



ABA establishes formal ties with the FCC

MELBOURNE: The ABA has established formal ties with the Federal Communications Commission (FCC) of the United States of America.

The ABA's Acting Chairman, Mr Peter Webb signed a Memorandum of Understanding with FCC Commissioner, Ms Rachelle Chong during a function for the broadcasting industry hosted by the ABA in Melbourne on 13 March, as part of the World Summit on Television and Children.



Rachelle Chong and Peter Webb sign the MOU

Mr Webb said the memorandum would formalise already close ties between the two organisations and lead to more and better co-operation on the international regulatory front.

'The agreement will facilitate the exchange of information between the ABA and the FCC on a range of issues including regulatory policy, children's programming and technological developments,' Mr Webb said.

The memorandum is part of the ABA's strategy to build closer ties with other national regulators in the face of globalisation of the broadcasting industry.

Mr Webb said the ABA recognised that the pace of technological development and the forming of alliances between international communications companies called for greater cooperation between broadcast regulators.

'By working together with other regulators,



Tim O'Keefe, ABA member, and Rachelle Chong, FCC

the ABA hopes to assist in the creation of a marketplace that is informed, stable and predictable,' he said.

The ABA intends to seek similar arrangements with its counterparts, particularly in the Asia-Pacific region, over the next twelve months.

Background

The ABA has embarked on a strategy to forge closer links with its overseas counterparts.

In a communications environment where domestic market boundaries are breaking down and regional and global markets are emerging, the ABA believes regulators can no longer operate with a simply domestic agenda.

In the ABA's view, the responsibility of regulators everywhere is to cooperate with others to pursue common regulatory objectives.

The ABA already has informal agreements in place to exchange information, to act as agents and to provide mutual support in the form of training, secondments and the like.

The ABA hopes to finalise formal memoranda of understanding with a number of other overseas regulators this year.

These arrangements will not only serve to minimise inadvertent problems but will make clear the extent of what may be acceptable and unacceptable on a country by country basis.

The ABA strongly believes regulatory co-operation is not only desirable but essential in the new business environment.

The FCC

The United States Federal Communications Commission has been regulating broadcasting for more than sixty years. It regulates broadcasting and telecommunications and manages the allocation of spectrum.

International research forum

MELBOURNE: The ABA has announced it will co-ordinate the setting up of an international research forum on children and television.

The forum is a co-operative initiative involving regulators, broadcasters, program makers and academics attending the World Summit on Television and Children in Melbourne in March.

'The introduction of more television channels and new multimedia services increases the need for regulators, service providers and the community to understand the way children use television and its role in their lives. The



international research forum will contribute to this', said Acting ABA Chairman, Mr Peter Webb.

The aims of the forum include promoting awareness of the need for research into children, television and developing multimedia, as well as exchanging information about this research.

'Research is an important aid to policy-making about children's television', said Mr Webb.

'The ABA is keen to share the findings of its own research and to access research being conducted worldwide. We also hope to collaborate with other organisations in order to conduct joint research, particularly with overseas regulators.'

The idea of the research forum was strongly supported at the World Summit. Participation is invited from regulators and policy makers, children's television program makers and organisations, and individuals involved in promoting or conducting research into children and television.

The ABA is responsible for the initial exchange of forum contacts and consideration of implementation issues, such as use of existing international newsletters about children, the media and the Internet in order to distribute information to forum members.

International children's television research forum

The objectives of the forum are to provide an international forum for:

1. Promoting awareness of the need for research into children and television, including developing multimedia.
2. Stimulating research as an aid to policy making on children and television.
3. Exchanging information on children's television research.
4. Encouraging collaboration on research into children and television.

Participation is invited from organisations involved in the regulation of children's television, organisations and individuals involved in promoting or conducting research into children and television and children's television program makers.

The ABA has provided the initial co-ordination.

Government ads not in breach of advertising law

SYDNEY: Four NSW Government advertisements aired by commercial television

stations did not constitute 'political matter' under current broadcasting laws, the ABA has announced.

The advertisements were: Clean Water 2000 (Department of Conservation and Land Management; NSW Health - Emergency Department (NSW Health Department); State Forests Plantations (State Forests); and CityRail - Safer Stations (State Rail Authority). They were broadcast between November 1994 and early 1995.

The NSW Opposition complained to the ABA that the advertisements were political matter, within the meaning of that term in the Broadcasting Services Act, and should carry authorisations as required by that Act.

Under the Act, radio and television licensees can only air political matter if it identifies the political party, organisation or person who authorised the broadcast, including where they live or where their office is located, and the names of any speakers in the broadcast. All the advertisements broadcast had been cleared by the Commercials Acceptance Division of the Federation of Australian Commercial Television Stations.

'The ABA considered a number of detailed legal arguments put to it about the proper interpretation of the previously untested legislation,' said ABA Acting Chairman, Mr Peter Webb.

'The ABA formed the view that it was not open to it to find the subjects of the advertisements had a sufficient connection with a political issue at the time of broadcast,' he said.

'The ABA recognises the four advertisements dealt with topics of continuing community interest. But in the view of the ABA the advertisements did not fall within the statutory definitions of either political or election matter.'

'Nevertheless, it may be of benefit to broadcasters to have guidelines to assist their consideration of this style of advertising and the ABA will consult with the industry to see if guidelines might be appropriate for the future,' Mr Webb said.

In reaching its decision, the ABA also analysed the content of each advertisement, and the surrounding media coverage at the time of broadcast for each of the issues presented by the advertisements.

This is the first time the ABA has been required to examine this issue since the Broadcasting Services Act took effect in 1992. The ABA sought the views of affected parties, including the commercial television industry, on the meaning and scope of the term 'political' ▶