



Investigations

6.2 ...will make every reasonable effort to resolve disputes within their organisation conscientiously and as soon as practicable.

6.3 ...will negotiate for dispute resolution by managing discussion between disputants which is aimed to bring about agreement or a settlement of opposing demands or attitudes.

The decision

The ABA determined that the licensee of 2PSR breached of clauses 6.1, 6.2, 6.3 and 6.4 in relation to conflict resolution. The licensee was

not found to have breached code clauses 1.2, 1.9 and 5.1.

Action taken

The licensee advised that it had adopted a Grievance and Complaint Resolution Policy and Grievance Procedure on 8 September 2002, that it was seeking assistance from the Community Broadcasting Association of Australia regarding code compliance and that the complainant was to be reinstated at a future date.



BeauFM Beaudesert

Broadcasting of advertisements

The complaint

The ABA received a complaint alleging that Beaudesert Community Radio Group Inc., a holder of a temporary community radio broadcasting licence, had breached paragraph 9(1)(b) of Schedule 2 to the Broadcasting Services Act by broadcasting advertisements for the local newspaper during the program *Keep Up With the Times*.

Relevant legislation

9 Conditions applicable to services provided under community broadcasting licences:

(1) Each community broadcasting licence is subject to the following conditions:

...

(b) the licensee will not broadcast advertisements, and the licensee will not broadcast sponsorship announcements otherwise than as mentioned in subclause (3);

...

The decision

The ABA determined that the licensee breached paragraph 9(1)(b) of the Act because it had broadcast an advertisement.

The ABA concluded that seven references to the newspaper contained in a twenty-minute segment was designed to promote the newspaper and was therefore of advertising character.

Action taken

The licensee advised the ABA that its programs no longer mention the local newspaper and that it will endeavour to comply with paragraph 9(1)(b) in future. In view of the steps taken by the licensee to rectify the matter, and the fact that no previous breaches have been recorded against this temporary community licensee, no further action was taken by the ABA in relation to this matter.

