



Full time licences for temporary community radio stations

AUSTRALIA: The ABA has allocated 20 full time temporary community broadcasting licences for periods of up to 12 months. The licences have been allocated to groups in Barham, Casino, Cobar, Deepwater, Lightning Ridge, Narrabri, Newcastle and Queanbeyan, New South Wales; Alexandra, Ballarat, Horsham, Mansfield, and Wangaratta, Victoria; Beaudesert, Brisbane, Dalby, Townsville and Yeppoon, Queensland; and Port Pirie, Tanunda, South Australia.

This ABA expects to allocate additional temporary community broadcasting licences shortly.

'The ABA is pleased to be able to facilitate these temporary community radio services which add diversity and localism to the mix of services in an area,' said Professor David Flint, ABA Chairman.

Some of the licensed groups will be able to offer a continuous full time service, while others may initially only be able to offer a part time service. The option is now there, however, for them to increase to a full time continuous service when they are able to do so.

The ABA was able to consider early applications from aspirant community radio broadcasters which operate in areas which met three criteria. The area must have a radio channel which is likely to be available for a new community radio service in the long-term. A temporary channel which does not cause interference must have been already identified and there must only be one applicant in that area.

The ABA will move shortly to open applications for temporary community broadcasting licences in all other parts of Australia, once it has finalised licensing policy details for markets where there is competition amongst aspirants or there is a scarcity of radio channels.

The ABA anticipates that there may be applications for up to a hundred and forty temporary services over the next three to six months from established and new aspirant community radio broadcaster. Temporary community broadcasting licences allow community radio services to be provided using temporary channels before the ABA finishes permanent licence area planning and allocates full-time licences.

High Court hearing on Australian Content Standard

CANBERRA: On 29 September 1997 the High Court heard an appeal about the validity of the ABA's Australian Content Standard for commercial television.

Project Blue Sky Inc., representing the New Zealand film and television production industry, sought leave to appeal following the judgment of the Full Federal Court handed down on 12 December 1996.

The Full Federal Court determined that the ABA been given the task of implementing two mutually inconsistent Parliamentary instructions, because of an irreconcilable conflict between the special provision to make Australian content standards for television and the general provision to act consistently with the Closer Economic Relations (CER) agreement with New Zealand.

The High Court reserved its decision.

ABA grants extension of time to CanWest

SYDNEY: On 2 October 1997, the ABA granted an extension of time to Canadian company CanWest Global Communications Corp. to remedy its breaches of the foreign ownership provisions of the Broadcasting Services Act. The extension is until 13 February 1998.

The ABA had power to grant an extension of up to six months from 3 October 1997 but decided that 13 February 1998 gave CanWest sufficient time to complete the agreement-in-principle reached between itself and Telecasters North Queensland Ltd (TNQ) announced on 11 September 1997.

'A key consideration in the ABA's decision to grant the extension was TNQ and CanWest executing a binding agreement to give effect to and implement the transactions necessary to complete the restructuring of TNQ and the Ten Group Ltd, which includes a public offering of shares,' said Mr Peter Webb, former ABA Chairman.

The ABA found in April that CanWest was in breach of the foreign ownership provisions of the Act by being in a position to exercise control of the Ten network television licences. The ABA issued a notice to CanWest requiring it to take action to remedy the breach by 3 October 1997.

The ABA has taken into account the endeavours made by CanWest to comply with the ABA's notice, in particular through its negotiations with TNQ. The additional time