

RADIO TRANSMISSIONS

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the ABA determined a limit of 90 days in a 12 month period for temporary transmissions by aspirant community radio broadcasters.

In July 1994 the ABA announced a review of this policy and associated procedures. A discussion paper, which highlighted problems with the policy and outlined possible features of a new policy, was circulated to aspirant community broadcasters and industry bodies for comment. The ABA has taken into account all comments received in framing its new policy.

ALLOCATION OF PERMANENT COMMUNITY RADIO LICENCES

Until planning is complete the ABA cannot allocate permanent community broadcasting licences.

Planning of vacant broadcasting spectrum, following wide public consultation, is currently proceeding in the least well served areas of Australia. Planning in all parts of the country is expected to be completed by the end of 1996.

Allocation of any additional community broadcasting licence shown in a licence area plan will be by a merit-based selection process following a public call for applications from interested groups.

The ABA will weigh the relative merits of the applications against the criteria set out in s. 84 of the Act, in particular the extent to which each proposed service would meet existing and future community needs, and the capacity of an applicant to provide a service. The ABA will have regard to any Ministerial direction under s. 84 to give priority to a particular community interest or interests.

The *Guide to Temporary Transmissions for Aspirant Community Radio Broadcasters* contains more detailed information about temporary transmissions. Copies are available by telephoning (02) 334 7700, (06) 256 2800 or freecall 1800 226 667. ☐

PROMISING SIGNALS FOR

Provided here is a brief summary of key elements of this policy, particularly those elements which differ from the ABA's previous policy.

TEMPORARY TRANSMISSION

Temporary transmissions foster the development of community radio by allowing aspirant community broadcasting groups to develop their radio operating skills and programming schedules and encourage support for a permanent community radio broadcasting licence.

Under the *Broadcasting Services Act 1992*, the ABA may make vacant broadcasting services bands spectrum available for allocation, for a specified period, for the temporary transmission of programs (s.34(1)(e)).

Aspirant community broadcasting groups conducting temporary transmissions are providing a service under an open narrowcast radio class licence. Such services are considered to have limited reception because they are provided during a limited period (among other possible limitations).

This temporary transmission policy should be seen as an interim policy. The continuation of this policy in any given licence area is subject to the ABA's planning process and the content of the licence area plan for radio services for the relevant area.

ASPIRANT COMMUNITY BROADCASTER

The ABA regards an aspirant community radio broadcaster to be an organisation with real intentions of applying for a permanent community radio broadcasting licence upon completion of the ABA's planning process.

The ABA will consider several criteria in assessing whether an applicant is eligible for a temporary transmission permit.

MANDATORY CRITERIA

The ABA requires an aspirant community broadcaster at minimum to:

- be a company (including an incorporated association) formed in Australia or in an external Territory;
- have a constitution or articles of association relevant to, and appropriate for, the provision of a community broadcasting service.

OTHER CRITERIA

The ABA may also have regard to the following in assessing applications from aspirant community groups:

- the structure, management and administrative operations of the service (including community interest, community participation and support, programming, personnel, relationships with other groups or individuals associated with the group and future intentions);
- the record of any previous temporary transmissions broadcast by the group (including complaints, level of compliance with program standards, conditions and limits on sponsorship announcements, and management problems); and
- ABA planning issues (including designated channel policy (see below), availability of, and demand for, vacant spectrum, and competing applicants).

In addition, the ABA has decided to allocate temporary transmission licences only to aspirant community groups who are willing to meet certain other requirements as referred to in 'Conduct' below.

TEMPORARY TRANSMISSION LICENCE CONDITIONS

A temporary transmission is considered an open narrowcast service operating under a class licence. The conditions relating to open narrowcast services are contained in Parts 2 and 7 of Schedule 2 to the Act.

CONDUCT

The ABA has specified other requirements for temporary transmissions by aspirant community groups over and above compliance with narrowcast conditions. These include a limit on sponsorship announcements and requirements for on air acknowledgements of temporary status).

NEW COMMUNITY RADIO STATIONS

DURATION OF TEMPORARY TRANSMISSIONS

The ABA's temporary transmission policy distinguishes between first-time applicants and those with a previous record of temporary transmissions for the purposes of approving temporary transmissions.

Temporary transmissions for first-time applicants:

- may be approved up to a maximum of 30 days per year in the first year;
- are limited to a maximum of 30 days for continuous broadcasts;
- after a continuous broadcast, must be off-air for at least an equivalent period before the next broadcast; and
- are subject to ABA checks on the eligibility of their organisation prior to approval.

Temporary transmissions for groups with a record of previous temporary transmissions may be approved up to a maximum of 90 days per year total broadcast.

In all cases, the ABA will take into account the record of previous temporary transmissions when considering further applications for temporary transmissions.

DESIGNATED CHANNEL POLICY

The ABA has adopted a designated channel policy whereby it will not plan new channels to cater for temporary transmission applications where a previously planned channel or channels exist. Therefore, it may not always be possible to licence groups for the particular periods they seek or for the full 90 days in a year. It will depend on the number of other users of vacant spectrum (including aspirant community broadcasters and special event services) and the amount of suitable vacant channels still available in that area.

PUBLIC ACCOUNTABILITY

The ABA will disclose the details of any current or prospective temporary transmission licensee, including the period of broadcast and the frequency and call sign (if any), utilised or proposed, to any person who seeks the information.



The ABA will publicise details of successful applications periodically in *ABA Update*.

HOW TO APPLY

Applications for temporary transmission licences can be made on Form ABA12: (Application for a Transmitter Licence in the Broadcasting Services Bands), and Form ABA25: (Application for Temporary Transmission Licence by an Aspirant Community Radio Broadcaster). These forms can be obtained from the ABA's offices below.

Applications should be lodged with

the ABA's Planning Branch in Canberra.

Further information about temporary transmissions by aspirant community groups can be found in the *Guide to Temporary Transmissions for Aspirant Community Radio Broadcasters*, which can be obtained from ABA offices.

Sydney: Level 15, Darling Park, 201 Sussex Street, Sydney NSW 2000. Telephone: (02) 334 7700. Freecall: 1 800 22 6667. Facsimile: (02) 334 7799.

Canberra (Planning Branch): Level 3, Benjamin Offices, Blue Building, Chan Street, Belconnen ACT 2617. Telephone: (06) 256 2800. Facsimile: (06) 253 3277. ☐