu atu ki te BSA). Ka kitea ngā taipitopito whakapā mō ngā kaipāpāho matua i te paetukutuku a te BSA, [www.bsa.govt.nz](http://www.bsa.govt.nz).

Ko te tikanga māmā rawa mō te tuku amuamu he whakakī i te puka tuihono. Kei te nuinga o ngā kaipāpāho matua ēnei. Ka taea te tiki atu mai i tā mātau paetukutuku, (tirohia, *Mēnā kua rite koe ki te tuku amuamu ki te kaipāpāho ināianei*). He puka tuihono tā te BSA ka taea e koe te whakamahi mēnā kāore i te kaipāpāho mōna te amuamu (tirohia, *Mēnā kāore i kitea e koe te kaipāpāho e kimihia ana e koe*).

Me mōhio he roa anō te wā mō te hātepe amuamu ōkawa. Kāore pea koe e whiwhi whakautu wawe, whakatau wawe rānei. Ki te tuku amuamu atu koe ki te kaipāpāho, ā, ka tuku anō i tō amuamu ki te BSA, ka pau pea ētahi marama i muri i te rā tuatahi o te pāpāho ka whiwhi ai koe i tētahi whakatau whakamutunga.

## He aha ngā mea e hiahiatia ana mō taku amuamu kia kīia ai he 'amuamu ōkawa'?

Mō te whakarite amuamu ōkawa me ū ētahi whakaritenga whāiti. Ko te amuamu ōkawa me mātua:

- tuhi mai
- kī he 'amuamu ōkawa'
- whiwhi i te kaipāpāho i roto i ngā rā 20 mai i te whakapāohotanga
- whai i ngā taipitopito e whai ake:
  - o te rā o te pāpāho
  - o te wā o te pāpāho
  - o te taitara o te whakaaturanga
  - o te hongere, teihana rānei i whakapāoho i te whakaaturanga
  - o ngā paerewa ki ōu whakaaro kua wāhia
  - o he whakamāramatanga he i wāhia ki ōu whakaaro.

## Ka ahatia ngā amuamu ōkawa ki ngā kaipāpāho?

He **20 rā mahi** te wā ki te kaipāpāho ki te tuku whakatau ā-tuhi ki a koe e whakamārama ana ki a koe mēnā i whakaaehia tō amuamu, kāore rānei (arā, mēnā i wāhia e te whakaaturanga ngā paerewa), me te whakamōhio atu ki a koe mō tō tika ki te tuku i tō amuamu ki te BSA ki te kore e pai ki a koe te whakatau. (E whakaaehia ana te kaipāpāho ki te whakaroa ake i te wā ki te **40 rā mahi**, mēnā ka whakamōhio atu ki a koe i roto i taua 20 rā mahi tuatahi.)

## Āhea ka taea e au te tuku taku amuamu ki te BSA?

Ka taea e koe te tuku i tō amuamu ki te BSA i ngā āhuatanga katoa e whai ake i roto i ngā wā e whai ake:

### Āhea tuku atu ai e au?

Mēnā kāore i te pai ki a koe te whakatau a te kaipāpāho?

Mēnā i whakaaehia e te kaipāpāho tētahi wāhanga, te katoa rānei o tō amuamu, ā, mēnā kāore i te pai ki a koe ngā whakarite i whāia e rātau ki te whakatika i te wāwāhitanga

Mēnā kāore anō kia rongo kōrero mai koe i te kaipāpāho i roto i te 20 rā mahi o tō amuamu (i roto i rānei i te 40 rā mahi mēnā i tuhi reta atu te kaipāpāho ki a koe ki te tono kia whakaroahia te wā)

### E hia te roa ki a au ki te tuku?

E **20 ngā rā mahi** ki a koe mai i tō whiwhinga i te whakatau a te kaipāpāho

E **20 ngā rā mahi** ki a koe mai i tō whiwhinga i te whakatau a te kaipāpāho

He **60 rā mahi** mai i te rā o te whakapāohotanga tuatahi

## Me pēhea taku tuku amuamu atu ki te BSA?

Me tuhi atu koe ki te BSA ki te tono mō tētahi arotake (mā te pōhi, īmēra mai rānei ki [info@bsa.govt.nz](mailto:info@bsa.govt.nz)).

Ka taea rānei e koe te whakakī i te puka Tuku i tētahi Amuamu kei te paetukutuku a te BSA, [www.bsa.govt.nz](http://www.bsa.govt.nz).

Mēnā:

- kāore i te pai ki a koe te whakatau a te kaipāpāho, me whakarārangi e koe o pūtaka
- kāore anō koe kia whiwhi i tētahi whakatau, me whakauru atu e koe te rā i tāpaehia atu koe tō amuamu ki te kaipāpāho kia taea ai te tirotiro te wā.

