

# ABA Update

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## FM licence auctions in Sydney and Brisbane



Members of the media are keen to question Paul Thompson, DMG, after another successful auction for him in Brisbane

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**FM licence auctions in Sydney and Brisbane drew strong bidding from a number of quarters, but DMG subsidiaries were successful in both cities.**

# \$106m bid for new Sydney commercial radio licence, \$80m for Brisbane

**D**aily Mail (UK Radio 1) Pty Ltd bid \$106 million for a new commercial FM radio licence to serve Sydney at an ABA auction on 15 April and Daily Mail (UK Radio 2) Pty Ltd bid \$80 million for a new commercial FM radio licence to serve Brisbane on 22 April.

'The ABA is very pleased with the result of the auctions,' said Professor David Flint, ABA Chairman. 'They show how commercially valuable the FM band is. The level of bidding demonstrated a real depth of interest in the markets and shows that the radio frequency spectrum is a public asset of great worth. When these new services go to air, they will add to the diversity of radio services

for listeners in the Sydney and Brisbane markets.'

The ABA made licences available for two new commercial and three new community radio services in each of the Sydney and Brisbane licence area plans.

Full payment for the Sydney licence must be made between 30 May 2004 and 1 June 2004. The service will broadcast on frequency 95.3 MHz.

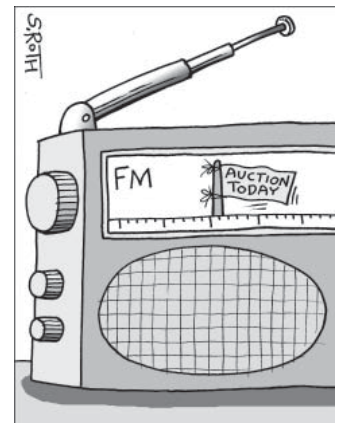
Full payment for the Brisbane licence must be made between 6 and 8 June 2004. The service will broadcast on frequency 106.9 MHz.

The ABA will allocate the licences as soon as possible after full payment is received.

If either successful applicant

fails to meet any of the requirements of the price-based allocation systems or relevant legislation, the licence will not be issued to the applicant. The ABA may then re-offer the licence for allocation.

Commercial broadcasting licensees must begin a service within one year of being allocated the licence (or within a longer period with the ABA's permission).



Scenes at the auction in Sydney







The ABA has found no breach of the *Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000* in its investigation into the Alan Jones Program broadcast on 2GB Sydney.

# No breaches found in Telstra sponsorship of the Alan Jones Program on 2GB Sydney

The ABA has completed its investigation into the *Alan Jones Program* broadcast on commercial radio service 2GB Sydney. The investigation concerned the sponsorship of the program under an agreement between Telstra Corporation and the parent company of the licensee, Macquarie Radio Network Pty Ltd.

The ABA found no breach of the *Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000* – a rule specifically designed to make visible possible commercial influences on current affairs presenters. In this case there were no hidden sponsorship arrangements the agreement was between Telstra and MRN, and Mr Jones was not required to make on-air disclosures of the sponsorship agreement when he mentioned Telstra. The agreement required live read advertisements by Mr Jones but imposed no editorial restrictions or obligations on him. Live read advertisements reviewed by the ABA were dis-

tinguishable from the rest of the program matter and complied with the *Broadcasting Services (Commercial Radio Advertising) Standard 2000*.

The ABA also reviewed editorial comment concerning Telstra broadcast by Mr Jones during 2002. The ABA found that some of these broadcasts were ‘political matter’ for the purposes of clause 4 of Schedule 2 to the *Broadcasting Services Act 1992*. However, the ABA was not persuaded that Telstra requested and authorised the broadcasting of that political matter within the meaning of that clause. Therefore, there was no breach of this licence condition.

The ABA looked at whether broadcasts by Mr Jones complied with the Commercial Radio Codes of Practice relating to the presentation of current affairs. On the available evidence, the ABA found no breach of the codes, however it considers that the existing regulatory measures aimed at promoting fairness in news and current affairs coverage merit review. In particular, extra safe-

guards may be required in the codes to cover a situation where a controversial issue of public importance is being dealt with and where a major advertiser or sponsor of the licensee has a particular interest in that issue. The ABA also intends to review the current rules aimed at achieving a clear distinction between editorial comment and advertising material to ensure that they are effective.’

## The complaint

In response to a complaint from the Communications Law Centre (CLC), the ABA commenced an investigation on 7 November 2002 into a range of matters concerning the *Alan Jones Program* on Radio 2GB including consideration of an agreement between Telstra and Macquarie Radio Network (MRN), the parent company of Harbour Radio Pty Ltd, the licensee of commercial radio station 2GB Sydney.

The CLC alleged that resulting from broadcasts on the *Alan Jones Program*, Harbour Radio

had variously breached the *Broadcasting Services (Commercial Radio Advertising) Standard 2000* (Advertising Standard) and clause 4, Schedule 2 to the Broadcasting Services Act, regulating the broadcast of political matter.

The CLC was also critical of what it saw as the narrow application of the *Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000* (the Disclosure Standard). While Mr Jones was not a party to the Telstra/MRN agreement, he had established an equity sharing arrangement with the licensee, but did not appear to have a disclosure obligation under the Standard.

The ABA’s report, *Investigation relating to the sponsorship of the Alan Jones Program pursuant to an agreement between Telstra Corporation and Macquarie Radio Network Pty Ltd*, is available on the ABA web site [www.aba.gov.au/radio/investigations/projects/tesltra-2gb/index.htm](http://www.aba.gov.au/radio/investigations/projects/tesltra-2gb/index.htm)



## Telstra/MRN agreement and the Disclosure Standard

### Mr Jones' interest in MRN

The nature of Mr Jones' equity arrangement with the licensee was the subject of a report by the ABA released in May 2003. The agreement between Mr Jones' company and MRN gives Mr Jones an entitlement to shares in MRN, the owner of 2GB (and 2CH), which accrue over time. In consequence, Mr Jones is entitled to 20 per cent of the increase in value of MRN that might occur as a result of his role as breakfast presenter on 2GB.

### Telstra/MRN agreement

As identified in the CLC complaint, the agreement between MRN and Telstra is not a commercial agreement for the purposes of the Disclosure Standard, which applies to commercial agreements between presenters and sponsors. The ABA's review of the agreement confirms that it was a sponsorship and advertising agreement between Telstra and MRN, the parent company of the licensee. The terms of the agreement did not impose editorial restrictions or obligations on Mr Jones.

### Application of the Disclosure Standard

In the absence of a 'commercial agreement', there was no obligation under the Standard for Mr Jones to make on-air disclosures of the sponsorship agreement when mentioning Telstra or its products or services in commentary on 2GB, or for the licensee to include the Telstra/MRN agreement in its register of commercial agreements and to notify the agreement to the ABA.

Arguably, 2GB was required to comply with clause 8 of the Disclosure Standard (which concerns the disclosure of payment of production costs) but met this requirement by announcing that the *Alan Jones Program* is 'brought to you by Telstra' as required by the agreement between MRN and Telstra. Telstra's sponsorship of the *Alan Jones Program* is also prominent on the 2GB web site.

### Other findings

#### Compliance with the Advertising Standard

CLC alleged that six Telstra advertisements read live by Mr Jones on 29 August and 8 October 2002 breached the Advertising Standard. The ABA formed the view that the live read advertisements (for five separate products and services) were distinguishable from the rest of the program matter. They contained words and phrases not normally used in general speech or commentary that would be likely to alert a reasonable listener to the fact that the words being spoken were part of an advertisement and not part of the general program material. Listeners are familiar with this type of live read.

#### Compliance with the political matter provisions of the Act

A review of the broadcasts which the CLC complained about supports a finding that 'political matter' was broadcast for the purposes of clause 4 of Schedule 2 to the Act. However, the ABA was not persuaded that Telstra requested and authorised the broadcasting of that political matter within the meaning of

that clause. Therefore, there was no breach of this licence condition.

