

ANNUAL REPORT

AUSTRALIAN BROADCASTING TRIBUNAL

1983-84

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The Honourable, the Minister for Communications

In conformity with the provisions of section 28 of the Broadcasting and Television Act 1942, I have pleasure in presenting the Annual Report of the Australian Broadcasting Tribunal for the period 1 July 1983 to 30 June 1984.

David Jones
Chairman

Date 12 November 1984

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PART ONE

INTRODUCTION

LEGISLATION

1. The Tribunal is established by section 7 of the Broadcasting and Television Act 1942 ('the Act'), and its structure and functions are based on Divisions 1 and 2 of Part II of the Act. Part IIIA of the Act also establishes and defines the functions of the Special Broadcasting Service. Separate legislation establishes the Australian Broadcasting Corporation (from 1 July 1983).

2. The remaining part of the Act of concern to the Tribunal provides a framework for the planning and regulation of broadcasting and television services in Australia. The overall responsibility for planning the development of broadcasting and television services, and determination of standards and practices in relation to the technical equipment used and its operation, lies with the Minister for Communications (section 111C). Currently, the planning of commercial and public broadcasting and television services may culminate in applications for one of fourteen types of licence, including licences for principal stations, supplementary stations, translator stations, repeater stations and community television aerial systems. It is the responsibility of the Tribunal to grant and renew licences, subject to such technical specifications as the Minister may determine. The Tribunal is also empowered to suspend or revoke licences. For the exercise of all these powers, specific criteria are laid down in the Act (sections 83, 86 and 88).

3. Part IV of the Act contains a range of complex provisions designed to ensure independence and diversity in the ownership and control of commercial broadcasting and television services. The Act provides limits on the number of 'prescribed interests' in licences which may be held by any person. In simple terms, a person may hold prescribed interests in no more than two commercial television station licences, or eight commercial broadcasting station licences (sections 90C, 92). Limits are placed also on the extent of foreign shareholdings, direct or indirect, in licensee companies (sections 90G, 92D). Most changes in the ownership or control of stations, by way of a licence transfer or a transaction in shares directly or indirectly affecting a licensee company, are subject to the approval of the Tribunal (sections 89A, 90J, 90JA, 92F, 92FAA).

4. In the area of program regulation, the Act imposes some general requirements on stations, such as the obligations to use the services of Australians as far as possible, to provide 'an adequate and comprehensive service' and to grant 'reasonable opportunities' to political parties in election broadcasting. The Act also imposes specific requirements in respect of a range of matters (such as Australian content, political and election matter, and cigarette advertising) and confers on the Tribunal power to determine Standards for programs and advertisements on commercial stations (sections 16, 99 and 100), give directions concerning sponsorship announcements on public stations (section 111BA), and to regulate a range of other activities and arrangements affecting programming (Part V of the Act).

5. In carrying out its functions, the Tribunal is required in many cases to conduct public inquiries prior to reaching decisions; in other cases, the Tribunal may decide that a public inquiry, although not required, is desirable. The Act contains a range of provisions covering the conduct of inquiries, and the rights of persons to participate in such inquiries (Part II of Division 3 of the Act).

6. There were no major amendments during the year, but some minor amendments of the Act were made by the Statute Law (Miscellaneous Provisions) Act (No 2) 1983 (No 91 of 1983). These amendments covered the statutory undertaking required to be given by community television aerial system licensees, time periods for lodgement of applications for approval of share transactions, acceptance by the Chairman of notices relating to proposed share transactions, and the transmission of advertisements under certain test transmission permits.

7. Other Acts of relevance to the Tribunal are the Broadcasting Stations Licence Fees Act 1964, and the Television Stations Licence Fees Act 1964, which specify the annual licence fee payable by commercial broadcasting and television stations, on a sliding scale related to 'gross earnings' of the station. The Tribunal implements this legislation on behalf of the Minister for Communications, including the assessment and collection of licence fees. These Acts were both amended in the course of the year (by Acts Nos 58 and 59 of 1983) to vary the sliding scales.

8. The Radiocommunications Act 1983 (No 130 of 1983) and the Radiocommunications (Transitional Provisions and Consequential Amendments) Act 1983 (No 136 of 1983) received Royal Assent on 22 December 1983, along with six associated taxing Acts. The Acts will commence on a date to be proclaimed and will replace the Wireless Telegraphy Act 1905 and the Regulations under that Act. Although the Tribunal does not have a role in the administration of the new radiocommunications legislation (that being the responsibility of the Minister for Communications and his Department), the licensing provisions of the Broadcasting and Television Act will be supported by the powers of the Minister under the Radiocommunications Act in respect of radio frequency planning, the settlement of interference disputes, and the prevention of unlicensed transmissions.

DELEGATIONS

9. Section 15D of the Act provides for delegations by the Tribunal as follows:

- 15D. (1) The Tribunal may, either generally or as otherwise provided by the instrument of delegation, by writing under its common seal, delegate to a Member any of its powers under this Act, other than this power of delegation and its power to hold inquiries.
- (2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Tribunal.

(3) A delegation under this section does not prevent the exercise of a power by the Tribunal.

10. In accordance with these provisions, decisions on matters which the Tribunal considers can be undertaken outside formal meetings have been made by a delegated Member.

11. With the increase in membership of the Tribunal the instrument of delegation has been extended to include all Members and to extend matters handled under delegation significantly.

12. An important operational decision by the Tribunal was to move to the management of various major activities by committees comprising Members and senior staff.

13. Committees have been established to deal with Tribunal operations; plans and policies; legal affairs; program content; public inquiries and meetings with outside bodies; ADP activities; research and library needs and public affairs. There are also ad-hoc committees dealing with special projects relating to the status of women, cigarette advertising, the role of the newsletter - 'abtee', and the review of the television standards relating to Australian content, advertising time standards, religious programs, classification, alcohol advertising and the review of the radio broadcasting standards.

14. Participation by Tribunal Members in these Committees is intended to be on a rotational basis.

POWERS AND FUNCTIONS OF THE TRIBUNAL

15. The Tribunal was established on 1 January 1977 and assumed the powers and functions of the former Australian Broadcasting Control Board with the exception of the planning and engineering functions relating to broadcasting services, which were transferred to the Postal and Telecommunications Department (now the Department of Communications).

16. From 1 January 1978 the powers and functions of the Tribunal were extended to transfer to the Tribunal powers in the broadcasting and television licensing area formerly exercised by the Minister for Post and Telecommunications (now the Minister for Communications).

17. The express functions of the Tribunal are set out in section 16 of the Act as follows:

16. (1) The functions of the Tribunal are:

- (a) to grant, renew, suspend and revoke licences;
- (b) to authorise transactions in relation to licences under section 89A;
- (c) to grant approvals and give directions under Divisions 2 and 3 of Part IV in relation to the ownership and control of licences;

- (d) to determine the standards to be observed by licensees in respect of the broadcasting and televising of programs;
 - (e) to determine the conditions subject to which advertisements may be broadcast or televised by licensees;
 - (f) to determine the hours during which programs may be broadcast or televised by licensees;
 - (g) to hold inquiries as provided by this Act or as directed by the Minister under section 18, and to publish reports in relation to those inquiries;
 - (h) to assemble information relating to broadcasting and television in Australia under section 106A; and
 - (i) to perform such duties and exercise such powers as are imposed or conferred upon it by this Act and the regulations.
- (2) In performing its functions under paragraphs (1)(d), (e) and (f) in relation to broadcasting stations, the Tribunal shall consult representatives of those stations.
- (3) In this section, except so far as the contrary intention appears, "licence" has the same meaning as in Part IIIB.

Responsible Minister

18. The Minister responsible for administration of the Broadcasting and Television Act is the Minister for Communications, the Honourable Michael John Duffy.

MEMBERSHIP OF THE TRIBUNAL

19. The Act provides that the Tribunal shall consist of a Chairman, Vice-Chairman and at least one other Member, but not more than six other Members.

20. The Members of the Tribunal are:

David Jones	Chairman Appointed for a period of five years from 1 July 1980
Kenneth Archer	Vice-Chairman appointed from 1 January 1983 until expiration of existing term on 18 February 1986

Catharine Weigall	Member Appointed for a period of five years from 17 April 1980
Mark Armstrong	Member Appointed for a period of five years from 18 July 1983
Ray Watterson	Member Appointed for a period of five years from 26 September 1983
Julie James-Bailey	Member Appointed for a period of five years from 31 January 1984
Russel Perry	Member Appointed for a period of five years from 14 May 1984

21. James Wilkinson resigned as a Member of the Tribunal on 8 March 1984 to take up the post of Program Director for the South Pacific Economic Community Telecommunications Project. The Tribunal wishes to record its appreciation of the outstanding service provided to it by Mr Wilkinson as an Associate Member and as a Member.

ORGANISATION AND STAFF OF THE TRIBUNAL

22. The express Tribunal powers conferred by many sections of the Act, mentioned in paragraph 17, are accompanied by the incidental and implied powers necessary for their exercise. As with many other Acts, the incidental and implied powers occupy much of the working time of the Tribunal. Examples of such powers are: communication with broadcasters and the public; analysis of policy; research; and acquisition and allocation of resources to different projects.

23. Section 15E of the Act confers on the Chairman of the Tribunal certain powers concerning the employment of staff by the mechanism of deeming him to be a Permanent Head, and by deeming the Tribunal to be a Department of the Commonwealth Government. The mechanism confers those powers in aid of the performance of Tribunal powers and functions. The mechanism does not in law or in practice make the Tribunal a Department of the Commonwealth. The Tribunal is an independent statutory corporation consisting of all its Members, including the Chairman and Vice-Chairman (see section 8). The Members have equal powers, except for limited situations expressly mentioned in the Act. The powers of the Tribunal as a corporation include the incidental and implied powers already mentioned, and not merely the bare express powers. Individual Members or committees of Members (including the Chairman and Vice-Chairman) are often authorised by the Tribunal to implement Tribunal decisions or to oversee particular areas of activity on behalf of the Tribunal, but that does not derogate from the ultimate authority of the Tribunal itself over all its activities.

24. Pursuant to section 15E of the Act, the staff of the Tribunal shall be persons appointed or employed under the Public Service Act 1922. The organisation of the Tribunal at present consists of:

Executive
Secretary's Division
 Secretariat and Public Relations Branch
 Management Services Branch
Public Inquiry Division
Licensing Division
Program Services Division
State Offices

25. The Tribunal's senior executive staff are:

B J Connolly	Secretary
A S Wilson	Director Public Inquiry/Licensing Division
J G Quaine	Director Program Services Division

26. The Operative staff as at 30 June 1984 numbered 115 (70 males and 45 females). 57 staff are at Head Office, in Sydney, 49 are in Melbourne, and the remainder work in the Tribunal's State Offices.

27. Reference was made in previous Annual Reports to proposals for the review of the Tribunal's staffing structure and the relocation in Sydney of all central office positions presently located in Melbourne. In a letter dated 7 December 1983 the Minister informed the Tribunal that he was not prepared to support the relocation proposal. In the light of the Minister's decision the Tribunal informed the Public Service Board that it would not be proceeding with the proposal. With regard to the review of the staffing structure, the Tribunal has decided to engage a management consultant to examine the Tribunal's systems and structure. Pending the outcome of this review the Tribunal has sought approval to increase its staffing level in 1984-85 by 27 positions to cope with a significant increase in workload. (The Tribunal was informed after 30 June 1984 that the Government had increased its average staffing level by 8 positions).

Retirement of Mr G P Dwyer

28. Mr G P Dwyer, Director Public Inquiry/Licensing Division retired from the Australian Public Service on 3 July 1983.

29. Mr Dwyer had spent 45 years in the Public Service. He joined the staff of the Australian Broadcasting Control Board in 1956 and the Office of the Tribunal in 1977. The Tribunal wishes to record its appreciation of the dedicated and loyal service Mr Dwyer has provided, particularly to the Board and the Tribunal, over many years and wishes him well in his retirement.

LOCATION OF TRIBUNAL'S OFFICES

30. Tribunal offices are located at:

Sydney (Head Office)	153 Walker Street North Sydney NSW 2060 or P O Box 1308 North Sydney NSW 2060 (Telephone (02) 922 2900 Telex 26683 Vocadex (02) 922 2484 DX 10528 NORTH SYDNEY)
Melbourne (including State Office)	Marland House 570 Bourke Street Melbourne VIC 3000 (Telephone (03) 602 0151 Telex 32844 Vocadex (03) 67 4821)
Brisbane	Suite 14B 339 Coronation Drive Milton QLD 4064 (Telephone (07) 371 2277 Telex 41569)
Adelaide	Greater Pacific Insurance Building 32 South Terrace Adelaide SA 5000 (Telephone (08) 51 4041 Telex 88015)
Perth	251 Adelaide Terrace Perth WA 6000 (Telephone (09) 325 7041 Telex 93254)
Hobart	4th Floor, AMP Building 86 Collins Street Hobart TAS 7000 (Telephone (002) 34 5918 Telex 58133)

Accommodation North Sydney

31. The lease of the Tribunal's North Sydney accommodation expires in March 1985. The present accommodation is inadequate to serve the Tribunal's needs. It does not give staff an efficient workplace, and the tasks required of the Tribunal have increased and diversified since it was first acquired. Discussions are being held with Department of Administrative Services with a view to moving to more suitable accommodation on the expiration of the lease.

ADDRESSES BY TRIBUNAL MEMBERS

32. During the year, the Members of the Tribunal delivered addresses to, or participated in the following:

David Jones - Chairman

6 July	1983	Appeared before the Parliamentary Committee on Road Safety, Canberra
9 July	1983	Participated in and addressed Media Church Service, Lismore
25 July	1983	Addressed a meeting of 'The Prompters', Sydney
20 August	1983	Participated in workshop - Regulation National Conference, Sydney University
27 August	1983	Addressed Seminar on Video Censorship, Paddington
1 September	1983	Addressed Copyright Symposium, Sydney
16 September	1983	Recorded videotape for Film and Television School for inclusion in course
14 October	1983	Addressed Clemenger Network Media Seminar, Melbourne
14 October	1983	Presented an Award, Australasian Broadcasting Awards, Melbourne
28 October	1983	Presented a paper at Telecom 83, Legal Symposium, Geneva, Switzerland
16 November	1983	Addressed Department of Communications Conference, Canberra
2 February	1984	Addressed FACTS 1 Day Seminar - Supplementary Licences, Sydney
1 March	1984	Addressed Association of Australian National Advertisers Annual Seminar, Melbourne
4 May	1984	Addressed Australian Communications Law Association Satellite Law Symposium, Sydney
20 June	1984	Addressed Business Law Education Centre Forum, Sydney

Ken Archer - Vice Chairman

13 July	1983	Addressed Association of Australian National Advertisers Queensland Division 'How changes in communications technologies are likely to affect advertisers'
10-11 October	1983	Addressed FARB Convention, Perth

31 October	1983	Attended seminar on Application of New Telecommunications Technologies, Sydney
2 February	1984	Attended FACTS Seminar re Supplementary Licences, Sydney
9 May	1984	Address to FARB Meeting of Victoria Non-Metropolitan Broadcasters re Supplementary Licences, Melbourne

Mark Armstrong - Member

7 September	1984	Spoke on 'Legal Control over Electronic Communications' to joint seminar of the Australian Communications Law Association and the Society for Computers and the Law.
24 October	1984	Addressed Master of General Studies Mass media students at the University of New South Wales on 'Regulation of Broadcasting in the Light of New Technology'.
June	1984	Conducted several classes at University of New South Wales law school on contempt of court.
9 May	1984	Addressed Communications Executives course students at Ku-ring-Gai on 'The role of the Tribunal'.

OVERSEAS VISIT

33. The Chairman of the Tribunal, Mr David Jones visited the United Kingdom, Switzerland, Canada and the United States of America from 22 October to 14 November 1983.

34. The purpose of this visit was to present a paper to the Telecom 83 Legal Symposium, Geneva, to consult with comparable broadcasting regulatory agencies in other countries, and to consult with persons and organisations overseas, involved with broadcasting and related fields, such as cable television and pay television.

35. The Chairman visited the following organisations:

LONDON	Independent Broadcasting Authority; Cable Television Association of Great Britain; International Institute of Communications; SelectTV; and Home Box Office.
GENEVA	Presented a paper to the Telecom 83 Legal Symposium on the International Information Network. (Invitation to address this forum extended by the International Telecommunication Union).

TORONTO Oakville/Burlington Cablenet;
 Ogilvy & Mather;
 Rogers Cablesystems;
 Burns Fry Ltd; and
 General Instrument.

OTTAWA Canadian Cable Television Association;
 Canadian Radio-Television and Telecommunications
 Commission;
 Gowling & Henderson, communications lawyers;
 CFRA, AM/FM radio group;
 Canadian Association of Broadcasters; and
 Department of Communications, Canada.

NEW YORK General Instrument;
 Home Box Office;
 Viacom International Inc; and
 Metromedia Television.

WASHINGTON Intelsat;
 Schnader, Harrison, Segal & Lewis, communications
 lawyers;
 Federal Communications Commission;
 National Association of Broadcasters;
 Pepper & Corazzini, media lawyers;†
 Dow, Lohnes & Albertson, communications lawyers; and
 Metromedia Television.

LOS ANGELES Annenberg School of Communications, University of
 Southern California;
 Oak Communications.

FINANCIAL ACCOUNTS OF TRIBUNAL

36. Under section 28 of the Act, the report and financial statements of the Tribunal, together with the report of the Auditor-General as to those statements, are required to be laid before each House of the Parliament. The financial statements are to be in such form as the Minister for Finance approves. During the year, the Minister for Finance issued new guidelines for the form and standard of financial statements of Commonwealth undertakings. The guidelines require the Tribunal to prepare its financial statements on an accrual basis rather than on a cash basis as has been the practice in the past. A statement of the financial accounts of the Tribunal from 1 July 1983 to 30 June 1984 together with the report of the Auditor-General, appear as Appendix R of this report.

PART TWO

OPERATIONAL REPORT

THE YEAR IN REVIEW

37. This section of the Annual Report incorporates general statements about the discharge of statutory functions and powers of the Tribunal, its objectives and achievements during 1983-84. 1983 was the peak year of the three-year cycle for licence renewals. Work on renewals, already heavy during early 1983, continued unabated during the last half of 1983 and into 1984. The Tribunal dealt with a total of 438 radio and television licences.

38. In addition, the Tribunal was engrossed in a number of major inquiries - including the Australian music quota for commercial and public radio (paragraphs 97 to 103) and the regulation of the use of Satellite Program Services by broadcasters (paragraphs 107 to 118).

39. The difficult subject of 'commercial viability' was considered in two separate inquiries - the grant of a commercial radio station licence and two commercial radio translator station licences for the Coffs Harbour area, and an inquiry under section 18(2) of the Act, (that is, held at the direction of the Minister for Communications into the commercial viability of commercial television station GSW-9 (the Albany inquiry). The latter was held after a request by the licensee, Golden West Network Ltd, that the station's licence be downgraded from a full licence to a translator station licence.

40. The Reports of these important and difficult inquiries had not been released by 30 June 1984. The satellite inquiry report, however, was released in mid-July 1984 (see paragraph 118).

41. During the year under review the Tribunal renewed the licences of seventy-two stations and fifty-eight translator stations (see paragraphs 122 to 128).

42. No licences were suspended or revoked during 1983-84. The licences for two commercial television stations and their translators, and for one commercial radio station, were renewed for less than the maximum period (see paragraphs 127 and 128).

43. Considerable time was spent on share transaction inquiries and licence transfer inquiries (paragraphs 138 to 142).

44. The year was not without controversy, as the Tribunal published, first a draft policy statement, then a final policy statement, and ultimately made decisions relating to the interpretation of the ban in the Act on advertisements for cigarettes and cigarette tobacco (See Appendix N).

45. Much of the public debate centred on the misconceived notion that the Tribunal's decisions directly affected the sponsorship of sport by tobacco companies and that the ban on cigarette advertisements had been created by the Tribunal, and not by Parliament itself. The Tribunal received some 30,000 letters after the release of the draft policy statement. Many of these were 'form' letters.

46. The preparation and publication of policy statements and practice notes dealing with various aspects of the Tribunal's administration has been a feature of Tribunal activities in the year under review.

47. Apart from the Cigarette Advertising Policy Statement (POS 07 - Advertising Matter Relating to Cigarettes or Cigarette Tobacco), the Tribunal has published statements on:

- . Permits for Test Transmissions (POS 01)
- . Election Advertisements (POS 02)
- . Blasphemous, Indecent or Obscene Matter (POS 03)
- . Hours of Service (POS 04)
- . Renewal of a Licence for Less Than the Maximum Period (POS 05)
- . The Provision of an Adequate and Comprehensive Service In Pursuance of a Licence (POS 06)
- . The Holding of Public Inquiries (POS 08)

48. The Tribunal has also published a series of Practice Notes:

- . Children's Programs - Classification and Review (PRN 01)
- . Compliance With Broadcasting Program Standard 6
- Telephone Conversations (PRN 02),
- . Applications for Test Transmission Permits (PRN 03)
- . Meetings and Other Contact With the Tribunal (PRN 04)

49. The Tribunal's object in introducing these documents is to make licensees and the public much more aware of the Tribunal's view of the scope of the Broadcasting and Television Act, the Standards determined by the Tribunal under the Act, and the obligations - substantive and procedural - which are placed on licensees.

50. Policy Statements fulfil two roles:

A statement by the Tribunal of -

- (a) its considered view of the meaning of a particular provision of the Act; or
- (b) the criteria it will apply in exercising a discretionary power for which no criteria are provided in the Act.

51. Practice Notes are issued where there is a need to explain procedures which will be followed by the Tribunal and where there is a need to explain the scope of a particular Standard, but no amendment to the Standard itself is

considered necessary.

52. Both Practice Notes and Policy Statements are available from the Tribunal and they will be included in the forthcoming ABT Manual. Details of the Policy Statements and Practice Notes are contained in Appendixes N and O.

53. The Tribunal's decisions on some programs and advertisements, based on Policy Statement POS 07, are presently the subject of action in the Federal Court.

54. Indeed, litigation to determine and test the extent of the Tribunal's powers has been a principal feature of activities in the year under review.

55. As at 30 June 1984, five separate challenges are pending. Decisions based on these Federal Court challenges can be expected to have a profound and far-reaching influence on the Tribunal's functions and activities in the future.

56. On 27 March 1984, the Tribunal determined and published new standards for children's and pre-school children's television. These standards introduce an Australian drama quota for children of 8 hours a year, limit the number of repeats of 'C' classified programs, and encourage a diversity of programming in the 'C' hour, Monday to Friday 4-5 pm.

57. In October 1983, the Tribunal issued a notice of proposed determination of television advertising time standards, which drew criticism from both the television and advertising industries. This criticism centred on the Tribunal's assessment of the economic impact of the effect of proposed time standard changes.

58. The Tribunal is reviewing its economic information and analysis resources, and has used the assistance of consultants. The review was still in progress at the time of preparation of this report.

59. The Tribunal continued its review of Australian content on television and conducted a survey of independent production houses and commercial television stations to ascertain employment levels, facilities, and the types of programs produced.

60. A significant difficulty in obtaining the necessary information has been the reluctance of the Federation of Australian Commercial Television Stations to provide production details for individual stations.

61. At the time of this report, FACTS had agreed to participate in a working party to examine cumulative production information for the television industry.

62. Other issues which have been addressed by the Tribunal during 1983-84 include sponsorship announcements for public radio, discussion of sex and sexual matters on radio, promotions for programs on television, and the classification of programs imported via satellite.

REVIEW OF TRIBUNAL DECISIONS

OMBUDSMAN

Mildura News Group Pty Ltd

63. As noted in paragraph 58 of the Tribunal's Annual Report for the year 1982-83, Mildura News Group Pty Ltd ('MNG') complained to the Ombudsman about the Tribunal's handling of MNG's request for a test transmission permit in February/March 1981. The Ombudsman's report on the investigation of the matter is contained in a letter dated 20 July 1983. The Ombudsman found that actions of both the Tribunal and the Department of Communications had been defective in several respects. In particular, the Ombudsman found that the Tribunal had given MNG advice which it could reasonably have regarded as an undertaking that a permit would be issued for the dates requested by MNG. Following this report, MNG wrote to the Ombudsman arguing that the Tribunal should compensate MNG for losses it incurred in not being able to proceed with its test transmission on the dates it had requested.

