



The ABA has decided to extend the community television trial in Adelaide, operated by C31 Adelaide Limited (C31), until 4 October 2005.

# Adelaide community television trial extended

The ABA has decided to extend the community television trial in Adelaide until 4 October 2005.

The trial will continue to be operated by the current trallist, C31 Adelaide Limited (C31). The service will operate under the open narrowcasting television 'class licence' for community and educational non-profit purposes. C31's current trial licence expired on 4 April 2005.

On 15 October 2004, the ABA invited applications for a permanent community television broadcasting licence for Adelaide to broadcast on UHF channel 31.

Two applications were received by the closing date of 4 March 2005, one from C31 and the other from OUR TV Adelaide Limited. As the allocation of the permanent licence may take up to six months to complete, the ABA has decided to extend the current community television trial being operated by C31. During this period the ABA will also investigate both aspirants' compliance or potential compliance with the requirement to not operate a community service for profit or as part of a profit making enterprise.

## Community television licences

The framework for community television has requirements aimed at improving the financial and management capacity and accountability of community television licensees. It also assists the revenue raising ability of the community television sector. The measures are intended to balance the need for ongoing financial viability of the community television sector with the need to ensure that the sector maintains its community and not-for-profit nature.

The ABA has allocated community television licences in Sydney, Melbourne, Brisbane and Perth.

## Allocation of community broadcasting licences

The ABA decides if a community television licence is to be allocated and, in the case of competing applicants, to which applicant. The ABA allocates these licences on the basis of the merits of applicants and their proposed services and, if necessary, on their comparative merits. The ABA can only allocate a community television broadcasting licence to a company limited by guarantee within the meaning of the *Corporations Act 2001*.

In assessing applications the ABA has regard to matters set out in the Broadcasting Services Act including:

- whether the proposed service meets the definition of a community broadcasting service
- whether the applicant is a 'company' and represents a community interest
- whether the allocation is subject to any Ministerial 'priority direction'
- the needs and interests of the community and the extent to which the applicant's proposed service would meet those needs and interests
- the applicant's capacity to provide the proposed service; and matters related to the control of the licence.

Trial community television Community television has operated on a trial basis since 1994 under the open narrowcasting television 'class licence' for community and educational purposes.

An open narrowcasting service is limited in one of a number of ways, as defined at section 18 of the *Broadcasting Services Act 1992*, by: targeting a special interest group; providing programming of limited appeal; being provided for limited duration; or servicing a limited

location such as a business premise or sporting arena.

To operate a narrowcasting service using the broadcasting services bands, the ABA must make spectrum available under section 34 of the Broadcasting Services Act for that purpose. A service provider must then obtain from the ABA an apparatus licence, allocated under the *Radiocommunications Act 1992*.

Applications for community television trials are assessed against the ABA's *Access and Compliance Statement*.

## Operators of trial services

Under the Radiocommunications Act, an apparatus licence may be held by an individual. The ABA, however, will only issue an apparatus licence to operate a trial community television broadcasting service on the condition that it is used only for community and educational purposes. The ABA must also be satisfied that the service will provide for participative management and programming practices.

It is, therefore, desirable that the operator of the trial service be a company formed in Australia or an external Territory (including companies limited by guarantee and incorporated associations) that represents a community interest. ☐