### Commercial Radio Codes of Practice

Sub-clause 2.2(c) of the codes requires a licensee to ensure when preparing and presenting a current affairs programs that:

... reasonable efforts are made or reasonable opportunities are given to present significant viewpoints when dealing with controversial issues of public importance, either within the same program or similar programs, while the issue has immediate relevance to the community.

On balance, based on the available evidence, the ABA finds no breach of sub-clause 2.2(c) of the codes in relation to the issues of Telstra's service standards and 'watering Australia' with funds from the sale of Telstra, although it is noted that the viewpoints presented were predominantly in favour of Telstra.

Sub-clause 2.2(d) of the codes requires, amongst other things, that 'material is not presented in a misleading manner by ... withholding relevant available facts'.

The ABA reviewed a broadcast on the *Alan Jones Program* on 25 October 2002, in which Mr Jones reacted strongly to criticism of his editorial independence. Mr Jones emphasised the strict legal position that he was not paid directly by Telstra, and made statements such as not being 'on the Telstra payroll' and never 'having a cent from Telstra in my life'.

Although the ABA believes that it was desirable for listeners to have been advised of Mr Jones' options in 2GB, the ABA formed the view that, in general, Mr Jones' listeners would have had

sufficient knowledge of Mr Jones and his equity interest in 2GB to make informed assessments about the claims he made about his relationship with Telstra and his editorial independence.

On balance, the ABA finds the program was not misleading and did not breach sub-clause 2.2(d) of the codes.

### The Compliance Standard

The licensee of 2GB provided the ABA a copy of the Macquarie Staff Handbook and detailed the procedures in place to implement each element of the *Broadcasting Services (Commercial Radio Compliance Program) Standard 2000*. Accordingly the ABA is satisfied that the licensee has observed all requirements of this standard.

### Consideration of possible amendments to standards or codes

The ABA does not consider that the issues raised in this investigation indicate that an amendment needs to be made to the Disclosure Standard. The

The investigation into the *Alan Jones Program* is the third major investigation completed by the ABA following a complaint by the Communications Law Centre, in October 2002, concerning Sydney commercial radio services 2GB and 2UE. The ABA report of *Investigation into matters relating to the control of the 2GB and 2CH licences and report of Investigation into Radio 2UE Sydney Pty Ltd – Sponsorship of Mr John Laws by Telstra Corporation Ltd and NRMA Insurance Ltd* were released in May 2003 and December 2003 respectively.



On 19 April, the ABA released the following news release.

requirement under part 3 of the Standard was specifically designed to provide transparency for listeners by way of on-air disclosure where presenters of current affairs programs have hidden sponsorship arrangements. This is not the situation in this case.

However, the ABA notes that prior to the commercial agreement Alan Jones made a number of on-air statements critical of Telstra, especially with respect to its fees and charges. The dates for these statements are, 17 April, 18 April, 22 April (twice), 23 April (twice), 26 April and 11 July 2002. From 17 July 2002 onwards, however, the material provided to the ABA records Mr Jones making predominantly positive commentary, supporting Telstra's service standards, public image and credibility. It may be noted that Mr Jones' views on the privatisation of Telstra also seem to have changed over time.

Arising from the circumstances of this investigation, the ABA considers that the Commercial Radio Codes of Practice, in particular clause 2.2(c), may need to be amended. The aim would be to provide extra safeguards with respect to accuracy and fairness in current affairs programs in situations where a controversial issue of public importance is being dealt with and where a major advertiser or sponsor of the licensee has a particular interest in that issue. Such an amendment might, for example, require that within that program reasonable efforts are made or reasonable oppor-

tunities are given to present significant viewpoints.

### **Are there any other gaps in regulation?**

The purpose of the Disclosure Standard was to augment the Commercial Radio Codes of Practice, specifically by making possible commercial influences on current affairs presenters visible. As discussed above, it was not intended to deal with all aspects of the potential impact of commercial advertising and sponsorship arrangements on current affairs program content. Rather, the disclosure standard is part of a package of regulatory measures relevant to this question with the Codes of Practice, in particular, governing the conduct of licensees by seeking to ensure that standards of fairness and accuracy are promoted.

In addition to a review of clause 2.2(c) of the code, the ABA considers that there may be merit in reviewing the existing regulatory measures aimed at promoting fairness in news and current affairs coverage. The purpose would be to consider existing measures aimed at achieving a clear distinction between editorial comment and advertising material (including live reads), and to assess whether and how commercial arrangements may impact on other program material. The ABA will raise these matters with Commercial Radio Australia and would welcome wider discussion of these issues.



## Draft report of the investigation

The ABC TV program *Media Watch* obtained a copy of an internal working document relating to the ABA's investigation into Telstra's sponsorship of the *Alan Jones Program* on commercial radio service 2GB Sydney.


The document is in the form of an initial draft report on the investigation. It was prepared by a relatively junior officer of the ABA and submitted to senior ABA staff in December 2003 for clearance to proceed to the ABA board. Senior management did not approve the paper and a substantially different draft was ultimately submitted to the ABA board, in February 2004.

The document obtained by *Media Watch* has not been before the ABA board and does

not represent the views of the board or any of its members.

It contains confidential third party information that has not been provided to relevant parties for comment, as required by law. The ABA asked *Media Watch* to respect the confidentiality of the document, which would appear to have been illegally or improperly supplied to the program.

The ABA's views are canvassed fully in its report of the investigation, *Investigation relating to sponsorship of the Alan Jones program on Radio 2GB pursuant to an agreement between Telstra Corporation and Macquarie Radio Network Pty Ltd*, released in April 2004.

The ABA is investigating the circumstances behind the apparent leakage of an internal working document. 



# Statement by the board of the ABA

The board of the ABA recognises the public concern regarding the impartiality of its Chairman, Professor David Flint and the integrity of the Authority's decisions. Decisions of the ABA involve contentious and controversial issues. The board of the ABA believes that it has maintained an effective and impartial decision making process, and that it will continue to do so.

The ABA's board is responsible for all significant decisions of the Authority. There are seven members of the board, who all have an equal vote. On many issues the board is unanimous. On others there is vigorous debate and a majority decision is reached.

At its meeting on 29 April, the ABA reaffirmed its recent decisions regarding the ownership and control of Sydney radio station 2GB and the content of talkback programs on 2GB and 2UE. Some of these decisions were majority decisions, but the outcome would not have been affected had the Chairman not participated.

While the Authority found no breach of existing rules in relation to Telstra's sponsorship of the *Alan Jones Program* on 2GB, in its report on its investigation the Authority found: 'Arising from the circumstances of this investigation ... the Commer-

cial Radio Codes of Practice ... may need to be amended... to provide extra safeguards with respect to accuracy and fairness in current affairs programs'.

In the report, the ABA also expressed its concern that, 'where an array of communications between a current affairs program and a major corporate sponsor covers both advertising material and program content, it may become more difficult to distinguish clearly between them'.

The ABA found, 'there may be merit in reviewing the existing regulatory measures ... aimed at achieving a clear distinction between editorial comment and advertising material (including live reads)'.

These are major issues for commercial radio, and talkback in particular, and the ABA welcomes public discussion of them.

At the 29 April meeting of the ABA board, serious concern was expressed at the letters written by its Chairman to Mr Alan Jones on the ABA's letterhead.

The Chairman expressed his regret that due to his oversight these letters were not disclosed at the time of the hearing into 2UE in 1999. The Chairman explained that during the final preparations for the hearing he raised with the then ABA General Counsel the fact that he had met one of the witnesses

likely to be called. No formal procedure had been envisaged for presiding members to make declarations, so it was agreed between them that, for more abundant caution, the Chairman would read a statement setting out those meetings. Due to his oversight, only the meetings were included in that statement.

On the broader issue of public perceptions, a majority of the board reiterated its view that ABA members should not comment on matters of public controversy unconnected to the ABA's role.