## Ka aha ina tuku atu ai e au taku amuamu ki te BSA?

Ina tuku atu e koe tētahi amuamu, ko tā te BSA he:

- tuhi atu ki a koe me te whakarārangi i te hātepe
- tuku tārua o tō amuamu ki te kaipāpāho ki te whakaputa kōrero, me te tono mō tētahi tārua o te whakaaturanga me ngā tārua o ngā tuhituhi katoa e pā ana ki tō amuamu
- whakarite kia whai wāhi koe ki te tuku kōrero mō ngā kōrero i whakaratohia e te kaipāpāho
- whakamōhio atu ki a koe āhea ka whakaritehia tō amuamu (ina tae katoa mai ngā kōrero) me te wā ka whiwhi pea i a koe te whakatau a te BSA.

Ka hui te poari a te BSA ki te whiriwhiri i ngā amuamu i ia rima wiki. I te nuinga o ngā kēhi kotahi anake te hui mō te whakatau i te amuamu, ā, ka whiwhi i a koe tētahi whakatau i roto i ngā rā mahi 20 o te hui.

He uaua ake ētahi amuamu. E hiahia ana pea he wā atu anō hei kohikohi kōrero anō, te whiriwhiri whakatau, te whakatutuki i te whakatau hoki/rānei. Mēnā he pēnei, ka whakamōhiohia haerehia koe e te BSA.

Me mōhio koe he roa te wā hātepe amuamu – mai i te tukutanga ki te BSA, atu ki te tukutanga i te whakatau a te BSA – i te nuinga o te wā ka pau ētahi marama, roa atu rānei mēnā ka uaua, me whiwhi kōrero atu rānei.

## Ka taea e au te āpuru ingoa?

Kei roto i te whakataua ā-tuhi a te BSA ko tō ingoa, ā, ka whakaputaina te whakataua ki te paetukutuku a te BSA.

Ka whiriwhiri anake te poari i ngā tono mō te āpuru ingoa ina whakarite ana i ngā amuamu tūmataitinga, i ngā āhuatanga tino rerekē rānei. He onge te āpuru ingoa.

Mēnā e whakapono ana koe he take motuhake me whiwhi i a koe te āpuru ingoa, me tuhi ki te BSA ki te whakamōhio atu – ka taea e koe tēnei te mahi i tētahi wā i mua i te tukutanga o te whakataua.

Ki te kore e whakaaehia te āpuru ingoa, ka whakamōhiohia koe e mātau, ā, tērā pea ka tuku whai wāhitanga ki a koe ki te tango mai i tō amuamu.

---

## He aha ngā whakahau ka taea e te BSA te tuku?

Ki te whakaaehia e te BSA tētahi amuamu, ka tuku whakahau pea.

Mēnā kei te whiriwhiri te BSA ki te tuku i tētahi whakahau ka tuhi atu ia ki a kōrua ko te kaupāpāho mō ō whakaaro he aha aua whakahau, ā, mēnā kei te tika. Kātahi ka whakataua ki te tuku whakataua, kāore rānei, i mua i te tukutanga i tana whakataua whakamutunga. Ka whakaarohia e te BSA ngā tāpaetanga kōrero a ngā taha e rua me te whai whakaaro ki ngā āhuatanga maha, tae atu, engari kāore e whāiti ki ēnei:

- te taumahatanga o te wāhitanga, me te maha o ngā āhuatanga o te amuamu i whakaaehia
- te nui o te mamae i pā ki tētahi tangata, ki te hunga mātakitaki rānei
- ngā whāinga o te (ngā) paerewa
- te waiaro me ngā mahi a te kaupāpāho e pā ana ki te amuamu (hei tauira, mēnā i whakaaehia te amuamu e te kaupāpāho me te upane whakangāwari hoki/rānei; mēnā rānei i whakahētia e te kaupāpāho te wāhitanga paerewa, me te whakakaha i te mamae i puta)
- mēnā ka rongoā tika te whakataua me te tuku tohutohu ki ngā kaupāpāho, mēnā rānei e hiahiatia anō tētahi atu mea kia whai take ake te rongoā, te whakatūpato rānei i ngā kaupāpāho
- ngā whakataua o mua, whakahau ōrite hoki/rānei.

Ko ngā whakahau e kitea noa:

- he tauākī pāpāho, hei tauira, tētahi whakatika, whakarāpopoto o te whakataua, he whakapāha rānei
- ngā utu ki te Karauna (he whaina) atu ki te \$5,000
- he paremata mō tētahi wāhi tūmataitinga, tae atu ki te \$5,000
- he paremata mō tētahi wāhanga o ngā utu ā-ture i hua puta ake.

---

## Ka aha ina tukuna e te BSA he whakataua?

Ka tukuna he whakataua ā-tuhi ki a koe me te kaupāpāho. Ka tonoa koe kia noho matatapu te whakataua mō ētahi rā kia tukuna matataputia.

Ka whakaputaina te whakataua ki te paetukutuku a te BSA, me te pānui ā-marama a te BSA. I ētahi wā ka tukuna e te BSA he tauākī pāpāho mō tētahi whakataua pānga. E kore rawa e tukuna e te BSA ngā taipitopito whakapā a ngā kaiamuamu ki te hunga pāpāho.

