



# News Update

commercial radio service in their licence area(s.39 licence).

Eligible licensees have been able to apply for their s.39 licences since 5 January 1996. The statutory period for applications is 60 days, which ends on 5 March 1996 for the 54 licensees currently eligible. After that they lose the right to apply for a second licence under s.39 of the Broadcasting Services Act, forever.

For any licensees who become eligible in the future, the statutory period of 60 days will begin on the date from which the conditions of s.39(1)(a), (b) and (c) are satisfied in relation to the parent licence. Again, they must apply for their s.39 licence within the statutory period.

Once an application is received by the ABA, what happens next will depend to some extent on how far advanced licence area planning is in that area.

If there is already a licence area plan (LAP) for the area, the ABA can offer the eligible licensee a licence for the second commercial radio service straight away. An allocation fee of \$10 000 is payable on allocation of the licence.

If draft LAPs have already been determined but not finalised, any commercial radio services shown in the draft LAP will be used as the starting point in consultations with the applicant and other potentially affected broadcasters on whether suitable spectrum can be found and what the appropriate technical

specifications will be.

If no suitable spectrum has been determined to be available, and no specification has been published in a LAP or in a draft LAP, on receipt of an application from an eligible licensee the ABA will try to find suitable spectrum and to prepare appropriate specifications for the proposed s.39 service.

When eligibility has been established in terms of s.39(1), the ABA must allocate a licence to the applicant. Under the Act, where an eligible licensee does not take up the allocation of a licence under s.39, that licensee loses any further right to a second commercial radio service licence under that section of the Act. The spectrum remains for inclusion as an available channel at such time as the relevant LAP is completed.

As at 14 February, the ABA had received 29 applications from eligible licensees. The remaining 25 eligible licensees have until 5 March 1996 to apply for their s.39 licence, or they lose their entitlement to apply for that additional licence for all time.

It may not be possible to find suitable spectrum until licence area planning for the area is completed. In such an event, the offer of a s.39 licence, if the applicant applied before 5 March 1996, remains open until suitable spectrum is determined by the ABA to be available. ☐

## Temporary transmission of programs by aspirant community broadcasters

from 4 December 1995 to 21 January 1996, in order of date signed.

APPLICANT	AREA	FREQ.	PERIOD	DATE SIGNED
Dalby Broadcasting Association	Dalby, Qld	104.3 MHz	13/1/96 - 8/2/96	4/12/95
Muslim Community Radio	Bankstown, NSW	94.5 MHz	22/1/96 - 20/2/96	20/12/95
Canberra Stereo Public Radio Inc.	Curtin, ACT	103.1 MHz	10/2/96 - 31/3/96	9/1/96
Ballarat Gospel Radio	Ballarat, Vic.	103.9 MHz	3/2/96 - 23/2/96	9/1/96
Bulla FM Broadcasters	Sunbury, Vic.	99.4 MHz	27/1/96 - 4/2/96	10/1/96
Bumma Bippèra Media	Mount Yarrabah, Qld	101.9 MHz	3/2/96 - 25/3/96	10/1/96
Port Stephens FM Radio Inc.	Nelson Bay, NSW	99.7 MHz	27/2/96 - 10/3/96	17/1/96
Port Stephens FM Radio Inc.	Nelson Bay, NSW	99.7 MHz	5/2/96 - 11/2/96	17/1/96
Golden Days Radio	Melbourne, Vic.	99.9 MHz	3/2/96 - 31/3/96	17/1/96
Toowoomba Christian Broadcasters Assoc.	Toowoomba, Qld	98.1 MHz	3/2/96 - 31/3/96	17/1/96
Orange Community Radio	Orange, NSW	107.5 MHz	1/2/96 - 31/3/96	17/1/96
North East Broadcasters Pty Ltd	Wangaratta, Vic.	96.5 MHz	22/1/96 - 5/2/96	17/1/96
Melbourne Gospel Radio	Melbourne, Vic.	89.9 MHz	3/2/96 - 17/2/96	22/1/96
Mara Mara Community Inc.	Tamworth, NSW	96.3 MHz	23/1/96 - 28/1/96	22/1/96
Newcastle Christian Broadcaster	Newcastle, NSW	99.7 MHz	12/2/96 - 25/2/96	24/1/96
Geelong Gospel Radio	Geelong, Vic.	98.3 MHz	4/2/96 - 24/2/96	25/1/96
Townsville Christian Broadcasters	Townsville, Qld	100.7 MHz	8/2/96 - 30/3/96	25/1/96
New-Gen Radio Inc.	Clayton, Vic.	91.5 MHz	10/2/96 - 10/3/96	25/1/96