The ABA is considering complaints from former Senator Richard Alston regarding the coverage of the war in Iraq on the ABC's *AM* program. Notwithstanding Senior Counsel advising that a court would be unlikely to find a case of apprehension of bias in relation to the Chairman's participation, the Chairman has decided to take no further part in the consideration of these complaints, in the interest of preserving public confidence in the integrity and impartiality of the Authority's decisions.

The board of the Australian Broadcasting Authority believes it has operated fairly and effectively during Professor David Flint's term as Chairman and believes it will continue to be able to do so. □



**Revenue for commercial radio licensees increased by 6 per cent in 2002-03, and by 6.7 per cent for commercial television licensees according to the ABA's *Broadcasting Financial Results 2002-03*.**

# Broadcasting financial results for 2002-03

The ABA has released the 2002-03 *Broadcasting Financial Results* for commercial radio and television broadcasters.

The \$774.2 million in revenue generated by the 251 reporting commercial radio licensees represents a 6 per cent increase compared to 2001-02. The 48 reporting television licensees achieved revenue of \$3,451.1 million, a 6.7 per cent increase over the previous year.

'These results show a steady improvement in the financial performance of the radio and television broadcasting industries,' said Professor Flint.

Of the \$3,381.7 million in revenue generated by the three major television networks, the Nine Network and its affiliate licensees accounted for \$1,478.6 million (43.7 per cent of the networks' total), the Seven Network and its affiliate licensees \$1,018.4 million (30.1 per cent) and the Ten Network and its affiliate licensees \$884.7 million (26.2 per cent).

Radio licensees achieved a collective broadcasting profit of \$106.2 million in the 2002-03 financial year (down by 2.1 per cent compared to 2001-02), while the 48 reporting television licensees achieved aggregate profits of \$506.4 million,

23.3 per cent above 2001-02.

As a result of the increases in sector revenue, the commercial broadcasting licence fees collected by the ABA rose to \$216.1 million, up by 5.7 per cent compared to last year's figure of \$204.4 million. The fees are based on annual gross earnings declared by the commercial television and radio sectors.

The ABA collected \$199.8 million in licence fees from commercial television services in 2002-03 (compared to \$188.9 million in the previous year) and \$16.3 million from commercial radio services (\$0.8 million more than in 2001-02). Under the Regional Equalisation Plan, which subsidises television licensees for the cost of introducing digital services in regional areas, rebates totalling \$22.5 million were claimed in December 2003, and offset against television licence fees owing for 2002-03.

Further details on the financial performance of commercial radio and television licensees in metropolitan and regional Australia are available in the 2002-03 *Broadcasting Financial Results*.


## The data

The 2002-03 *Broadcasting*

*Financial Results* contains information provided to the ABA by commercial radio and television licensees. The figures appear as reported, however licence fees are subject to audit by the ABA.

For commercial radio services in metropolitan areas, information is provided on the financial performance of AM and FM services in national, state, capital city and regional markets. For the regional areas, the information is available for larger, medium-sized and smaller markets.

The financial performance of commercial television licensees is broken down by State, mainland capital city, multi-station and solus regional markets and networks.

To maintain the confidentiality of individual licensees, broadcasting financial results are aggregated, meaning that some information, for example a breakdown between AM and FM licensees, is not available for some areas. 

*Broadcasting Financial Results 2002-03* is available on CD or by email from the ABA  
tel. (02) 9334 7700  
price \$550 (including GST).





# Revised guidelines for C and P program classification

The ABA has released a revised *Form ABA 13 Application for C and P Program Classification* and accompanying Guidelines.

The Guidelines are designed to assist applicants for C and P classification. They consist of: *Criteria for a Children's Program; Assessment Procedures for C or P Classification; and Application Requirements.*

As part of its review of the form and Guidelines, the ABA released a discussion paper, in July 2003, which sought comment on the structure, usefulness and general relevance of the Guidelines. There were eight submissions and two letters of support, and the ABA has taken these into consideration. The review was confined to the Guidelines and did not include

the Children's Television Standards.

## The application form

*Form ABA 13 – Application for C and P program classification* must be submitted with all applications. Amendments emphasise that a program may aim at overlapping groups within the C audience. It now invites applicants to submit a resume of their previous production experience.

## Guidelines

*Criteria for a Children's Program* gives the ABA's interpretation of CTS 2(a)–(e), including the factors taken into account when assessing programs.

The 'twens' is now recognised as a distinct segment of

the child audience, as is the overlap in the developmental stages of children in the age ranges of 5–7 years, 7–11 years, and 10–13 years.

*Assessment Procedures for C or P Classification* describes ABA assessment procedures.

Submitters to the review generally endorsed the 'holistic' approach to assessment and reporting which the ABA has pursued over the past two years.

The ABA advises applicants that it is not resourced to provide detailed feedback on current or future projects outside the formal application process, but does provide such feedback early in the production process as part of the provisional classification procedure. Although ABA staff endeavour to provide useful feedback in a timely manner they are not able to provide detailed advice before making a final decision.

*Application Requirements* lists the documentation which must accompany the application form: scripts, tapes and production information.

The ABA has reduced documentation requirements for second series and renewals, and removed the requirement for multiple copies.

Application requirements for Provisional C and Provisional P classification are unchanged.

Applicants for C drama classification are advised that scripts at second draft stage are now accepted. Scripts may also be submitted in smaller blocks, of no fewer than 13, rather than the previous requirement of complete series (or 26 episodes).

Applicants are reminded to advise the ABA of any substantive alterations to character or story development as they occur.

## Accreditation scheme

In the review, the ABA considered implementing an accreditation scheme for experienced children's program producers. There was a general lack of support for the concept and the ABA decided instead to implement streamlined application requirements.



### The Guidelines:

For copies of the revised Guidelines contact the ABA  
 email: [kids@aba.gov.au](mailto:kids@aba.gov.au)  
 tel: (02) 9334 7700, 1800 861 766  
 web site: [www.aba.gov.au/tv/content/childtv/index.htm](http://www.aba.gov.au/tv/content/childtv/index.htm)

### Submissions to the review

Visit: [www.aba.gov.au/tv/content/childtv/assessment/review03/index.htm](http://www.aba.gov.au/tv/content/childtv/assessment/review03/index.htm)



# Television broadcasters meet HDTV broadcasting requirements

From 1 July 2003, the ABC, the SBS and the commercial television broadcasters in Sydney, Melbourne, Brisbane, Adelaide and Perth were required to broadcast a quota (1040 hours per year) of programs on their digital services in high definition. In the first six months of the application of the quota, all broadcasters met and exceeded their quota requirements, calculated on a *pro rata* basis.


A number of popular prime-time programs are broadcast in high definition, including *The Panel*, *White Collar Blue* and *Everybody Loves Raymond* on the Ten Network, *Home & Away*, *All Saints* and *Alias* on the Seven Network and *McLeods Daughters*, *CSI* and *ER* on the Nine Network. These programs have all been produced in the high definition format.

The ABC and the SBS are permitted to 'up-convert' their analog or standard definition digital programs to high definition digital programs. For example, the ABC program, *The Bill*, broadcast in prime-time, has been up-converted to a

high definition format. The SBS has converted all the programs on its main channel to a high definition format (its World News Channel is only broadcast in SDTV).


'It is pleasing to see that the commercial and national television broadcasters met the requirements for broadcasting in high definition, with some broadcasters exceeding the requirements,' said Professor Flint. 'The result for viewers is a high quality viewing experience, with some of the most popular prime-time programs now broadcast in high definition.'

In time, all broadcasters in non-remote areas of Australia will be required to meet the high definition quota of 1040 hours per year, with the obligation commencing for each broadcaster two years after the date that they are required to start broadcasting in digital mode.

The obligation to meet the 1040 hour per year quota applies to all other broadcasters two years after the date on which they are first required to commence broadcasting in standard definition digital mode in an area. 

