



During May 2002, the ABA allocated second commercial television licences to operators in Broken Hill, NSW and Mt Gambier, Riverland and Spencer Gulf in South Australia.

New commercial TV licences ...

For Broken Hill, Mt Gambier, Riverland and Spencer Gulf

The ABA has allocated second commercial television licences to operators in Broken Hill, NSW and Mt Gambier, Riverland and Spencer Gulf in South Australia.

Broken Hill Television Ltd, licensee of BKN Broken Hill, has been allocated an additional licence for Broken Hill. Spencer Gulf Broadcasters Ltd, licensee of GTS Spencer Gulf, has been allocated an additional licence for Spencer Gulf. WIN Television Pty Ltd, licensee of SES Mt Gambier and RTS Riverland, has been allocated additional licences for Mt Gambier and Riverland.

The new commercial television services will cover the same areas as the licensees' existing television services.

The *Broadcasting Services Act 1992* (the Act) provides for the allocation of an additional commercial television licence to an operator providing the only commercial television service in a market.

'These are the first commercial television licences allocated by the ABA since May 1998,' said Professor Flint. 'The establishment of these services will add to the range of

television services and the diversity of programming available to people living in these areas.'

The licensees now have 12 months to get the new services up and running.

Background

Amendments to the *Broadcasting Services Act 1992* (section 38A) streamlined the process for the allocation of a second commercial television licence to existing licensees in television markets with a single commercial service. If there is only one licensee in a licence area, that licensee may apply for an additional commercial television broadcasting licence can be allocated for the licence area.

When can a s.38A licence be allocated?

In accordance with the legislation, the ABA must allocate a second licence to a licensee in a single service television market so long as:

- (a) all of the following conditions are satisfied:
 - (i) no licence for the licence

area previously allocated under this section to the existing licensee has been cancelled because of a breach of the condition set out in paragraph 7(1)(i) of Schedule 2;

- (ii) no licence for the licence area previously held by the existing licensee has been cancelled because of a breach of the condition set out in subsection (9);

- (iii) no licence for the licence area previously held by the existing licensee has been surrendered; or

(b) both:

- (i) paragraph (a) does not apply; and

- (ii) the ABA is satisfied that there are exceptional circumstances.

The ABA is satisfied that the conditions of paragraph (a) have been met by each of the licensees.

What is the allocation fee?

The ABA has determined an allocation fee of \$12,000 for the allocation of these s.38A licences.

