



3WRB – Melbourne

Sponsorship announcements in breach of licence conditions

The complaint

In August 2001 the ABA received a written complaint regarding Melbourne community radio station 3WRB. The complainant alleged that during its Vietnamese language program of 17 July 2001 3WRB breached the conditions of its community broadcasting licence by broadcasting an advertisement.

Relevant code of practice

Clause 9 of Schedule 2 to the *Broadcasting Services Act 1992* (the Act) sets out certain conditions applicable to services provided under community broadcasting licences and states, in part:

9. (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);

...

(3) A community broadcasting licensee may broadcast sponsorship announcements that run in total for not more than 5 minutes in any hour of broadcasting.

The decision

The ABA determined that on 17 July 2001 the licensee of 3WRB, Western Radio Broadcasters Inc., breached the condition of its community broadcasting licence at paragraph 9(1)(b) of Schedule 2 to the Act by broadcasting advertisements during 3WRB's Vietnamese language program. During this program the ABA noted that there were repeated references to a particular smallgoods company, that this

company was commented on favourably several times by the program presenters and that it was the only such company mentioned by name.

Action taken

3WRB advised the ABA that following the ABA's findings it had taken the following action:

1. Meetings were held between the Station Manager and the station's Vietnamese on-air presenters in relation to the importance of distinguishing between community service announcements, station promotions and paid sponsorships.
2. These same presenters underwent a period of retraining and were informed that their programs would be closely monitored in the future.
3. A memo was circulated to all announcers, presenters, producers and contributors re-enforcing the guidelines pertaining to advertisements and sponsorships. This memo has also been incorporated into 3WRB's training program.
4. The General Manager now has to sanction all interviews before they go to air.

The ABA considered that the above measures would assist the licensee of 3WRB in meeting the conditions of its licence.

The ABA was, however, concerned to note that this was the second time in less than 12 months that the Vietnamese language program on 3WRB was found to have breached the same licence condition relating to the broadcasting of advertisements. The ABA regards the breach of a licence condition to be a serious matter. The ABA is currently investigating another complaint alleging that advertisements were broadcast during 3WRB's Vietnamese language program. Once this investigation has been finalised the ABA will consider what, if any, action to take as a result of its findings in relation to 3WRB.