## Community television in Sydney

On 18 March 2004, the ABA announced that Television Sydney (TVS) Ltd was the successful applicant for the community television licence for Sydney. However, on 19 March 2004, the previous triallist, Community Television Sydney Ltd (CTS), lodged an application in the Federal Court against the ABA's decision to allocate the licence to TVS. On 16 April 2004, the Federal Court dismissed CTS' application and stayed the ABA's decision for seven days. The ABA decided to make spectrum available for this seven day period to allow CTS to continue broadcasting. CTS ceased broadcasting at midnight on 23 April 2004, and TVS became the permanent licensee.

Under the *Broadcasting Services Act 1992*, TVS has 12 months to commence broadcasting from the date of the ABA's decision to allocate the licence, or such longer period notified in writing by the ABA. 



# Recent ABA planning decisions

## Power restriction on Melbourne radio services removed

The ABA has removed a special condition that restricted the operation of three Melbourne FM radio services in the direction of Tasmania.


The three services are the commercial radio service due to be allocated later this year on 91.5 MHz and existing Melbourne community radio services 3TSC on 89.9 MHz and 3SYN on 90.7 MHz

The decision to vary the technical specifications of the three services is contained in a variation to the licence area plan for Melbourne, released today.

The three services were restricted due to the operation of the ABC television service on VHF channel 3 from Mt Barrow, Tasmania. The restriction was imposed because of possible mutual interference between the three radio services (which are all within the frequency range covered by VHF channel 3) and the ABC service. However, as the ABC service ceased operation in

November 2002, the restrictions to the three radio services in Melbourne are no longer required.

The ABA determined the Melbourne licence area plan in June 2000. In the plan the ABA determined the licence area populations of the commercial and community radio licences in the Melbourne licence area plan using 1996 Census data. The ABA has now designated licence areas of the Melbourne commercial radio services and the community radio services for Melbourne, Bacchus Marsh, Camberwell, Melbourne City, Melbourne Eastern Suburbs, Melbourne North West Suburbs, Melbourne South East Suburbs, Melbourne Southern Suburbs, Melbourne West, Melton, Frankston, Mornington, Mountain Districts, Plenty Valley, Sunbury, Waverley, Werribee and Yarra Valley using 2001 Census data.

The variation to the Melbourne licence area plan is available from the ABA web site or tel. 1800 226 667. 

## Smithton transmitter and power increase for Burnie radio services

The ABA has made additional channel capacity available in the FM band on 94.5 MHz for the existing commercial AM service 7BU Burnie, to operate a translator in Smithton, Tasmania.

It has also decided to vary the technical operating conditions of FM commercial radio service 7SEA Burnie to allow an increase in power from 8 kW to 20 kW.


The decisions are contained in a variation to the radio licence area plan for Burnie, released today.

The additional FM channel capacity has been planned by the ABA under the Commercial Radio Blackspots Program. This program is an Australian Government initiative which will provide \$5 million over three years to deliver new or improved commercial radio services to regional and remote communities where it has not

been commercially viable for licensees to provide coverage. The Program will ensure that greater access to commercial radio services is provided to a large number of people located in regional and remote Australia.

Commercial Radio Australia (CRA) has identified Smithton/Stanley in the Burnie commercial licence area as a radio blackspot area for the existing 7BU AM radio service.

In December 2001, the ABA determined the Burnie radio licence area plan. The licence areas in the plan were determined using 1996 Census data. The ABA has now designated the Burnie commercial radio licence area and the Wynyard community radio licence area using 2001 Census data.

The variation to the Burnie licence area plan is available from the ABA web site or tel. 1800 226 667. 



## FM channel available for community radio service in Yarraman

The ABA has decided to make channel capacity available for a community radio service at Yarraman Queensland. The service will operate on 99.7 MHz from Millar Street, Yarraman. The ABA will be calling for applications for this service at a later date.

The decision is contained in a variation to the radio licence area plan for Kingaroy.

Since July 2002, the Yarraman and District Historical Society Inc., (YDHS) has been operating on a temporary community broadcasting licence, using the frequency 99.7 MHz. YDHS has expressed interest in obtaining a permanent community radio licence to serve the town of Yarraman.

Although temporary community broadcasting licences confer no rights nor indicate any

ABA preference for a group to be granted a permanent community radio service, the ABA believes that the new permanent community radio service will attract applications.

The ABA determined the Kingaroy licence area plan in October 1998. In the plan, the ABA designated the licence area populations of the Kingaroy commercial and Gayndah, Cherbourg and Wondai com-

munity radio broadcasting licences using 1996 Census figures. The licence areas have now been designated using 2001 Census figures. The licence area for the new community radio service in Yarraman has also been defined using 2001 Census figures.

The variation to the Kingaroy licence area plan is on the ABA web site or tel. 1800 226 667 for a copy.

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## Variation to digital channel plans for national services at the Gold Coast

The ABA has released a variation to the digital channel plan for Gold Coast to incorporate changes to the technical specifications of the national digital television services to operate from Mt Tamborine, Gold Coast.

The variation to the digital channel plan will permit an increase in the antenna height for the ABC and SBS digital television services at Mt Tamborine, together with a change of radiation pattern. The changes will accommodate a major infrastructure upgrade, which is intended to improve digital television coverage.

The decisions in this variation only affect the digital television services; analog television reception on the Gold Coast will be unaffected. To access the improved reception, viewers

will require a digital set-top box or digital television. The national television services, ABC and SBS, are expected to change their digital transmissions at Mt Tamborine sometime between July and September 2004, in conjunction with the commencement of the commercial digital services.

The ABA's decisions are contained in the explanatory paper and variation to the national digital channel plan for Gold Coast, available on the ABA's web site at [www.aba.gov.au/tv/digitaltv/planning/qld/index.htm](http://www.aba.gov.au/tv/digitaltv/planning/qld/index.htm) or tel. 1800 810 241.

### **The conversion scheme**

Schedule 4 to the Broadcasting Services Act sets out arrangements for the

conversion, over time, of the transmission of television broadcasting services from analog mode to digital mode. The ABA is required to formulate two schemes for conversion – a commercial television conversion scheme, and a national television conversion scheme.

The *Commercial Television Conversion Scheme* and the *National Television Conversion Scheme* empowers the ABA to make or vary digital channel plans for commercial and national services respectively.

### **Digital channel plans**

The ABA finalised the digital channel plans for Brisbane and Toowoomba in July 1999 and these were varied in September 2000 to include the allotment

and assignment of digital repeater channels at the Gold Coast and Sunshine Coast. The allotment of digital channels at Toowoomba was also removed.

In May 2003, the ABA released a draft variation to the digital channel plans for Brisbane, Gold Coast and Sunshine Coast and finalised a variation in August 2003 that incorporated changes to the technical specifications of the commercial digital television services at Mt Tamborine. The final digital channel plan for the commercial services reflected an antenna height of 102 metres. The ABA did not finalise the digital channel plans for the national services, as the national broadcasters were undecided about a change to the proposed technical specifications.





## Changes to Warrnambool radio services

The ABA has decided to change the transmitter site and technical specifications of commercial radio service 3YB Warrnambool.

The ABA also decided to extend the licence area of the existing community radio service 3WAY Warrnambool and designate both the community and commercial radio licence areas against the 2001 Census boundaries.

The ABA's decisions are contained in the varied licence area plan for Warrnambool.

3YB currently operates on 882 kHz on the AM band from Bushfield on a maximum CMF (cymotive force) of 630V directional. The ABA decided to allow the transmitter to be moved to an alternative site at Blighs Road, Purnim, approximately 14 km NE of the existing transmitter site.

The variation also allows for the CMF to increase from 380V to 450V in the sector 180-230 degrees.

The extension to the licence area of the 3WAY community radio service follows a decision made by the ABA in 2001 to extend the licence area to include the towns of Mortlake, Terang, Camperdown, Cobden, Timboon, Port Campbell and Peterborough. At the time the

decision was not put into effect in the legislative instrument.

In December 2001, the ABA designated the licence areas within the Warrnambool licence area plan using 1996 Census data. The ABA has now redesignated the licence areas using 2001 Census data.