---

## Ka taea anō te pīra tētahi whakataua BSA?

Āe. Ka taea ngā whakataua BSA te pīra ki te Kōti Teitei, e ngā taha e rua (te kaupāpāho, te kaiamuamu rānei), i roto i te kotahi marama o te whakataua.

Ki te pīra e te kaupāpāho tētahi whakataua ki te Kōti Teitei, ka whakaingohia ko te kaiamuamu tētahi atu taha engari kei a ia te tikanga ki te kore whai wāhi mai ki ngā whakawātanga.

**MŌ ĒTAHI ATU KŌRERO KA TAEA E KOE TE HAERE ATU KI TE PAETUKUTUKU A TE BSA, [WWW.BSA.GOVT.NZ](http://WWW.BSA.GOVT.NZ)**

Ngā Paerewa Pāpāho | Aotearoa Puka Tikanga

# ĀRAHITANGA: TŪMATAITINGA

Kō te whāinga o tēnei ārahitanga he whakawhānui i ngā aratohu e rārangi ana i te paerewa tūmataitinga. Ehara i te mea koinei katoa, ā, ka hiahiaitia pea he whakamārama, he tohutohu rānei ina hāngai ana ki tētahi amuamu. He tino hira ngā meka whāiti o ia amuamu ina whiriwhirihia ana mēnā i wāhia te tūmataitinga o te tangata. Me whai whakaaro anō te BSA ki ngā whanaketanga e pā ana ki te ture tūmataitinga i Aotearoa me ētahi atu mana.

Kua tauhia tēnei ārahitanga kia māmā ai mō te tohutoro.

## 1. Ko wai ka āhei ki te tuku amuamu?

- 1.1 Ka taea ngā amuamu tūmataitinga te tuku mō ngā tāngata anake ka tautuhia i tētahi pāpāho. Ka taea e te BSA te whakaae ki ngā amuamu tūmataitinga mai i ngā tāngata i tua atu i te tangata mōna te wāhitanga tūmataitinga. Engari, ka mau tonu i a ia te mana ki te whakahē ki te whakarite amuamu mēnā e tika ana i roto i ngā āhuatanga katoa.
- 1.2 Me hāngai anake ngā amuamu tūmataitinga ki ngā tāngata ora (Privacy Act 1993).

## 2. E hiahiaitia ana kia tāutunga

- 2.1 Ka wāhia anake te tūmataitinga o te tangata mōna te take tūmataitinga, ka taea e ia te kite i roto i pāpāho. Me āta kite ngā tāngata e ngā tāngata i tua atu i ngā whānau, hoa tata rānei, ko te tikanga me mōhio ia ki te take i roto i te pāpāho (tirohia te whakatau a te BSA *Moore me TVWorks Ltd*, 2009-036).
- 2.2 Ko ngā kaipāpāho ka ārai atu i te āhua o te tangata kia kore ai e wāhia te tūmataitinga me mātua whakarite kei te whitake te ārai. I ētahi kēhi, ina whai i ētahi āhuatanga rerekē i roto i te pāpāho, ki te āraia noa ihotia koe te kanohi o te tangata kāore e rawaka tēnei (tirohia te whakatau a te BSA *DS me Television New Zealand Ltd*, 2011-144).
- 2.3 I ētahi kēhi, ko ngā kōrero i roto i te pāpāho me ētahi atu whakaatuhanga e noho wātea ana, ngā kōrero rānei i waho o te pāpāho ka kitea pea ko wai.

## 3. Ngā tūmanako o te tūmataitinga e tika ana

- 3.1 Ko te tikanga kāore he tūmanako tūmataitinga e tika ana mō te tūmataitinga e pā ana ki ngā take tūmatanui, pēnei i ngā take i te kōti tuwhera, ngā take rānei kua whakaaturia whānuitia e te hunga pāpāho. I ētahi āhuatanga, ka tika te tūmanako tūmataitinga e ai ki ngā kōrero ahakoa kua puta tūmatanuitia.
- 3.2 Heoi, kāore he tūmanakotanga tika o te tangata ki te tūmataitinga i tētahi wāhi tūmatanui. Ko ngā wāhi tūmataitinga ko ngā wāhi e taea whānuitia e te marea, ka kitea whānuitia hoki/rānei.
- 3.3 I ngā āhuatanga tino rerekē ka whai tūmanako tika anō pea he tangata ki te tūmataitinga i roto i tētahi wāhi tūmataitinga. Kei roto pea ko ngā āhuatanga e mārara ana mai i ngā āhuatanga kei te whakaraerae te tangata, hei tauira:
  - te hunga kei roto i ngā mate whawhati tata
  - ngā pārurenga aituā
  - te hunga e whakamomori ana
  - te hunga he matea ako
  - te hunga mate hinengaro
  - te hunga i roto i te pōuritanga
  - te hunga whara roro, mate wareware rānei
  - te hunga e ngaukino ana, kei te māuiui, mate kore oranga rānei

#### 4. Ngā tāngata tūmatanui

4.1 Ko ngā tāngata tūmatanui, otirā te hunga whai mana, me rātau kei te rapu rongonuitanga, he iti iho te tūmanako ki te tūmataitinga e ai ki ngā take e pā ana ki ā rātau mahi tūmatanui.