64. The Tribunal advised the Ombudsman that it had considered the matter, and did not believe that it had incurred by its actions any liability to compensate MNG for losses it may have sustained in these circumstances. The Tribunal's consistent position has been that it gave no undertaking that a permit would be issued for particular dates. Further consideration was given to whether an ex gratia payment should be made, despite the lack of legal liability. Advice from the Attorney-General's Department confirmed that it was within the power of the Tribunal to make such a payment, but the Tribunal decided that an ex gratia payment was not warranted in the circumstances.

65. On 11 August 1983, Mr Max Thorburn, on behalf of the Mildura News Group, complained to the Ombudsman about the Tribunal's practices in the grant of test transmission permits. He alleged that the Tribunal had improperly discriminated against his company in relation to its development of new guidelines for the issue of test transmission permits and in relation to its processing of particular applications by his company for the grant of such permits. After conducting an investigation, the Ombudsman concluded that the Tribunal had not acted defectively in relation to either of the matters.

VEW Kalgoorlie

66. Following the decision of the Tribunal of 27 May 1983 to renew the licences for commercial television station VEW Kalgoorlie and associated translator stations for a period of one year, and to attach conditions to two of the translator station licences, Mid-Western Television Pty Ltd (licensee company of station VEW) complained to the Ombudsman. Mid-Western alleged, inter alia, that the Tribunal's decision was influenced by errors of fact, failed to take the public interest into account in granting a short renewal and treated station VEW in a discriminatory manner. Subsequently, Mid-Western decided not to proceed with its complaint, preferring instead to seek to appeal to the Administrative Appeals Tribunal.

ADMINISTRATIVE APPEALS TRIBUNAL

VEW Kalgoorlie

67. On 27 May 1983 the Tribunal decided to renew the licences for commercial television station VEW Kalgoorlie and associated translator stations for a period of one year, and to attached conditions to two of the translator station licences. Mid-Western Television Pty Ltd, the licensee of station VEW, applied for a review of the Tribunal's decision by the Administrative Appeals Tribunal ('AAT') on 23 September 1983. Mid-Western also applied for an extension of time for lodgment of the application, since the period allowed for lodgment of applications under the Administrative Appeals Tribunal Act 1975 had expired.

68. The application for extension of time was opposed by the Tribunal. A telephone directions hearing was held on 7 October 1983, and a substantive hearing of the application for extension of time was held in Perth on 18 October 1983 before Deputy President R K Todd. Immediately following this hearing, Mid-Western withdrew its application for review of the Tribunal's decision without the AAT reaching any decision.

Actors Equity Freedom of Information Appeal

69. On 30 May 1983, the Tribunal refused a request from Actors Equity Association of Australia for access, under the Freedom of Information Act 1982 (FOI Act) and section 106A of the Act, to certain financial information collected by the Tribunal from the fourteen mainland metropolitan commercial television licensees. In refusing access, the Tribunal relied on section 43 of the FOI Act (the business affairs exemption). The full text of the decision appears at Appendix K to the 1982-83 Annual Report. Actors Equity subsequently lodged an application for review by the AAT of the Tribunal's decision under the FOI Act. The Australian Consumers Association (ACA) was joined in the action on the side of Actors Equity, and the Federation of Australian Commercial Television Stations (FACTS) was also joined and opposed release of the information.

70. FACTS in its written contentions raised the issue that the information sought was exempt from disclosure under section 38 of the FOI Act (which allows exemption from disclosure for documents covered by secrecy provisions applying specifically to information of the kind sought). In order to ensure that the issue was properly tested before the AAT, the Tribunal also decided to rely on section 38, citing sections 106A and 106B of the Act as the relevant prohibitions for the purposes of section 38.

71. The matter was argued as a preliminary point before the AAT (Deputy President R K Todd, Mr I Prowse and Mr A Renouf) on 2 April 1984, and the AAT gave its interim decision on 7 May 1984. In summary, the AAT did not accept the argument put by the Tribunal and FACTS. Whereas section 106A did refer specifically to information of the kind in question, it did not, in the AAT's opinion, contain a relevant prohibition (see sub-section 106A(5)). Conversely, section 106B, while containing a relevant prohibition, did not refer sufficiently precisely to the information in question. The AAT did not consider that the combination of the two sections contended for by the Tribunal and FACTS, altered the effect of the sections standing by themselves.

72. The case remains to be settled on the section 43 exemption. FACTS has also sought to rely on section 45 (the breach of confidence exemption), but the Tribunal does not rely on section 45. The AAT may, therefore, need to determine whether a third party may rely on an exemption not relied upon at any stage by the original decision-maker.

FEDERAL COURT OF AUSTRALIA

Telecasters North Queensland Ltd

73. Telecasters North Queensland Ltd, licensee of commercial television stations TNQ Townsville and FNQ Cairns, lodged an application in the Federal Court on 30 September 1983 under the Administrative Decisions (Judicial Review) Act 1977. Telecasters sought orders of review relating to certain interim decisions made by the Tribunal and its Chairman in an inquiry examining the acquisition of shares in Telecasters by North Queensland Portfolio Pty Ltd. The Chairman of the Tribunal had accepted various applications relating to Portfolio's acquisitions after the expiry of the time limits set down in the Act for lodgement of such application, with no extension of time having previously been given. At the inquiry into the share transactions, Telecasters argued that the Chairman had no power to accept late applications and that the Tribunal therefore had no jurisdiction to consider them. The Tribunal subsequently ruled that the Chairman could accept late applications and that the Tribunal was not precluded from completing the inquiry.

74. The matter was heard before Fitzgerald J in Brisbane on 15 and 16 November 1983, and His Honour gave judgment on 22 November 1983, dismissing the applications by Telecasters. His Honour made the following points in the course of his judgment:

- (a) It would defeat the evident scope and object of the Act and the underlying public policy concerned with the provision of the information to the Tribunal to hold that an application lodged out of time must be rejected, or that such application and its purported acceptance by the Chairman of the Tribunal are nullities.
- (b) The language of paragraph 92F(7D)(a) (which concerns acceptance of applications by the Chairman) does not require a conclusion that late applications may not be accepted. The 'requirements' of the section, with which an application must comply, concern the documentation itself not the timing of the application.
- (c) Section 92FAA is complementary to section 92F. An application may be 'made in accordance with section 92F' for the purposes of sub-section 92FAA (1), although lodged out of time.

The judgement of Fitzgerald J is reported at (1984) 50 Australian Law Reports 281.

Amalgamated Television Services Pty Ltd

75. Amalgamated Television Services Pty Ltd (ATS), licensee of commercial television station ATN Sydney, lodged an application in the Federal Court on 21 December 1983 under the Administrative Decisions (Judicial Review) Act 1977. ATS sought orders of review relating to a request by the Tribunal for certain financial information concerning the licensee and related persons, for the purposes of, inter alia, determining the correct licence fee payable by ATS. In a letter dated 15 September 1983 to all licensees, the Tribunal had requested this information under paragraph 106(4)(b) of the Act.

76. The matter was heard before Lockhart J in Sydney on 9 May 1984. The principal argument advanced by ATS was that the Tribunal had no power to request the information sought for purposes related to the calculation of licence fees. ATS also submitted that the Tribunal had no power to seek financial information concerning persons other than the licensee, and that the request was in any event invalid for lack of certainty.

77. On 1 June 1984, Lockhart J handed down judgment in this matter which found for ATS on all points. First, His Honour decided that the specific request by the Tribunal was invalid for lack of certainty. Second, his Honour held that the powers of the Tribunal under paragraph 106(4)(b) of the Act did not extend to requesting information concerning the gross earnings of entities related to the licensee either for its own purposes, or in order to assist the Minister for Communications in the exercise of his powers under section 7 of the Television Stations Licence Fees Act 1964.

78. As a result, Lockhart J conceded that there is probably a lacuna or gap in the Television Station Licence Fees Act 1964. The Minister is empowered under section 7 of that Act to form an opinion as to whether an amount earned by a person other than the licensee of a commercial television station forms part of the gross earnings of the station. However, no one is empowered by the Television Station Licence Fees Act 1964 or any other Act to obtain the relevant information to enable the Minister to form the requisite opinions.

79. Lockhart J concluded that this may be a matter which may attract the attention of Parliament. Following His Honour's suggestion, the Tribunal has raised the need for possible amendment of both the Broadcasting and Television Act 1942 and the Television Stations Licence Fees Act 1964 with the Minister and the Department of Communications.

Herald-Sun TV Pty Ltd and Others

80. Herald-Sun TV Pty Ltd (HSTV), licensee of commercial television station HSV Melbourne, and fourteen other commercial television licensees, lodged an application in the Federal Court on 30 April 1984 under the Administrative Decisions (Judicial Review) Act 1977. HSTV sought orders of review relating to aspects of the Children's Television Standards determined by the Tribunal on 27 March 1984. Those Standards formalise the process which has applied in practice since 1979 whereby programs for transmission between 4 and 5 pm on weekdays are submitted for classification by the Tribunal. If the Tribunal considers, on the advice of the Children's Program Committee, that the programs meet certain criteria listed in the Standards, the program may be given a 'C' classification. HSTV and the other applicants argued that the 'C'

classification system was not a valid exercise of the standard-making power. The matter was heard by Wilcox J. on 29 June 1984.

ADMINISTRATIVE REVIEW COUNCIL

81. As noted in previous Annual Reports, the Administrative Review Council (ARC) produced two reports covering the Tribunal's inquiry procedures, and rights of review under the Broadcasting and Television Act: see 1980-81 Annual Report, p.28, and 1982-83 Annual Report, p.11. The Tribunal largely supported the Council's recommendations relating to its procedures, but opposed the recommendations proposing more extensive rights of review of Tribunal decisions.

82. As at 30 June 1984, both these reports remain under consideration by the Government.

COLLECTION OF LICENCE FEES

83. The Tribunal acts as agent for the Minister of Communications in assessment and collection of annual licence fees payable by commercial radio licensees under the Broadcasting Stations Licence Fees Act 1964, and by commercial television licensees under the Television Stations Licence Fees Act 1964. Although there is no specific statutory provision for the Tribunal to carry out this function, it has assessed and collected licence fees in conjunction with its gathering of financial information from licensees under section 106 of the Act (as did its predecessor, the Australian Broadcasting Control Board).

84. The assessment and collection of licence fees have been under review by the Tribunal for some time, and certain basic problems associated with this area of Tribunal operations have been identified. The decision in the Amalgamated Television Services Case (discussed above), has confirmed that licensees are able to arrange their corporate structures in such a way as to minimise the payment of licence fees. The power of the Minister, under section 7 of each of the Licence Fees Acts, to direct that earnings of related companies be taken into account for licence fees calculations is, in practice, difficult to exercise, because the Federal Court has determined that no means exists for the Minister to obtain the information he needs to issue a direction. In addition, the present wording of the Licence Fees Acts is ambiguous as to whether certain items of licensees' revenues are intended to be assessable for licence fee purposes. Because of these problems the Tribunal is currently modifying its procedures for the assessment and collection of licence fees, and is cooperating with the Department of Communications in a review of the licence fees legislation.

PROPOSED LEGISLATIVE AMENDMENTS

85. In the course of 1983-84, the Tribunal has maintained close contact with the Department of Communications concerning possible amendments to the Act. In particular, the Tribunal suggested the following amendments should be made to the Act:

- (a) amendment of section 86 to permit the Tribunal to grant a short-term extension of a licence to permit the completion of a licence renewal inquiry. A similar power exists at present where a licence renewal inquiry is joined with a share transaction inquiry: see subsections 90JA(9) and 92FAAA(9) (the need for such an amendment has been stated in a number of renewal reports going back to 1980);
- (b) amendment of section 15C to permit a bench of three Members to conduct inquiries into and decide matters which currently require at least a majority of Members to handle (see also ARC recommendation 29);
- (c) amendment of section 106 to permit greater flexibility for licensees in changing accounting periods;
- (d) amendment of section 116 to make the 'election blackout' requirements self-executing, and to correct a minor drafting

error;

- (e) amendment of sections 90K and 92FA to confirm the power of the Tribunal to approve variations in memoranda and articles of association of licensee companies where changes are purported to be made before approval is obtained;
- (f) amendment of section 11 to permit the appointment of associate members for specific short periods of time irrespective of any particular inquiry;
- (g) amendment of section 15D to make it clear that the Tribunal may, in its discretion, hear an appeal from a decision of a delegate of the Tribunal;
- (h) amendment of section 21A to permit the Tribunal to employ its own legal staff in the role of 'counsel assisting';
- (i) amendment of section 22B to make it clear that the Tribunal is not obliged to refer questions of law to the Federal Court whenever a person requests that such a reference be made;
- (j) amendment of section 80 to clarify the difference in meaning between the words 'nature' and 'purpose' in relation to a licence;
- (k) amendment of section 18 to make it clear that the Tribunal has power to consolidate inquiries concerning matters which the Tribunal considers to be related (see ARC recommendation 17);
- (l) amendment of sections 15C, 90, 91, 105AA to standardise the definitions of metropolitan stations throughout the Act;
- (m) amendment of sections 4, 105G and 105L to redefine the purpose, and limitations on the ownership and use, of television repeater stations;
- (n) amendment of sections 90J and 92F to rectify certain minor ambiguities and anomalies, remove the provision allowing applicants to request that an inquiry be commenced within three months, and provide improved enforcement provisions;
- (o) amendment of sections 16 and 99 to provide express authority for the Tribunal to classify programs (including the power to delegate their power to other bodies such as the Film Censorship Board) and to clarify the meaning of the word 'standard';
- (p) amendment of section 117A to require the keeping of records of all transmissions, with the record to be audio-visual in the case of television; and
- (q) amendment of section 86 to incorporate the relevant portions of section 33 of the Broadcasting and Television Amendment Act 1977.

86. The Tribunal has also strongly supported implementation of the ARC recommendations on Tribunal procedures, with the addition of the concept of 'area inquiries' as part of a two-tier licence renewal system. This proposal would improve the efficiency of inquiries into the adequacy and comprehensiveness of radio and television services in an area and provide an opportunity for wider public input, and would limit specific licence renewal inquiries to those stations about which substantial problems had been raised at an area inquiry.

87. The Tribunal has tried to modify its procedures as far as practicable to accord with the ARC recommendations. However, this can only be achieved to a limited extent because of the need for legislative amendments fully to effect the recommendations.

88. The Government is actively considering a substantial redraft of the Act to change the licensing scheme from a 'technology-based' approach (i.e. the licensing of transmitters and associated equipment) to a 'service-based' approach (i.e. the licensing of a person to provide a service to a defined community by whatever means are approved). The Tribunal supports this change, and has suggested that the terminology of the Act be updated to reflect current and likely future developments in broadcasting technology.

FREEDOM OF INFORMATION

89. The following information is provided on the operation of the Freedom of Information Act 1982 (FOI Act).

(a) Requests made

Twenty-five requests were received for access under the FOI Act in the period 1 July 1983 to 30 June 1984. Of these, 16 were granted in full, 3 were rejected, 3 were partly rejected and 2 were deferred. One request is outstanding.

In respect of matter deleted from the three requests partly rejected, exemptions were claimed under sections 36, 40 and 43 of the FOI Act; no requests were made for internal review of these decisions. The two requests deferred were deferred further following advice by the applicants that action should be suspended. In the case of the three requests rejected, access was denied by the Principal Officer on the grounds that the information was exempt information under section 43.

An average of the time taken to notify decisions on requests was 45 days, ranging from 2 days up to 60 days in cases where reverse FOI action has been instituted.

The types of information to which access was sought can be categorised as financial (7); program and advertising standards or their determination (5*); minutes/records of meetings (3); public inquiry matters (3); licensing matters (2); children's television (2*); personnel (1); and other (3). (*1 both)

In addition to the three requests for access to minutes/records of meetings, the industry bodies representing commercial radio and television stations have both notified the Tribunal of their intention to seek access on an on-going basis to the official minutes of its meetings. The Tribunal already has meetings on a regular or an 'as required' basis with a number of outside bodies and plans to extend this consultative process. A practice note, (PRN 04) formalising the bases on which these meetings are arranged and conducted has been issued. Advice of all such meetings is now published in the fortnightly news letter 'ABTEE'.

(b) Review of Decisions

One applicant lodged an application with the AAT for review of deemed refusal under section 56 to grant access to a document. The document was a public document of the Tribunal and had not been provided with other documents requested due to an oversight. The appeal was withdrawn.

Mildura News Group Pty Ltd lodged an application with the AAT for review of a decision on 15 July 1983 to release to Sunraysia Broadcasters Pty Ltd the record of a meeting between representatives of the Tribunal and a representative of Mildura News Group Pty Ltd. The appeal was subsequently withdrawn and the record was released to the applicant on 30 April 1984.

As noted in paragraph 69 applications for review by the AAT were also lodged in September 1983 by Actors Equity of Australia and the Public Interest Advocacy Centre on behalf of the ACA against decisions not to release certain financial information of metropolitan and regional television stations. No decisions have yet been handed down.

There was no Ombudsman involvement in respect of Freedom of Information requests.

(c) Costs of Freedom of Information

A total of \$62.90 (part 1982-83 year) was received and a total of \$317.95 was notified, being the amounts payable for the processing of requests. Outstanding fees as at 30 June 1984 totalled \$204.55. Three requests were received, and granted, on public interest grounds, for the waiving of fees, either prior to or following notification of the fees payable.

The total cost to the Tribunal for Freedom of Information activities was approximately \$21,500.

An extra staff position has been sought to enable an officer to perform, as a principal activity, the duties associated with Freedom of Information.

(d) Internal procedures

No difficulties have been experienced with internal monitoring

procedures. The FOI Co-ordinator processes requests, refers them to the appropriate division for handling, monitors progress and reports to the fortnightly meetings of the Tribunal on the status of matters related to Freedom of Information. The Principal Executive Officer (Legislation) has responsibility for the oversight of all requirements of the FOI Act.

(e) Changes in procedures

The FOI Act has, in part, emphasised the need for the preparation of documents, in the form of policy statements and practice notes which set out the Tribunal's position and the manner in which it deals with the various aspects of its statutory role, and the publication in one manual (the ABT Manual) of these and other documents eg Standards, for the use of persons who have an interest in the commercial and public broadcasting media. The ABT Manual is expected to be available later this year.

The FOI Act has also led to the use of mini-computers for the processing of Tribunal minutes and records of meetings, in order to facilitate the extraction of matter for individual station and subject files. Procedures relating to the Tribunal's records generally are under review and any changes necessary to improve this aspect will come into effect in the coming year.

(f) Delegations

Those authorised to grant or refuse access are the following:

Chairman	Principal Officer
Secretary	Authorised to grant access to a document with exempt material deleted, or to refuse access.

Those authorised to make decisions to grant access to information are the following:

Director, Public Inquiry Division	public inquiries
Director Program Services Division	program and advertising
Senior Executive Officer Licensing Division Branch	licensing matters
Director Management Services	personnel and staffing
Executive Officer Children's Program Committee	children's programming matters

In addition, all officers are authorised, subject to any charges which the Tribunal may wish to stipulate, to release documents

which have been prepared for publication.

The Chairman, or the Vice-Chairman, is authorised to conduct internal reviews.

There has been no change to these arrangements since the period reported on in the 1982-83 Annual Report.

(g) Problems Experienced

The Tribunal has found that it no longer has complete control over information which comes to it from external sources. Consequently there has been to some extent a reduction in the flow of information from the industry to the Tribunal. The industry, although using the FOI Act to obtain access to Tribunal records, appears to be concerned that sensitive information may become available at large, and may be misinterpreted against it. Even where the Tribunal itself determines that the information should be exempt, as in the Actors Equity case, a long expensive AAT hearing may still need to be faced with no certainty that the ultimate decision will be the same as that reached by the Tribunal.

In this regard it is important to note that before the introduction of the FOI Act, section 106A of the Broadcasting and Television Act created obligations on the Tribunal to make information available on request subject to certain safeguards. It is significant that decisions of the Tribunal under section 106A were not made reviewable on the merits by the AAT.

In the Tribunal's view, the public interest would be better served in its case if decisions on access to information were not subject to review on the merits but only on questions of law.

(h) Staff Training and Development

No instruction courses were offered. The Principal Executive Officer (Legislation) and the FOI Co-ordinator attended a seminar arranged by the Attorney-General's Department in association with the Public Service Board in February 1984. It is hoped that the appointment of an officer whose principal function will be duties associated with FOI matters will enable greater participation in courses arranged by others as well as internal training of Tribunal officers.

PART THREE

PUBLIC INQUIRIES AND LICENSING ACTIVITIES

RADIO AND TELEVISION SERVICES IN OPERATION SINCE 1954

90. Radio and television services in operation in each year since 1954 are shown in the following table:

At 30 June	Radio				Radio Translator			Television			Tele-	Total ser- vices					
	Nat	Com	Public	SBS	Com	Public	SBS	Nat	Com	SBS	vision repeater						
1954	46	105											152				
1955	50	106											156				
1956	53	107											160				
1957	55	108						2	4				169				
1958	56	108						2	4				170				
1959	57	108						2	4				171				
1960	57	108						6	10				181				
1961	60	110						6	10				186				
1962	61	110						6	20				197				
1963	62	110						10	22				204				
1964	65	110						18	24				217				
1965	65	111						24	30		3		233				
1966	69	111						34	39	2	13		265				
1967	70	111						38	41	9	19		288				
1968	73	114						39	42	12	24		304				
1969	73	114						39	45	22	32		325				
1970	74	114						41	45	33	40		347				
1971	75	116						48	46	36	43	8	372				
1972	80	118						52	48	38	50	10	396				
1973	82	118						53	48	46	55	10	412				
1974	81	118						72	48	47	55	8	429				
1975	84	118						84	48	53	57	10	454				
1976	91	120						84	48	60	60	10	473				
1977	94	123						85	50	69	65	10	496				
1978	93	125					2	85	50	75	80	10	520				
1979	93	128	19	2(a)			3	85	50	81	85	11	557				
1980	98	128	26	2			4	2	85	50	89	96	591				
1981	105	134	28	2			6	2	85	50	2	133	102	12	661		
															(b)		
1982	110	135	30	2			9	2	86	50	2	164	110	9	709		
1983	120	137	38	2			12	2	84	50	2	191	121	1	9	769	
																(c)	
1984	126	137	50	2			15	1	2	84	50	3	206	131	4	9	820

(a) Special Broadcasting Service - stations previously licensed under the Wireless Telegraphy Act 1905.

(b) Satellite fed and link fed remote area television services introduced.

(c) Includes national television translator stations licensed under the Broadcasting and Television Act 1942.

91. In addition to the abovementioned national broadcasting stations there were, at 30 June 1984, national high frequency stations operating at five centres. They are intended in the main to provide a service for listeners in the more remote parts of Australia.

92. The table also excludes high frequency stations of Radio Australia used to broadcast Australian programs to overseas countries.

PUBLIC INQUIRIES

93. In overview, the Tribunal conducted 155 public inquiries during 1983-84 (last year 164), consisting of:

	THIS YEAR	LAST YEAR
Grant of commercial radio station licences	*1	*1
Grant of commercial radio translator station licences	5(incl.*2)	*2
Grant of public radio station licences	2	15
Grant of commercial television translator station licences	***0	13
Renewal of commercial radio station licences	44	62
Renewal of commercial radio translator station licences	**5	1
Renewal of public radio station licences	5	7
Renewal of commercial television station licences	23	17
Renewal of commercial television translator station licences	**53	36
Ownership and control matters (including joined inquiries)	13	10
Section 18(1) inquiries	2	-
Section 18(2) inquiries	2	-
	155	164

* contemporaneous inquiries for one commercial radio station and two commercial radio translator stations at Coffs Harbour - not concluded as at 30 June 1984.

** held contemporaneously with inquiries into renewal of parent station licences.

*** see paragraph 134 for grants of commercial and national television translator station licences without inquiry.

94. The inquiries were scheduled over 116 sitting days during the year; the number of sitting days during 1982-83 was 110.