The variation to the Warrnambool licence area plan is available from the ABA web site, [www.aba.gov.au](http://www.aba.gov.au), or tel. 1800 226 667.

## Variation to digital channel plans north coast and inland NSW

The ABA has released details of the channels the existing national television broadcasters will use for their digital transmissions at six locations in New South Wales (Dungog, Gloucester, Mudgee, Kandos, Laurieton and Upper Hunter).

The channels are contained in a variation to the digital channel plans for the North Coast of New South Wales and Inland NSW. An explanatory paper, which discusses issues raised in submissions and explains the reasons for each decision, accompanies the national digital channel plans.

'In finalising these plans the ABA weighed up a number of important factors. These include the aim of spectrum efficiency, the need to minimise any changes that viewers will have to make to their existing reception equipment to receive digital broadcasts and the desirability of broadcasters being able to use their existing transmission facilities to broadcast their digital television services,' said Professor Flint.

The explanatory paper and the variations to the relevant digital channel plans are on the ABA's web site, [www.aba.gov.au](http://www.aba.gov.au), or tel. 1800 810 241.

### The conversion scheme

Under the arrangements for the conversion scheme, the ABA is required to formulate two schemes – a commercial television conversion scheme

(CTCS), and a national television conversion scheme (NTCS).

The CTCS commenced on 9 June 1999. The NTCS was approved by the Minister for Communications, Information Technology and the Arts on 2 February 2000, and commenced on that date.

#### Locations for additional digital television repeater services

Location	Transmission site	Location	Transmission site
<b>Inland New South Wales</b>		<b>North coast of New South Wales</b>	
Mudgee	Endicott Hill	Laurieton	Jolly Nose Hill
Kandos	Baldy Peak	Gloucester	Kiaora Lookout
		Upper Hunter	Rossgole
		Dungog	Coorei Hill



## Expression of interest for a new digital television service in Mildura

Mildura Digital Television Pty Ltd has expressed interest in providing a third commercial television service in the Mildura/Sunraysia licence area.

The Broadcasting Services Act provides for the allocation of an additional commercial television broadcasting licence to licensees in markets where there are two commercial television licences.

Mildura Digital Television Pty Ltd is jointly owned by the existing commercial television licensees in Mildura, WIN Television Mildura Pty Ltd and Prime Television (Victoria) Pty Ltd.

Mildura Digital Television Pty Ltd has 12 months to apply for the additional commercial television licence from the designated time of 19 January 2004, set by the ABA.

The proposed new commercial television service will cover the same area as the current licensees' existing television services.

### Second commercial television licences

Section 38B Broadcasting Services Act streamlines the process of allocating a second commercial television licence to licensees in markets where there are two commercial television licences, as long as neither of the existing licences

was allocated under section 38A of the Act. The existing licensees may apply for a licence either as a joint venture company or separately.

### Licence allocation

There are two steps in applying for a section 38B licence.

First, the existing licensees may give the ABA a single or joint 'written notice' stating that they will apply for an additional licence in the licence area within 90 days after the designated time for the licence area.

Second, the joint-venture company or single applicant may apply in writing to the ABA for an additional licence within 12 months after the designated time for the licence area.

In accordance with the legislation, the ABA must allocate an additional licence to a joint venture company under section 38B if the ABA is satisfied that the company is jointly owned by the existing licensees.

If the ABA receives applications from both of the existing licensees, it must allocate the licence under a price-based allocation system determined by the ABA.

If the ABA receives only one application from an existing licensee, it must allocate the additional licence to that licensee.

## Investigation into adult satellite services

The ABA has released terms of reference for an investigation into 'adult services' being broadcast into Australia from overseas via satellite. The ABA has received complaints concerning the apparent availability of 'pornography' on these adult services.

'The broadcasting of program material that has been refused classification, or has been classified as 'X' by the Office of Film and Literature Classification is prohibited,' said Professor Flint. 'A formal investigation will enable the ABA to consider all relevant material and reach a view on whether there has been a breach of the Broadcasting Services Act.'

The 'adult services' being investigated include: Free-XTV and Backroom, Sexz.TV and BlueKiss.

The investigation will be conducted into the following matters:

- a) Into which category of broadcasting service, listed in section 11 of the Broadcasting Services Act, do these adult services fall?
- b) What person or persons provide these adult services?
- c) Do these services comply with the Broadcasting Services Act and any applicable licence conditions and codes of practice, or any international cooperative agreements, particularly with regard to program content?
- d) What action, if any, should the ABA take in relation to its findings on the matters listed in paragraphs (a) to (c) above?

The ABA will seek further information from service providers before finalising a report.

The terms of reference are available on the ABA web site, [www.aba.gov.au](http://www.aba.gov.au).





## Discussion paper for radio services in Launceston

The ABA has released a discussion paper on the use of available FM channels in the Launceston area. The ABA is particularly interested in the potential for FM commercial services in the Launceston market which currently only has commercial radio broadcasting services operating in the AM band.

The paper also invites submissions on whether channel capacity should be made available for an additional community radio service in Launceston.

'Before releasing a draft licence area plan variation for Launceston, the ABA is interested in receiving comments on the issues and the options for introducing FM radio services to the Launceston market,' said Professor Flint.

FM radio channels have become available in Launceston after the ABC turned off its television service on VHF channel 3 in North East Tasmania (Mt Barrow). This service now operates on the UHF band. The additional FM channels are available as VHF channel 3 overlaps the FM radio band.

Closing date for comment on the discussion paper was 30 April 2004.

'The ABA's proposal follows consideration of a request from the licensee, North East Tasmania Broadcasters Pty Ltd, to enable it to resolve reception deficiencies in the region,' said Professor Flint.

The additional FM channel capacity has been planned by the ABA under the Commercial Radio Blackspots Program.

The proposals are contained in the draft variation to the Scottsdale radio licence area plan. The closing date for comment was 23 April 2004. The draft variation to the Scottsdale radio licence area plan and explanatory paper are on the ABA's web site or tel. 1800 810 241 for a copy.

## Changes proposed for Emerald radio services

The ABA is proposing to make FM channel capacity available for the 4HIT Emerald commercial radio service in Blackwater and Middlemount, Queensland.

'The ABA's proposal follows consideration of a request from the licensee, DMG Regional Radio, to enable it to resolve reception deficiencies in the region,' said Professor Flint.

The additional FM channel capacity has been planned by the ABA under the Commercial Radio Blackspots Program.

The ABA also is proposing to make FM channel capacity available to the ABC in Emerald for two future national radio services, and to change the operating conditions of the Moranbah and Woorabinda community radio services to extend their licence areas.

## Draft variation to Scottsdale radio licence area plan

The ABA is proposing to make FM channel capacity available for the Scottsdale commercial radio service 7RGS in Weldborough, Tas.

### C and P programs

*Programs granted C and P classification between 15 March and 21 April 2004. Producers interested in submitting programs for classification should contact the ABA's Children's Television section on (02) 9334 7700.*


Program title	Origin	Class.	New/renewal	Decision dated	Applicant
Girl TV	Australia	C	new	15.4.2004	Southern Star Entertainment Pty Ltd
High Flyers (series 1)	Australia	CD	renewal	30.3.2004	Southern Star Entertainment Pty Ltd
New Macdonald's Farm (series 1)	Australia	P	new	8.4.2004	Pacific And Beyond Pty Ltd
Parallax (series 1, eps 1-13)	Australia	CD	new	31.3.2004	Great Western Entertainment Pty Ltd
Pig's Breakfast (series 1)	Australia	CD	renewal	8.4.2004	Southern Star Entertainment Pty Ltd
The Big Arvo (series 11)	Australia	C	new	19.3.2004	Seven Network Ltd
The Big Arvo (series 12)	Australia	C	new	19.3.2004	Seven Network Ltd
Totally Wild (series 13)	Australia	C	new	30.3.2004	Network Ten Pty Ltd
Zoom	Australia	PRP	new	19.3.2004	Galaxy Pop Pty Ltd

C — children's program, CD — C drama, P — preschool, PRC — provisional C, PRP — provisional P Class. — Classification

### Discussion paper

The discussion paper is on the ABA web site, [www.aba.gov.au](http://www.aba.gov.au), or tel. 1800 810 241 for a copy.



