



# ABA suspends 6GS licence in Wagin WA

## First suspension of commercial radio licence

### Wagin

The town of Wagin is located south east of Perth midway between the towns of Narrogin and Katanning. Wagin is currently served by six broadcasting services band radio services, four commercial (6WVB and 6KAN Katanning and 6NA and 6NAN Narrogin) and two national (6WA and 6RN).

The Australian Broadcasting Authority has suspended the licence of commercial radio service 6GS Wagin in Western Australia for a period of 14 days from Sunday 15 June 2003. 6GS operates on a non-broadcasting services bands commercial radio licence. It transmits on a frequency just outside the AM band (1611kHz).

The suspension follows the ABA's finding that the licensee (Cybervale Pty Ltd) breached a condition of its licence in relation to audited annual returns for the financial year ended 30 June 2002.

"Commercial radio broadcasting licensees are required to provide audited accounts to the ABA," said Professor David Flint, ABA Chairman. "They must do this within six months after 30 June in each year."

In arriving at the decision to suspend the 6GS licence, the ABA considered that Cybervale Pty Ltd's failure to provide the audited accounts within the prescribed timeframe was a serious breach of the condition of the licence.

"As a reflection of the seriousness of the breach, this is the first time the ABA has decided to suspend a commercial radio broadcasting licence," said Professor Flint.

### Annual notification of audited accounts

It is a condition of a commercial radio broadcasting licence that a licensee comply with the condition of its licence set out at paragraph 8(1)(ha) of Schedule 2 to the *Broadcasting Services Act 1992* (the Act).

Paragraph 8(1)(ha) of Schedule 2 to the Act requires a commercial radio broadcasting licensee to comply with the requirements set out in section 205B of the Act.

Under paragraph 205B(1)(c) of the Act, a commercial radio broadcasting licensee must, within 6 months after 30 June each year, give the ABA:

- (i) an audited balance-sheet and an audited profit and loss account, in a form approved by the ABA, in relation to the service provided under the licence for the year ending on that 30 June; and
- (ii) a statutory declaration stating the gross earnings in relation to the licence during that year.



### C and P programs

Programs granted C and P classification between 21 May and 16 June 2003.

Producers interested in submitting programs for classification should contact the ABA's Children's Television section on (02) 9334 7700.

Program title	Origin	Class	New/renewal	Decision dated	Applicant
Yakkity Yak (series 4)	Australia	CD	new	22/05/2003	Kapow Pictures

C - children's program, CD - C drama, P - preschool, PRC - provisional C, PRP - provisional P