



New digital datacasting licence for SBS

The ABA has allocated a datacasting licence to the Special Broadcasting Service (SBS) for the whole of Australia.

SBS has described the nature and content of the proposed datacasting service as an 'electronic program guide for SBS Digital Broadcast'.

'The ABA expects that the appeal and value of digital television services generally will be further enhanced as new datacasting services become available over the next year or so through digital television receivers and set top boxes,' Professor Flint said.

Datacasting

A datacasting service is broadly defined as a service that delivers content in the form of text, data, speech, music or other sounds or visual images (or in any form or combination of forms) to persons with appropriate reception equipment, when the delivery of the service uses the broadcasting services bands.

Similar services delivered outside the broadcasting services bands are not regulated as datacasting services.

The definition of datacasting is wide enough to include the delivery of radio and television programs. However, datacasters face restrictions on providing the kinds, or genres, of pro-

grams and audio content commonly regarded as traditional television or radio programming.

Datacasting licences

Any person wishing to provide a datacasting service, including commercial and national broadcasters, must hold a datacasting licence.

Only Australian companies, the national broadcasters, Government bodies or a body corporate established under Australian law for a public purpose may hold a datacasting licence.

Datacasting licence conditions

Datacasters are subject to restriction on television program genre and audio content that are designed to encourage them to provide a range of services that differ from traditional broadcasting services.

Category A programs include drama, sports, music, infotainment or lifestyle, documentary and 'reality television'. Category B programs include news or current affairs programs, financial, market or business information bulletins and weather bulletins. However, some qualifications to the genre restrictions allow datacasters to provide short extracts of Category A and B programs.

The audio content conditions are intended to prevent datacasters from transmitting matter that would be regarded as a traditional radio program.

Internet carriage services and ordinary electronic mail are not subject to the genre or audio conditions, although provisions have been included to prevent the use of Internet carriage services to avoid the genre or audio conditions. There are also provisions for exempting certain content copied from the Internet from the genre or audio conditions.

Some services can be provided without restriction, including:

- information-only programs (including those enabling people to carry out transactions)
- educational programs
- interactive computer games
- Internet content
- electronic mail
- Parliamentary broadcasts
- content in the form of text or still images
- electronic program guides, and
- advertising or sponsorship material.

Other general conditions relating to content on datacasting services also apply. These can be found in clause 24 of Schedule 6 to the Broadcasting Services Act.

Other characteristics of datacasting licences

Datacasting licences have the following characteristics:

- they are issued without any entitlement to a transmitter licence
- they have no expiry date, ie they are issued in perpetuity
- there is no specified licence area within which the service has to be provided
- there are no foreign ownership restrictions or other restrictions on ownership and control of the licences.

Datacasting transmitter licences

A datacasting transmitter licence allows the transmission of licensed datacasting services. Datacasting transmitter licences are a new form of apparatus licence issued under the *Radiocommunications Act 1992* and are allocated by the Australian Communications Authority through a price-based system. Datacasting transmitter licences will have a term of 10 years with the expectation of a single renewal of five years only. They cannot be controlled by a commercial television broadcaster or a national broadcaster. The datacasting licence and the datacasting transmitter licence may be held by different people.