The closing date for comment was 23 April 2004. The draft variation to the Emerald radio licence area plan along with an explanatory paper are on the ABA's web site or tel. 1800 810 241 for a copy. 

### **Additional transmitters proposed for Mackay radio services**


The ABA is proposing to make FM channel capacity available for the Mackay commercial radio services 4MKY in Glenden and 4MMK in Nebo and Clairview/St Lawrence, Queensland.

'The ABA's proposals follow consideration of a request from the licensee of the services, DMG Regional Radio, to enable it to resolve reception deficiencies in the region,' said Professor Flint.

The additional FM channel capacity has been planned by the ABA under the Commercial Radio Blackspots Program.

The ABA also proposes to make FM channel capacity available to the ABC in Mackay for a future national radio service.

'This is part of the ABA's ongoing commitment to reserve channel capacity for the possible 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,' said Professor Flint.

The proposals are in the draft variation to the Mackay radio licence area plan. The closing date for comment was 23 April 2004. 


### **FM channel proposed for 4AMM at Ravenshoe**

The ABA is proposing to make FM channel capacity available for the Atherton commercial

radio service 4AMM in Ravenshoe, Queensland.

'The ABA's proposal follows consideration of a request from the licensee, Tablelands Broadcasting Pty Ltd, to enable it to resolve reception deficiencies in the area,' said Professor Flint.

The additional FM channel capacity has been planned by the ABA under the Commercial Radio Blackspots Program.

The proposals are contained in the draft variation to the Atherton radio licence area plan released for public comment. The closing date for comment on the additional proposals was 23 April 2004. The draft variation to the Atherton radio licence area plan along with an explanatory paper are on the ABA's web site or tel. 1800 810 241 for a copy. 

### **AFTRS and IT Skills Hub address iTV training needs**

The Australian Film Television and Radio School (AFTRS) and IT Skills Hub have joined forces to create a national training initiative designed for the rapidly emerging digital interactive television (iTV) industry and related services.

The Interactive Television Skills Advisory Group (ITSAG) has been formed and their first step is a move towards a nationwide scoping study to identify specific training requirements.

For more information contact: Rebecca Zipser, AFTRS Publicity, tel. 02 9805 6629.

Email: rebecca.zipser@aftrs.edu.au,

Lisa Interligi, IT Skills Hub, tel. 03 9665 5600


Email: lisa.interligi@itskillshub.com.au 

#### **For copies of the draft**

The draft variation to the Mackay radio licence area plan along with an explanatory paper are on the ABA's web site or tel. 1800 810 241 for a copy.

### **Temporary community broadcasting licences**

Allocated from 16 March to 27 April 2004.

<i>Area served</i>	<i>Licensee</i>	<i>Frequency</i>	<i>Period</i>	<i>Date allocated</i>
<b>New South Wales</b>				
Gosford	Radio Yesteryear Inc.	94.9 MHz	1.4.2004 to 31.5.2004	19.3.2004
Lismore	North Coast Radio Inc.	92.9 MHz	1.4.2004 to 30.9.2004	26.3.2004
Braidwood	Braidwood FM Inc.	94.5 MHz	1.5.2004 to 31.7.2004	8.4.2004
<b>Northern Territory</b>				
Alice Springs	Charles Darwin University	102.1 MHz	20.3.2004 to 19.3.2005	18.3.2004
<b>Tasmania</b>				
Oatlands	Southern Midlands Community Radio Station	97.1 MHz	5.5.2004 to 4.5.2005	8.4.2004 





## 2LVR Lachlan Valley

### Policy and procedures in place outlining mechanisms to facilitate internal conflict resolution

#### **The complaint**

On 5 December 2003 the ABA received a complaint from a member of the Lachlan Valley Community Radio Inc. (2LVR). The complainant believed that the licensee was in breach of the requirements of Community Broadcasting Code of Practice 2002 concerning the resolution procedures 2LVR had in place to deal with complaints from members.

#### **Decision**

The ABA determined that on 5 December 2003 the licensee of 2LVR, Lachlan Valley Community Radio Inc., was in breach of clause 6.2 of the Community Broadcasting Code of Practice 2002, as it did not have a written policy and procedure in place with mechanisms to facilitate conflict resolution within the organisation.

#### **Action taken**

The licensee expressed its willingness to fulfil its

responsibilities under the code. The licensee subsequently provided:

- draft amendments to the organisation's constitution, to include new clauses on disciplining of members
- a copy of a document, *Procedures for Internal Disputes*, which outlines station volunteers' rights
- a copy of a document, *Conflict Resolution for Internal Disputes*, and
- a copy of minutes of a general meeting of the organisation held on 25 February 2004, showing that at that meeting a set of guidelines for the resolution of internal conflicts was tabled and accepted unanimously after discussion.

This is the second occasion on which the ABA has found the licensee to be in breach of its obligations in relation to internal conflict resolution procedures. The previous occasion was on 17 May 2001.

However, the ABA notes the licensee's action taken at its meeting of 25 February 2004. In light of this, the ABA intends to take no further action in respect of this finding of breach.

#### **Investigation reports : breach findings**

To view the full report on these investigations, go to the ABA web site:  
[www.aba.gov.au/tv/investigations/breach\\_findings/](http://www.aba.gov.au/tv/investigations/breach_findings/) or  
[www.aba.gov.au/radio/investigations/breach\\_findings/](http://www.aba.gov.au/radio/investigations/breach_findings/)  
where the reports are arranged according to month of completion.



## 4CBL Logan City

### Broadcasting advertisements and broadcasting sponsorships in excess of five minutes per hour

#### The complaint

On 17 November 2003 the ABA received a complaint that the licensee of 4CBL, Radio Logan Inc., was broadcasting advertisements and sponsorship announcements that ran for more than five minutes in the hour.

#### Decision

The ABA determined that the licensee breached paragraph 9(1)(b) of Schedule 2 to the Act by broadcasting :

- an advertisement for Jo Jo Zep and the Falcons concerts during the *Morning Magazine* program on 7 November 2003
- three advertisements for Black & White Cabs and one advertisement for the Centre for Business and Industry during the *Drive* program on 7 November 2003
- advertisements for Crandon Wesche Financial Planners in the financial advice segments of the *Morning Magazine* program on 25 No-


vember, 2 December and 9 December 2003

- sponsorship announcements that ran in total for more than five minutes in the hour from 11 am to noon on 7 November 2003 and
- sponsorship announcements that ran in total for more than five minutes in the hour from 5 pm to 6 pm on 7 November 2003.

#### Action taken

In response to the ABA's finding, the licensee advised that:

- the sales manager and the production department have been cautioned with respect to sponsorship time limits
- the station manager is also now overseeing the matter and
- the opener and closer for the 28-second Crandon Wesche announcement have been altered to comply with the requirements relating to the broadcast of advertisements.

The ABA will continue to monitor the licensee's compliance with its licence conditions. 

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## 4CBL Logan City

### Policy and procedures in place outlining mechanisms to facilitate internal conflict resolution

#### The complaint

On 23 December 2003 the ABA received a complaint that the licensee of community radio service 4CBL Logan City, Radio Logan Inc., had no conflict resolution policy in place.


#### Decision

The ABA determined that on 23 December 2003 the licensee, Radio Logan Inc. was in breach of clause 6.2 of the Community Broadcasting Code

of Practice, as it did not have a written policy and procedure with mechanisms to facilitate conflict resolution within the organisation.

#### Action taken

The ABA notes the licensee's intention to have a internal conflict resolution policy and procedure document accepted by management and adopted by its members by the end of April 2004.

In light of this, the ABA intends to take no further action in respect of its finding of breach. 

