- allowing an increase in power from 500 W to 2 kW for the WIN10 digital television service at Batemans Bay.

An explanatory paper and variation to the digital channel plan for the NSW South Coast are available on the ABA website at http://www.aba.gov.au/tv/digitaltv/planning/nsw/index.htm or by phoning Freecall 1800 810 241.

## ABA audits ten largest ISPs for code compliance

The ABA has released its findings on how the ten largest Australian Internet Service Providers (ISPs) are meeting their consumer information obligations under the Internet Industry Codes of Practice for Internet content.

The audit, which was conducted on the ISPs' Internet sites on 8 August 2004, indicated a high degree of compliance with the codes. Only two of the ten ISPs audited, iPrimus and AAPT, were found not to be fully compliant.

The websites of iPrimus and AAPT were not compliant as they did not contain information for content providers about their legal responsibilities and labelling. AAPT's websites also lacked information about how subscribers could complain to the ABA and about procedures to deal with complaints concerning unsolicited emails.

AAPT has since revised the information on its website so that it now complies fully with the codes. Discussions between iPrimus and the ABA are continuing.

The report of the ABA's findings is available on the ABA's website at: www.aba.gov.au

The audit was also timely as it identified three key areas in which the code provisions could be improved: the currency and prominence of information and the promotion of filters. The Internet Industry Association (IIA), which is reviewing the codes, has been supportive of the ABA's recommendations.

The IIA's new draft codes were released for public consultation on 22 November 2004. The codes are available on the IIA's website at: www.iia.net.au

## Appointments

Lyn Maddock, Acting ABA Chair, has been appointed by Minister Coonan as a part-time Associate Member of the ACA, in place of Michael Gordon Smith. Giles Tanner has been reappointed as a full time acting member of the ABA Board. Both appointments are until 30 June 2005 or the merger, whichever is earlier.

## Update on ACMA Bill

The *Australian Communications and Media Authority Bill 2004* (the ACMA Bill) and related legislation were introduced into Parliament on 2 December 2004. The ACMA Bill establishes a new regulatory authority for communications: the Australian Communications and Media Authority (the ACMA). The provisions of the ACMA Bill provide for the Bill to commence on proclamation, or on 1 July 2005 if no proclamation has been made by that date.

The ACMA replaces the Australian Broadcasting Authority (ABA) and the Australian Communications Authority (ACA). The functions of the ACMA will essentially be the functions currently undertaken by the ABA and the ACA.

The formation of the ACMA is a response to convergence within the communications industry. The establishment of the ACMA will enable a coordinated regulatory response to converging technologies and services.

The ACMA will comprise a full-time chair, a full-time deputy chair, and from one to seven other members who can be either full or part-time. Each term of membership is to be up to five years. Members may be reappointed, provided the total term of membership does not exceed 10 years. Previous appointment as a member or associate member of the ABA or the ACA will count towards this period.

On 8 December 2004 the Senate agreed to a motion moved by Senator Cherry (Democrats) to refer the provisions of the ACMA Bill and related legislation to the Environment, Communications, Information Technology and the Arts References Committee for inquiry. The Committee is to report by 10 March 2005.

## New radio services for Bathurst area

The ABA has decided to make channel capacity available for new and improved radio services in the Bathurst area of New South Wales.

'The ABA has made additional channels available to improve reception of commercial radio service 2BS Bathurst at Sofala, Burraga and Blayney and for an additional ABC service in Bathurst City,' said Lyn Maddock, Acting ABA Chair.

The ABA has made channel capacity available on 90.1 MHz (Sofala), 88.1 MHz (Burraga) and 89.3 MHz (Blayney) for retransmission of the 2BS service.

# News Update

## New on the Web

In addition to the news releases which are listed on the ABA's home page, www.aba.gov.au, the following items have been posted to the site recently.

- Updated Internet version of the Radio & Television broadcasters handbook: http://www.aba.gov.au/broadcasters/
- Updated community licence renewal information: http://www.aba.gov.au/radio/services/licence_types/community/index.htm
- End of 2004 Internet content complaints statistics: http://www.aba.gov.au/internet/complaints/statistics/index.htm

This follows consideration of requests from the licensee of 2BS, Bathurst Broadcasters, to enable it to improve reception of its service in the Bathurst region. Bathurst Broadcasters identified these areas for the purpose of the Commercial Radio Blackspots Program.

The ABA has also made channel capacity available for a future national radio service in Bathurst City on 98.3 MHz. This proposal will provide Bathurst City with the full suite of ABC radio services, in line with the Government's commitment to reserve channel capacity for the future provision of the full range of ABC radio services to communities or regional transmission areas with a population of 10, 000 people or more.

The above decisions are contained in the variation to the Bathurst radio licence area plan, released in December 2004 for public comment and now available on the ABA's website or by calling Freecall 1800 810 241.

## ABA proposes FM translator for 2MW at Mullumbimby

The ABA is proposing to make channel capacity available for commercial radio service 2MW Murwillumbah to rectify reception deficiencies in the Mullumbimby area of New South Wales.

The ABA proposes to make 103.5MHz on the FM band available for a transmitter at the Vodafone site near Ocean Shores with a maximum effective radiated power of 250W and a directional radiation pattern.

'The ABA's proposal will not only rectify the reception deficiencies in the southern part of the 2MW licence area but ensure that there is no overspill into the adjacent Lismore commercial radio licence area' said Lyn Maddock, Acting ABA Chair.

The proposal is contained in the draft variation to the Murwillumbah radio licence area plan, which was made available for public comment in December and January. The draft variation and an explanatory paper are available from the ABA's website or by calling Freecall 1800 810 241. Submissions were due by 28 January 2005.

## ABA proposes merger of Upper Murray community radio areas

The ABA is proposing to extend and combine the licence areas of the Corryong and Walwa/Jingellic community radio services into a single licence area. The extended licence area would include the towns of Corryong, Tintaldra, Tumbarumba and Walwa/Jingellic.

The ABA's proposal follows submissions from the holders of temporary community broadcasting licences in the Corryong and Walwa/Jingellic areas. The submissions, from High Country Christrian Broadcasters (Corryong) and Radio Upper Murray (Walwa/Jingellic), were in response to a draft variation to the Albury radio licence area plan released by the ABA in November 2004.

The ABA is also proposing to increase the operating power of the Corryong community service to 2 kW.