

2QBN must review constitution and encourage community participation

ACMA has directed Queanbeyan Community Radio Inc, the licensee of community radio station 2QBN, to take steps aimed at ensuring it complies with the conditions of its community broadcasting licence and the *Community Radio Codes of Practice 2002*. 2QBN operates under a permanent community broadcasting licence allocated on 3 April 2000 and the community of interest is the general geographic area of Queanbeyan, New South Wales.

On 9 May 2007, ACMA found that Queanbeyan Community Radio had breached a condition on its licence that requires it to encourage members of the community it serves to participate in the operations and programming of the service. ACMA also found that the licensee had breached the

Community Broadcasting Codes of Practice by not having volunteer guidelines or a written conflict resolution in place.

ACMA has directed Queanbeyan Community Radio to:

- review its constitution and draft amendments to the provisions relating to the objects of the association with particular regard to membership, applications for membership (including rejection of membership), right of reply of rejected applicant or disciplined member and right of appeal of rejected applicant or disciplined member, with a view to having the amendments adopted at a meeting of the incorporated association
- re-establish the programming committee referred to in its application to renew its licence

- provide to ACMA the text of any on-air announcements inviting membership and/or participation in programming and a schedule indicating the frequency of broadcasts of such announcements and
- develop a training program for the licensee's employees, agents, contractors and volunteers about the requirements of the licence conditions insofar as those requirements are relevant to tasks undertaken by those people.

Implementation of the measures in ACMA's remedial direction is to be achieved over a period in 2007-08. Contravening a requirement of such a direction is an offence under the *Broadcasting Services Act 1992* and a penalty of up to \$5,500 per day may be imposed. ACMA may also suspend or cancel a licence for failure

to comply with a notice under section 141. The direction was issued under new enforcement powers conferred on ACMA in February 2007 to enable it to more effectively address contraventions of the Broadcasting Services Act.

Guidelines about ACMA's new enforcement powers are on the ACMA website at www.acma.gov.au (go to For licensees & industry: Licensing & regulation > Media ownership & control > Media regulation & enforcement).

The report on the investigation into Queanbeyan Community Radio is also on the website (go to About ACMA: Publications & research > Broadcasting publications > Investigations > Radio operations > Radio operations - NSW community radio).

Hits n Country 94.1FM withdraws licence renewal application

Gosford broadcaster Hits n Country 94.1 FM (2CCH) has withdrawn its application for the renewal of its community radio broadcasting licence. ACMA will not give further consideration to the renewal of the licence.

Hits n Country's licensee, Central Coast Broadcasters Ltd, has provided a service in the Gosford licence area since 2002, with country music and sport as the community interest it was licensed to serve. After the licence expires on 21 November 2007, Hits n Country 94.1 FM will go off air. ACMA had been considering whether to renew Hits n Country's licence for a further five years, and had called for submissions on the renewal application.

The future use of the spectrum currently used by Central Coast Broadcasters Ltd to provide its service will be considered.

Temporary community broadcasting licences allocated, September 2007

State	Licence area	Licensee	Community served	Frequency	Start	Finish	Allocated
WA	Collie RA1	Collie Community Broadcasting Association Inc.	General	1089 kHz	1/11/07	31/10/08	31/08/07
QLD	Esk RA1	Brisbane River Valley Radio Inc.	General	95.9 MHz	12/09/07	11/03/08	10/09/07
VIC	Kilmore RA1	Mitchell Community Radio Inc.	General	97.1 MHz	13/11/07	12/05/08	24/09/07
WA	Geraldton RA2	Midwest Aboriginal Media Association	Aboriginal	100.5 MHz	28/09/07	27/09/08	26/09/07