

Brisbane community radio service breached the Act by broadcasting an advertisement

ACMA has found that Family Radio Ltd, the licensee of community radio service 4FRB Brisbane, breached the Broadcasting Services Act by broadcasting an advertisement.

On 26 May 2005, the former Australian Broadcasting Authority received a complaint about the service being provided by the licensee of 4FRB. The ABA commenced an investigation into the complaint. From 1 July 2005, ACMA continued the investigation in accordance with clause 11 of Schedule 4 to the *Australian Communications and Media Authority (Consequential and Transitional Provisions) Act 2005*.

The complainant alleged that the licensee had operated the 'station outside the relevant requirements of the *Broadcasting Services Act 1992*'. The complainant was particularly concerned that 4FRB Brisbane was broadcasting more than five

minutes per hour of sponsorship announcements, was broadcasting advertisements and was not representing the community interest that it represented at the time the licence was allocated.

ACMA has determined that the licensee of 4FRB Brisbane breached clause 9(1)(b) of Schedule 2 to the Broadcasting Services Act, as it broadcast an advertisement on 2 July 2005.

ACMA found the station continues to represent the community interest that it represented at the time when the licence was allocated and did not find any evidence that the station broadcast more than five minutes of sponsorship announcements per hour.

To address the compliance issues raised by this breach finding the licensee has taken action including:

- preparing and conducting training to all on-air presenters on the importance of including

the tag in all sponsorship messages and providing them with an understanding of the relevant conditions applicable under the Act; ensuring that pre-recorded sponsorship announcements include the station sponsor tag by printing reminder posters for display in the production studio and on-air studios

- pre-recording all 'live' announcer messages; and
- implementing a dual check system so the licensee's copywriter and production manager are both responsible for ensuring all announcements produced include the 'station sponsor' tag.

ACMA considers that these actions are adequate to address the compliance issues raised by the investigation and ACMA will continue to monitor the licensee's performance in this regard.

The full reports on these investigations into potential breaches by licensees are on the ACMA website, www.acma.gov.au. Go to ACMA > Publications > Broadcasting > Investigations and then Radio operations and Television operations. The reports are arranged in order of licensee.

Kalamunda community radio service found in breach of the Act

ACMA has found that Kalamunda Community Radio Incorporated, the licensee of community radio service 6KCR Kalamunda, breached the Broadcasting Services Act by broadcasting an advertisement.

On 16 and 28 December 2005, ACMA received complaints concerning material broadcast by 6KCR Kalamunda. The complainant alleged that the licensee of 6KCR had

breached its licence conditions by broadcasting an untagged sponsorship announcement.

ACMA has determined that the licensee of 6KCR Kalamunda breached clause 9(1)(b) of Part 5, Schedule 2 to the Broadcasting Services Act by broadcasting an advertisement on 12, 13, 15 and 16 December 2005.

To address the compliance issues raised by this breach

finding the licensee has taken action including censuring the production manager and mandating that all sponsors messages be checked by a second committee member prior to broadcast.

ACMA considers that these actions are adequate and will continue to monitor the licensee's performance in this regard.