



The ABA has decided to impose a new licence condition on the three Sydney community radio licences that were allocated in May 2001.

New licence condition for Sydney community radio

The ABA has decided to impose a new licence condition on the three Sydney community radio licences that were allocated in May 2001.

The licences were allocated to Free Broadcast Incorporated (FBI), Gadigal Information Service Aboriginal Corporation (Gadigal) and Muslim Community Radio (MCR).

The condition requires each licensee not to operate the service for profit or as part of a profit-making enterprise.

'The licence condition will enhance the ABA's enforcement powers if, in future, the licensees were to operate their broadcasting services for profit or as part of a profit-making enterprise' said Professor Flint.

In making this decision, the ABA is implementing the recommendations of the report of its investigation into two of the aspirants for the Sydney community licences.

Section 15 of the Act defines community broadcasting services as broadcasting services that:

(a) are provided for community purposes; and

(b) are not operated for profit or as part of a profit-making enterprise; and
(c) that provide programs that:

(i) are able to be received by commonly available equipment; and

(ii) are made available free to the general public; and

(d) comply with any determinations or clarifications under section 19 in relation to community broadcasting services.

However, the not-for-profit requirement is not automatically a condition of the licence.

Background

Commercial exploitation of a community broadcasting service brings the risk that the service will tend to operate in the interests of the commercial activity rather than in the interests of the community that the association has been licensed to serve. In the ABA's investigation report, Sydney Youth Radio Inc was found to be an integral part of an enterprise relating to the

production and sale of compact discs bearing the WILD FM name and logo and was therefore considered to have been operated as part of a profit-making enterprise.