## The ABA in Brisbane

The ABA visited Brisbane in April, holding an industry reception on 14 April, and regular board meeting on 15 April. The auction for the new FM commercial radio licence was conducted on the afternoon of 15 April.



L-R: Dr Maureen Burns; Professor Stuart Cunningham (Queensland University of Technology), Malcolm Long (ABA Member)



L-R: Tony Stower (BTQ Brisbane), Dr Alan McKee (QUT), Robert Osmotherly (TVQ Brisbane)



L-R: Axel Bruns (QUT), Abdullah Khayrallah (QUT), Terry Flew, (QUT), John Boshier (ABA Director Planning)



L-R: Cynthia Ciuffetelli; Robert Le Tet (ABA Member), David Flint (ABA Chairman), Derek Lancashire (Briz 31)



L-R: Andree Wright (ABA Director Industry Performance and Review), Jack Shelbourn (ACA), John Kington (ACA)



L-R: Michael Gordon-Smith (ABA Member), Tom O'Regan (University of Queensland)



L-R: Sandra Koller (ABA Manager Legal), Maria Vassiliadis (ABA Manager Licensing), Chris Wordsworth (ABC Brisbane)



L-R: Stephen Atkins (ABA Licensing section), Gina Herro (ABA Assistant Manager Licensing), Matthew Verdouw (Briz 31)

# International broadcast & media briefs

A monthly summary of web-based news

May 2004

## Asia

### **New CASBAA data confirms industry growth**

This is the first aggregated data endorsed on an industry-wide basis on the Asia Pacific pay TV market with newly calibrated estimates of advertising revenues. More: [www.casbaa.com/press\\_releases/press\\_content.asp?press\\_id=57](http://www.casbaa.com/press_releases/press_content.asp?press_id=57)

### **ABU to launch MW digital radio showcase project**

The ABU, Digital Radio Mondiale and National Broadcasting Services of Thailand plan a digital medium wave radio showcase project for Bangkok. Source: [www.abu.org.my](http://www.abu.org.my)

## Europe

### **EU reviewing plan to track digital rights**

The European Union is examining more efficient ways for collecting societies to amass levies on behalf of authors, composers, musicians and other copyright holders in the digital age. Source: [variety.com](http://variety.com) 20 April 2004

### **Gemstar-TV Guide partners Nielsen on EPG**

Gemstar-TV Guide is partnering Nielsen Media Research in a consumer-research trial on how viewers use EPGs and their impact on television viewing habits. Source: [www.itvt.com](http://www.itvt.com)

### **Fusion Digital Technology Releases Freeview DVR**

Fusion Digital Technology has released its long-awaited DVR, which is designed for use with Freeview. Source: [www.itvt.com](http://www.itvt.com)

### **Phase 1 of the Public Service Broadcasting Review**

The report, published by Ofcom and the first of its kind, draws on a broad range of audience research. More: [www.ofcom.org.uk/media\\_office/latest\\_news/nr\\_20040421](http://www.ofcom.org.uk/media_office/latest_news/nr_20040421)

### **Jowell under fire over analog switch-off plan**

Media Secretary Tessa Jowell insists the government is on target to turn off the analog signal by 2010. More: [www.broadcastnow.co.uk](http://www.broadcastnow.co.uk)

### **Regional production and program definitions**

Ofcom has announced new definitions for regional production and regional programs that will apply to all public service broadcasters from January 2005. More: [www.ofcom.org.uk/media\\_office/latest\\_news/nr\\_20040406](http://www.ofcom.org.uk/media_office/latest_news/nr_20040406)

### **Ofcom publishes report on digital switchover**

More: [www.ofcom.org.uk/research/dso\\_report/](http://www.ofcom.org.uk/research/dso_report/)

### **CRCA: bring BBC under external regulation**

The Commercial Radio Companies Association has called for the BBC to be brought under independent external regulation. More: [www.broadcastnow.co.uk](http://www.broadcastnow.co.uk)

### **Consumers are at the core of digital switchover**

Although most people are happy to go digital in the next few years, they are not convinced by the case for switchover. More: [www.digitaltelevision.gov.uk/publications/pub\\_attitudes\\_to\\_switchover.html](http://www.digitaltelevision.gov.uk/publications/pub_attitudes_to_switchover.html)

## C4I signs Aussie deals

Channel 4 International has signed two major package deals with Australian pay TV channels at this year's MIPTV. More: [www.broadcastnow.co.uk](http://www.broadcastnow.co.uk)

## ITV and C4 call for BBC indie reforms

ITV and Channel 4 are calling for the BBC to strengthen the indie sector by setting up an independent commissioning arm and raising its external production quota to 50 per cent. More: [www.broadcastnow.co.uk](http://www.broadcastnow.co.uk)

## New Zealand

### **New Zealand launches Maori TV channel**

New Zealand has launched its first nationwide Maori language television channel. Source: [www.abu.org.my](http://www.abu.org.my)

### **TVNZ welcomes report on television violence**

TVNZ has also made a strong commitment to reduce the violence portrayed in program promotions. More: [www.scoop.co.nz/mason/stories/CU0404/S00006.htm](http://www.scoop.co.nz/mason/stories/CU0404/S00006.htm)

## US

### **Powell sticks to indecency guns**

FCC chairman Michael Powell has said the recent spate of indecency fines represents increased enforcement in response to a surge of public concern. Source: [variety.com](http://variety.com) 20 April 2004

### **DTV coalition pushes satellite HDTV**

A new digital-transition coalition will lobby for the speedier rollout of digital television service and the resulting reclamation of analog spectrum for resale. More: [www.broadcastingcable.com](http://www.broadcastingcable.com)

### **Nielsen tests sports service**

Nielsen Media Research is testing a new service to gauge the impact of in-game ads and promos on television sports watchers. More: [www.broadcastingcable.com](http://www.broadcastingcable.com)

### **UHF face fee hikes**

The FCC has proposed annual regulatory fees for all the telecom licensees it regulates. More: [www.broadcastingcable.com](http://www.broadcastingcable.com)

### **Nielsen tracks new boys club**

Nielsen Entertainment and videogame publisher Activision have combined to expand audience research in the videogame sector. More: [www.variety.com](http://www.variety.com)

### **New move in fight against satellite interference**

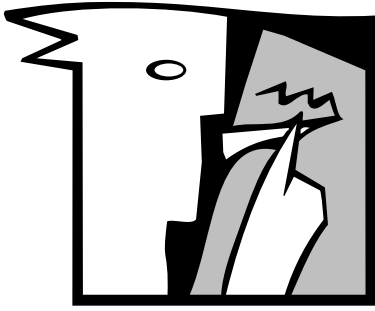
The World Broadcasting Unions International Satellite Operations Group (WBU-ISOG) has unanimously approved a set of universal access procedures for all satellite uplinks aimed at significantly reducing satellite interference. Source: [www.abu.org.my](http://www.abu.org.my)

### **Powell wants decency code**

FCC chairman Michael Powell has urged broadcasters to revive a code of conduct to self-police the airwaves and provide more family-friendly viewing. Source: [www.broadcastingcable.com](http://www.broadcastingcable.com)