95. While slightly fewer licence grant and renewal inquiries were held than in 1982-83, a number of individual inquiries required extensive hearing schedules. These included:

- . the Coffs Harbour inquiry into the grant of one commercial radio and two commercial radio translator licences (16 sitting days during 1983-84);
- . the section 18(1) inquiry into Broadcasting Program Standard 3 - Australian music on radio stations (23 sitting days);
- . the section 18(2) inquiry into the regulation of the use of satellite program services by broadcasters (16 sitting days);
- . the Pilbara inquiry into applications for the transfer of four television repeater station licences and for the variation of a condition of each of the licences (8 sitting days); and
- . the inquiry into the application by North Queensland Portfolio Pty Ltd for approval for the acquisition of shares in Telecasters North Queensland Ltd (7 sitting days during 1983-84).

Details of these inquiries are given below.

SECTION 18 INQUIRIES

96. The Tribunal is empowered by sub-section 18(1) of the Act to hold an inquiry before taking action under the Act in relation to any matter. Sub-section 18(2) empowers the Minister to direct the Tribunal to hold an inquiry in relation to certain specified categories of matters.

'Australian Music' Inquiry

97. On 5 November 1982, the Tribunal gave notice of its intention to amend its Broadcasting Program Standards 1981 by determining that Program Standard 3 be repealed.

98. Program Standard 3 reads:

Encouragement of Australian Artists

A licensee shall ensure that not less than 20 per cent of the time occupied in the broadcasting of music each day by a licensee shall consist of performances by Australians.

99. The Tribunal also invited comments from the public on the appropriateness of the proposed amendment. 101 responses were received by the Tribunal, of which eleven were in favour of repealing the Standard and ninety were in favour of retaining or increasing the 20 per cent requirement.

100. In the light of these responses, the Tribunal decided that it would hold a public inquiry into Australian music on commercial and public radio stations in Australia.

101. The Tribunal invited interested persons to lodge written submissions and those who had previously submitted comments on the matter were given the opportunity to request that those comments be taken into account as part of the inquiry. In response to this invitation the Tribunal received 100 submissions, 97 of which were in favour of maintaining or increasing the quota.

102. The public hearing of the inquiry commenced in Sydney on 28 November 1983. The Division of the Tribunal conducting the inquiry was David Jones, Chairman, and Catharine Weigall and Ray Watterson, Members. Applications to participate in the hearing as parties to the inquiry were made by the Federation of Australian Radio Broadcasters, the Australian Record Industry Association/Phonographic Performance Company of Australia Limited, Actors Equity of Australia and Ms J Forrester. All were granted leave to appear as parties. The Tribunal also heard evidence from eight other persons who had notified their interest in being witnesses in the proceedings. In addition, the Tribunal asked Mr J Wilde, Booking Manager at Nucleus Creative Entertainment, Mr G A Baker, rock music historian, and the Australian Broadcasting Corporation to give evidence relating to the matter.

103. Hearings were held in Sydney from 28 November to 2 December 1983, 6 to 10 and 14 to 17 February, 27 April, 28 to 31 May and 12 to 15 June 1984. At the date of this report, the Tribunal had not completed its consideration of the matter. It is expected that the Tribunal will publish its Report and Decision by the end of 1984.

'Ghost Crewing' Inquiry

104. On 30 April 1984 the Tribunal announced that it would conduct a public inquiry into the filming and production of certain British Airways television commercials. This became known as the 'ghost crewing' inquiry.

105. The Tribunal proposed to investigate, inter alia, whether four British Airways commercials were produced in conformity with the relevant Television Program Standard. Paragraph 39 of the Television Program Standards requires that with limited exceptions all television advertisements be produced in Australia.

106. The inquiry is being conducted by Ray Watterson, Member, sitting as a Division of the Tribunal. Preliminary hearings only were held during the current year. The inquiry has been adjourned pending the resolution of a Federal Court challenge by Saatchi & Saatchi Compton (Vic) Pty Limited to the validity of the inquiry and the Tribunal's Australian content standards for advertisements.

Satellite Inquiry

107. On 29 November 1983 the Minister for Communications directed the Tribunal to hold an inquiry into matters relating to the regulation of the use of Satellite Program Services (SPS) and to make recommendations to him following the inquiry.

108. The terms of reference for the inquiry are set out below:

I, Michael John Duffy, Minister for Communications, pursuant to section 18 of the Broadcasting and Television Act 1942 ('the Act'), hereby direct the Australian Broadcasting Tribunal to hold an inquiry and make recommendations to me regarding the following matters:

- (1) likely arrangements for providing satellite program services (SPS), that is, programs (including advertisements) distributed via the satellite system to commercial licensees for re-broadcast on their stations;
- (2) any amendments to the Act required to regulate the provision of commercial television SPS;
- (3) the form and process most appropriate for authorisation by the Tribunal of commercial television SPS;
- (4) the range of matters related to commercial television SPS which should be regulated by the Tribunal;
- (5) whether similar arrangements are required to regulate the provision of commercial radio SPS;
- (6) what measures are required to promote provision of commercial services to remote areas.

The Tribunal shall have regard to the following:

- (1) the Government's desire to maximise diversity of choice in broadcasting services and to discourage concentration of ownership and control of stations while maintaining the viability of the broadcasting system;
- (2) the significant number of Australians who do not yet have access to commercial broadcasting services or have access to only one commercial television or radio service;
- (3) recent Government decisions regarding satellite program services, supplementary television licences and related subjects. The Tribunal shall not consider allocation of space station transponder capacity or contractual arrangements between Aussat Pty Ltd and providers of satellite program services, but should comment on such related matters as copyright legislation and provisions for Australian or local content of programs as it feels to be appropriate.

The Tribunal shall report by 31 May 1984.

109. The Tribunal publicised the inquiry in the national and capital city press, and in the Commonwealth of Australia Gazette, between 26 and 30 November 1983. Submissions, and expressions of interest from persons wishing to seek leave to appear at the public hearings of the inquiry, were invited in the same notice. Information concerning the inquiry was also provided to major country and regional newspapers throughout Australia.

110. The reporting date set by the Minister was 31 May 1984, but following representations from various interest groups, the Minister extended that date to 30 June 1984. The Minister further extended the date until 13 July 1984 to allow the opportunity for response to a submission lodged with the Tribunal by the Department of Communications on the provision of commercial television services to remote areas. The closing date for the lodgment of written submissions was originally 20 January 1984 but by virtue of the first extension of the reporting date, this was amended to 20 February 1984. Similarly, the original date for the lodgment of submissions in reply was amended from 10 February to 12 March 1984.

111. An information paper detailing hearing procedures and canvassing major issues which the Tribunal considered arose from the terms of reference was circulated widely to persons on the Tribunal's mailing lists and to other potentially interested parties in Australia. The information paper invited expressions of interest from persons who wished to participate in a technical committee to be formed to consider the main technical issues arising in the inquiry.

112. The Tribunal received sixty-four submissions to the inquiry, three of which were granted confidentiality in part by the Tribunal. Copies of the submissions, excluding those parts granted confidentiality, were made available for public examination in each of the Tribunal's offices and the National Library of Australia (Canberra), Darwin City Library (Casuarina branch), Alice Springs Town Library, and Mount Isa Library. Two submissions in reply were also received by the Tribunal.

113. The inquiry was conducted by a Division of the Tribunal consisting of the Chairman, David Jones, and Tribunal Members Mark Armstrong and Julie James-Bailey. The Tribunal was greatly assisted in dealing with matters relating to technical issues by James Wilkinson, who retired as a Member of the Tribunal in March 1984 to take up his appointment as Program Controller, South Pacific Telecommunications Development Program.

114. Public hearings of the inquiry were held in Sydney, Melbourne, Perth, Alice Springs, and Kintore (a remote Aboriginal community in the Northern Territory) during the period 20 March to 19 April 1984. The Tribunal heard evidence from 112 witnesses representing forty organisations or individuals. Nearly 1,950 pages of transcript were recorded. Copies of the non-confidential sections of the transcript were placed in each of the Tribunal's offices and in the aforementioned libraries for public examination.

115. As mentioned earlier, the Tribunal in its information paper invited expressions of interest from persons who wished to participate in a technical committee. Relatively few responses were received and the invitation was extended to those organisations whose representatives attended the Tribunal's technical meetings for the Cable and RSTV inquiry held during 1982. Twenty-nine organisations, comprising representatives of private companies, industry bodies and government departments, attended the first meeting.

116. Mr James Oswin of the Department of Communications has been requested by the Minister for Communications to conduct a review of the policy of localism in Australian broadcasting ('Localism Review'). As there is some commonality between the SPS Inquiry and the Localism Review, arrangements were

made for an exchange of non-confidential submissions between the Review and the Tribunal.

117. On 8 February 1984, the Minister for Aboriginal Affairs and the Minister for Communications decided to convene a task force to work in close co-operation with interested agencies and in consultation with Aboriginals to report on Aboriginal broadcasting.

118. The Tribunal and the Task Force have exchanged information relating to Aboriginal broadcasting. The Tribunal will have regard to the material provided by the Task Force in the preparation of its report. (The Tribunal's report was delivered to the Minister on 16 July 1984.)

The 'Albany' Inquiry

119. On 8 February 1984, the Minister directed the Tribunal, inter alia, to inquire into the commercial viability of commercial television station GSW-9 Southern Agricultural Area in Western Australia. This followed the Minister's decision not to accede to an earlier request by the licensee of station GSW-9, Golden West Network Limited, that he vary the specification of the station to tender it a translator station of station BTW-3 Bunbury.

120. The particular matters referred by the Minister for inquiry were:

- (1) Having regard to the area being served by Golden West Network Ltd in respect of its commercial television licence GSW-9 Mount Barker, WA, whether a commercial television station is commercially viable in that area;
- (2) If a commercial television station is not presently viable in that area, whether it is likely such a station may be viable at any time in the near future;
- (3) What the likely effect would be on the quality and nature of the service for viewers if a commercial television translator service was provided in the area in lieu of the present commercial television station service;
- (4) What the likely effect would be on local advertisers if a commercial television translator service was provided in the area in lieu of the present commercial television station service; and
- (5) Having regard to (1), (2), (3) and (4), whether it would be more appropriate for the area served by GSW-9 to be served by a commercial television translator station in lieu of the present commercial television station service.

121. The hearing of the inquiry took place in Albany on 16, 17, 18 and 19 April 1984, in conjunction with the hearing for the renewal of GSW-9's licence. Mr K A Archer, Vice-Chairman conducted the inquiry as a Division of the Tribunal. (The Tribunal's Report and Recommendations were delivered to the Minister on 16 July 1984.)

LICENCE RENEWAL INQUIRIES

122. The Act and the Broadcasting and Television Amendment Act 1977 contain special provisions in relation to the holding of inquiries into applications for renewal of licences. Under the transitional provisions of section 33 of the latter Act, the Tribunal may consider applications for the renewal of licences without holding a public inquiry on up to three occasions for periods not exceeding one year where a public inquiry into the renewal of the licence has not been previously held since the grant of the licence. Alternatively, this section provides that the Tribunal may hold an inquiry into the renewal of a licence and following that inquiry may renew the licence for a maximum period of three years.

123. Section 86 of the principal Act, which comes into effect after the provisions of section 33 cease to apply to the renewal of a particular licence, requires that upon lodgment of an application for renewal of licence, the Tribunal shall, by Notices in the Gazette and a newspaper or newspapers circulating in the area concerned, notify interested persons that they may lodge written submissions with the Tribunal relating to the renewal of the licence. Section 86(8) of the Act provides a discretion to the Tribunal in that where no submissions (other than submissions that, in the opinion of the Tribunal, are frivolous, vexatious or not made in good faith) have been lodged with the Tribunal, the Tribunal may consider an application for renewal of the licence without holding an inquiry.

124. Licences renewed during the year pursuant to section 86 of the Act without being the subject of a public inquiry were:

COMMERCIAL RADIO STATIONS

2BE	Bega and Moruya	2NM	Muswellbrook
2DU*	Dubbo	2RG	Griffith
2GN	Goulburn	2ST	Nowra and Bowral
2MC	Kempsey	2VM	Moree
2MO	Gunnedah	3HA	Hamilton
2MW	Murwillumbah	4NA	Nambour

COMMUNITY TELEVISION AERIAL SYSTEMS

Balmoral, NSW	Harrow, VIC
Bayview, NSW	Leeman, WA
Castlecrag, NSW	

* Commercial radio translator station 2DU Cobar was renewed without inquiry pursuant to section 33 of the Broadcasting and Television Amendment Act 1977.

125. In each of the above cases no submissions were lodged in relation to the renewal, and as no breaches of the Act or of the Program Standards or other matters had arisen during the past licence renewal period which, in the opinion of the Tribunal, warranted the holding of inquiries, it was decided to consider the applications for renewal of licence without inquiry. Each of the licences was renewed for the maximum period of three years. In making such decisions on whether to hold an inquiry the Tribunal has regard to the factors set out in its Policy Statement 'Holding of Public Inquiries' (POS 08).

126. Particulars of licence renewal inquiries conducted during the year are set down below:

STATION	DATE(S) OF INQUIRIES
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Commercial radio stations

- New South Wales/ACT

2GO Gosford	26 Sept 1983
2HD Newcastle	27 Sept 1983
2NX Bolwarra	27 Sept 1983
2KO Newcastle	27 Sept 1983
2WS Sydney	30 Sept 1983
2GZ Orange	7 Nov 1983
2PK Parkes	8 Nov 1983
2LF Young (and joined share transaction and licence transfer inquiries)	8 Nov 1983
2LT Lithgow	8 Nov 1983
2BS Bathurst	9 Nov 1983
2MG Mudgee (and contemporaneous licence transfer inquiry)	10 Nov 1983
2DAY Sydney	16 Nov 1983
2MMM Sydney (and joined share transaction inquiry)	16 Nov 1983
2KA Katoomba and translator stations	16 Nov 1983
2CA Canberra	14 Feb 1984
2CC Canberra	14 Feb 1984
2XL Cooma	15 Feb 1984
2OO Wollongong	21 Mar 1984
2WL Wollongong	21 Mar 1984
2GF Grafton	1 May 1984

- Victoria

3EON Melbourne	22 Nov 1983
3FOX Melbourne	22 Nov 1983
3YB Warrnambool	21 Mar 1984
3BA Ballarat	22 Mar 1984
3GL Geelong	22 Mar 1984
3CR Melbourne	5, 6 June 1984

- Queensland

4LM Mount Isa	14 July 1983
4AK Oakey	8 Aug 1983
4GR Toowoomba	8 Aug 1983
4WK Warwick	8 Aug 1983
4VL Charleville	9 Aug 1983
4GY Gympie	10 Aug 1983

STATION	DATE(S) OF INQUIRIES
Commercial radio stations (cont'd)	
4ZR Roma	10 Aug 1983
4MB Maryborough	11 Aug 1983
4SB Kingaroy	11 Aug 1983
4BU Bundaberg	15 Aug 1983
4CD Gladstone and translator station	16 Aug 1983
4RO Rockhampton	17 Aug 1983
4HI Emerald and translator stations	18 Aug 1983
4LG Longreach	19 Aug 1983
4MMM Brisbane	6 Dec 1983
- Western Australia	
6NOW Perth	12 Oct 1983
6PR Perth	4 Apr 1984
- South Australia	
5SSA Adelaide	14 Oct 1983
Public radio stations	
4DDB Toowoomba	8 Aug 1983
2NUR Newcastle	29 Sep 1983
2WEB Bourke	8 Nov 1983
4ZZZ Brisbane	6 Dec 1983
2REM Albury/Wodonga	22 Mar 1984
Commercial television and translator stations (contemporaneous inquiries)	
- New South Wales/ACT	
NBN-3 Newcastle	28 Sep 1983
MTN-9 Murrumbidgee Irrigation Areas	7 Nov 1983
CBN-8 Central Tablelands	7 Nov 1983
CWN-6 Central Western Slopes	7 Nov 1983
CTC-7 Canberra	23 Nov 1983
WIN-4 Illawarra	22 Mar 1984
NEN-9 Upper Namoi	11 Apr 1984
ECN-8 Manning River	11 Apr 1984
NRN-11 Grafton-Kempsey	2 May 1984
RTN-9 Richmond-Tweed	2 May 1984
- Victoria	
BTV-6 Ballarat	23 Mar 1984
- Queensland	
TVQ-0 Brisbane	11 Jul 1983
QTQ-9 Brisbane	12 Jul 1983

STATION DATE(S) OF INQUIRIES

Commercial television and translator stations (contemporaneous inquiries)
(cont'd)

ITQ-8	Mount Isa	14	Jul	1983
TNQ-7	Townsville (and joined share transaction inquiry)	21,22	Jul	1983
		2,22,23	Feb	1984
		16,19	Mar	1984
DDQ-10	Darling Downs	9	Aug	1983
SDQ-4	Southern Downs	9	Aug	1983
SEQ-8	Wide Bay	11,24	Aug	1983
RTQ-7	Rockhampton	17	Aug	1983

- Western Australia

STW-9	Perth	19	Sep	1983
TVW-7	Perth	20	Sep	1983
VEW-8	Kalgoorlie (and joined share transaction inquiry)	9-12,17	Apr	1984
GSW-9	Southern Agricultural (see also s.18 inquiries)	16-19	Apr	1984

127. With the exception of the following, each of the licences was renewed for the maximum period of three years:

- . ITQ-10 Mary Kathleen and ITQ-10 Gunpowder. Licences renewed for a period of one year from 1 August 1983 to 31 July 1984 (Report 158/83 R(RT)).
- . 3YB Warrnambool. Licence renewed for a period of two years from 1 May 1984 to 30 April 1986 (Report 212/84 R(R), not yet published).
- . TNQ-7 Townsville and translators TNQ-1 Bowen and TNQ-5A Townsville. Licences renewed for a period of one year from 1 August 1983 to 31 July 1984 (Report 172/83 OR(T), not yet published).

128. The Tribunal saw fit because of operational or administrative considerations to renew the licences for the ITQ-10 stations and for station 3YB for lesser periods than the maximum allowed under the Act. The reasons for the Tribunal's decisions are contained in the reports referred to above. As the inquiries into the renewal of the TNQ licences were joined to a share transaction inquiry which is still continuing, the Tribunal renewed the licences for twelve months as allowed under paragraph 92FAA(9)(b) of the Act. The considerations the Tribunal will generally take into account in deciding whether the circumstances in a particular licence renewal justify a renewal of the licence for less than 3 years are set out in Policy Statement POS 05, 'Renewal of a Licence for Less Than The Maximum Period'.

LICENCE GRANT INQUIRIES

129. During the year, the Tribunal held inquiries as required by sub-section 83(1) of the Act into the grant of the following licences:

DATE(S) OF INQUIRIES

Commercial radio stations and commercial radio translator stations

- . Contemporaneous inquiry -
Coffs Harbour (NSW) radio station
and two translator stations 1 Jul 1983,
15-19 Aug 1983,
5- 9 Sep 1983,
12-16 Dec 1983
- . Bowen (Qld) translator station 8 Dec 1983
- . Airlie Beach (Qld) translator station 9 Dec 1983
- . Tully (Qld) translator station 22 Feb 1984
Licence granted to Coastal Broadcasters
Pty Ltd (Report 202/84 G(R))

Public radio stations

- . Cairns and district (Qld). 21 Feb 1983
Licence granted to Cairns Community
Broadcasters Inc.
(Report 201/84 G(R))
- . Canberra 28-30 Mar 1984
2 Apr 1984
6- 9 Jun 1984
(continuing)

130. The Tribunal expects to adopt decisions in the Coffs Harbour, Bowen and Airlie Beach inquiries early in the coming financial year. Further hearings were scheduled for July 1984 in the inquiry into the grant of an 'S' category public radio licence in Canberra.

131. In the previous annual report, it was reported that further hearings in the inquiry into the grant of twelve commercial television translator stations to serve the Gosford-Wyong area of NSW were scheduled to be held during 1983-84. This did not eventuate. A full hearing of the inquiry was delayed pending the resolution of the availability of frequencies for all twelve possible stations and the determination of service areas for commercial television stations in the neighbouring Sydney and Newcastle regions. It was the licensees of these television stations which had applied for the Gosford-Wyong licences.

132. The announcement by the Minister of the reduction of UHF channel spacing from 8 MHz to 7 MHz appears to have resolved the question of frequency availability. On 28 February 1984, the Minister issued proposed service area determinations for the Sydney and Newcastle commercial television stations with comments on these proposals due by 10 April 1984. The Tribunal wrote to the applicants after the period for comments closed, seeking their advice as to whether they had been able to resolve their differences given the proposed service area determinations. The full hearing is now expected to commence during August 1984.

133. Mention was also made in the 1982-83 report of delays affecting the grant of a commercial radio translator station to serve Tennant Creek in the Northern Territory. Since that time, the applicant for the licence (which is the licensee of 8HA Alice Springs) has decided not to proceed with its application, because of rising costs and lack of commercial support.

134. In a number of cases, the Tribunal exercised its discretion under subsection 83(2) of the Act and considered applications for the grant of licences without holding public inquiries. All applications under the Self-help Television Reception Scheme were considered in this way. Thirty-one television translator licences were granted under the scheme during the year, as follows:

National television translator stations

- . Tumbarumba, NSW (Report 175/83 G(T))
- . Bamaga, Qld (Report 183/83 G(T))
- . Mornington Island, Qld (Report 184/83 G(T))
- . Condobolin, NSW (Report 185/83 G(T))
- . Windorah, Qld (Report 190/83 G(T))
- . Jundah, Qld (Report 191/83 G(T))
- . Stonehenge, Qld (Report 192/83 G(T))
- . Bollon, Qld (Report 193/83 G(T))
- . Lockhart River, Qld (Report 197/84 G(T))
- . Edward River, Qld (Report 198/84 G(T))
- . Kowanyama, Qld (Report 199/84 G(T))
- . Coorow, WA (Report 241/84 G(T))
- . Port Keats, NT (Report 243/84 G(T))
- . Garden Point (Pularumpi), NT (Report 244/84 G(T))
- . Numbulwar, NT (Report 245/84 G(T))
- . Tieri, Qld (Report 246/84 G(T))
- . Eulo, Qld (Report 251/84 G(T))
- . Thargomindah, Qld (Report 252/84 G(T))
- . Wyandra, Qld (Report 253/84 G(T))

Commercial television translator stations

- . Dungog, NSW (Report 174/83 G(T))
- . Tumbarumba, NSW (Report 175/83 G(T))
- . Kojonup, WA (Report 176/83 G(T))
- . Condobolin, NSW (Report 185/83 G(T))
- . Boyne Island/Tannum Sands, Qld (Report 189/83 G(T))
- . Nyngan, NSW (Report 242/84 G(T))
- . Jindabyne, NSW (Report 249/84 G(T))
- . Bombala, NSW (Report 250/84 G(T))
- . Cloncurry, Qld (Report 255/84 G(T))
- . Keith, SA (Report 256/84 G(T))
- . Bordertown, SA (Report 257/84 G(T))
- . The Gap, SA (Report 258/84 G(T))

135. Further, commercial radio translator station licences were granted (without public inquiry) to:

- . North Queensland Broadcasting Corporation Pty Limited, to serve the town of Cloncurry, Qld (Report 203/84 G(R)); and

- Radio 4AY Pty Limited, to serve the town of Hughenden, Qld (Report 204/84 G(R));

and one commercial plus one national television translator station were granted to each of:

- Country Television Services Limited to serve areas of the City of Lithgow, NSW (Report 173/83 G(T)); and
- Mackay Television Limited, to serve the town of Glendon and the Newlands minesite, Qld (Report 188/83 G(T)).

136. In deciding whether to hold public inquiries on the grant of licences the Tribunal takes into account the factors set out in Policy Statement POS 08, 'Holding Public Inquiries'.

137. The Tribunal also proposes to publish a Policy Statement on the factors to be taken into account in deciding the most suitable applicant for the grant of a licence pursuant to section 83(9) of the Act.