#### 5. Te tūmataitinga o ngā tamariki

5.1 Mō te take o te paerewa tūmataitinga, heke iho i te 16 tau he tamaiti tērā.

5.2 He tino nui ake te tūmanako tika o ngā tamariki, tae atu ki ngā tamariki a ngā tāngata tūmatanui, ki te tūmatanui.

5.3 He matua, kaitiaki rānei, tētahi atu rānei 18 tau, neke atu rānei (e tiaki ana i te tamaiti mō te matua, kaitiaki rānei), ka āhei ki te whakaae atu mō te tamaiti heke iho i te 16 tau, ki te whakapāoho i ngā take matatapu engari me whakaae te kaipāpāho kāore te pāpāho i te ātete ki te painga o te tamaiti.

#### 6. Ngā urutomonga me ngā whakapuakina tino hara

6.1 Ko te āhuetanga o te kōhi whakaatuhanga matatapu ka whai pānga ki te haranga o te urutomonga, whakapuakina rānei. Hei tauira, he tino hara ki te pāpāho whakaahutanga matatapu i kohia e ngā āhuetanga huna, nukarau, tinihanga rānei.

6.2 He hara anō pea ki te whakapuaki i ngā meka matatapu ina:

- mahia ai mō te kaupapa o te akiaki nonotitanga
- e tino whakamā ana ngā whakaatuhanga, he āritarita, ngaukino rānei, e taea ana rānei te pā kino ki te mana o te tangata
- he noho whakaraerae ana te tangata
- he apo, he mahanoa rānei te pāpāho
- whakapau kaha ai te tangata whai pānga ki te tiaki i tōna matataputanga, kāore rānei i whakaae ki te pāpāho.

#### 7. Whakaae ā-mōhio

7.1 Ka tuku whakaae ā-mōhio ki te whakaaturia he tangata i tētahi pāpāho:

- kei te mōhio ia kei te whai wāhi atu ia ki te pāpāho
- kei te mārama ia ki te horopaki tika me te kaupapa o te whai wāhitanga
- kei te mārama ki te āhua o te whakaae me te roa
- kei te whakaae ia ki te whai wāhi atu.

7.2 Ka rerekē pea te taumata o te whakaae mō te momo whakaaturanga me ngā āhuetanga ake i ia kēhi.

7.3 Ina tika kia rangirua ki te kaha o te tangata ki te mōhio ki ngā mutunga o tōna whai wāhitanga (hei tauira, ina mate hinengaro, haurangi rānei te tangata), me mātua whakarite te kaipāpāho ka taea e te tangata te tuku whakaae ā-mōhio me te mārama hoki ki ngā pānga ka puta pea o te whai wāhi atu ki te pāpāho.

7.4 Ko te tangata anake ko tōna tūmataitinga kei te raru, mō te tamaiti ko tōna matua, kaitiaki, tangata rānei e pakeke atu i te 18 tau kei tiaki (kei te tiaki ā-matua, kaitiaki rānei), te tuku whakaae

7.5 Otirā, me tuhi, tāhopu rānei te whakaae, me tino mārama mai i ngā āhuetanga. Ko te 'tino mārama mai i ngā āhuetanga' he take kia āta tātarīhia, ā, ka riro mā ngā meka whāiti o te kēhi e tohu.

7.6 Ko te nui ake o te urutomotanga o te pāpāho, ko tera te nui o whakapau kaha a te kaipāpāho ki te whiwhi whakaae ā-mōhio.



## 8. Pānga tūmatanui tika

- 8.1 He take pānga tūmatanui tika he take ka whai pānga pea ki tētahi wāhanga nui o te taupori o Aotearoa. He nui ake i te pānga noa ki te marea.
- 8.2 Ko ngā take pānga tūmatanui ka whai pea i ngā take pēnei:
- i ngā take taihara, tae atu ki te hura, te kimi mahi taihara
  - ngā take hauora tūmatanui, haumaru rānei
  - ngā take tōrangapū, kāwanatanga, rōpū whakahaerenga tūmatanui rānei
  - ngā take e pā ana ki ngā mahi a ngā rōpū whakahaere e whai pānga ki te marea
  - te whakaatu i ngā kerēme whakakotiti a te tangata, rōpū whakahaere rānei
  - te whakaatu i ngā mahi whakararuraru, whakamamae rānei

(tirohia te whakatau a te *BSA Balfour me Television New Zealand Ltd*, 2005-129).

- 8.3 Ko te taumata o te pānga tūmatanui i roto i ngā whakaatuhanga i whakapāohotia me mātua ōrite ki te nui o te wāhi i te tūmataitinga, kia taea e te kaipāpāho te whirinaki atu ki te pānga tūmatanui hei whakangungutanga ki te wāhitanga (tirohia te whakatau a te *BSA MA me Television New Zealand Ltd*, 2010-084).
- 8.4 Me hāngai te pānga tūmatanui ki te whakapuakina o ngā mōhiohio ake, tāhopu rānei i whakapaehia i wāhia te tūmataitinga (tirohia te whakatau a te *BSA Russek me Television New Zealand Ltd*, 2007-016). Engari, ka whai whakaarohia te pānga tūmatanui i roto i te whakaaturanga, raupapa rānei i ngā wā katoa.

