



News Update

Licences:

New commercial radio licences in Sydney and Campbelltown

Applications closing date:

midnight 27 April 2000

Companies interested in applying for any of the available licences must purchase an Information Package, *Price-based Allocation of Commercial Broadcasting Licences* from the ABA.

To purchase a copy of the *Information Package*, price \$50, call Patricia Sharpe on (02) 9334 7827.

The ABA has invited applications for two new commercial radio broadcasting licences in the Sydney market, with one licence to serve Sydney and one to serve the Campbelltown area. The application period closes at midnight, Thursday 27 April 2000.

The ABA proposes to impose a condition pursuant to section 43 of the *Broadcasting Services Act 1992* on the licence for the Campbelltown service to ensure it remains a local coverage commercial radio service for the benefit of listeners in the Campbelltown area.

If the ABA receives more than one application for a commercial radio licence, it will hold an auction-style allocation exercise. If only one application is received for a particular licence, the licence may be allocated on payment of the reserve price. The ABA has set a reserve price of \$500 000 for the Sydney licence and \$100 000 for the Campbelltown licence.

New open narrowcasting radio licences in Sydney and Penrith

Applications closing date:

4.00 pm 27 April 2000

Anyone interested in applying for any of the available licences must purchase an Information Package, *Price-based Allocation of Open Narrowcasting Licences* from the ABA.

To purchase a copy of the *Information Package*, price \$40, call Patricia Sharpe on (02) 9334 7827.

The ABA has invited applications for three new open narrowcasting radio licences: two to serve Sydney and one to serve Penrith.

The two Sydney services are planned to operate on 1386 kHz and 1539 kHz and the Penrith service on 1476 kHz, all on the AM band. The 1386 kHz and 1476 kHz frequencies will be available from 1 July 2000, and the 1539 kHz frequency from 1 January 2001.

The ABA has set a reserve price of \$10 000 for each of the licences.

New community radio licence for Wollongong ...

The ABA has allocated a new community radio licence to serve Wollongong, NSW. The new licence has been allocated to Living Sound Broadcasters Inc. to operate a service on 94.1 MHz on the FM band from 1 August 2000.

The ABA sought applications in October 1999 for two new community licences made available in the licence area plan for Wollongong.

The ABA received applications from: Living Sound Broadcasters Inc. (representing the Christian community), Hellenic Australian

Radio Inc. (representing the Greek community), Macedonian Educational and Cultural Association of Shellharbour (representing the Macedonian community), and Music Broadcasting Society of NSW Co-operative (fine/classical music).

As none of the other three applicants successfully met all the criteria, the ABA has decided not to allocate the second licence at this time. The channel set aside for this licence will continue to be made available for temporary community broadcasting, until such time as the ABA reconsiders a permanent allocation.

but not yet for Cooma

The ABA has decided not to allocate a community radio broadcasting licence in Cooma, NSW at this time.

The ABA sought applications for the licence in November 1999. There were two applicants: Nimmitabel Advancement Group Inc. and High Country Community Media Association Inc. Both applicants stated that they represented the general community of the Cooma region.

'After giving careful consideration to the criteria laid down in the legislation and the information provided by both applicants, the ABA has decided in this case not to allocate the licence,' said Professor Flint.

'At some time in the future the matter can be reconsidered. Then the licence can be readvertised. During the intervening period it may be that cooperative arrangements can be formed between the two groups,' he said.

Both groups will be able to broadcast under temporary community broadcasting licences, sharing the one frequency available in the area for this purpose.

Anti-hoarding Investigation

The Minister for Communications, Information Technology and the Arts, Senator the Hon. Richard Alston has directed the ABA to undertake an investigation into the implementation of the new anti-hoarding provisions of the Broadcasting Services Act.

In summary, these provisions establish a 'must offer' regime, which is intended to encourage licensees to use any rights they have to provide live television coverage of designated events or series of events. The regime will apply prospectively to live free-to-



air broadcast rights to events that are acquired by licensees (or their program supplier) or the ABC or SBS, after the Minister has declared those events. Commercial broadcasters must offer to the ABC or SBS any live rights to designated events they do not intend to use. The ABC and SBS must offer unused rights to each other. The new rules provide that the minimum offer time will be 30 days before the start of the event or series, unless the Minister is satisfied that it should be closer to the start of the event or series.

The ABA is to investigate which events or series of events should be designated by the Minister. The Minister also wishes the ABA to report on the offer times, which should apply in relation to those events or series of events. The Minister has requested that the ABA should have regard to the policy that an event or series should not be declared unless there is a widespread expectation, based on past practice, that the event would be televised live and in full on free-to-air television; or, the event or series has so grown in importance in the public's perception over time that it warrants full live free to air coverage.

During this investigation the ABA intends to consult with commercial and pay TV broadcasters and their representative bodies, national broadcasters, sports rights bodies and interested members of the public. Consultation has now commenced with the free-to-air networks.

The Minister has directed the ABA to report by 31 August 2000.



At an ABA luncheon for the chairman of the British Broadcasting Standards Council, Lord Holme of Cheltenham, L-R: Ian Robertson, ABA; Dame Leonie Kramer, Chancellor University of Sydney; Mike Lattin, Chairman ASTRA; Carla Zampatti, Chair SBS; Gareth Grainger, ABA; David Bacon, FARB; Lord Holme; Tony Branigan, FACTS.

Pay TV:

Minister's direction to the ABA

The Minister for Communications, Information Technology and the Arts has directed the ABA to investigate whether pay TV documentary channels should have a minimum expenditure requirement similar to the expenditure condition that currently applies to predominantly drama pay TV channels.

Pay TV drama channels are required to spend 10 per cent of their program expenditure on new eligible drama. The new pay TV drama rules are a condition of licence that operate to include both pay TV channel providers and licensees within their scope.

The Minister's direction defines eligible documentary programs according to the Australian Content Standard for commercial television. They include programs that are Australian, Australian/New Zealand, New Zealand or official Australian co-productions.

The ABA has requested detailed information from pay TV documentary channels which will form the basis of a mid-year discussion paper. The ABA will undertake the majority of consultation and other work of the investigation in the second half of the year, with a period for written and oral submissions following the release of the discussion paper. This approach will allow informed debate and consideration of the issue of whether there should be a new expenditure condition for documentary channels.

The ABA is gathering data on pay TV documentary channels' program expenditure on, and the broadcast of, eligible documentary programming on pay TV.

The ABA is required to report to the Minister by 18 December 2000.

drama expenditure— enforceable scheme

New enforceable arrangements in relation to spending on new Australian (and New Zealand) drama programs by pay TV licensees and channel providers came into effect with the passage of the *Broadcasting Services Amendment Act (No.3) 1999* in December 1999. Transitional arrangements apply for the financial year beginning 1 July 1999, so expenditure on new Australian drama is now required by licensees and channel providers who provide a subscription television drama service or channel.