INQUIRIES INTO TRANSACTIONS RELATING TO THE OWNERSHIP OR CONTROL OF STATIONS

Share Transaction Inquiries

138. During 1983-84, the Tribunal conducted inquiries into the following proposed share transactions:

	DATE OF INQUIRY
<ul style="list-style-type: none"> • application by the Australian Broadcasting Company Pty Limited (ABC) and related persons for approval of the acquisition by ABC of all the issued capital of Capital City Broadcasters Pty Limited - approved by the Tribunal (Report 168/83 O(R)). 	14 Sep 1983
<ul style="list-style-type: none"> • applications for approval of the acquisition of the whole of the issued capital of Bridge Radio Limited by S E McEvoy, P R E McEvoy, P L McEvoy, D K Bean, D J Bean and P A Steele - approved by the Tribunal (Report 180/83 O(R)). 	24 Nov 1983
<ul style="list-style-type: none"> • applications by Broadcast and Communications Limited, Mindara (No.3) Pty Ltd, Mindara (No.4) Pty Ltd and W R Gamble for approval of the acquisition of shareholding interests in Murrumbidgee Television Limited - approved by the Tribunal (Report 181/83 O(RT)). 	12 Jul 1983

	DATE OF INQUIRY
<ul style="list-style-type: none"> • application by S M Gazal for approval of his acquisition of 743,200 shares in the capital of Country Television Services Limited - approved by the Tribunal (Report 200/84 O(R)). 	15 Sep 1983
<ul style="list-style-type: none"> • application by Techcom Australia Pty Limited for approval of its acquisition of all the shares in Southern Cross Communications Ltd - approved by the Tribunal (Report 253/84 O(RT)). 	22 Dec 1983
<ul style="list-style-type: none"> • application by ENT Limited for approval of its acquisition of all the ordinary issued capital in Sunshine Coast Broadcasters Ltd - approved by the Tribunal (Report 248/84 O(R)). 	7 Dec 1983
<ul style="list-style-type: none"> • application by Grencol Holdings Pty Ltd for approval of its acquisition of all issued capital of Swan Television and Radio Broadcasters Limited - inquiry continuing. 	6 Apr 1984

139. Some inquiries into share transactions were joined to licence renewal inquiries pursuant to the provisions of sub-sections 90JA(8) or 92FAA(8) of the Act. These have been noted above under 'Licence Renewal Inquiries'.

Licence Transfer Inquiries

140. Section 89A of the Act provides, inter alia, that a licensee shall not, without the consent in writing of the Tribunal, transfer a licence granted under the Act. During the year, the Tribunal conducted separate public inquiries into the following proposed licence transfers:

	DATE(S) OF INQUIRY
Commercial radio stations	
<ul style="list-style-type: none"> • 2KA Katoomba and associated translator stations. The Tribunal approved the transfer of the licences from Radio 2KA Pty Limited to Hayden Nepean Broadcasters Pty Limited (Report 177/83 O(R)) 	5 Aug 1983

Commercial television repeater stations

- | | |
|--|---|
| <ul style="list-style-type: none"> o HTWR-7 Tom Price, HTWR-9 Mount Nameless, HTWR-11 Paraburdoo and NEWR-9 Newman. The Tribunal refused to consent to the transfer of the licences from Hamersley Iron Pty Ltd and Mt Newman Mining Co. Pty Limited to Mining Television Network Pty Ltd (Report 207/84 OM(T)) | <p style="text-align: right;">22,
23,24,26 Sept 1983
4-7 Oct 1983</p> |
|--|---|

141. Mining Television Network Pty Ltd also applied for a variation of the conditions of each of the Pilbara television repeater stations relating to the televising of pre-taped advertising material, and this was also refused by the Tribunal (see Report 207/84 OM(T)).

142. Some inquiries into proposed licence transfers were joined to licence renewal inquiries. These have been noted above under 'Licence Renewal Inquiries'.

Registration of Lenders Inquiries

143. When calculating the interest held by a person in any company holding a commercial television licence, the Tribunal disregards the loan interests of the person if he has been registered by the Tribunal in accordance with section 91C of the Act. Persons seeking registration must satisfy the Tribunal that they are not, and are not likely to be (whether alone or in association) in a position to exercise a significant influence on any commercial television licensee.

144. During the year, the Tribunal received applications from the Australian Mutual Provident Society and AMP Acceptances Limited for registration pursuant to section 91C of the Act. The Tribunal conducted an inquiry into these applications, and held a public hearing in Sydney on 20 October 1983. The Tribunal decided to register the applicants (Report 194/83 O(T)).

CURRENT LICENCES

145. As at 30 June 1984, there were 435 licences, within the meaning of section 80(1) of the Act, as follows:

TYPE OF LICENCE	* NO. ISSUED
Commercial radio station	137
Commercial television station	50
Commercial radio translator station	16
Commercial television translator station	144
National television translator station	17
Public radio station	50
Public radio translator station	1
Television repeater station	9
Licence to which section 130A applies (CTAS)	11
TOTAL	435

* Includes licences for stations which have not yet commenced service.

146. Details of the shareholding structure of individual licensees are contained in a separate publication provided by the Tribunal.

147. The disposition of licences is shown in the following table:

STATES/TERRITORIES	CAPITAL CITIES	COUNTRY AREAS	TERRITORIES	TOTAL
Commercial radio stations				
Australian Capital Territory	-	-	2	2
New South Wales	9	34	-	43
Victoria	10	14	-	24
Queensland	6	23	-	29
South Australia	5	5	-	10
Western Australia	5	14	-	19
Tasmania	2	6	-	8
Northern Territory	-	-	2	2
AUSTRALIA	37	96	4	137
Commercial television stations				
Australian Capital Territory	-	-	1	1
New South Wales	3	11	-	14
Victoria	3	6	-	9
Queensland	3	8	-	11
South Australia	3	3	-	6
Western Australia	2	4	-	6
Tasmania	1	1	-	2
Northern Territory	-	-	1	1
AUSTRALIA	15	33	2	50

STATES/TERRITORIES	CAPITAL CITIES	COUNTRY AREAS	TERRITORIES	TOTAL
Commercial radio translator stations				
Australian Capital Territory	-	-	-	-
New South Wales	-	6	-	6
Victoria	-	-	-	-
Queensland	-	6	-	6
South Australia	-	-	-	-
Western Australia	-	3	-	3
Tasmania	-	-	-	-
Northern Territory	-	-	1	1
AUSTRALIA	-	15	1	16
Commercial television translator stations				
Australian Capital Territory	-	-	1	1
New South Wales	3	37	-	40
Victoria	-	21	-	21
Queensland	-	44	-	44
South Australia	3	2	-	5
Western Australia	-	16	-	16
Tasmania	-	17	-	17
Northern Territory	-	-	-	-
AUSTRALIA	6	137	1	144
National television translator stations				
Australian Capital Territory	-	-	-	-
New South Wales	-	2	-	2
Victoria	-	1	-	1
Queensland	-	12	-	12
South Australia	-	-	-	-
Western Australia	-	2	-	2
Tasmania	-	-	-	-
Northern Territory	-	-	-	-
AUSTRALIA	-	17	-	17
Public radio stations				
Australian Capital Territory	-	-	1	1
New South Wales	12	11	-	23
Victoria	3	4	-	7
Queensland	3	3	-	6
South Australia	4	1	-	5
Western Australia	2	1	-	3
Tasmania	2	1	-	3
Northern Territory	-	-	2	2
AUSTRALIA	26	21	3	50

STATES/TERRITORIES	CAPITAL CITIES	COUNTRY AREAS	TERRITORIES	TOTAL
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Television repeater stations

Western Australia	-	6	-	6
Northern Territory	-	-	3	3
AUSTRALIA	-	6	3	9

Community television aerial systems

Australian Capital Territory	-	-	-	-
New South Wales	5	-	-	5
Victoria	2	1	-	3
Queensland	1	-	-	1
South Australia	1	-	-	1
Western Australia	-	1	-	1
Tasmania	-	-	-	-
Northern Territory	-	-	-	-
AUSTRALIA	9	2	-	11

PUBLIC RADIO TRANSLATOR STATION

148. One licence has been issued for a public radio translator station at Dorrigo, New South Wales.

TRANSFER OF LICENCES

149. During the year, approval was granted for the transfer of licences, pursuant to section 89A of the Act, for commercial radio stations and commercial television stations as follows:

STATION	FROM	TO
Commercial radio station licence		
2CA Canberra	Canberra Broadcasters Pty Ltd	Macquarie Broadcasting Holdings Limited
2MMM Sydney	Stereo FM Pty Ltd	Puerta Pty Ltd
2GB Sydney	Broadcasting Station 2GB Pty Ltd	Macquarie Broadcasting Holdings Limited
2WL Wollongong	Wollongong Broadcasting Pty Ltd	Macquarie Broadcasting Holdings Limited
2LF Young	Young Broadcasters Pty Ltd	Riverina Broadcasters (Holdings) Pty Ltd

STATION	FROM	TO
2KA Katoomba	Radio 2KA Pty Ltd	Hayden Nepean Broadcasters Pty Ltd
3AW Melbourne	3AW Broadcasting Co. Pty Ltd	Macquarie Broadcasting Holdings Limited
3HA Hamilton	Nilsen's Broadcasting Service Pty Ltd	Nilsen McNiece Systems Pty Ltd
4BH Brisbane	Broadcasters (Aust.) Pty Ltd	Macquarie Broadcasting Holdings Limited
4GC Charters Towers	Radio 4AY Pty Ltd	North Queensland Broadcasting Corporation Pty Ltd
5DN Adelaide	Hume Broadcasters Pty Ltd	Macquarie Broadcasting Holdings Limited

Commercial television station licence

Nil.

OPERATION OF STATIONS

150. At 30 June 1984, the following stations were, pursuant to section 89A of the Act, being operated by persons other than the licensee:

STATION	LICENSEE	OPERATING COMPANY
Commercial radio stations		
2CH Sydney	Council of Churches in NSW Broadcasting Co. Pty Ltd	Amalgamated Wireless (Australasia) Ltd
3KZ Melbourne	Industrial Printing and Publicity Co. Ltd	3KZ Radio Pty Ltd (subsidiary of licensee company)
3XY Melbourne	Station 3XY Pty Ltd	Radio 3XY Pty Ltd (subsidiary of licensee company)

Commercial television stations

Nil.

CHANGES IN SHAREHOLDINGS

151. The following are the more important of the changes during the year under review in the shareholding of companies holding licences for commercial radio stations and commercial television stations:

Commercial radio stations

2BE Bega

R E and C M Rumble each acquired an additional 24 (24.0%) shares in the licensee company.

2CC Canberra

The Australian Broadcasting Company Pty Ltd acquired all the issued shares.

2GZ Orange/2NZ Inverell

Mr S M Gazal acquired 743,200 (19.99%) stock units.

2HD Newcastle

Mr R G Cook replaced Mr E Monson as a trustee on behalf of the Labour Council of NSW.

2MG Mudgee

Western Broadcasters Pty Ltd acquired all the issued shares.

2RG Griffith

Broadcast and Communications Ltd acquired all the issued shares.

2XL Cooma

X L Broadcasting Pty Ltd acquired 1475 (16.47%) shares.

3CS Colac

Broadcasting Station 2SM Pty Ltd increased its shareholding from 2082 (30.46%) to 2634 (38.54%) shares.

3HA Hamilton

Truth Newspapers (Holdings) Pty Ltd acquired all the issued shares in the licensee company.

3TR Sale

Techcom Australia Pty Ltd acquired all the issued shares in the licensee company.

4AM Atherton-Mareeba

The North Queensland Newspaper Company Limited acquired all the issued shares.

4AY Ayr

Macquarie Broadcasting Holdings Limited acquired all the issued shares in the licensee company.

4SS Nambour (formerly 4NA)

ENT Limited acquired all the issued shares.

5AA Adelaide

The South Australian Totalizator Agency Board acquired all the issued shares in the licensee company.

5KA Adelaide

5KA Holdings Pty Ltd was allotted 485,000 (97.0%) shares.

5MU Murray Bridge

Each of S E McEvoy, P R E McEvoy, P L McEvoy, D K Bean, D J Bean and P A Steele acquired 25 (16.6%) shares.

6KY Perth

Grencol Holdings Pty Ltd acquired all the issued shares.

8DN Darwin

The Swan Brewery Co. Ltd increased its shareholding from 17,150 (46.35%) to 36,765 (99.36%) shares.

Commercial television stations

CBN Central Tablelands Area/CWN Central Western Slopes Area

Mr S M Gazal acquired 743,200 (19.99%) shares.

MTN Murrumbidgee Irrigation Areas

Broadcast and Communications Ltd acquired all of the issued shares.

NEN Upper Namoi Area/ECN Manning River Area

Broadcast Amalgamated Ltd increased its shareholding from 458,665 (27.80%) to 508,665 (30.83%).

BCV Bendigo Area/GLV Latrobe Valley Area

Techcom Australia Pty Ltd acquired all of the issued shares.

GTV Melbourne

Consolidated Press Holdings Ltd acquired a further 135,200 (6.68%) shares, being the balance of the shares it did not already own.

STV Mildura area

Sunraysia Broadcasters Pty Ltd increased from 161,850 (23.12%) to 179,850 (25.69%) shares.

BTQ Brisbane

Fairfax Corporation Pty Ltd acquired a further 1,450,183 (80.01%) shares being the balance of the shares it did not already own.

TVQ Brisbane

Wilkinson Television Pty Ltd acquired all the shares.

DDQ Darling Downs Area/SDQ Southern Downs Area

Dare and Co. Ltd increased from 1,463,225 (38.01%) to 1,541,850 (40.05%) shares.

ITQ Mount Isa Area

MIM Holdings Ltd acquired 31,500 (15.0%) shares from its wholly owned subsidiary Mount Isa Mines Ltd.

RTQ Rockhampton Area

The North Queensland Newspaper Co Ltd acquired 360,090 (12.44%) shares and Parry Corporation Ltd acquired 311,802 (10.77%) shares.

TNQ Townsville Area/FNQ Cairns Area

North Queensland Portfolio Pty Ltd decreased from 2,257,945 (19.14%) to 589,785 (4.99%) shares.

ADS Adelaide

Advertiser Newspapers Pty Ltd acquired a further 600,000 (10.0%) shares from a wholly owned subsidiary.

STW Perth

Grencol Holdings Pty Ltd acquired all the shares.

GTW Geraldton Area

F A L Connell increased from 11,067 (4.15%) to 18,067 (6.78%) shares.
C W Mildwaters Pty Ltd increased from 11,067 (4.15%) to 16,067 (6.03%) shares.

W T Newbold Pty Ltd increased from 8,599 (3.23%) to 13,599 (5.10%) shares.

Grosse Nominees Pty Ltd increased from 11,067 (4.15%) to 13,356 (5.01%) shares.

J R S Pty Ltd increased from 11,067 (4.15%) to 13,356 (5.01%) shares.

VEW Kalgoorlie Area

Datum Nominees Pty Ltd acquired 903,629 (86.12%) of the issued shares.

NTD Darwin Area

Territory Group Investments (Media) Pty Ltd acquired 37,465 (14.99%) shares.

V B Perkins increased from 33,394 (15.09%) to 40,394 (16.16%) shares.

MEMORANDUM AND ARTICLES OF ASSOCIATION OF LICENSEE COMPANIES

152. During the past year, pursuant to the provisions of sections 90K(1) and 92FA(1) of the Act, approval was granted for a number of changes of varying nature in the Memoranda and Articles of Association of licensee companies.

FINANCIAL RESULTS - COMMERCIAL RADIO AND TELEVISION STATIONS

153. The following particulars, which have been extracted from accounts submitted by the licensees of stations in accordance with the provisions of section 106 of the Act (excluding 3CR Melbourne), show the financial results from the operation of such stations during the past five years and also details of metropolitan and country station results for 1982-83.

154. The total revenue figures detailed in the tables include amounts derived by licensees which do not form part of the 'gross earnings' of stations for licence fee purposes.

155. In some cases, these additional amounts form a significant revenue source of licensee company operations.

156. To preserve aspects of confidentiality in the publication of financial results, the aggregate amounts only of those items which do not form part of the 'gross earnings' of stations for licence fee purposes, have been noted below each table.

RADIO

FINANCIAL YEAR	1978-79	1979-80	1980-81	1981-82	1982-83
<hr/>					
Number of stations					
(a) in operation	127	127	133	134	136*
(b) making a profit	107	98	96	106	113
(c) showing a loss	20	29	37	28	23
	\$	\$	\$	\$	\$
Total revenue	125,626,934	140,145,454	164,604,325	196,790,491	221,329,306
Total expenditure	104,236,599	116,735,038	140,670,361	162,334,877	186,912,496
Net result					
(a) before tax,					
after licence fee	21,390,335	23,410,416	23,933,964	34,455,614	34,416,810
(b) after tax,					
after licence fee	11,229,961	12,102,202	10,878,616	19,661,324	19,548,769

* Includes financial results of stations 6LN Carnarvon and 6SE Esperance which furnished accounts for the first time in 1982/83.

Licence fees paid by stations are given in paragraph 168.

157. The financial results of the seven metropolitan commercial FM radio stations which submitted accounts for the first time in 1980-81 are included in the above table.

158. Revenue, other than amounts forming part of the 'gross earnings' of stations for licence fee purposes totalled \$6,420,282 during 1982-83.

159. Details of aggregate financial results by State for metropolitan and country stations for 1982-83 were as follows:

METROPOLITAN

	NSW	VIC	QLD	SA	WA & TAS	TOTAL
Number of stations						
(a) in operation	9	.9	6	5	7	36
(b) making a profit	8	.7	4	5	6	30
(c) showing a loss	1	.2	2	-	1	6*
	\$	\$	\$	\$	\$	\$
Total revenue	50,111,305	36,463,955	18,280,083	15,300,699	15,755,502	135,911,544
Total expenditure	40,144,890	32,078,591	15,768,198	13,903,227	14,156,700	116,051,606
Net result						
(a) before tax after licence fee	9,966,415	4,385,364	2,511,885	1,397,472	1,598,802	19,859,938
(b) after tax, after licence	5,878,475	2,176,860	1,197,468	813,242	1,100,274	11,166,319

* The total revenue of the six metropolitan radio stations making a loss represented 11.5% of aggregate revenue of metropolitan radio stations. Twelve metropolitan stations reported losses in 1981-82.

Revenue, other than amounts forming part of the 'gross earnings' of stations for licence fee purposes totalled \$3,061,925 during 1982-83.

COUNTRY

	NSW & ACT	VIC	QLD	SA & NT	WA & TAS	TOTAL
<hr/>						
Number of stations						
(a) in operation	36	14	23	7	20	100
(b) making a profit	33	13	19	5	13	83
(c) showing a loss	3	1	4	2	7	17*
	\$	\$	\$	\$	\$	\$
Total revenue	39,753,806	12,279,067	21,452,231	3,990,690	7,941,968	85,417,762
Total expenditure	34,191,824	9,452,050	16,437,011	3,447,527	7,332,478	70,860,890
Net result						
(a) before tax, after licence fee	5,561,982	2,827,017	5,015,220	543,163	609,490	14,556,872
(b) after tax, after licence fee	3,132,569	1,983,415	2,690,205	306,316	269,945	8,382,450
<hr/>						

* The total revenue of the seventeen country radio stations making a loss represented 7.6% of aggregate revenue of country radio stations. Sixteen country stations reported losses in 1981-82.

Revenue, other than amounts forming part of the 'gross earnings' of stations for licence fee purposes totalled \$3,358,357 during 1982-83.

TELEVISION

FINANCIAL YEAR	1980-81	1981-82	1982-83
Number of stations			
(a) in operation	50	50	50
(b) making a profit	46	45	46
(c) showing a loss	4	5	4
	\$	\$	\$
Total revenue	573,221,132	722,201,616	816,047,905
Total expenditure	464,565,159	614,328,613	725,983,690
Net result			
(a) before tax,			
after licence fee	108,655,973	107,873,003	90,064,215
(b) after tax,			
after licence fee	61,587,559	65,651,556	51,327,339

Licence fees paid by stations are given in paragraph 169.

Revenue, other than amounts forming part of the 'gross earnings' of stations for licence fee purposes totalled \$99,471,469 during 1982-83.

160. Details of aggregate financial results by State for metropolitan and country television stations for 1982-83 were as follows:

METROPOLITAN

	NSW	VIC	QLD	SA	WA & TAS	TOTAL
Number of stations (a) in operation	3	3	3	3	3	15
(b) making a profit	3	2	3	2	3	13
(c) showing a loss	-	1	-	1	-	2*
Total revenue	247,217,239	197,776,028	72,381,752	59,521,600	84,233,618	661,130,237
Total expenditure	227,346,605	187,445,279	62,766,284	57,430,430	78,646,712	613,635,310
Net results (a) before tax, after licence fee	19,870,634	10,330,749	9,615,468	2,091,170	5,586,906	47,494,927
(b) after tax, after licence fee	11,236,416	3,890,708	5,422,215	1,621,773	3,445,498	25,616,610

* The total revenue of the two stations making a loss represented 10.5% of aggregate metropolitan television station revenue.

Revenue, other than amounts forming part of the 'gross earnings' of stations for licence fee purposes totalled \$86,669,383 during 1982-83.

COUNTRY

	NSW & ACT	VIC	QLD	SA & NT	WA & TAS	TOTAL
Number of stations						
(a) in operation	12	6+	8	4	5	35
(b) making a profit	11	6	8	4	4	33
(c) showing a loss	1	-	-	-	1	2*
Total revenue						
	73,963,090	27,340,077	33,071,386	7,087,440	13,455,675	154,917,668
Total expenditure						
	53,474,219	20,520,355	20,513,852	6,344,022	11,495,932	112,348,380
Net result						
(a) before, tax, after licence fee	20,488,871	6,819,722	12,557,534	743,418	1,959,743	42,569,288
(b) after tax, after licence fee	12,658,888	3,920,674	7,560,987	505,987	1,064,193	25,710,729

* The Total revenue of the two stations making a loss represented 0.9% of aggregate country television station revenue.

+ Includes AMV Albury.

Revenue, other than amounts forming part of the 'gross earnings' of stations for licence fee purposes totalled \$12,802,086 during 1982-83.

FEES FOR LICENCES FOR COMMERCIAL RADIO AND TELEVISION STATIONS

161. Fees for licences for commercial radio and television stations are payable in accordance with the Broadcasting Stations Licence Fees Act 1964 and the Television Stations Licence Fees Act 1964

162. Both Acts were amended in 1983 to introduce new scales of annual licence fees payable and increase the previous ceiling on fees rates for larger commercial radio stations from 5.0 per cent to 5.5 per cent and for larger commercial television stations from 7.5 per cent to 8.0 per cent of annual 'gross earnings'.

163. Under the Acts there is payable on each anniversary of the date of commencement of a licence that occurs during the period of the licence

(including any period of renewal or further renewal of the licence), a fee of an amount equal to the relevant percentage of the gross earnings of the station to which the licence relates during the year ended on 30 June last preceding that anniversary.

164. The fees payable are calculated on the basis of the following formulae:

Radio

- (a) where the gross earnings are less than \$5,000,000 - the percentage ascertained in accordance with the formula -

$$0.5 + \left(0.6 \times \frac{A}{1,000,000} \right) ;$$

- (b) where those gross earnings are not less than \$5,000,000 but are less than \$6,000,000 - the percentage ascertained in accordance with the formula -

$$3.5 + \left(0.5 \times \frac{A-5,000,000}{1,000,000} \right) ;$$

- (c) where those gross earnings are not less than \$6,000,000 but are less than \$7,000,000 - the percentage ascertained in accordance with the formula -

$$4.0 + \left(0.4 \times \frac{A-6,000,000}{1,000,000} \right) ;$$

- (d) where those gross earnings are not less than \$7,000,000 but are less than \$10,000,000 - the percentage ascertained in accordance with the formula -

$$4.4 + \left(0.3 \times \frac{A-7,000,000}{1,000,000} \right) ;$$

- (e) where those gross earnings are not less than \$10,000,000 - whichever is the lesser of 5.5% or the percentage ascertained in accordance with the formula -

$$5.3 + \left(0.11 \times \frac{A-10,000,000}{1,000,000} \right) ;$$

where A is the number of dollars in those gross earnings.