## 9. Te urutomonga ki te noho tautahi, punanga rānei

- 9.1 Ko te noho tautahi he noho motuhake. Ko te punanga he ārai atu, he kati atu rānei i te ao o waho, tirohanga tūmatanui rānei. Ehara i te mea me noho motuhake te tangata ki te hiahia ia ki te punanga (tirohia te whakatau a te *Kōti Teitei CanWest TVWorks Ltd v XY*, HC Auckland CIV-2006-485-2633).
- 9.2 Ko te tikanga ka hiahia te tangata ki te noho motuhake i a ia i te kāinga. Ka hiahia anō pea ia ki te noho motuhake i roto i tōna kāinga, i tōna tekiana ahakoa kāore ia i reira.
- 9.3 Ko te tikanga ko ngā kāmera huna he urutomonga ērā, engari mō ia kēhi kei tōna anō āhuatanga ake. Ko te pūtaka o te hopu whakaahua huna ka hāngai; ko te pūtaka e tino whai pānga tūmatanui ka tika pea te whakamahi i tētahi kāmera huna.

# ĀRAHITANGA: TŌTIKATANGA – TE WEHE MEKA ME NGĀ TĀTARITANGA, TAKINGA KŌRERO, WHAKAARO RĀNEI

Ko te paerewa tōtikatanga (Paerewa 9) ka hāngai anake ki ngā meka Kāore e hāngai ki ngā tātaritanga, takinga kōrero, whakaaro rānei.

Ko te meka ka taea te whakatūturu: ka taea te whakaū he tika, he hē rānei. Nō reira, he tauākī meka te kōrero 'E 60 ngā tūru o Nahinara i te Pāremata'.

Ko te whakaaro he huatau nō tētahi tangata. Ka taea te tohetohe, ka mutu he whakaaro kē pea ō ētahi. Nō reira he takinga kōrero tēnei 'He maikiriroa tēnei whakatau'. He whakaputa whakaaro uara a te kaikōrero. 'Ka whakahē te Minita kia uiuia ia i ngā wā katoa mō tēnei take. Ki ōku whakaaro he mahi huna nāna,' he takinga kōrero rānei, ahakoa he momo kōrero rerekē. He whakataunga nā te kaikōrero mai i ngā meka o te rārangi tuatahi.

Kei roto i ngā tātaritanga kōrero o tē wā ko ngā momo whakaaro e rua. He āta wetewete i ngā pitopito kōrero, he tuku whakahēnga, he whakarato pūtake ina taea me te matapae i ngā mutunga ka taea.

Engari, kāore i te mārama i ngā wā katoa mēnā he kōrero tāpaetanga meka tētahi tauākī, he whakaaro rānei. Ki te kī koe kei te whakatairanga ētahi ngaio hauora whāiti i ngā 'whakamaimoatanga teka', kei te kī koe he meka, he takinga kōrero noa rānei, kei te tuku rānei i tō whakaaro? Kei te āhua kē o te horopakī me te whakatakotoranga. He tino hira te āhua o te hopu a tētahi kaimātakitaki mārama, kaiwhakarongo rānei.

Kei te hāngai ngā take e whai ake, ahakoa ehara i te niwha, mō te whakarite mēnā he meka tētahi tauākī, he whakaaro rānei:

- Te reo i whakamahia. Ko te 'ki ōku whakaaro' he whakaaro tērā i te nuinga o te wā.

- Ko te reo ka whakamahia i te roanga atu. Mēnā ko te nuinga o ngā tauākī ka whakamahia he whakaaro, ko te āhua nei he pēnā anō tēnei. Engari, ehara i te mea ka pēnei i ngā āhuratanga katoa – tērā pea he tauākī meka pea i roto i tētahi wāhanga, i waenga rānei i ngā whakaaro.
- Ko te momo whakaaturanga me te tūnga, te mana rānei o te tangata kōrero. Hei tauira, he tauākī i roto i tētahi matapaki rōpū kōrero, he arotake kiriata, he whakaaturanga rānei e hautūhia ana e tētahi tangata e mōhiotia ana he tangata whakaputa whakaaro, ko te āhua nei he whakaaro anō tērā.
- Ngā matū o te kaupapa. He tino tautohenga ētahi kaupapa – hei tauira, te āhurarangi me ngā rongoā whiringa. He whakaaro anō pea ngā tauākī mō ēnei.
- Ina tukuna ngā taunakitanga, hāponotanga rānei. Ko te tikanga ka whakatauria te tauākī hei meka mēnā ka tukuna he taunakitanga tautoko.
- Ahakoa nā tētahi kē te tauākī. 'I kī a Mr Jones, he kainoho nō te rohe, ko te pūtake o te waipuke ko ngā rū', ka kīia tēnei e te nuinga he whakaaro tēnā i te tāpaetanga kōrero.

