



2MCR-FM Macarthur

Conflict resolution

Complaint

The ABA received a complaint concerning conflict resolution from a non-voting member of the 2MCR Association whose duties include on-air presentation.

Decision

The ABA, determined that the licensee of 2MCR, Great Southern Community Broadcaster's Association Inc. breached:

- clause 6.2 of the Community Radio Broadcasting Codes of Practice by not making every reasonable effort to resolve the disputes within their organisation conscientiously and as soon as practicable
- clause 6.4 of the codes by not seeking appropriate alternative dispute resolution mechanisms.

Action taken

The licensee did not agree with the ABA's findings, claiming that the complainant was responsible for the disputes and for frustrating all attempts to resolve them.

The ABA notes that this is the first occasion that the licensee has been found in breach of the Community Radio Broadcasting Codes of Practice.

The ABA proposes to take no further action but will monitor the licensee's compliance with the conflict resolution provisions of the codes.

This provision of the codes has been amended in the new codes registered by the ABA on 24 October 2002.



3YYR-FM Geelong

Broadcasting of an advertisement and breach of a licence condition

The complaint

The ABA received a complaint alleging that the *Radio Real Estate Program* broadcast by the licensee, Geelong Community Radio Co-Operative Ltd, on 29 June and 17 August 2002 contained material that constituted advertising.

Decision

The ABA determined that Geelong Community Radio Co-Operative Ltd breached paragraph 9(1)(b) of Schedule 2 to the Broadcasting Services Act, in that it broadcast advertisements during the *Radio Real Estate Program* on 17 August 2002.

Action taken

In its response to the ABA's preliminary investigation report the licensee stated that they concurred with most of the ABA's conclusions

adding that it was a lack of understanding of the guidelines that led to a breach and that in future it,

would be much more conscious of ensuring that this information is given out without inadvertently advertising.

The licensee also proposed a number of measures to address the issues raised by the ABA.

In light of the steps taken, the ABA proposes to take no further action at this stage. It remains to be seen whether the steps taken will satisfactorily address the issues at the centre of this investigation.

The ABA will monitor the licensee's compliance with the provisions of the Act regarding sponsorship and advertising. Should the ABA find that there is a continuing problem with sponsorship and advertising, it may consider further action.