Television

- (a) where those gross earnings are less than \$5,000,000 - the percentage ascertained in accordance with the formula -

$$0.5 + \left(0.6 \times \frac{(A - 1,000,000)}{1,000,000} \right) ;$$

- (b) where those gross earnings are not less than \$5,000,000 but are less than \$6,000,000 - the percentage ascertained in accordance with the formula -

$$3.5 + \left(0.5 \times \frac{(A - 5,000,000)}{1,000,000} \right) ;$$

- (c) where those gross earnings are not less than \$6,000,000 but are less than \$7,000,000 - the percentage ascertained in accordance with the formula -

$$4 + \left(0.4 \times \frac{(A - 6,000,000)}{1,000,000} \right) ;$$

- (d) where those gross earnings are not less than \$7,000,000 but are less than \$10,000,000 - the percentage ascertained in accordance with the formula -

$$4.4 + \left(0.3 \times \frac{(A - 7,000,000)}{1,000,000} \right) ;$$

- (e) where those gross earnings are not less than \$10,000,000 but are less than \$20,000,000 - the percentage ascertained in accordance with the formula -

$$5.3 + \left(0.11 \times \frac{(A - 10,000,000)}{1,000,000} \right) ;$$

- (f) where those gross earnings are not less than \$20,000,000 but are less than \$45,000,000 - the percentage ascertained in accordance with the formula -

$$6.4 + \left(0.06 \times \frac{(A - 20,000,000)}{1,000,000} \right) ;$$

(g) where those gross earnings are not less than \$45,000,000 - whichever is the lesser of 8.0% or the percentage ascertained in accordance with the formula -

$$7.9 + \left(0.03 \times \frac{A - 45,000,000}{1,000,000} \right) ;$$

where A is the number of dollars in those gross earnings.

165. The new scales became effective from 1 September 1983.

166. The Act makes provision for the money value of any consideration in connection with any transaction otherwise than in cash to be deemed to have been paid or given for the purposes of the Act. The Act gives a discretionary power to the Minister to ensure that all income properly attributable to the licensee is included in gross earnings for the purposes of the Act.

167. The Act defines gross earnings in relation to a commercial radio station in respect of a period as meaning the gross earnings of the licensee of the station during that period in respect of the broadcasting from the station of advertisements or other matter, including the gross earnings of the licensee during that period in respect of the provision by him of, or otherwise in respect of, matter broadcast from the station. In the case of a television station, the Act defines gross earnings in respect of a period as meaning the gross earnings of the licensee of the station during that period in respect of the televising from the station of advertisements or other matter, including the gross earnings of the licensee during that period in respect of the provision by him of, or otherwise in respect of, matter televised from the station, not being earnings from the production and recording on photographic film, or the recording on photographic film, of matter consisting wholly of an advertisement.

168. Total licence fees payable by commercial radio stations during the period 1 July 1983 to 30 June 1984 based on total gross earnings in the previous financial year of \$199,856,982 were \$4,546,347. In the financial year prior to that, total licence fees payable by commercial radio stations were \$3,676,626. Total fees payable were made up as follows:

STATE/TERRITORIES	Licence Fees Payable		
	Metropolitan \$	Country \$	Total \$
New South Wales and Australian Capital Territory	1,678,873	489,420	2,168,293
Victoria	939,247	115,273	1,054,520
Queensland	380,746	273,105	653,851
South Australia and Northern Territory	317,497	34,450	351,947
Western Australia and Tasmania	257,723	60,013	317,736
Australia	3,574,086	972,261	4,546,347

Television

169. Total licence fees payable by commercial television stations during the period 1 July 1983 to 30 June 1984 based on gross earnings of \$657,266,031 in the previous financial year were \$43,799,204. In the financial year prior to that, total licence fees payable by television station licensees were \$36,682,103. Total fees payable were made up as follows:

STATE/TERRITORIES	Licence Fees Payable		
	Metropolitan \$	Country \$	Total \$
New South Wales and Australian Capital Territory	15,461,609	2,640,815	18,102,424
Victoria	12,794,834	845,745	13,640,579
Queensland	4,205,506	897,449	5,102,955
South Australia and Northern Territory	3,062,018	103,479	3,165,497
Western Australia and Tasmania	3,438,489	349,260	3,787,749
Australia	38,962,456	4,836,748	43,799,204

BROADCASTING AND TELEVISIONING OF POLITICAL MATTER

170. The provisions governing the broadcasting and televising of political or controversial matter are set out in sections 116, 117 and 117A of the Act.

171. During the year, general elections were held for the States of New South Wales and Queensland, on 24 March 1984 and 22 October 1983 respectively. By-elections were held for the Federal seats of Hughes, Richmond and Corangamite on 18 February 1984 and for the Federal seat of Moreton on 5 November 1983. Nine by-elections for State Parliaments in four States were held during the year.

172. In all cases the Tribunal, as provided by section 116(4) of the Act, required the licensees of stations whose programmes were ordinarily received in the parts of Australia to which the elections related to refrain from broadcasting or televising election advertisements in relation to those elections from midnight on the Wednesdays next preceding the polling-days, and the close of the polls. In September 1983 the Tribunal published a Policy Statement, POS 02, outlining the principles the Tribunal will apply in determining whether broadcast or televised matter is an 'election advertisement' for the purposes of section 116(4) of the Act.

173. Following its usual practice, the Tribunal reminded licensees of their obligations under the Act and, in the case of the general elections, obtained details of time occupied by political matter on radio and television stations during the election periods.

174. In addition, licensees submitted details of charges for matter transmitted by their stations.

175. The total amount of time occupied by political matter broadcast on behalf of parties, candidates or other organisations on commercial broadcasting and television stations in connection with elections for the Australian Parliament since 1969 is as follows:

Commercial Radio Stations

	Total time occupied by political matter during election period	Average time per station	Duration of election period
	Hours	Hours	Weeks
House of Representatives - October 1969	472	4.1	3 1/2
Senate - November 1970	224	1.9	5
House of Representatives - December 1972	594	5.0	4
Senate & House of Representatives - May 1974	684	5.8	3 1/2
Senate & House of Representatives - December 1975	723	6.1	3
Senate & House of Representatives - December 1977	496	4.0	4
Senate & House of Representatives - October 1980	405	3.0	4
Senate & House of Representatives - March 1983	489 1/2	3.6	4

Commercial Television Stations

	Total time occupied by party political telecasts during election period	Average time per station	Duration of election period
	Hours	Hours	Weeks
House of Representatives - October 1969	126	2.8	3 1/2
Senate - November 1970	80	1.8	5
House of Representatives - December 1972	181	3.8	4
Senate & House of Representatives - May 1974	196	4.1	3 1/2
Senate & House of Representatives - December 1975	294	6.1	3
Senate & House of Representatives - December 1977	179	3.6	4
Senate & House of Representatives - October 1980	173	3.5	4
Senate & House of Representatives - March 1983	174	3.5	4

176. The total amount of time occupied by party political broadcasts on national broadcasting and television stations in connection with elections for the Australian Parliament since 1969 is as follows:

National Broadcasting Stations	Total time occupied by party political broadcasts during election period	Average time per station	Duration of election period
	Hours	Hours	Weeks
House of Representatives - October 1969	604	9.0	3 1/2
Senate - November 1970	441	6.5	5
House of Representatives - December 1972	639	8.7	4
Senate & House of Representatives - May 1974	394	5.3	3 1/2
Senate & House of Representatives - December 1975	346	4.5	3
Senate & House of Representatives - December 1977	360	5.0	4
Senate & House of Representatives - October 1980	421	5.0	4
Senate & House of Representatives - March 1983	425 1/2	5.0	4

National Television Stations	Total time occupied by party political broadcasts during election period	Average time per station	Duration of election period
	Hours	Hours	Weeks
House of Representatives - October 1969	175	4.5	3 1/2
Senate - November 1970	140	3.5	5
House of Representatives - December 1972	236	4.5	4
Senate & House of Representatives - May 1974	260	4.9	3 1/2
Senate & House of Representatives - December 1975	236	4.4	3
Senate & House of Representatives - December 1977	384	4.5	4
Senate & House of Representatives - October 1980	425	5.0	4
Senate & House of Representatives - March 1983	430	5.0	4

177. The following table shows the total amounts spent by parties and candidates on radio and television advertising in all Federal and State general elections since 1974.

178. **AMOUNT SPENT BY PARTIES AND CANDIDATES
FEDERAL & STATE ELECTIONS 1974-1984**

		RADIO \$	TELEVISION \$	TOTAL \$
NSW	Mar 1984	272,575	1,203,779	1,476,354
Qld	Oct 1983	273,421	725,726	999,183
Federal	Mar 1983	750,181	3,575,121	4,325,302
WA	Feb 1983	96,338	379,070	475,408
SA	Nov 1982	41,593	249,866	291,459
Tas	May 1982	5,264	4,615	9,879
Vic	Apr 1982	201,404	725,942	927,346
NSW	Sep 1981	233,951	734,016	967,967
Qld	Nov 1980	137,380	485,838	623,218
Federal	Oct 1980	545,379	2,214,043	2,759,422
WA	Feb 1980	78,386	176,497	254,883
SA	Sep 1979	45,227	166,403	211,630
Tas	Jul 1979	13,105	51,483	64,588
Vic	May 1979	99,633	342,426	442,059
NSW	Oct 1978	162,432	497,120	659,552
Federal	Dec 1977	460,977	1,648,144	2,109,121
Qld	Nov 1977	102,069	209,632	311,701
SA	Sep 1977	40,246	130,250	170,496
WA	Feb 1977	28,690	109,818	138,508
Tas	Dec 1976	18,205	53,723	71,928
NSW	May 1976	107,427	304,553	411,980
Vic	Mar 1976	88,651	250,212	338,863
Federal	Dec 1975	457,069	1,861,273	2,318,342
SA	Jul 1975	24,044	113,611	137,655
Qld	Dec 1974	51,823	127,033	178,856
Federal	May 1974	301,204	1,175,864	1,477,068

179. Over the course of the elections for which details are available, the amounts spent by the major political parties were:

Liberal Party	\$9,717,844
Australian Labor Party	\$7,704,942
National/Country Party	\$3,689,223
Democratic Labor Party	\$ 338,439
Australian Democrats	\$ 90,581
Liberal Movement	\$ 36,487
Senator B Harradine	\$ 32,050

PERMITS FOR TEST TRANSMISSIONS

180. The Broadcasting and Television Amendment Act 1980 included new

provisions for the Tribunal to grant permits for test transmissions under section 126 of the Act. Section 126 of the Act, which reads as follows, came into force on 1 January 1981:

- (1) A person who wishes to make test transmissions for purposes connected with the transmission of broadcasting programs or television programs and who is not authorised to make such transmissions by any other provision of this Act or by any other Act may apply to the Tribunal, in accordance with the form approved by it, for a permit under this section.
- (2) On receipt of an application made under subsection (1), the Tribunal may grant to the applicant a permit in writing authorising the holder of the permit to conduct test transmissions.
- (3) A permit granted under this section shall continue in force for such period, not exceeding seven days, as is specified in the permit, and is subject to such conditions as are imposed by the Tribunal.
- (4) Transmissions shall not be made by virtue of a permit granted under this section except in accordance with such technical specifications as are determined by the Minister.
- (5) The Tribunal may, at any time, cancel a permit granted under this section by notice given to the holder of the permit, or to such other person as the Tribunal thinks appropriate, by any means the Tribunal thinks appropriate.
- (6) Subject to sub-section (6A) the holder of a permit granted under this section shall not broadcast or televise advertisements.
- (6A) Subsection (6) does not apply in relation to -
 - (a) a permit granted in relation to a proposed variation of a specification, being a specification as defined by subsection 80(1); or
 - (b) a permit granted in relation to a proposed broadcasting translator station licence or a proposed television translator station licence.
- (7) Anything done in pursuance of a permit granted under this section shall be deemed not to be in contravention of the Wireless Telegraphy Act 1905 or the regulations under that Act.

Conditions Applying To Test Transmission Permits

181. Conditions about the following matters will generally be imposed on the grant of a test permit where such test includes programs:

- (a) Use of a call sign will be prohibited;

- (b) The maximum duration of a test permit will be 7 calendar days rather than 168 hours over 8 calendar days;
- (c) Transmission of advertisements, including sponsorship announcements, will be prohibited, except where the permit is granted in relation to
 - (i) a proposed variation of a specification; or
 - (ii) a proposed translator station licence.
- (d) The application, to the permit and its holder, of any other section of the Act which is relevant having regard to the nature and purposes of the test, will be specified. Sections 102, 107, 111, 112, 116, 117, 118, 119 and 121 will apply to every test permit;
- (e) The application, to the permit and its holder, of the relevant provisions of the Broadcasting and Television Program Standards will be specified.

182. In September 1983, the Tribunal issued a Policy Statement - POS 01 - on the principles it will generally apply in the administration of section 126 of the Act. A revised second issue of the Policy Statement was released in February 1984.

ALLOCATION OF CALL SIGNS

183. As reported in paragraph 150 of the Annual Report for 1979-80, the Tribunal co-ordinates the allocation of call signs for radio and television stations through an ad hoc committee and makes recommendations to the Minister. The Tribunal undertakes the necessary administrative arrangements involved in connection with the committee.

184. The following call signs were allocated by the Minister during 1983-84.

LOCATION OF STATION	LICENSEE/AUTHORITY	CALL SIGN
Albury/Wodonga, NSW/VIC (National-AM)	Australian Broadcasting Corporation	3AB
Gold Coast, Qld (Public-FM)	Gold Coast Christian and Community Broadcasting Association Ltd	4CRB
Nambour, Qld (Commercial-AM)	Sunshine Coast Broadcasters Ltd	4SS *

* Change in call sign from 4NA.

PART FOUR

PROGRAM SERVICES

INTRODUCTION

185. Broadly speaking the main program functions of the Tribunal are: to determine the standards subject to which programs and advertisements are broadcast or televised; to determine the hours of service during which programs may be broadcast or televised; and to assemble information about radio and television broadcasting.

186. Some other specific statutory functions include the requirement that the Tribunal satisfies itself that licensees comply with undertakings given on the occasion of grant and renewal of licences. This particularly applies in regard to compliance with conditions of the licence and to the provision of an adequate and comprehensive services and encouragement of Australian programs.

187. In addition the Tribunal has further specific statutory program related functions including those concerned with the censorship of objectionable matter, the presentation of religious matter without charge, the assembly and publication of information, and the giving of directions regarding sponsorship announcements broadcast by licensees of public broadcasting stations.

188. In carrying out its functions in regard to determination of program and advertising standards and hours of service, the Tribunal is required to consult with representatives of the licensees of stations. The Tribunal also consults with appropriate unions, public interest groups and other interested organisations.

189. In regard to program matters generally, the Tribunal not only considers the services of licensees on the occasion of the periodical review of the licence, but also informs itself on these matters through research, monitoring, assessment of program and advertising logs, or examination of recordings of material for broadcasting or televising.

190. The Tribunal is receptive to comments or complaints from the public in regard to program or advertising matters. Each complaint received is investigated fully and the complainant is provided with a reply detailing, as appropriate, the action taken by the Tribunal and its decision on the matter. Details of the complaints and comments received during the year are reported in paragraphs 197 to 204.

PROGRAM AND ADVERTISING STANDARDS

Radio

191. The Tribunal determined revised standards for radio programs and advertising in July 1981. The Broadcasting Program Standards are applicable to licensees of all commercial and public radio stations whereas the Broadcasting Advertising Standards are applicable to commercial radio stations only. The Tribunal had separately determined in April 1981 directions in

relation to sponsorship announcements broadcast by licensees of public radio stations, such stations being prohibited under the Act from broadcasting advertisements. The Tribunal is reviewing the directions relating to sponsorship announcements and the policy that should apply to them.

192. The Tribunal is required to consult with representatives of the licensees of stations in regard to its determinations on program and advertising standards. Consequently, the Tribunal met with representatives of both the Federation of Australian Radio Broadcasters and the Public Broadcasting Association of Australia on several occasions during the year to discuss the operation of the radio standards. As at 30 June 1984 the Tribunal was undertaking a further review of these standards to take into account any changes which may have occurred since 1981. As in the case of other recent reviews of standards, the Tribunal proposes to issue, for public comment, a notice of proposed determination of any revised radio standards before it reaches a concluded decision on this matter. It is hoped that the review can be concluded by the end of 1984.

193. Notwithstanding the general review of the operation of the Broadcasting Program Standards, the Tribunal is conducting a separate inquiry into the operation of the standard which requires stations to broadcast Australian music performances for at least 20 per cent of the time occupied by music. A report of this inquiry is set out in paragraphs 97 to 103.

Television

194. The Tribunal is undertaking a complete review of the Television Program and Advertising Standards which apply to commercial television stations. Because the standards are of great importance to the public and the industry, the process of review is of necessity both thorough and painstaking. In most cases it involves a careful examination of the issues, the publication of a discussion paper, the consideration of submissions in response to the discussion paper, the issue of a proposed determination of the new standards, consideration of responses to the proposal and finally the determination of the new standard and a full report on the review including the Tribunal's reasons for any determination.

195. During 1982-83, the Tribunal issued discussion papers on Children's and Pre-School-Age Children's Programs, Advertising Time Standards, Advertising of Alcohol, Religious Programs and Program Classification. In October 1983, it issued proposed determinations of Advertising Time Standards, Children's and Pre-School-Age Children's Programs, and in April 1984, it issued formal determinations and a full report on the revised standards for Children's Television Programs, for Pre-School-Age Children's Television Programs and for consequential amendments to the existing Television Program Standards. The revised standards became effective on 1 July 1984. This report is discussed further in the section dealing with Children's Television (see paragraphs 273 to 280).

196. The Tribunal is continuing the process of review of the other standards as expeditiously as its resources will permit. Even without the review of the standards, Tribunal staff would be fully extended by other work in the program area. Because of the size of the task and the demands it places on the Tribunal's resources, the Tribunal has only been able to progress the review to the limited extent that its resources and other

commitments permit. This has inevitably resulted in the review proceeding slowly. Although the general review of the Program Classification system is not expected to be completed for some time, it became necessary to amend the relevant sections of the standards to encompass changes which had occurred through amendment to the Customs (Cinematograph Films) Regulations as they applied to references in television programs to the exhibition of films at film festivals. Opportunity was taken at the same time to incorporate in the standards a number of minor changes which had previously applied only by virtue of directions to station licensees.

COMMENTS AND COMPLAINTS ABOUT PROGRAMS AND ADVERTISING

197. As part of its responsibilities in regard to the determination of standards and to overseeing compliance with these by stations, the Tribunal receives comments and complaints from the public. All such representations are considered, investigated where necessary, and provided with a written response.

198. In cases in which compliance with the standards may be an issue, the substance of the complaint is referred to the station for comment and, where necessary, for the supply of recordings of the matter for consideration by the Tribunal. In cases which do not involve questions of compliance, the substance of the comment or complaint is provided to the station for information. Matters such as acceptability of the content of advertisements, which affect the industry as a whole rather than individual station licensees, are referred to the respective industry bodies.

199. The Tribunal makes available to relevant radio, television and advertising industry organisations, and to certain other bodies, monthly summaries of comments and complaints it receives about program or advertising matters.

200. During 1983-84 the Tribunal received a total of 1270 comments or complaints about these matters. After allowing for the fact that complaints or comments were made not only by individuals, but also by family groups or on behalf of several people, it is estimated that some 60 per cent of complainants were males and 40 per cent females.

201. The tables which follow in paragraph 204 provide an indication of the nature and number of written complaints and comments received during 1983-84 concerning differing aspects of television and radio programs or advertising. The table has been divided into three sections in order to differentiate between comments about aspects of radio and television (Section 1); complaints that may have had justification and were referred to stations or industry bodies for comment (Section 2); and complaints which did not appear to be justified and, where appropriate, were referred to the stations or industry bodies for information (Section 3).

202. As stated above, in all cases representations were considered and a written response provided. A written reply was also forwarded in cases where persons lodged complaints by telephone and wished to be informed of the outcome of the Tribunal's investigations.

203. Of the 1270 comments or complaints received during 1983-84 (1274 in 1982-83) about 42 per cent (35 per cent in 1982-83) were such as to possibly involve a breach of the Act or the Tribunal's Program or Advertising Standards and therefore warranted being taken up with the station or industry body concerned. Some 6 per cent (8 per cent in 1982-83) of all complaints were found to involve such a breach.

204. Although the vast majority of comments and complaints did not involve breaches of the Act or the Standards, the Tribunal recognises that the views expressed by the persons concerned are sincerely held. The Tribunal accepted these views as a contribution towards the current review of its standards and stations were notified so that they would be aware of the response of some members of the public to their programming.

COMPLAINTS AND COMMENTS - TELEVISION AND RADIO STATIONS

1 July 1983 - 30 June 1984

SUBJECT	SECTION 1	SECTION 2	SECTION 3	NO.	% OF ALL
A. TELEVISION - General					
Bad Taste (sex, violence, moral standards, etc)	9	6	65	80	6.3
Sex or Indecency (specific programs)	-	8	12	20	1.6
Violence (specific programs)	-	1	3	4	0.3
Language (including blasphemy)	1	10	25	36	2.8
Unsuitable promotions or advertisements (in programs outside family and children's time)	-	30	27	57	4.5
News and Current Affairs					
- bad taste	2	25	32	59	4.6
- biased or misleading	-	29	14	43	3.4
Sporting Programs					
- too many	4	1	11	16	1.3
- too few	1	2	4	7	0.5
Repeats and poor programs generally	1	1	23	25	2.0
Station's performance	-	5	15	20	1.6
Objections to cancellation or change in timeslot of programs	-	7	14	21	1.6
Discrimination					
- race	-	2	3	5	0.4
- sex	-	2	7	9	0.7
Miscellaneous	27	19	34	80	6.3
	45	148	289	482	37.9

SUBJECT	SECTION 1	SECTION 2	SECTION 3	NO.	% OF ALL
B. TELEVISION ADVERTISING					
High Sound Level	-	-	27	27	2.1
Excessive Amounts	5	90	57	152	12.0
Taste and Safety Aspects	2	43	57	102	8.0
Discrimination					
- race	1	1	-	2	0.2
- sex	1	6	11	18	1.4
Intimate Products	-	3	9	12	1.0
Alcoholic Liquor	25	4	5	34	2.6
R-rated Cinema films	-	1	1	2	0.2
Miscellaneous	26	17	13	56	4.4
	57	165	180	405	31.9

SUBJECT	SECTION 1	SECTION 2	SECTION 3	NO.	% OF ALL
C. TELEVISION: Family and Children's Time					
Unsuitable programs or advertisements	4	40	8	52	4.1
Promotional material for adult programs televised during family and children's viewing times	-	7	-	7	0.6
Miscellaneous	3	4	3	10	0.8
	7	51	11	69	5.5

SUBJECT	SECTION 1	SECTION 2	SECTION 3	NO.	% OF ALL
D. COMMERCIAL RADIO					
Advertising content	-	12	13	25	2.0
Taste or offence	2	74	51	127	10.0
Quality of programs	1	-	1	2	0.2
Unsuitable recordings	-	1	7	8	0.6
Bias in news and current affairs	-	8	5	13	1.0
Irregularities in talkback programs	-	8	26	34	2.7
Station's performance	-	4	3	7	0.6
Discrimination					
- race	-	12	2	14	1.1
- sex	-	-	-	-	-
Alcohol Advertising	-	4	1	5	0.4
Miscellaneous	6	12	13	31	2.4
	9	135	122	266	21.0

SUBJECT	SECTION 1	SECTION 2	SECTION 3	NO.	% OF ALL
E. PUBLIC RADIO					
Taste or offence	-	16	2	18	1.4
Unsuitable recordings	-	6	1	7	0.5
Discrimination					
- race	-	-	-	-	0.0
- sex	-	-	-	-	0.0
Sponsorship announcements	-	3	-	3	0.2
Miscellaneous	3	8	9	20	1.6
	3	33	12	48	3.7
TOTALS	121	532	614	1270	100.0

Footnote: In mid-1984, the Program Services Division began to assemble complaints relating to sexism as such. Previously, these may have appeared in other categories.

