



# New digital commercial television service for Tasmania

The ABA has allocated a second commercial television licence to TasTV Pty Limited, which is jointly owned by existing commercial television licensees in the Tasmanian licence area, Southern Cross Television and WIN Television Tas Pty Ltd.

The new commercial television service will cover the same area as the current licensees' existing television services.

The Broadcasting Services Act provides for the allocation of an additional commercial television broadcasting licence to licensees in markets where there are two commercial television licences in force.

'The establishment of this service will add to the range of digital television services and the diversity of programming available to people living in Tasmania,' said Professor Flint.

The licensee now has 12 months to commence the new service.

## Second commercial television licences

Amendments to the Act (section 38B) streamlined the process for the allocation of a second commercial television licence to licensees in markets where there are two commercial television licences in force as long as neither of the existing li-

cences were allocated under section 38A of the Act. The existing licensees may either apply for a licence as a joint venture company or apply separately.

## When can a section 38B licence be allocated?

There are two steps in applying for a section 38B licence.

First, the existing licensees may give the ABA a single or joint 'written notice' stating that they will apply for an additional licence in the licence area within 90 days after the designated time for the licence area.

Secondly, the joint-venture company or single applicant may apply in writing to the ABA for an additional licence within 12 months after the designated time for the licence area.

In accordance with the legislation, the ABA must allocate an additional licence to a joint venture company under section 38B so long as the ABA is satisfied that the company is jointly owned by the existing licensees.

If the ABA receives applications from both of the existing licensees, it must allocate the licence under a price-based allocation system determined by the ABA.

If the ABA receives only one application from an existing licensee, it must allocate the additional licence to that licensee.

## What is the allocation fee?

The ABA has determined an allocation fee of \$12 000 for the allocation of section 38B licences.

## Licence features

The ABA must not allocate a licence to an applicant if the applicant is not a company formed in Australia with a share capital or if the ABA decides that the applicant is not a suit-

able applicant in the terms set out in section 41(2) of the Act.

It is not possible to transfer an additional licence allocated to a joint venture company during the period of two years after the date of allocation. A licence allocated to a single existing licensee may transfer the licence within two years of allocation only if the additional and the parent licence are transferred at the same time by the same person to the same transferee.



## Analog television services in Sydney, Melbourne, Brisbane and Adelaide

The ABA has determined licence area plans for analog television services in Sydney, Melbourne, Brisbane and Adelaide.

In September 1993, the ABA determined its planning priorities under section 24 of the Broadcasting Services Act.

The planning priorities specified the preparation of analog television licence area plans for the metropolitan markets (with the exception of Perth which was determined in February 1997) to be part of Group 5 of the ABA's planning priorities.

The finalisation of these licence area plans is part of the completion of the ABA's planning process.

The analog television licence area plans for Sydney, Melbourne, Brisbane and Adelaide are available on the ABA web site at [www.aba.gov.au](http://www.aba.gov.au) or by calling Freecall 1800 810 241.

