



# News Update

## Gosford commercial radio licence allocation suspended

The ABA has suspended the allocation of a new commercial radio broadcasting licence in Gosford, New South Wales. The ABA called for applications for the licence in October 2000.

An application has been filed in the Federal Court to review the ABA's decision to make a new commercial radio licence available in the Gosford area. Until further order, the ABA is restrained from proceeding to allocate the licence.

The Federal Court is expected to hear the matter beginning in March of next year.

## ABA gives Broadcast Operations one month

The ABA has issued a notice to Broadcast Operations Pty Limited under section 141 of the Broadcasting Services Act, directing it to commence operation of a commercial radio service in Maryborough/Hervey Bay, Queensland within one month.

On 21 January 1999, the ABA allocated Broadcast Operations Pty Ltd a commercial radio broadcasting licence to serve Maryborough/Hervey Bay on 103.5MHz. Broadcast Operations Pty Ltd had paid \$700 000 for the licence at auction in late 1998.

The Broadcasting Services Act requires a licensee to commence a commercial service within one year of being allocated the licence or within such longer period as is notified in writing by the ABA.

Broadcast Operations Pty Ltd did not commence the service by 21 January 2000. The ABA granted two extensions of time, the first to 21 July 2000 and the second until 20 October 2000.

On 17 October 2000 the ABA received an application from Broadcast Operations Pty Ltd

seeking an extension of the commencement of service until 21 February 2001. The ABA decided not to grant any further extension.

The ABA is satisfied that Broadcast Operations has not commenced its service and therefore is in breach of the condition of the licence set out in paragraph 8(1)(h) of Schedule 2 to the Act.

Failure to comply with the ABA's notice by the required date (9 December 2000) may result in Broadcast Operations being prosecuted under section 142 of the Act and/or having its licence suspended or cancelled under section 143 of the Act.

The ABA has since been advised that Broadcast Operations commenced a service within the required time.

## Pay TV licences to C7

The ABA has allocated six subscription television broadcasting licences to C7 Pty Limited.

C7 has indicated that it proposes to deliver a range of programming including drama, documentary, general entertainment, art, information and sport.

## Guidelines for telephone sex services

The ABA recently approved *Guidelines for Telephone Sex Services*, which summarise its role under Part 9A of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*. The guidelines provide information about the definition of 'telephone sex service', and are intended to assist telephone sex service providers and carriage service providers comply with the law. The guidelines are available in hard copy and from the ABA's web site at [www.aba.gov.au/what/telephone/index.htm](http://www.aba.gov.au/what/telephone/index.htm).

### Programs granted C or P classification

**Programs granted C and P classification from 8 to 23 November 2000. Producers interested in submitting programs for classification should contact the Children's Television section on (02) 9334 7700.**

Program title	Origin	Class	New/renewal	Decision date	Applicant
GLORIA'S HOUSE (episodes 3-13)	Australia	CD	new	9-11-00	Energie Entertainment
WORTH SEEING	Australia	C	new	21-11-00	Dina Browne
CUSHION KIDS	Australia	CD	new	23-11-00	Kids Like Us

**C – children's program, CD – C Australian drama, P – preschool, PRC – provisional C, Class: classification**