Engari, ehara ēnei āhuratanga i te niwha. Me aromātai ia kēhi i runga anō i ōna ake āhuratanga.

# ĀRAHITANGA: TE MANA O TE BSA KI TE WHAKAKĀHORE I TE WHAKARITE I TĒTAHI AMUAMU

E whakamanatia e te wāhanga 11 o te Broadcasting Act 1989 te BSA ki te whakakāhore i te whakarite i tētahi amuamu i tukuna atu ki a ia mēnā ka whakaaroarohia:

- he hangahanga, matangerengere, wenewene rānei te amuamu-wāhanga 11(a); tērā rānei
- i roto i ngā āhukatanga katoa o te amuamu, kua e whakaritehia e te BSA – wāhanga 11(b).

Ko te kaupapa o tēnei wāhanga o te Puka Tikanga he whakarato ārahitanga mō ngā amuamu me ngā kaipāpāho mō te tino whakamāori i te wāhanga 11 me te whakamahi a te BSA.

## Takinga Kōrero

Ki te tirohanga BSA, ko ngā kaupapa here o te wāhanga 11 kia kua te wā me ngā rauemi o te BSA, e utua ana e ngā tāngata o Aotearoa, e moumouhia ki te whakarite i ngā take koretake.

Ko te pūnaha amuamu i raro i te Ture Pāpāho he pūnaha tuwhera. E herea ana ngā kaipāpāho ki te whiwhi me te whiriwhiri i ngā amuamu katoa e ū ana ki ngā whakaritenga mō ngā amuamu ōkawa tika. Ko te tūmanako o te BSA mō ngā kaipāpāho i te nuinga o te wā kia whakarite rātau i ngā amuamu e whiwhi ana rātau ki tētahi āhukatanga taute, tika hoki. Ehara i te mea kia whānui te tātari i tētahi amuamu mēnā he hangahanga, he wenewene rānei te āhua. Kei te mōhio te BSA he utu anō mō te whakarite i ngā amuamu, ā, kāore ia i te hiahia ki te whakapau rawa mō ngā amuamu kāore nei he kiko.

Ko ngā amuamu katoa ka tukuna e tētahi kaiamuamu ki te BSA me whiriwhiri e te BSA engari ki te kīia me whiriwhiri i raro i te wāhanga 11 kāore he here ki te whakarite.

## Ngā whakataua

E whakaatu ana ngā whakamāramatanga me ngā taurira e whai ake i te aronga a te BSA mō te whakakāhore i te whakaritenga o tētahi amuamu (i tohua e tētahi tau whakataua; e wātea ana ngā whakataua katoa ki te paetukutuku a te BSA, [www.bsa.govt.nz](http://www.bsa.govt.nz)).

### **Wāhanga 11(a): Hangahanga, matangerengere, wenewene rānei**

Ko te tikanga ka whakamahia e te BSA ngā whakamāramatanga noa mō ngā kupu *hangahanga*, *matangerengere*, *wenewene* rānei Arā, e mārama ana he āhua ōrite ngā whakamāramatanga mō ēnei kupu.

Ko te amuamu *hangahanga* he taunga kore ki te BSA, kāore e ōrite te whakarite i tētahi amuamu ehara i te hangahanga, he whai take rānei. Ko te tikanga o te hangahanga ehara i te taumaha, whai tikanga, wawau rānei.

Ko te amuamu *wenewene* he iti te hiranga, kore rānei, ā, ko tōna āhua kāore e whakaritehia hei amuamu hira.

Ko ngā tauria o ngā amuamu kua whakakāhoretia te whakarite e te BSA i te mea he hangahanga, wenewene te take, ko ēnei:

#### *Ngā amuamu tōtika wenewene*

- he amuamu whakatairanga i ngā whakaaturanga kei te puta mai e mau ana i ngā kupu 'whai ake' he hē, i te mea he pānuitanga ēnei i waenga whakaaturanga (2007-095)
- he amuamu mō te kōrero mō te 'penihana kaumātua kāwanatanga' i te hē, ā ko te kōrero tika kē ko te 'penihana kaumātua o Aotearoa' (2009-164)
- he amuamu mō te tikanga o te kōrero '50 whakarau te iti iho o te kaha' kāore i te mārama, nō reira he hē (2009-150)
- he amuamu mō te kōrero mō te '31 ōrau te rerekētanga' i waenga i te utu a te tāne me te wahine he hē (2010-015)
- he amuamu mō te kōrero 'āhuatanga makariri hau' kāore i kī ko tēhea te ine pāmahana i te whakamahia (2010-033)
- he amuamu mō te kōrero mō Pirinihi William, ko ia 'te Kīngi whai ake o Ingarangi', i te hē i te mea ko ia anō te Kīngi whai ake o Aotearoa (2011-004)
- he amuamu mō te kōrero mō tētahi 'mīhini' tereina i te hē (2011-009)
- he amuamu ko tētahi kōrero mō tētahi wāhi kimi, he hē nā te mea he maero moana pūrua, ehara i te kiromita (2010-055)
- he amuamu mō te kīanga 'ope' Pirihimana i te hē i te mea kāore ngā pirihimana i roto i Te Ope Kātua (2011-067)
- he amuamu mō te hē o te kōrero 'he wāhi tata ki te 15,000 whīra whutupōro' i te mea ehara tēnei i te ine wāhi tika (2012-100)

- he amuamu mō te kōrero ki ngā kēti koroni mō ngā heihei he '4cm nui ake i ngā kēti' e kitea noatia ana i te hē (2012-100).

