



vision sector with the need to ensure that the sector maintains its community and not-for-profit nature.

### **Allocation of the licences**

Community licences can be allocated only if the ABA makes new community broadcasting services available in an area following its planning process and the release of a licence area plan.

The ABA has advertised for applications in newspapers in the licence areas. In light of the recent judgment of the Federal Court of Australia handed down on 31 January 2003, the ABA will not be granting any extensions of time within which to apply for a community television licence.<sup>1</sup> The review of the ABA's decision in Adelaide is expected to be concluded by the end of February 2003, and the ABA will decide the best way to take community television forward in Adelaide at that time.

Applications received will be made available for public comment. Written comments on applications must be lodged with the ABA within 14 days (generally) of the date the ABA places them in public libraries.

The ABA will decide if a licence is to be allocated and in the case of competing applicants, to which applicant. The ABA will allocate these licences on the basis of the merits of applicants and their proposed services and, when necessary, on their comparative merits.

<sup>1</sup> See ABA Update no 117, p.10



# Extension of commercial radio standards

The ABA proposes to extend the three commercial radio standards (the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000; the Broadcasting Services (Commercial Radio Advertising) Standard 2000 and the Broadcasting Services (Commercial Radio Compliance Program) Standard 2000 placed on all commercial radio licensees in November 2000.

The three commercial radio standards are due to cease operation on 2 April 2003. The ABA is proposing to extend the operation of the standards indefinitely.

'At the time the ABA imposed the standards on the commercial radio industry, the ABA expected the commercial radio industry to develop and submit to the ABA for registration, codes of practice to operate from 3 April 2003 that would provide at least the same level of community safeguards as are contained in the standards,' said Professor Flint.

'As current investigations into matters in relation to compliance with the commercial radio standards will not have been concluded before the cessation of operation of the stand-

ards on 2 April 2003, the ABA has taken the view that the standards should continue in operation. Once those investigations have been concluded and their implications (if any) for the standards determined, the ABA will consult with the relevant industry body, which is Commercial Radio Australia, on the future of the standards.'

'The ABA's intention is that the standards should be replaced by codes of practice that provide the same level of community safeguards at the appropriate time and after wide community consultation.'

The three standards relate to disclosure of commercial agreements by presenters of current affairs programs, the need to distinguish advertisements from other programs and the estab-

lishment of compliance programs by commercial radio licensees. Unlike codes of practice, compliance with standards is a condition of a broadcaster's licence.

### **Inquiry**

In its final report on the Commercial Radio Inquiry of 2 August 2000, the ABA found systemic failure to ensure the effective operation of the industry's self-regulatory codes of practice and proposed to determine three program standards to remedy this failure.

On 21 November 2000 the ABA determined three program standards for commercial radio licensees. The standards commenced operation on 15 January 2001.



### **Report**

The final report of the ABA's inquiry, *Commercial Radio Inquiry – Final Report to the ABA* is on the ABA's web site at [www.aba.gov.au/radio/investigations/projects/commerc\\_radio/reportindex2.htm](http://www.aba.gov.au/radio/investigations/projects/commerc_radio/reportindex2.htm).

It can also be purchased from the ABA, price \$30, tel (02) 9334 7700

### **Standards**

The three commercial radio standards can be found on the ABA's web site at [www.aba.gov.au/radio/content/standards/index.htm](http://www.aba.gov.au/radio/content/standards/index.htm)

### **Submissions**

The closing date for submissions was 3 March 2003.