205. The major causes of complaint or comment were the amount of advertising and other non-program matter on television (12.0 per cent), matters concerning taste or offence in commercial radio programs (10.0 per cent) and matters concerning the content (e.g. taste or safety aspects) of television advertisements (8.0 per cent).

206. The increase over previous years in the number of complaints about the amount and distribution of advertising in television may be partly attributable to viewer interest in drama mini-series, as most complaints concerned advertising in this type of program.

207. There was a slight decrease compared with the previous year in the number of complaints or comments received about taste or offence in commercial radio programs. As was the case last year the majority of such complaints concerned discussions about sexual matters included in programs broadcast by stations 2GB Sydney and 3AW Melbourne.

208. Complaints and comments received about programs of the national service and channel 0/28 are not shown in the tables. These were referred for attention to the Australian Broadcasting Corporation or the Special Broadcasting Service, each of which has responsibility for its own programming.

209. In December 1983, the Tribunal released a detailed report on its investigations of allegations by the Australian Consumers' Association (ACA), of widespread breaches of legislation and/or regulation and/or industry codes among television advertisements.

210. The allegations were incorporated in a report commissioned by ACA which involved out by consumer law students. The report included some particular matters raised in submissions by ACA in the public inquiries into the renewal of the licences for the Sydney commercial television stations in March 1982.

211. The ACA report alleged breaches of various kinds in 127 out of 902 advertisements studied. Alleged breaches included the use of 'slang', suggestiveness, bad taste, children's advertising and advertising of alcohol, failure to comply with industry codes and failure to comply with provisions of the Trade Practices Act.

212. The Advertising Standards Council interprets industry codes and determines compliance with them in respect of advertisements referred to it. The Tribunal sought the views of the Advertising Standards Council in its deliberations on the application of industry codes to some of the advertisements concerned.

213. Of the 127 advertisements said by ACA to be in breach, the Tribunal was of the view that only 14 actually breached the relevant Standards or Media Council of Australia Codes, and that some of those breaches were of a technical nature.

STATISTICAL ANALYSIS OF TELEVISION PROGRAMS

214. The analysis of television programs which is set out in Appendix K is based on a sample coverage of twelve weeks between March 1983 and January

1984 of programs televised by commercial stations, the Special Broadcasting Service and a sample station of the national network.

215. Details of commercial television programs are derived from data supplied regularly by each station, while details of Channel 0/28 programs and details of national television programs are obtained from information supplied by the Special Broadcasting Service and the Australian Broadcasting Corporation. For the purpose of the analysis the programs are those of all metropolitan stations, twenty-five provincial commercial stations and, in the case of the national service, those of ABV Melbourne. These are considered to be reasonably representative of the commercial, special broadcasting and national television services.

216. The tables show the composition of programs under three headings:

Table 1	Analysis of television programs by categories: metropolitan and provincial stations.
Table 2	Analysis of television programs by time periods: metropolitan and provincial stations.
Table 3	Television programs of Australian origin. Analysis by categories: metropolitan and provincial stations.
Table 4	Average yearly amount of time devoted to particular categories (shown in hours): all metropolitan commercial national and SBS stations.

217. The figures in Table 3 are based on the actual duration of Australian programs. They do not take into account the credit loading allowed to commercial stations for certain types of program matter in calculating their performance towards meeting the Tribunal's requirements for the Australian content of television programs. The table shows the distribution of types of Australian programs both as percentages of all programs of Australian origin and as percentages of all programs televised.

218. At the foot of each column in Tables 1 and 3, a conversion factor is shown to enable calculations of the time occupied by programs in each category.

219. Definition of program categories - the statistical system is based on a number of program categories. These are set out below:

Drama:

Adventure	Drama with the main focus on action. Includes such themes as science fiction and espionage.
Crime and suspense	Programs in dramatic form concerned with crime and its detection. Includes court room drama and plays in which suspense is predominant, with or without a crime element.

Domestic and comedy	Programs in dramatic form dealing with domestic life or family relations, and those whose main purpose is to induce laughter.
Western	Programs in dramatic form utilising 'Western' settings.
Period	Programs in dramatic form set in a past era. Does not include programs whose main theme is other than the historical element.
Miscellaneous	Programs in dramatic form which do not fall specifically under other headings.
Light entertainment:	
Cartoons	Matter predominantly in the form of animation or puppetry.
Music programs	Programs in which currently popular music or music of the 'evergreen' type is the predominant element.
Personality programs	Programs containing items generally handled by a compere. Includes quizzes, panel games and interviews where the emphasis is on displaying the subject rather than serious discussion.
Talent programs	Programs concentrating on competition generally at an amateur level in any field of entertainment.
Variety	Programs containing a mixture of comedy, music, dancing, gags and patter, by professional or amateur talent, where the element of competition is not predominant.
Sports	Simultaneous or delayed presentation of competitive sports, sporting previews, news and talks and demonstrations of sporting techniques.
News	Programs reporting on current or recent happenings. Includes newsreels, reports on weather and essential services.
Children:	
Kindergarten	All kindergarten sessions conducted by qualified staff.

Other	Other programs which generally include a variety of items directed to or presented for children.
Family activities	Programs concerned with family activities and hobbies and the family as users of consumer goods and services.
Information	Programs of a descriptive type, concerning agriculture, industry, travel, nature and science etc, also historical and biographical programs.
Current affairs	Programs dealing with social and economic problems of modern society. Includes news commentaries which deal with the subject matter 'in depth'.
Political matter	Programs concerning Australian Federal or State elections and by-elections and special statements of importance by political leaders.
Religious matter	All programs originated by recognised religious bodies.
The arts	Programs concerning the graphic arts; reading of prose and poetry; literary and other art criticism; ballet and music of lasting value.
Educational:	
Formal	Programs of formal instruction at all levels which are specifically related to a recognised course of study.
Other	Programs of educational intent which are not directly related to a specific course of study.

220. Advertising and other non-program matter have been included as part of the program in which they occur.

FILM CENSORSHIP AND CLASSIFICATION OF PROGRAMS

221. Under a longstanding ministerial arrangement, all imported television program material and Australian films produced outside the control of stations are classified by the Film Censorship Board in accordance with the Television Program Standards. The classifications used are as follows:

'G' Unrestricted for television

- 'PGR' Parental Guidance Recommended - Not recommended for children (under thirteen), may not be televised between 0600 and 0830 hours nor between 1600 and 1930 hours from Monday to Friday, nor at any time between 0600 and 1930 hours on Saturday or Sunday.
- 'AO' Suitable only for Adults - May be televised only after 2030 hours on any day, or between 1200 and 1500 hours from Monday to Friday other than during school holidays.

222. Programs may also be classified by the Film Censorship Board as 'Not Suitable for Television'.

223. Programs produced by Australian stations or by independent production companies under contract to stations are exempt from the censorship procedures outlined above, because stations are required to observe the relevant provisions of the Television Program Standards in the production and scheduling of such material.

224. The Chief Censor, Film Censorship Board, has reported that during the year ended 30 June 1984, the number of television programs examined totalled 11,368. Deletions were made from fifty-eight programs, and forty-four programs were considered unsuitable in terms of the Television Program Standards. Deletions were made on the grounds of excessive violence, strong language and sex. Of programs classified, 53.27 per cent were classified 'G' (a further 0.19 per cent were classified 'G' subject to deletions); 24.15 per cent were classified 'PGR' (a further 0.08 per cent were classified 'PGR' subject to deletions); 4.50 per cent were classified 'AO' (a further 0.24 per cent were classified 'AO' subject to deletions); and 0.39 per cent were classified 'Not Suitable for Television'. In addition, 17.18 per cent of programs were registered but not classified; these comprised material for televising mainly by the Special Broadcasting Service.

225. The origin of imported television programs registered during the year ended 30 June 1984 by the Board under the Customs (Cinematograph Films) Regulations was 57.72 per cent from the United States of America; 19.80 per cent from the United Kingdom and 22.48 per cent from other countries (for televising mainly by the Special Broadcasting Service).

226. The Tribunal, as the authority for hearing appeals against decisions of the Film Censorship Board on the classification of imported television program material, considered appeals during the year. The decisions reached were as follows:

TITLE AND CLASSIFICATION
AGAINST WHICH APPEAL
LODGED

DESCRIPTION

TRIBUNAL DECISION

FEATURE FILMS AND
TELEMOVIES

DESPERATE LIVES
('Not Suitable
for Television')

Depicts drug use
among high school
students in the US

Appeal dismissed

IN PRAISE OF OLDER WOMEN
('Not Suitable
for Television')

Modified version
of former 'R' -
Certificate cinema film

Appeal dismissed

PORKYS
('Not Suitable
for Television')

Modified version
of former 'R' -
Certificate cinema
film

Appeal dismissed

CRUISIN'
('Not Suitable
for Television')

Modified version
of former 'R ' -
Certificate cinema
film

Appeal dismissed

EPISODES FROM TELEVISION
SERIES

THAT'S INCREDIBLE
('PGR')

Segment showing
illusionist
swallowing and
regurgitating
various objects
in Episode No. 8
from 1984 series

Appeal upheld in
part.
Classified 'G'
subject to deletion
of segment relating
to swallowing stunt

JESUS LOVES EVERYBODY
('PGR')

Episodes 1-5 incl.

Appeal dismissed on
grounds that various
scenes depicting
pagan and quasi
religious practices
placed all five
episodes within the
'PGR' category (the
appellant sought a
'G' classification)

THE A TEAM
('AO')

Episode 3
entitled
'Out of Towners'

Appeal dismissed
(The appellant
sought 'PGR'
classification)

TITLE AND CLASSIFICATION
AGAINST WHICH APPEAL
LODGED

DESCRIPTION

TRIBUNAL DECISION

THE A TEAM
('AO')

Episode 8
entitled
'Pros and Cons'

Appeal upheld
Classified 'PGR'

DOCUMENTARY AND
OTHER PROGRAMS

ALRIGHT ON THE NIGHT
NO. 3 ('AO')

Segment showing
exposed breast in
imported program
on mishaps in
film and television
productions

Appeal upheld
Classified 'PGR'

JAMES BOND - THE FIRST
21 YEARS ('AO')

Imported
documentary
of interviews
and film clips
from the James
Bond movies

Appeal dismissed.
(The appellant
sought 'PGR'
classification)

MUSIC CLIPS

MAXINE
('AO')

One clip

Appeal dismissed

THRILLER (extended
version) ('PGR')

One clip

Appeal dismissed

STREET KIDS
('AO')

One clip

Appeal dismissed

GIRLS - Version A
('PGR')

One clip

Appeal upheld.
Classified 'G'

227. Paragraphs 344-348 of the Tribunal's 1980-81 Annual Report record that the Tribunal exercised its powers under sections 99(2) and 101 of the Act in respect of a modified version of the feature film TAXI DRIVER, and on 3 April 1981 directed the stations concerned not to televise the film as scheduled in view of circumstances involving the attempted assassination of President Reagan and the possible connection of the film with those circumstances.

228. On 24 April 1984, the Tribunal revoked its decision in relation to the televising of the film and determined that the reconstructed version of the film be classified Television 'AO', and is to be televised subject to the following special conditions:

- (1) that the film is not to be televised before 9:30 pm;
- (2) that no live action promotions for the film shall be televised before 9:30 pm;
- (3) that special care shall be taken in the compilation and scheduling of 'stills' promotions; and
- (4) the conditions imposed by the Film Censorship Board in relation to publicity for the television of modified versions of former 'R'-Certificate cinema films, be observed.

AUDIENCE INFORMATION

229. The Tribunal subscribes to the reports produced by McNair Anderson Associates Pty Ltd. These reports provide the Tribunal with valuable information about the composition of audiences, the audience shares achieved by stations, and the ratings of programs.

Radio

230. The following table shows, for the seven largest Australian cities, the overall shares of audience for stations during the three years 1981, 1982 and 1983:

AVERAGE OVERALL SHARES OF AUDIENCE - MAJOR CITIES

		1983	1982	1981
		%	%	%
SYDNEY	2CH	12	12	15
	2GB	9	8	6
	2KY	7	7	7
	2SM	7	8	8
	2UE	11	14	17
	2UW	8	12	15
	2WS	10	9	7
	2DAY	8	6	4
	2MMM	9	8	5
	2BL	6	7	8
	2FC	2	3	3
	2JJJ	3	2	3
	Other AM	4	1	1
	Other FM	1	2	2

Based on an average of the four McNair Anderson Surveys conducted each year.

MELBOURNE	3AK	12	11	11
	3AW	12	12	11
	3DB	5	7	8
	3KZ	12	11	10
	3MP	8	9	10
	3UZ	9	10	12
	3XY	11	12	14
	3EON	9	7	6
	3FOX	8	7	4
	3LO	8	8	8
	3AR	3	3	3
	Other AM	2	1	1
	Other FM	2	2	2

Based on an average of the four McNair Anderson Surveys conducted each year.

		1983	1982	1981
		%	%	%
BRISBANE	4QR	10	11	9
	4QG	3	3	4
	4BC	13	13	16
	4BH	19	20	20
	4BK	7	8	15
	4IO	14	15	11
	4KQ	16	16	14
	4MMM	15	10	9
	Other AM	2	1	*
	Other FM	2	2	2

Based on an average of the three McNair Anderson Surveys conducted each year.

ADELAIDE	5CL	3	3	3
	5AN	7	8	7
	5DN	22	20	20
	5KA	20	10	17
	5AD	14	30	25
	5AA	15	14	17
	5SSA	15	13	9
	Other AM	*	1	*
	Other FM	2	2	2

Based on an average of the three McNair Anderson Surveys conducted each year.

PERTH	6IX	11	16	17
	6KY	13	14	15
	6PM	22	19	20
	6PR	16	17	17
	6NOW	19	16	12
	6WF	13	13	14
	6WN	3	3	3
	Other AM	1	*	*
	Other FM	2	2	1

Based on an average of the three McNair Anderson Surveys conducted during 1981-82 and the four surveys conducted during 1983.

		1983	1982	1981
		%	%	%
NEWCASTLE	2HD	24	20	18
	2NC	14	12	14
	2NX	30	31	30
	2KO	26	29	31
	2NA	2	2	3
	Other AM	3	3	*
	Other FM	2	2	2

Based on an average of the two McNair Anderson Surveys conducted each year.

CANBERRA	2CA	25	27	27
	2CC	38	37	37
	2CN	24	24	25
	2CY	6	6	5
	Other AM	3	3	2
	Other FM	5	4	3

Based on the one McNair Anderson Survey conducted each year.

* Less than 1%

Television

231. The following table shows the average weekly time spent viewing television. The figures have been calculated from information in McNair Anderson Reports for all surveys conducted during 1983:

AVERAGE WEEKLY TIME SPENT VIEWING TELEVISION, 1983

	ALL PEOPLE	MEN 18+	WOMEN 18+	TEENS 13-17	CHILDREN 5-12	HOUSE WIVES	AVERAGE NO. OF VIEWING HOURS/HOME
	hrs min	hrs min	hrs min	hrs min	hrs min	hrs min	hrs min
SYDNEY	21 13	20 48	24 16	18 55	17 41	24 38	34 25
MELBOURNE	21 46	21 08	24 37	20 20	19 01	25 03	35 23

232. The following tables provide an indication from audience measurement surveys of the most popular programs with adults and with children. The two graphs on pages 85 and 86 provide an indication of the proportion of children in the 5 to 12 years age range viewing at various times of the day both on weekdays and at weekends.

MOST POPULAR PROGRAMS - FEBRUARY-JUNE 1984

PROGRAM	RATING	MAXIMUM AUDIENCE
SYDNEY		
(1) *A Country Practice	35	802,000
(2) *Perfect Match	33	547,000
(3) *60 Minutes	32	688,000
(4) *10 News and Weather	30	578,000
(5) Winter Olympics	26	649,000 (est)
(6) *Waterfront	26	628,000 (est)
(7) MASH	25	570,000
(8) 10 Sunday Movie	25	569,000
(9) 9 Sunday Movie	25	514,000
(10) *Terry Willesee Tonight	25	509,000

233. The following specials gained ratings in excess of 30 points:

	RATING
Torvill & Dean	38
*TV Week Logie Awards	36
*Russian Ice Spectacular with Torvill & Dean	33
Winter Olympics	33
*Elton John Thank You Australia Concert	32
*Disappearance of Azaria Chamberlain	32
'V'	32
*Waterfront	31

PROGRAM	RATING	MAXIMUM AUDIENCE
MELBOURNE		
(1) *Sixty Minutes	42	879,000
(2) *Waterfront	35	670,000 (est)
(3) Master of the Game	33	643,000 (est)
(4) *Sale of the Century	32	696,000
(5) *10 News and Weather	31	634,000
(6) *A Country Practice	29	627,000
(7) *Perfect Match	28	594,000
(8) 9 Sunday Movie	28	542,000
(9) *New Faces	27	613,000
(10) *9 News and Weather	27	586,000

234. The following specials gained ratings in excess of 30 points:

	RATING
Torvill & Dean	44
*TV Week Logie Awards	43
*Elton John Thank You	
Australia Concert	34
This is Elvis	31
*Willesee Special - Hunting Party	31

* Australian

235. The following tables provide an indication of the programs most viewed by 5 to 12 year old children in Sydney and Melbourne. The information is published with the permission of McNair Anderson Associates Pty Ltd from the first three audience measurement surveys conducted during 1984.

**MOST POPULAR PROGRAMS - CHILDREN 5-12 YEARS
FEBRUARY-JUNE 1984**

PROGRAM	**MAXIMUM NUMBER CHILDREN 5-12 YEARS	% OF ALL CHILDREN 5-12 YEARS
---------	---	------------------------------------

SYDNEY - Potential Number of 5-12 year olds: 429,000

(1) Superman I/Classic Creatures/Automan	132,000	31
(2) Bugs Bunny	124,000	29
(3) That's Incredible	114,000	27
(4) Early Morning Cartoons	111,000	26
(5) Knight Rider	111,000	26
(6) *Perfect Match	111,000	26
(7) Brady Bunch	106,000	25
(8) Happy Days	104,000	25
(9) *A Country Practice	104,000	24
(10) Diff'rent Strokes	94,000	22
The 'A' Team	94,000	22

* Australian

MELBOURNE - Potential Number of 5-12 year olds: 422,000

(1)	Disneyland	155,000	37
(2)	Happy Days	139,000	33
(3)	Automan/Friday Night Movie	134,000	32
(4)	Diff'rent Strokes/ Webster	129,000	31
(5)	Knight Rider	119,000	28
(6)	*Young Talent Time	116,000	28
(7)	Fall Guy/*Willesee/ Torvill & Dean	109,000	26
(8)	Bugs Bunny Show	104,000	25
(9)	*Sons and Daughters	84,000	20
(10)	The 'A' Team	83,000	20

* Australian

** This figure is the largest audience achieved by each program in the three surveys conducted between February and June 1984.

MOST POPULAR PROGRAMS

**4-5pm MONDAY TO FRIDAY - CHILDREN 5-12 YEARS
FEBRUARY-JUNE 1984**

PROGRAMS	**MAXIMUM NUMBER CHILDREN 5-12 YEARS	% OF ALL CHILDREN 5-12 YEARS
----------	---	------------------------------------

SYDNEY - Potential number of 5-12 year olds: 429,000

(1)	*Simon Townsend's Wonder World	43,000	10
(2)	Fraggle Rock	39,000	9
(3)	*Skippy	37,000	9
(4)	Swiss Family Robinson	36,000	8
(5)	*Curiosity Show	31,000	

* Australian

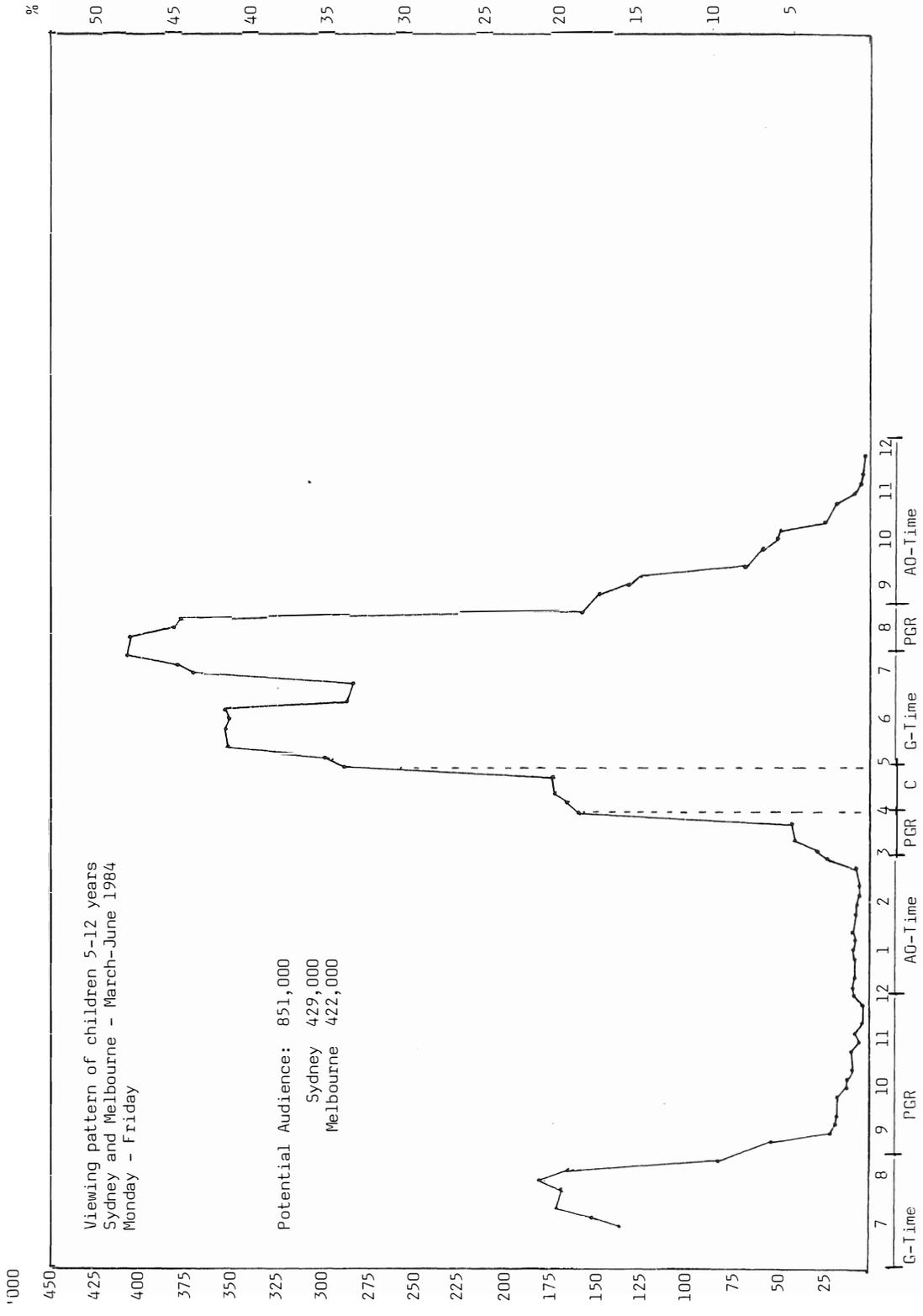
MELBOURNE - Potential Number of 5-12 year olds: 422,000

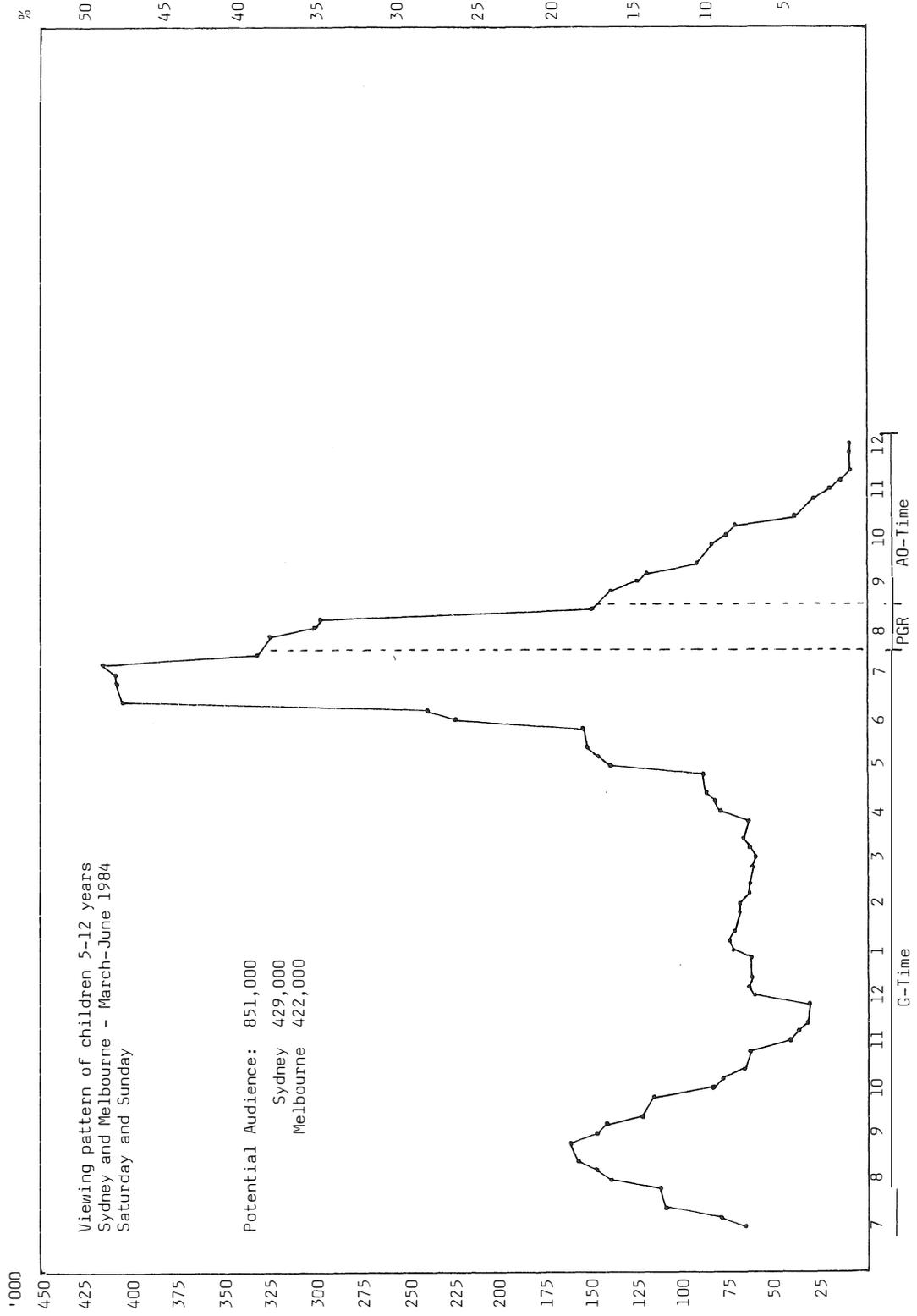
(1)	*Skippy	56,000	13
(2)	*Simon Townsend's Wonder World	42,000	10
(3)	Fraggle Rock	42,000	10
(4)	*Shirl's Neighbourhood	23,000	5
(5)	*Curiosity Show	23,000	5
(6)	*Matchmates	23,000	5

** This figure is the largest audience achieved by each program in the three surveys conducted between February and June 1984.