#### *Ngā amuamu mō te reo taumata-pāpaku*

- he amuamau mō te kupu 'bugger' i roto i tētahi whakaaturanga haerenga (2011-084)
- he amuamu mō te kupu 'damn' i roto i tētahi pānuitanga pōtitanga (2011-143)
- he amuamu mō te kupu 'gay' i roto i tētahi whakaaturanga pitopito kōrero, he 'homosexual' te tikanga o te kupu (2011-118).

#### *Ētahi atu take hangahanga/wenewene*

- he amuamu mō tētahi pānuitanga pōtitanga whakamahi i tētahi reo kē o tētahi tamaiti i te mea kāore e āhei ngā tamariki ki te pōti (2011-158)
- he amuamu mō tētahi whakaaturanga pitopito kōrero he whai pikitia mō te kairipoata e hīkoi whakamuri ana he mōrearea, ā, he wāhi i ngā paerewa o Te Ture me te Whanonga Tika (2012-100).

Engari ko te amuamu *matangerengere*, he amuamu tērā i tukuna mō te koretake noa iho, ina kāore he tino kaupapa. I ētahi wā ko te tangata nāna te amuamu matangerengere i tuku he whakahōhā noa iho pea tana hiahia, engari ehara i te mea me pērā rawa te hiahia kia kīia he matangerengere.

Kāore te BSA i te tino hiahia ki te kī he matangerengere he amuamu; engari anei ētahi tauria amuamu ki te BSA i whiriwhirihia he matangerengere:

- I hē te rongo a tētahi kaiamuamu i te pāpāho, i whiwhi urupare tōtika mai i te kaipāpāho e whakamārama ana i tērā, engari i tukuna tonuhia e ia tana amuamu ki te BSA (2008-035)
- He rite tonu te kōrero a ngā kaiamuamu mō te take kotahi, ahakoa i panaia ā rātau amuamu o mua me te tuku anō i ngā pūtaka whānui (2012-104, 2011-087).

**Wāhanga 11(b): I roto i ngā āhuatanga katoa o te amuamu, kua e whakaritehia**

I tua atu, e ai ki te wāhanga 11, he pūtake pai anō mō te whakakāhore a te BSA ki te whakarite i tētahi amuamu. Ko ētahi taurira:

- mō ngā hiahia whaiaro o te kaiauamu te kaupapa o te amuamu (tirohia te wāhanga5(c) o te Broadcasting Act 1989), he take mā te ētita hei whakarite, e āhei ana ngā kaipāpāho ki te whakatinana:
  - o ngā amuamu i mahue ngā whakaaturanga mō te Tiriti o Waitangi me ngā haki o Aotearoa ētahi meka whāiti (2010-009, 2011-055, 2011-087, 2011-170)
  - o he amuamu kāore i pūrongo i ngā whakaaturanga pitopito kōrero ētahi kōrero whāiti (2010-086)
  - o he amuamu mō tētahi uiui mō tētahi kaitinihanga rongoā Orimipia i kōrero mō Hameika engari kāore i kōrero mō te hītori tinihanga o Aotearoa (2012-109)
  - o he amuamu mō tētahi whakaaturanga pitopito kōrero he rerekē te pūrongo a tētahi whakaaturanga BBC mō taua take anō (2012-117)
- e whakaara ana te amuamu i ngā take kāore nei e taea te whakarite hei take paerewa pāpāho, kāore i te mārama ki te kaupapa o te amuamu, i hē te rongo, te mārama rānei ki te pāpāho (2008-127, 2010-002, 2010-048)
- e hāngai ana te amuamu ki ngā whakaatuhanga i waho o te mana o te BSA, pēnei i ngā ihirangi ipurangi tā, ngā ihirangi whakaaturanga i runga paetukutuku (2010-070)
- kāore tētahi tāhopu o te pāpāho i te wātea, kāore i oti rānei, kāore i kitea rānei i te mea ngā ihirangi i te hāngai ki tētahi pāpāho i te wā e kīia ana i roto i te amuamu (2007-051, 2010-068, 2010-129, 2011-102, 2012-093, 2012-117).

---

## KA MAU TONU I TE BSA TE MATAWHĀITIHINGA MUTUNGA

Ko te whāinga o tēnei wāhanga he whakarato aratohu anake, ā, ehara i te here i te BSA ki te whakarite putanga mō tētahi amuamu a muri ake. Kei te BSA tonu te tikanga, ā, ka whiriwhirihia ia amuamu i runga i ōna ake meka.

