

PROPOSED AFL FOOTBALL BROADCASTS BY COMMUNITY RADIO

The ABA is considering an application from Melbourne community radio station 3INR as to its entitlement to broadcast certain Australian Football League (AFL) games this season.

Community radio station 3INR intends to broadcast live coverage of Collingwood home and away matches and community station 3RIM intends to do the same for Footscray matches.

On Tuesday 22 March, 3INR lodged an application with the ABA for an opinion under section 21 of the *Broadcasting Services Act 1992*. The Act provides a mechanism whereby a person who is providing a service may apply to

the ABA for an opinion as to which category of broadcasting services the service falls into.

The ABA has also been considering complaints from commercial radio stations 3AW and 3MP in relation to the proposed broadcasts of AFL matches by community radio stations.

Whilst the complaints raised a number of issues, the central issue before the ABA is whether or not the broadcasting of the football matches alters the nature of the community broadcasters such that they become commercial broadcasting services.

In giving opinions under s 21 of the Act the ABA is required to consider a

range of matters including the nature of the programs being provided by a service. The Act also allows the ABA the discretion to consider such other matters as the ABA thinks fit.

The Act states community broadcasting services are broadcasting services that, amongst other things, are provided for community purposes and are not operated for profit or as part of a profit making enterprise.

On 23 March, Radio 3AW commenced action in the Federal Court to seek an injunction against the community radio stations broadcasting the football.



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