## Conference diary

- ▶ **ISCE 2004, 1–4 June, California**  
International Satellite and Communications Conference. The key business sectors which ISCe focuses on include: satellite communications, broadcasting, broadband, homeland security and global navigation satellite systems. Contact: Art Paredes, Tel: +1 310 410 9191 Email: art@hfusa.com Web: www.isce.com
- ▶ **WCA 2004, 1–4 June, Washington**  
Wireless Communications Association International. 🏠 Marriott Wardman Park Hotel, Washington DC. Contact: Tel: +202 452 7823 Fax: +202 452 0041 Web: www.wcai.com
- ▶ **Mobile entertainment market, 2–3 June, London**  
Presented by IBC and Mobile Media newsletter. 🏠 Business Design Centre, London. Contact: Web: www.telecoms.com
- ▶ **Defining European HDTV, 3 June, London**  
Managing Europe's high definition transition. 🏠 National Film Theatre, South Bank, Waterloo, London. Contact: Tel: + 44 1923 690677 Fax: +44 20 8940 6009 Web: www.tvconferences.com/
- ▶ **Wireless Connectivity World, 8–10 June, Amsterdam**  
Wireless Connectivity world (WiCon World) is for the short-range wireless marketplace, for both vertical market IT & component purchasers and systems integrators. Contact: Web: www.ibctelecoms.com/bluetoothworldcongress/
- ▶ **Prix Jeunesse International, 13–19 June, Munich**  
Children's Television Festival, 🏠 Bayerischer Rundfunk, Munich, Germany. Contact: www.prixjeunesse.de
- ▶ **Australian Broadcasting Authority Conference 2004, 23–24 June, Canberra**  
Fourth Annual Conference. 🏠 Hyatt Hotel Canberra. Web: www.aba.gov.au Email: aba@con-sol.com (see pages 22, 23).
- ▶ **Digital Generations: Children, young people and new media, 26–29 July, London**  
The conference will present the most exciting and challenging new research on children, young people and new digital media. 🏠 Institute of Education, University of London, England. Contact: www.ccsnline.org.uk/mediacentre/Events/main.html
- ▶ **AIBD General Conference, 26–29 July, Colombo**  
Asia Pacific Institute for Broadcasting Development. Contact: Tel: +60 3 2282 4618, 2282 3719; Fax: +60 3 2282 2761 Web: www.aibd.org.my/
- ▶ **19th SPAA Conference, 8–10 August, Gold Coast**  
🏠 Sheraton Mirage, Gold Coast Queensland  
Contact: www.spaa.org.au
- ▶ **The Australian Library and Information Association Biennial Conference 2004, 21–24 September, Gold Coast**  
The theme of the conference will be 'Challenging ideas'. 🏠 Gold Coast Convention & Exhibition Centre, Queensland. Contact: www.alia.org.au/conferences/alia2004
- ▶ **Communications Research Forum 2004, 29–30 September, Canberra**  
Organised by the Communications Research Unit of the Department of Communications, Information Technology and the Arts, this event is now in its twelfth year. 🏠 Old Parliament House in Canberra. Contact: Communications Research Unit, GPO Box 2154, Canberra ACT 2601. Email crf.mail@dcita.gov.au Web: www.crf.dcita.gov.au



TUESDAY 22 JUNE 2004

<b>6 pm</b>	<b>Welcome reception and registration</b> The Atrium, Hyatt Hotel, Canberra
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WEDNESDAY 23 JUNE 2004

<b>7.30</b>	<b>Registration/coffee</b>
<b>8.30 – 9.30</b>	<b>Introductions</b> <b>Professor David Flint</b> Chairman, Australian Broadcasting Authority <b>The Hon. Daryl Williams AM QC MP</b> Minister for Communications, Information Technology and the Arts
<b>9.30 – 10.15</b>	<b>Morning break</b>
<b>10.15 – 12.15</b>	<b>Future Choices</b> <b>A look at big issues likely to confront the industry and its regulators over the coming years</b> <b>Convenors:</b> Michael Gordon-Smith, Member ABA and Malcolm Adler, Director KPMG
<b>12.15 – 1.15</b>	<b>Lunch</b> <b>20 questions: Q &amp; A with today's regulators</b>
<b>1.15 – 3.15</b>	<b>The Consequences of Technological Change</b> <b>A US Regulator's Point of View</b> <b>Dr Robert Pepper</b> Chief of Policy Development, Federal Communications Commission (FCC) <b>The Strategic Issues Facing Business</b> <b>George Colman</b> Managing Director Media Research, Citigroup Global Markets <b>Alex Lambeek</b> General Manager Nokia Mobile Phones Australia <b>Kim Williams</b> Chief Executive, FOXTEL <b>Convenor:</b> Ian Robertson, Member ABA
<b>3.15 – 4.00</b>	<b>Afternoon break</b> <b>20 questions:</b> An opportunity for question time with Dawn Airey and Robert Pepper
<b>4.00 – 5.30</b>	<b>Fair, Accurate and Biased</b> <b>The Hon. Nick Greiner AC</b> Chairman ASTRA <b>Professor John Hartley</b> Dean, Creative Technologies, Queensland University of Technology <b>Professor Bob Miller</b> General Manager, Radio 2UE Sydney Pty Ltd <b>Convenor:</b> Malcolm Long, Member ABA
<b>7.30</b>	Join us for dinner at the <b>National Press Club</b> Guest speaker: <b>Richard Ackland</b>

REGISTRATION: [www.aba.gov.au/conf04/registration](http://www.aba.gov.au/conf04/registration)

This program is subject to change: please check details regularly.

THURSDAY 24 JUNE 2004

8.30	<b>Registration/coffee</b>
9.00-10.30	<p><b>Sports Rights: Trends, Issues and Forecasts for Sports Programming</b></p> <p><b>Ben Buckley</b> General Manager of Broadcasting, Strategy and Major Projects, AFL  <b>David Leckie</b> Chief Executive Officer, Broadcast Television, Seven Network  <b>Harold Mitchell AO</b> Chairman, Mitchell and Partners  <b>John O'Neill</b> Chief Executive, Australian Soccer Association  <b>Convenor:</b> Lyn Maddock, Deputy Chair ABA</p>
10.30 – 11.15	<p><b>Morning break</b>  <b>20 questions:</b> An opportunity for question time with Dawn Airey and Robert Pepper</p>
11.15 – 1.00	<p><b>Programming, Advertising and Audiences</b></p> <p><b>A View from the Top</b>  <b>Dawn Airey</b> Managing Director, Sky Networks</p> <p><b>Business Challenges and Regulatory Tensions</b>  <b>David Gyngell</b> Deputy Chief Executive Officer Nine Network Australia  <b>Bernard Salt</b> Partner Property KPMG Australia  <b>Paul Thompson</b> Chief Executive DMG Radio Australia  <b>Convenor:</b> Jane Marquard, Member ABA</p>
1.00 – 2.00	<b>Lunch</b>
2.00-3.30	<p><b>The Direction of Broadcasting and Communications Regulation</b></p> <p><b>The Ofcom Experience</b>  <b>Stephen Carter</b> Chief Executive, Ofcom</p> <p><b>The Wisdom of Hindsight – What the expert regulators think we should do now</b>  Former chairs of the Australian Broadcasting Authority &amp; Australian Broadcasting Tribunal:  <b>Brian Johns</b> and <b>Deirdre O'Connor</b>  <b>Convenor:</b> <i>To be confirmed</i></p>
3.30	<b>Close</b>

**Using feedback from last year, this year's conference has been designed to provide participants with insights they wouldn't get otherwise. The program's conversational formats feature decision-makers and top-level thinkers and will encourage audience participation. In addition to the 2 day program, there will be opportunities to discuss issues, observe technical developments and hear updates from senior ABA staff.**

The ABA's engineers will be available to explain and answer questions on planning issues. They will demonstrate the capability of the broadcast planning software tools used to plan radio and analog and digital television services, and the technical surveying facilities available in the ABA broadcasting survey vehicle.

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# ABA CONFERENCE 2004

23 – 24 JUNE, HYATT HOTEL, CANBERRA



## SESSIONS

- FUTURE CHOICES: A look at big issues likely to confront the industry and its regulators over the coming years
- THE REGULATORS: THE viewpoint of those who've done it and the Ofcom model
- FAIR, ACCURATE AND BIASED
- PROGRAMMING, ADVERTISING AND AUDIENCES
- THE CONSEQUENCES OF TECHNOLOGICAL CHANGE FOR BUSINESS AND REGULATION
- SPORTS RIGHTS: TRENDS, ISSUES AND FORECASTS FOR SPORTS PROGRAMMING

PROGRAM: [www.aba.gov.au/conf04/program](http://www.aba.gov.au/conf04/program). SEE ALSO PAGES 22, 23

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