* Australian

236. The following graphs show viewing by 5 to 12 year old children on weekdays and weekends in relation to program classification times (combined figures for Sydney and Melbourne are shown). McNair Anderson Associates Pty Ltd surveys No. 2 and No. 3 were used as source material.





AUSTRALIAN CONTENT

237. Section 114(1) of the Act requires licensees to use, as far as possible, the services of Australians in the production and presentation of programs.

238. Section 114(2) requires licensees of radio stations to broadcast the works of Australian composers for not less than 5 per cent of the time occupied by the broadcasting of music. In addition, section 83(5) of the Act requires licensees to give a written undertaking to, inter alia, 'encourage the provision of programs wholly or substantially produced in Australia, and use, and encourage the use of, Australian creative resources in, and in connection with, the provision of programs'.

Radio

239. Program Standard 3 of the Tribunal's Broadcasting Program Standards, determined under section 16 of the Act, requires of radio stations that:

'A licensee shall ensure that not less than 20 per cent of the time occupied in the broadcasting of music each day by a licensee shall consist of performances by Australians.'

240. The current method of assessing compliance by stations with the Australian music requirements is based on information supplied by mainland metropolitan commercial stations during twelve sample weeks per year and by other commercial stations and public radio stations during four sample weeks. These periods are those used by the Australasian Performing Right Association Limited in assessing royalties to be paid to composers whose works have been broadcast.

241. The following tables show for each station the extent to which it complied with each of the two requirements, based upon the sample information supplied:

BROADCASTING OF AUSTRALIAN MUSIC
COMMERCIAL RADIO STATIONS 1983-84

STATION	AUSTRALIAN COMPOSITIONS	AUSTRALIAN PERFORMANCES		
		LOCAL	OVERSEAS (Limited to 1%)	TOTAL
	%	%	%	%
Metropolitan				
2CH	6.0	21.0	0.7	21.7
2DAY	15.5	22.3	1.5	23.3
2GB	19.6	24.0	5.8	25.0
2KY	13.9	27.2	1.2	28.2
2MMM	27.1	28.3	3.7	29.3
2SM	27.7	29.5	0.3	29.8
2UE	19.8	24.2	2.9	25.2
2UW	18.2	22.4	2.7	23.4
2WS	19.3	27.2	2.2	28.2
3AK	5.4	20.1	0.4	20.5
3AW	23.6	26.8	3.8	27.8
3CR	51.0	72.0	5.0	73.0
3DB	21.7	28.1	1.6	29.1
3EON	23.9	27.3	2.1	28.3
3FOX	17.4	21.5	1.7	22.5
3KZ	17.9	22.2	1.4	23.2
3MP	17.2	22.6	1.5	23.6
3UZ	16.5	24.8	0.6	25.4
3XY	23.3	24.6	1.5	25.6
4BC	17.2	23.1	3.1	24.1
4BH	9.2	25.7	2.7	26.7
4BK	13.4	21.7	3.5	22.7
4IO	25.8	25.9	2.1	26.9
4KQ	13.1	21.8	2.0	22.8
4MMM	31.4	33.4	4.0	34.4
5AA	9.7	24.4	0.7	25.1
5AD	27.0	23.4	5.1	24.4
5DN	18.4	25.7	1.6	26.7
5KA	24.1	22.3	6.2	23.3
5SSA	23.7	26.5	3.2	27.5
6IX	15.5	21.3	0.9	22.2
6KY	13.6	22.1	3.4	23.1
6NOW	24.6	28.4	2.0	29.4
6PM	25.5	24.9	4.1	25.9
6PR	15.9	23.7	2.3	24.7
7HO	20.9	22.5	1.6	23.5
7HT	23.0	28.8	0.1	28.9

STATION	AUSTRALIAN COMPOSITIONS	AUSTRALIAN PERFORMANCES		
		LOCAL	OVERSEAS (Limited to 1%)	TOTAL
Country	%	%	%	%
2AD	25.8	30.0	2.5	31.0
2AY	19.4	24.2	-	24.2
2BE	23.6	27.8	1.5	28.8
2BH	26.6	30.1	2.4	31.1
2BS	22.5	25.3	0.2	25.5
2CA	22.0	24.4	4.2	25.4
2CC	24.3	26.2	3.2	27.2
2DU	20.2	22.7	1.8	23.7
2GF	21.4	26.1	1.5	27.1
2GN	24.3	28.4	2.7	29.4
2GO	23.6	26.5	2.7	27.5
2GZ	22.4	25.6	2.3	26.6
2HD	19.0	26.0	2.7	27.0
2KA	24.3	23.3	3.6	24.3
2KO	18.5	21.1	2.3	22.1
2LF	22.4	24.6	0.8	25.4
2LM	20.1	24.6	2.2	25.6
2LT	25.3	26.6	4.4	27.6
2MC	21.7	25.1	2.1	26.1
2MG	23.2	26.0	0.1	26.1
2MO	22.9	25.1	1.7	26.1
2MW	28.2	28.7	3.1	29.7
2NM	22.5	24.4	1.8	25.4
2NX	29.8	29.1	2.3	30.1
2NZ	25.7	34.4	-	34.4
2OO	20.2	19.4	2.8	20.4
2PK	26.0	32.4	2.0	33.4
2QN	18.0	20.8	3.3	21.8
2RE	25.0	27.8	3.4	28.8
2RG	32.8	33.9	2.7	34.9
2ST	21.5	23.0	3.0	24.0
2TM	22.8	33.4	3.0	34.4
2VM	28.4	30.3	1.3	31.3
2WG	20.1	23.5	1.0	24.5
2WL	21.6	24.8	1.4	25.8
2XL	32.3	34.7	2.2	35.7
3BA	19.6	26.2	1.9	27.2
3BO	19.0	21.0	3.3	22.0
3CS	19.4	28.5	0.8	29.3

STATION	AUSTRALIAN COMPOSITIONS	AUSTRALIAN PERFORMANCES		
		LOCAL	OVERSEAS (Limited to 1%)	TOTAL
Country	%	%	%	%
3CV	19.4	23.7	3.2	24.7
3GL	22.6	25.0	3.8	26.0
3HA	27.9	33.3	0.2	33.5
3MA	26.9	28.5	4.0	29.5
3NE	26.1	28.2	3.9	29.2
3SH	18.7	22.9	1.7	23.9
3SR	32.3	37.9	1.1	38.9
3TR	24.1	30.5	0.7	31.2
3UL	22.3	31.2	1.2	32.2
3WM	22.7	23.8	2.3	24.8
3YB	25.0	26.7	3.8	27.7
4AK	18.2	24.0	4.6	25.0
4AM	19.6	27.9	1.6	28.9
4AY	23.7	25.5	4.0	26.5
4BU	23.0	27.5	2.1	28.5
4CA	21.9	25.1	2.2	26.1
4CD	18.8	26.4	1.4	27.4
4GC	25.5	27.9	3.0	28.9
4GG	22.7	25.6	3.1	26.6
4GR	36.9	41.6	5.4	42.6
4GY	18.8	22.0	2.5	23.0
4HI	26.9	30.1	2.4	31.1
4KZ	21.9	25.7	0.9	26.6
4LG	30.1	34.5	2.0	35.5
4LM	26.8	30.5	2.4	31.5
4MB	21.2	24.9	3.5	25.9
4MK	23.6	25.0	2.6	26.0
4RO	15.3	23.0	1.2	24.0
4SB	20.8	25.2	2.5	26.2
4SS	21.6	24.7	2.0	25.7
4TO	23.5	26.7	3.3	27.7
4VL	25.4	28.1	3.4	29.1
4WK	28.5	36.2	1.6	37.2
4ZR	27.3	30.3	1.3	31.3
5AU	21.6	21.8	3.3	22.8
5MU	26.4	25.5	3.4	26.5
5PI	24.9	28.2	3.7	29.2
5RM	23.1	23.3	4.0	24.3
5SE	25.7	27.8	2.7	28.8
6AM	24.6	24.4	2.9	25.4
6BY	21.0	23.3	0.9	24.2
6CI	20.3	22.5	1.5	23.5
6GE	22.7	28.3	1.6	29.3
6KA	27.8	30.0	3.7	31.0

STATION	AUSTRALIAN COMPOSITIONS	AUSTRALIAN PERFORMANCES		
		LOCAL	OVERSEAS (Limited to 1%)	TOTAL
Country	%	%	%	%
6KG	18.4	22.7	0.3	23.0
6LN	26.2	29.0	4.5	30.0
6MD	19.5	20.0	5.7	21.0
6NA	21.3	23.5	1.5	24.5
6NW	28.2	30.3	3.5	31.3
6SE	25.1	24.2	4.2	25.2
6TZ	20.3	22.5	1.5	23.5
6VA	18.0	20.8	1.6	21.8
6WB	21.1	24.1	1.5	25.1
7AD	27.6	24.3	4.8	25.3
7BU	22.1	24.1	1.7	25.1
7EX	23.4	22.1	4.6	23.1
7LA	25.7	28.6	2.7	29.6
7QT	23.7	25.5	3.6	26.5
7SD	5.9	23.5	-	23.5
8DN	19.4	21.4	1.2	22.4
8HA	20.3	25.2	1.7	26.2

PUBLIC RADIO STATIONS

STATION	AUSTRALIAN COMPOSITIONS	AUSTRALIAN PERFORMANCES		
		LOCAL	OVERSEAS (Limited to 1%)	TOTAL
	%	%	%	%
2AAA	22.5	31.6	3.0	32.6
2ARM	31.0	41.4	2.9	42.4
2BBB	26.1	38.4	1.7	39.4
2BCR	26.5	32.4	5.4	33.4
2CBA	7.9	34.2	2.8	35.2
2CHY	24.7	25.0	5.6	26.0
2GLF	17.7	22.1	1.1	23.1
2MBS	8.2	26.3	2.2	27.3
2MCE	29.3	39.7	3.4	40.7
2NBC	27.5	52.0	1.4	53.0
2NCR	25.7	34.2	3.4	35.2
2NSB	12.3	29.9	3.7	30.9
2NUR	21.6	30.4	3.1	31.4

STATION	AUSTRALIAN COMPOSITIONS	AUSTRALIAN PERFORMANCES		
		LOCAL	OVERSEAS (Limited to 1%)	TOTAL
	%	%	%	%
2RDJ	13.4	25.2	3.2	26.2
2REM	23.2	38.6	2.5	39.6
2RES	28.1	40.9	4.2	41.9
2RSR	37.3	42.6	2.1	43.6
2SER	42.5	57.1	2.2	58.1
2VTR	22.5	42.9	2.0	43.9
2WEB	33.3	40.1	2.8	41.1
2XX	29.0	38.8	1.2	39.8
2YOU	25.4	39.4	4.8	40.4
3CCC	32.6	67.7	2.8	68.7
3GCR	34.3	44.8	7.5	45.8
3MBR	34.2	56.9	3.8	57.9
3MBS	6.8	28.5	5.9	29.5
3PBS	31.3	36.7	2.7	37.7
3RPC	19.6	24.6	4.3	25.6
3RRR	24.6	28.8	2.3	29.8
4CRB	24.6	48.9	1.6	49.9
4DDB	26.6	66.2	5.3	67.2
4EB	10.6	21.7	4.4	22.7
4MBS	8.8	30.1	5.1	31.1
4TTT	23.7	34.3	3.2	35.3
4ZZZ	38.6	43.5	2.4	44.5
5EBI	17.4	26.6	1.6	27.6
5GTR	31.4	45.6	3.6	46.6
5MMM	36.5	44.7	3.2	45.7
5PBA	26.0	41.5	4.1	42.5
5UV	16.9	26.3	1.9	27.3
6NEW	24.7	32.2	4.9	33.2
6NR	18.4	27.4	3.0	28.4
6UVS	18.8	29.1	3.2	30.1
7HFC	8.7	31.3	1.3	32.3
7RGY	18.9	31.4	2.8	32.4
7THE	24.1	29.2	3.0	30.2
8CCC	21.9	27.8	0.4	28.2
8TOP	22.5	31.2	3.5	32.2

242. The above table shows that all stations, on the basis of averages of results for sample periods, met both requirements over the full statistical year. Stations 2MBS Sydney, 2NSB Sydney, 2QN Deniliquin, 3BO Bendigo, 3NE Wangaratta, 4BK Brisbane, 4EB Brisbane, 4MB Maryborough, 6IX Perth, 6MD Merredon and 7EX Launceston, however, failed to meet the Tribunal's performance requirements for one or more individual sample weeks during the year. In all cases the Tribunal found that a prima facie breach of Broadcasting Program Standard 3 had occurred and the stations were informed that the matter would be taken up when the station licence was next reviewed.

243. As mentioned in paragraphs 97 to 103, the Tribunal conducted a public inquiry into the broadcasting of Australian music on radio including the

possible repeal of Program Standard 3. One hundred written submissions were received from organisations, radio stations and interested persons in connection with the inquiry. Public hearings of the inquiry commenced on Monday 28 November 1983, and concluded on Friday 22 June 1984 after 23 sitting days.

244. To provide background information to the inquiry, a randomly selected 24 hour check of nineteen metropolitan radio stations in Sydney, Melbourne, Brisbane and Adelaide was conducted. Eight stations were found to have failed to meet either one or both of the Australian music requirements on the day concerned. The results were discussed during the course of the inquiry. At the time of preparation of this report the Tribunal had not released its report or decision arising from the inquiry.

245. The following table shows the extent to which radio stations have broadcast Australian music compositions and Australian music performances over the past seven years. The Table is based upon information supplied to the Tribunal by stations as discussed earlier.

YEAR	ABC	COMMERCIAL		PUBLIC	
		Average all stations	Number below prescribed percentage	Average all stations	Number below prescribed percentage
	%	%		%	
AUSTRALIAN COMPOSITIONS					
1977-78	10.58	17.07	Nil		
1978-79	10.90	18.19	Nil	18.60	1
1979-80	10.04	18.59	Nil	18.80	1
1980-81	11.70	18.40	Nil	18.40	1
1981-82	12.00	18.20	Nil	22.40	1
1982-83	13.60	18.90	Nil	22.50	1
1983-84	13.10	20.50	Nil	21.70	Nil
AUSTRALIAN PERFORMANCES					
1977-78	NA	25.74	2		
1978-79	NA	25.82	1	28.80	1
1979-80	NA	26.13	Nil	31.60	4
1980-81	NA	26.20	Nil	32.90	4
1981-82	NA	25.90	2	36.90	3
1982-83	NA	26.40	Nil	36.10	2
1983-84	NA	26.50	Nil	36.80	Nil

Television

246. The requirements for Australian content of television programs derive from the provisions of paragraph 25 of the Television Program Standards. This states that licensees shall comply with requirements specified by the Tribunal from time to time concerning the proportion of time to be occupied by programs of Australian origin and the nature of such programs.

Specific requirements currently in operation oblige stations to televise Australian programs so as to:

- (a) meet a points target equal to their hours of transmission.
- (b) meet a quota of 104 hours of first-release Australian drama between 6.00pm and 10.00pm; and
- (c) televise four 'big budget specials' in the form of variety spectaculars or one-shot drama.

247. The review of standards in relation to Australian content continued. The closing date for submissions in response to the Tribunal's discussion paper was extended to 30 September. Thirty submissions were received. Dr Helen Wilson, on exchange to the Tribunal from the NSW Institute of Technology carried out research into the industry and wrote a descriptive information paper for the Tribunal. The Research Section undertook a survey of independent production houses, government production agencies and commercial television licensees to identify employment patterns, facilities and types of production. The Federation of Commercial Television Stations informed the Tribunal that individual licensees were not prepared to respond to the survey but might be prepared to provide composite figures for all television licensees. The responses from the production industry are being analysed.

248. During the year, stations provided the Tribunal with weekly logs showing the programs they presented in accordance with these requirements.

249. The following table shows results for all commercial stations for the period 26 June 1983 to 30 June 1984. The results apply to programs televised between 6.00am and 12.00 midnight during the full statistical year:

AUSTRALIAN CONTENT OF TELEVISION PROGRAMS
STATISTICAL YEAR 1983-84

26 JUNE 1983 TO 30 JUNE 1984

STATION	TARGET POINTS	ACTUAL POINTS (includes bonus points for extra drama programs)	FIRST RELEASE		'SPECIALS'		% AUSTRALIAN CONTENT	
			AUSTRALIAN DRAMA REQUIREMENT (1800-2200 hrs)	104 hpa	Four	No requirement	0600-2400 hrs	1800-2200 hrs
Minimum requirements			Hrs	Mins	%	%	%	%
Metropolitan Stations								
ATN	6599.5	9601.5	244	30	5	41.8	47.9	48.3
TCN	6678.0	11932.0	104	00	11	47.1	39.2	50.9
TEN	6623.0	10935.0	191	00	5	41.3	44.0	45.1
ATV	6645.0	12262.0	206	15	5	41.6	44.1	46.0
GTW	6647.0	11786.5	104	45	10	45.3	39.1	50.4
HSV	6203.5	9496.5	287	00	6	51.3	51.8	56.2
BTQ	6338.5	10523.0	278	00	5	46.0	54.5	58.7
QTQ	6678.0	12943.5	106	15	8	51.2	49.1	51.5
TVQ	6354.0	10971.0	176	00	5	40.6	37.2	41.6
ADS	6159.0	9716.0	283	15	6	44.4	56.6	61.4
NWS	6585.0	12852.0	104	00	9	47.7	36.8	44.9
SAS	6428.5	12756.0	205	00	4	43.4	43.9	46.6
STW	6427.5	13937.5	143	00	12	49.1	49.4	54.5
TWW	6297.0	8729.5	328	15	9	35.5	47.2	46.4
TVT	6238.5	15340.0	216	45	12	55.5	49.9	57.9
Country Stations								
BKN	3869.0	9996.0	151	30	6	52.3	51.1	56.3
CBN/CWN	4941.0	11590.5	131	00	9	52.8	48.8	50.4
CTC	6321.5	14832.5	247	15	17	52.1	52.6	50.3
MTN	4973.0	11543.0	131	00	9	52.3	48.5	49.7
NBN	6254.0	13039.5	220	00	10	48.4	54.7	59.7
NEN/ECN	4994.5	10361.5	155	30	14	50.1	51.4	52.8
NRN/RTN	5005.5	9931.5	152	15	12	46.2	50.1	50.7
RVN	5260.5	13042.5	243	15	16	51.4	48.5	52.6

STATION	TARGET POINTS	ACTUAL POINTS (includes bonus points for extra drama programs)	FIRST RELEASE		'SPECIALS' REQUIREMENT	% AUSTRALIAN CONTENT		
			AUSTRALIAN DRAMA (1800-2200 hrs)	104 hpa		0600-2400 hrs	1800-2200 hrs	1600-2200 hrs
Minimum requirements			Hrs	Mins	Four	No requirement	%	%

Country stations cont'd

WIN	6423.0	15332.0	284	15	9	53.7	53.9	60.0
AMV	5276.0	13128.5	243	15	16	52.2	48.0	52.3
BCV	5781.5	12796.0	197	30	18	49.9	56.0	56.8
BTW	5537.0	12304.0	313	45	11	51.2	62.7	64.5
GLV	5781.5	12783.5	197	30	18	49.8	56.0	56.8
GMV	5626.0	13284.0	304	00	10	54.8	61.6	65.7
STV	5772.5	12867.0	197	30	18	49.7	56.0	56.7
DDQ/SDQ	5052.0	9435.0	148	45	15	46.3	50.6	58.2
FNQ	4540.5	12375.0	263	30	13	55.7	60.3	64.7
ITQ	3173.5	8674.5	376	15	9	51.7	54.7	54.8
MVQ	4396.0	13948.5	372	30	11	53.9	56.3	62.8
RTQ	4654.5	13608.5	227	15	14	58.0	54.6	64.2
SEQ	5071.0	12268.5	264	45	18	54.5	59.3	61.3
TNQ	4540.5	12375.0	263	30	13	55.7	60.3	64.7
GTS	3869.0	10058.5	151	30	6	52.8	51.9	56.9
RTS	3433.0	8064.0	207	45	13	52.1	57.4	62.6
SES	4834.5	10516.0	206	30	11	50.8	52.9	60.0
BTW/GSW	4599.0	12842.5	217	45	11	48.9	55.7	57.9
GTW	3113.0	6726.5	290	45	6	44.9	52.6	49.8
VEW	3505.5	9364.5	280	15	8	63.4	56.7	58.3
TNT	6213.0	14280.0	199	15	13	54.2	49.2	52.4
NTD	3279.0	8703.0	254	00	9	48.8	56.2	59.7

250. The table shows that all stations met the requirements over the full year.

251. The Nine Network drama series KINGS, STARTING OUT, TAURUS RISING and WATERLOO STATION failed to attract sufficient audience to warrant continued production. This resulted in approaches being received from stations TCN Sydney, GTV Melbourne and QTQ Brisbane for approval to credit off-peak presentations of these series towards the 104 hours per year peak time requirement. The Tribunal approved these applications in terms of the provisions of its Circular Letter T2 of 22 March 1977 which provides for approval where:

- (i) the series was designed for peak time transmission;
- (ii) the episodes concerned are first release;
- (iii) a substantial number of episodes, covering say two rating periods, have been televised already between 6.00 pm and 10.00 pm; and
- (iv) that relevant rating information is included with the station's application for consideration of the matter by the Tribunal.