---

# ĀRAHITANGA: TE WHAKAWHIWHI UTU KI NGĀ KAIAMUAMU

I waihangatia tēnei wāhanga ki te tuku ārahitanga ki ngā kaiamuamu me ngā kaipāpāho mō te take o te whakawhiwhi utu.

E ai ki te wāhanga 16(1) o te Broadcasting Act 1989:

... ka taea e te BSA, i roto i te kōkiri whakawā, te whakahau tētahi rōpū ki te utu i tētahi atu rōpū pēnei i ngā utu me ngā whakapaunga (tae atu ki ngā whakapaunga mō ngā kaimataara) he whai take, ā, me te wehewehe i ngā utu waenga i ngā rōpū ki te āhuetanga e whakatau ana ia.

Ko te tikanga o te whakawhiwhi utu he paremata i tētahi wāhanga o te amuamu momoho mō ngā utu ā-ture i pau (engari he utu anō pea mō ngā utu ā-ture i te wā o te hātepe amuamu).

## Ngā Mātāpono

Kei reira ētahi mātāpono e hiahia ana mātau ki te whai ina whiriwhiri ana mātau i ngā tono mō ngā whakahau utu, ā, kei ēnei e whai ake:

- He mana ā-ture tēnei me uru atu, ki tērā e taea ana, ki te hunga whai wāhi atu me te kore e hiahia tohutohu ture, āwhina ture hoki i roto i ngā whakaritenga, whakatakototanga hoki o ngā tāpaetanga kōrero.
- E āhukahuka ana, e whakaute ana mātau i te rangatiratanga o ngā kaiamuamu me ngā kaipāpāho ki te whakauru mai i ā rātau rōia engari me mōhio rātau kia kua e pōhēhē ka utua noatia ērā.
- Kei reira ngā kēhi tino rerekē e hiahiatia ana te āwhina a ngā rōia me ka mutu ka tika tonu, ā, i ēnei kēhi hoki ka tika tonu kia ara ake ngā take mō ngā utu.

## Te tapeke o ngā utu

I roto i ngā kēhi katoa, haunga ngā mea tino rerekē, ko te tapeke ka tino taea pea te whakahoki mai ko te whakawhiwhi utu ki tētahi wāhanga o ngā utu i whakapaua.

He rerekē ngā tikanga a ngā rōia rerekē mō te aromatawai utu, ngā taumata rerekē o ngā pūkenga, wheako hoki me ngā aronga rerekē ki ngā mahi e mahia ana e rātau. He rerekē ngā amuamu ki ngā aronga rerekē ki te taumata e whai wāhi atu ana ā rātau rōia me te kaha o tō rātau hiahia ki te whakaae ki te pānga o ngā utu. I ēnei āhuetanga, me tēnei mana ā-ture, ko ngā utu e whakahauhia ana e ngā rōia ki ngā kaiamuamu ka tino rerekē nō reira kāore e taea e mātau te whakarite ngā whakawhiwhi utu mā te whiriwhiri i te rahinga noa iho o ngā utu ake i whakapaua.

Tētahi, kāore e taea e mātau te whakarite he aha ngā utu 'whai take' i waenga i te kaiamuamu me tana rōia i te mea he iti noa ā mātau taipitopito mō ngā mahi tonoa, he aha i oti, ā, he aha i roto i ngā mahi i oti. Engari ka tono mātau ki ngā kaiamuamu kia tukuna mai ngā nama mō ngā whakapaunga utu i puta.

I ēnei āhuatanga, ko tā mātau mō te whakarite he aha he whakawhiwhi utu, me mātua whānui te whakaaro ka mutu me tōkeke, ā, me whai whakaaro ki ngā āhuatanga whānui.

### Ngā āhuatanga

Ko ngā āhuatanga ka whai whakaarohia e mātau ina whiriwhirihia ngā tono utu mō tētahi kaiamuamu momoho, ā, ina whakaritehia ana koinei ngā mea ka uru ki roto:

- te uauatanga o ngā take ka whakaarahia
- te maha o ngā take ka whakaarahia
- te uaua o ngā kōrero whakamārama
- te maha o ngā tāpaetanga
- mēnā ko te whakatau o mua e hiahiatia ana ētahi atu take anō, take hātepe rānei
- ka whakapau utu te kaiamuamu ki tērā i whakapaua he, mēnā rānei i puta he utu
- te tapeke o ngā utu i puta
- te āhua me te hira o te amuamu ki te kaiamuamu
- te whai pānga o te marea ki te amuamu.

---

## KA MAU TONU I TE BSA TE MATAWHĀITIHINGA MUTUNGA

Ko te whāinga o tēnei wāhanga he whakarato tohutohu mō ngā mātāpono ka whakaarohia e te BSA mēnā ka whakawhiwhiti utu, kāore rānei, ā, mēnā āe e hia. Ka noho tonu te tikanga whānui ki te BSA, ā, ka whai whakaarohia aua āhuatanga e whakaaro ia me whai whakaaro.

---