252. Station NWS Adelaide continued to be credited during the year with off-peak episodes of THE SULLIVANS which were approved pursuant to Circular Letter No.T2 during the 1982-83 statistical year.

253. The degree of use of off-peak drama as at 30 June 1984 was as follows:

TCN - 35 hours
GTV - 30 hours 30 minutes
QTQ - 27 hours
NWS - 33 hours

254. The proportions of time occupied by Australian programs for all metropolitan stations, all country stations and all stations combined was as follows:

	0600-2400	1800-2200	1600-2200
	%	%	%
Metropolitan stations	45.4	46.2	50.7
Country stations	55.1	55.1	57.5
All stations	51.2	52.1	55.2

255. The position over the past five years for all stations combined was as follows:

(a) 0600-2400 (overall)	1979-80 %	1980-81 %	1981-82 %	1982-83 %	1983-84 %
	43.5	49.9	48.0	49.3	51.2
(b) 1800-2200 (peak-time)	1979-80 %	1980-81 %	1981-82 %	1982-83 %	1983-84 %
	45.5	48.5	50.2	51.8	52.1
(c) 1600-2200	1979-80 %	1980-81 %	1981-82 %	1982-83 %	1983-84 %
	47.1	54.1	53.0	55.2	55.2

256. The following programs qualified during the year as 'big-budget specials' for the purpose of the requirement of four such programs per year:

ONE SHOT DRAMA

Air Hawk
 All the Rivers Run (opening episode)
 Carson's Law (opening episode)
 Death Train
 Demolition
 Disappearance of Azaria Chamberlain
 Dismissal, The (opening episode)
 Eureka Stockade (opening episode)
 For the Term of His Natural Life (opening episode)
 Greed - The Mr Asia Connection
 Haunting of Hewie Dowker, The
 High Country
 Image of Death
 John Sullivan Story
 Kings (opening episode)
 Last Outlaw, The (opening episode)
 Little Feller, The
 Newman Shame
 Night Nurse
 People Like Us
 Return to Eden (opening episode)
 Rose Bloom Twice
 Sara Dane (opening episode)
 Shifting Dreaming, A
 Silent Reach (opening episode)
 Sons and Daughters (opening episode)
 Taurus Rising (opening episode)
 Under Capricorn (opening episode)
 Waterfront (opening episode)
 Water Under the Bridge (opening episode)
 Weekly's War, The

OTHER

America's Cup Victory Concert
Australia Day Concert
Australia Naturally - Series II
Australia's Entertainment Spectacular
Elton John - Thank you Australia Concert
Human Face of Russia
Instant TV Special
Marching Koalas: California Here we Come
1984 Miss Australia Quest
Paul Hogan's England 1 & 2
Prime Ministers, The
Russians, The
Starburst '83
1984 TV Week Logie Awards

HOURS OF OPERATION

257. On 28 November 1983, the Tribunal issued Policy Statement POS 04 dealing with Hours of Service, which outlines the policy criteria for permanent variations to hours of service and a general determination for temporary extensions of hours of service by licensees of commercial and public broadcasting stations and commercial television stations.

258. The effect of the general determination is that licensees may, subject to certain conditions, exceed their approved basic hours of service without seeking prior approval from the Tribunal.

Radio

259. At 30 June 1984, 137 commercial radio stations were operating for a total of 20,868 hours 30 minutes per week, an increase of 510 hours 10 minutes per week since 30 June 1983. There were fifty public radio stations operating for a total of 5,758 hours 45 minutes per week.

260. Sixty commercial and public stations permanently increased transmission hours and thirteen stations reduced hours during the year. Numerous temporary increases in hours of service were effected by licensees to enable the coverage of special events of national or local interest.

261. The eighty-two stations operating continuously were:

2AY Albury
2CBA, 2CH, 2DAY, 2KY, 2MBS, 2MMM, 2SER, 2SM,
2UE, 2UW and 2WS Sydney
2CA and 2CC Canberra
2GF Grafton
2GO Gosford
2HD and 2KO Newcastle
2KA Katoomba
2MC Kempsey

2MW Murwillumbah
 2NCR Lismore
 2NX Bolwarra
 2OO and 2WL Wollongong
 2REM Albury-Wodonga
 2ST Nowra
 2WG Wagga Wagga

3AK, 3AW, 3CR, 3DB, 3EON, 3FOX, 3KZ, 3RRR, 3UZ and 3XY Melbourne
 3MP Mornington Peninsula
 3BA Ballarat
 3BO Bendigo
 3GL Geelong

4BC, 4BH, 4BK, 4IO, 4KQ, 4MMM and 4ZZZ Brisbane
 4AK Oakey
 4AY Ayr
 4CA Cairns
 4CD Gladstone
 4GC Charters Towers
 4GG Gold Coast
 4GR Toowoomba
 4GY Gympie
 4MK Mackay
 4RO Rockhampton
 4TO Townsville

5AA, 5AD, 5DN, 5KA, 5MMM and 5SSA Adelaide
 5AU Port Augusta
 5MU Murray Bridge
 5PI Crystal Brook
 5RM Renmark
 5SE Mount Gambier

6IX, 6KY, 6NOW, 6PM and 6PR Perth
 6NEW Newman

7HO and 7HT Hobart
 7LA Launceston

262. The following table shows the average weekly hours of operation of commercial radio stations at intervals since 1978:

HOURS OF SERVICE - COMMERCIAL RADIO STATIONS

LOCATION	1978	1981	1982	1983	1984
Sydney	161	168	168	168	168
Melbourne	164	168	168	168	168
Brisbane	162	168	168	168	168
Adelaide	168	168	168	168	168

Perth	168	168	168	168	168
Hobart	168	168	168	168	168
All Metropolitan	164	168	168	168	168
All other areas	134	140	141	141	145
All stations	141	147	149	149	150

Television

263. The fifty commercial television stations in service at 30 June 1984 were operating for an aggregate of 5325 hours per week, an increase of 223 hours per week since 30 June 1983. There were permanent or long-term increases in the hours of operation of twenty-seven stations, while nine stations reduced hours of operation and fourteen stations remained unchanged.

264. The average hours of operation of the fifteen metropolitan stations at 30 June 1984 were 138 hours 30 minutes, which represented an increase of two hours over the previous year. The average hours of operation of country stations at the end of the year was 95 hours 30 minutes per week, an increase of seven hours 45 minutes weekly on the previous year. TCN Sydney, GTV Melbourne, BTQ and QTQ Brisbane, and STW Perth, are the only stations operating a continuous service.

265. The weekly hours of service of all commercial stations in operation on 30 June 1984 are at Appendixes A to D.

CHILDREN'S TELEVISION

266. Under the requirements applying until 30 June 1984 for children's programs, stations are required to televise between the hours of 4.00 p.m. and 5.00 p.m. each weekday a minimum of five hours per week of programs approved by the Tribunal on the recommendation of the Children's Program Committee as meeting the criteria for 'C' children's material.

267. Programs designed specifically for pre-school-age children are required to be televised for a minimum of thirty minutes each weekday before 4.00 pm.

268. Provision is made for 'C' programs pre-empted by live coverages of sport and other events to be re-scheduled at other suitable times.

269. In all cases where this was necessary the stations concerned met the appropriate requirements.

270. As at 30 June 1984, programs being televised by metropolitan stations to meet the requirements for 'C' program and pre-school-age children's programs were as shown in the following table:

STATION	'C' CHILDREN'S PROGRAMS	PRE-SCHOOL-AGE CHILDREN'S PROGRAMS
ATN	Lassie Wombat	Romper Room
TCN	Matchmates Skippy Curiosity Show	Here's Humphrey
TEN	Simon Townsend's Wonder World Fraggle Rock	Fat Cat & Friends
ATV	Simon Townsend's Wonder World Fraggle Rock	Fat Cat & Friends
GTV	Matchmates Skippy Curiosity Show	Here's Humphrey
HSV	Shirl's Neighbourhood Lassie	Romper Room
BTQ	Wombat Flipper Littlest Hobo	Romper Room
QTQ	Skippy You Asked For It	Over Ann's Rainbow
TVQ	Simon Townsend's Wonder World	Fat Cat & Friends
ADS	Wombat Lassie Flipper Adventures of Black Beauty	Romper Room
NWS	Channel 9ers Skippy You Asked For It Follyfoot Animals, Animals, Animals Rentaghost Curiosity Show	Here's Humphrey
SAS	Simon Townsend's Wonder World	Fat Cat & Friends
STW	Simon Townsend's Wonder World	Here's Humphrey Rainbow

STATION	'C' CHILDREN'S PROGRAMS	PRE-SCHOOL-AGE CHILDREN'S PROGRAMS
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TVW	Wombat Bailey's Bird	Fat Cat & Friends
TVT	Simon Townsend's Wonder World Follyfoot You Asked For It Junior Sports Show Curiosity Show Quiz Quest	Fat Cat & Friends

271. The following table shows the amount of pre-school-age children's programs televised by each commercial station:

PRE-SCHOOL-AGE CHILDREN'S PROGRAMS 1983-84

STATION	WEEKLY AVERAGE (Requirement 2 hours 30 mins per week)	STATION	WEEKLY AVERAGE (Requirement 2 hours 30 mins per week)
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Metropolitan	Hours/Mins	Country	Hours/Mins
ATN	5.15	BKN	3.00
TCN	5.00	CBN/CWN	4.45
TEN	2.30	CTC	5.00
ATV	2.30	MTN	4.45
GTV	5.00	NBN	7.30
HSV	5.30	NEN/ECN	2.30
BTQ	2.30	NRN/RTN	2.30
QTQ	2.45	RVN/AMV	5.00
TVQ	2.30	WIN	2.30
ADS	5.00	BCV/GLV/STV	2.30
NWS	5.00	BTV	5.00
SAS	2.30	GMV	5.00
STW	5.00	DDQ/SDQ	2.30
TVW	2.30	MVQ	2.30
TVT	2.30	RTQ	2.30
		SEQ	2.30
		TNQ/FNQ	2.30
		GTS	3.00
		SES	2.30
		BTW/GSW	2.30
		TNT	2.30

Exempt: ITQ, RTS, GTW, VEW and NTD.

272. The following table indicates the range of pre-school-age children's programs used by metropolitan stations during 1983-84.

PROGRAM	STATION
Romper Room	ATN, HSV, BTQ, ADS
Here's Humphrey	TCN, GTV, QTQ, NWS, STW
Fat Cat & Friends	TEN, ATV, TVQ, SAS, TVW, TWT
Rainbow	ATN, HSV, STW
Over Anne's Rainbow	QTQ

New Children's Television Standards

273. In April 1984, the Tribunal issued new standards for children's television, to take effect from 1 July 1984, with the intention of improving the quality and diversity of television available for children and pre-school children. The standards were accompanied by a comprehensive report explaining the Tribunal's reasons for introducing the new standards.

274. The Tribunal has a statutory power under the Act, to determine standards relating to programs and advertisements for commercial radio and television and public radio.

275. The new children's television standards are the first to be produced from the Tribunal's current overall review of the television standards. The form and wording of the standards have been made as simple and plain as possible. The Tribunal could not, however, exclude all technicalities because the standards must have the precision necessary for legally binding rules.

276. The major features of the new standards are:

- . the continuation of the existing requirement that the 4.00 - 5.00 pm timeslot, Monday to Friday, be set aside for age-specific programs for children. Classifications granted to programs by the Tribunal under the existing requirements will continue for five years.
- . the introduction of a quota of eight hours first release Australian children's drama in each year for each licensee.
- . the introduction of a requirement that 50 per cent of the 'C' programs transmitted in a year by a licensee be first-release Australian programs.
- . the introduction of a limit on the numbers of repeats of 'C' programs and pre-school programs to three times in five years.
- . the introduction of requirement prohibiting the back-to-back scheduling of episodes or programs in the same series on the same day.
- . the introduction of standards imposing a maximum limit of thirteen minutes interruption to the 'C' Hour:

- ten minutes of advertising
 - two minutes of promotions
 - one additional minute of pro-social advertising.
- . the introduction of a limit on repetition of advertisements in 'C' time.
 - . the introduction of advertising standards designed to ensure that the vulnerability of children is not exploited. For example, standards relating to misleading advertising, undue psychological pressure, unsafe products, endorsements by children's program characters.
 - . the introduction of a standard requiring that no program, advertisement or other transmission during 'C' time may demean any group of class of people on the basis of sex, age, race, ethnicity, disability, religious beliefs or political convictions.

277. It has long been recognised that commercial television licensees have an obligation to serve children, and that regulatory action has been a response to a lack of quality age-specific television for children, and to the need for the protection of children's interests.

278. The Tribunal has no reason to believe that, without regulation, children's television would significantly improve as a result of industry initiatives and market forces.

279. While supporting the determination of the Standards generally, the Chairman and Vice-Chairman dissented on the standards relating to Australian content for 'C' programs, repeats and back-to-back programming.

280. The Tribunal wishes to record its appreciation of the efforts made by Dr Patricia Edgar, and other Members of the CPC during the year. The Tribunal would particularly like to record its appreciation of the work of Dr Edgar who retired from the Committee during the year having been a member since its inception.

REPORT TO THE TRIBUNAL BY THE CHILDREN'S PROGRAM COMMITTEE

281. During its public inquiry into the concept of self-regulation for broadcasters in 1977, the Tribunal became aware that the performance of stations in regard to children's programming was one of the areas of greatest public concern. The major recommendations made to the Government involved the establishment of a system of 'C' classification for programs specifically designed for children aged 6-13 years and the formation of a Children's Program Committee to oversee the development of this concept. The Tribunal also recommended that only material classified 'C' be televised between 4.00 pm and 5.00 pm on weekdays.

282. On 15 September 1978, the then Minister for Post and Telecommunications confirmed the Government's support of the recommendations

and the Tribunal appointed the Children's Program Committee on 28 November that year. As foreshadowed in the report, the Committee is comprised of four members drawn from the public, and three members from the television and advertising industries.

283. Under the provisions of the Committee's Constitution which was adopted on 1 December 1981, the Committee's terms of reference are:

- (1) To provide advice, including formulating draft standards, to the Tribunal in relation to the Tribunal in relation to the Tribunal's functions of -
 - (i) determining standards to be observed by licensees in respect of the televising of children's programs, and
 - (ii) the televising of advertisements/promotions during children's programs.
- (2) To assess and make recommendations to the Tribunal with respect to the following in terms of the standards and guidelines determined by the Tribunal:

programs proposed for 'C', Provisional 'C' and Station of Origin 'C' classifications.
- (3) To provide information, advice and assistance to television licensees, producers of children's programs and the public on the Tribunal's standards in relation to children's programs and advertising directed to children.

284. The Committee's Constitution also contains provisions governing the appointment and tenure of committee members, appointment of office-holders, procedures for the conduct of committee meetings and other administrative matters.

285. Under the Committee's Constitution, committee members may be appointed for periods up to three years. The Tribunal introduced the staggered reappointments to provide for the rotation of committee membership over the next three years. The rotation scheme is designed to bring new perspectives to the Committee via its membership while maintaining a continuity of experience.

286. At 30 June 1984, the members of the Committee were as follows:

Mr Frank Meaney, Leader, Community Relations and Information Unit, New South Wales Department of Education. (Appointed Chairman in January 1984 after the resignation of Dr Patricia Edgar.)

Mr Bruce Harris, formerly Chairman and Managing Director of SSC and B Lintas Advertising Agency; now Director, Rolf Harris Productions Pty Ltd. (Reappointed as a member for three years from 30 November 1983 and appointed Vice-Chairman to succeed Mr Meaney in January 1984.)

Mr Hugh Cornish, General Manager, QTQ-9, Brisbane.

Mr John Stapp, formerly Managing Director, Associated Broadcasting Services Ltd. (Reappointed as a member for three years from 30 November 1983.)

Mrs Anne Wilson, Publisher, Lansdowne Press. (Appointed 30 November 1983 to replace Ms Patricia Lovell.)

Mr Rex Heading, formerly Director, Network Productions, ATV-10; now independent consultant. (Appointed 7 May 1984 to replace Dr Patricia Edgar.)

Mrs Barbara Biggins, Librarian, Child, Adolescent and Family Health Service (SA). Television Officer, Australian Council for Children's Films and Television. Vice-President, SA Council for Children's Films and Television.

287. The December 1983 meeting of the Committee was the last under the Chairmanship of Dr Patricia Edgar. The Committee wishes to record its gratitude and appreciation for Dr Edgar's important contribution to the development of children's television through her work with the Committee since its inception in 1978.

288. The work of the Committee documented in previous Reports culminated in March/April 1984 with the adoption and publication of a new set of Children's Television Standards. These represent a landmark in Australian broadcasting regulation and, more importantly, create a climate in which children's television can emerge in its own right.

289. The Standards are designed to encourage Australian production in drama and other associated genres, and also provide a place for the best of overseas productions. They set clear parameters within which program-makers and exhibitors can operate with certainty. The Committee is very satisfied with the Tribunal's work in this area.

290. The Committee has, during the year under review, taken opportunities presented by formal Inquiries to make representations on behalf of children's television. Formal submissions were made to the Tribunal's Satellite Program Services Inquiry and the Department of Communications' Inquiry into the Concept of Localism in Australian Broadcasting. (The Chairman of the Committee also gave oral evidence to the Satellite Program Services Inquiry.) The Committee sees this as an important part of its function in keeping before the public issues which relate particularly to children's television, as well as making comment on issues which impinge on the area.

291. A feature of the work of the Committee during 1983-84 has been the decided increase in the number of scripts, particularly for drama, which have been sent to the Committee for opinion and award of a provisional 'C' classification. This large increase indicates a significant escalation of activity in the area of children's drama, a development which is pleasing.

292. The Committee has done its best with limited resources to maintain its speedy handling of requests for classification, which has been a hallmark of its operations during the year.

293. During the period 1 July 1983 to 30 June 1984, the Committee assessed 185 programs (including approximately 30 program concepts in written form) and recommended that 85 be classified 'C', 1 be classified Station of Origin 'C', 18 be classified Provisional 'C', 50 not be classified 'C' (including Provisional 'C') and 1 be classified 'C' Australian Drama.

MEETINGS OF THE CHILDREN'S PROGRAM COMMITTEE DURING THE PERIOD
1 JULY 1983 - 30 JUNE 1984

294. The Children's Program Committee has met monthly with the exception of January. In addition, members attended a number of conferences and seminars and spoke to many groups. At all meetings, the Committee has met with people involved in children's programming, a pattern which the Committee intends to continue in the future.

295. The following is a list of Children's Program Committee meetings held during the period 1 July 1983 to 30 June 1984, together with the names of people who met with the Committee:

21-22 July 1983 - ADELAIDE

Messrs John Lamb, Tyrrell Talbot Ric Boland and Neil Smith	NWS-9
Messrs Rex Heading and Gordon French	Crawford Productions Pty Ltd
Messrs John Doherty and Stavros Pippas	ADS-7
Mr Dean Davis	Salt Productions Aust Pty Ltd
Ms Kate White and Mr Peter Vaughton	Program Producers
Messrs Trevor Lanyon and Ron Christie	SAS-10
Representatives from the South Australian Council for Children's Films and Television	

25-26 August 1983 - SYDNEY

Messrs Simon Townsend and Harvey Shore	Townsend Entertainments Pty Ltd
Mr David Jones, Chairman and Mr Mark Armstrong, Member	Australian Broadcasting Tribunal

15-16 September 1983 - MELBOURNE

Ms Mary Lancaster and Ms Jill Morris	Greater Glider Productions Pty Ltd
Ms Jenny Hooks and Mr Richard Bence	Puppetstuff Pty Ltd
Mr Peter Harvey-Wright	Harvey-Wright Enterprises Pty Ltd

20-21 October 1983 - SYDNEY

Messrs Ian Fairweather and John Collet

Consultant to NBN and
Chairman, Television
Advisory Panel, NBN

Messrs Russell and Richard Becker
and Ken Grass

Fremantle International
Pty Ltd

Ms Marcia Hatfield

Independent Productions
Pty Ltd

17-18 November 1983 - MELBOURNE

Mr Ken Steel

Compucolour Pty Ltd

Mr Bruce LLOYD

Shadow Minister for
Communications

15-16 December 1983 - SYDNEY

Messrs Graham Ford and Ken Sievers and
Mr Ingrid Thomas

Special Broadcasting
Service

Messrs Michael Latimer and
James Kemsley

Jimera Pty Ltd

Ms Jenny Hooks and Mr Richard Bence

Puppetstuff Pty Ltd

Messrs Roger Simpson and Jan Sardi

Writers

16-17 February 1984 - HOBART

Messrs Mal Sutton, Tony Fox and
Eion Breen

TVT-6

Mr John Stephens

TNT-9

Mr Neil Smith

NWS-9

Representatives from the Tasmanian Film Corporation

Representatives from the Hobart Mercury and ABC
Television News

21-22 March 1984 - ADELAIDE

Messrs Trevor Lanyon and Ron Christie

SAS-10

Messrs John Lamb, Tyrrell Talbot and
Ric Boland

NWS-9

Messrs Peter Dight and Glen Cupit and
Ms Felicity Coleman

South Australian
Council for Children's
Films and Television

12-13 April 1984 - SYDNEY

Mr James Davern	JNP Pty Ltd
Mr Michael Hanna	Department of Communications
Ms Anita Jacoby and Ms Helen Grasswill	Program Producers
Ms Kate White	Program Producer
Ms Sandy Mauger	Program Producer
Messrs Gene Pierson and Marty Morton	Program Producers

30-31 May 1984 - MELBOURNE

Mr Simon Townsend	Townsend Entertainments Pty Ltd
Messrs Campbell, Warne and Mrs Hardy	ATV-10
Mr Alan Hardy	Crawford Productions Pty Ltd
Mr Ken Steel	Compucolour Pty Ltd
Messrs Gavan Disney and Robin Jolley	GTV-9
Mr Peter Harvey-Wright	Harvey-Wright Enterprises Pty Ltd

21-22 June 1984 - SYDNEY

Messrs Grant Calcutt and Kevin Hitchcock	Asia Communications Pty Ltd
Mrs Sandra Gross	Yoram Gross Film Studio Pty Ltd
Ms Lyn Norfor	Health Media Productions
Mr Steve Cookson	ABC News

RELIGIOUS PROGRAMS

296. Under section 103 of the Act licensees are required to broadcast or televise divine worship or other matter of a religious nature during such periods as the Tribunal determines and, if the Tribunal so directs, to do so without charge. In the case of public or commercial radio stations the Tribunal, in its Broadcasting Program Standards (August 1981), has determined

that each licensee should broadcast free of charge at least one hour per week of matter of a religious nature. Under the guidelines to the Broadcasting Program Standards, endorsed by the Federation of Australian Radio Broadcasters and the Public Broadcasting Association of Australia, licensees may decide the type and manner of presentation of religious matter to be presented and are required to allocate the time in accordance with the particular religious needs of the communities they serve. It is the responsibility of the licensee to assess the nature of these needs and to determine how they may be met through radio broadcasting. Information, provided to the Tribunal for the purpose of its periodical reviews of the licences of stations, indicates that radio stations are generally complying with the requirement.

297. In the case of commercial television stations, the standards which apply to the televising of religious matter without charge are those determined by the former Australian Broadcasting Control Board in 1970. These standards have continued to be administered by the Tribunal under the transitional provisions of the Broadcasting and Television Amendment Act 1976. Under these standards licensees are normally required to allocate time for the televising of religious matter, without charge, to the extent of at least one per cent of the normal weekly hours of service, with a minimum of 30 minutes each week. Lesser amounts may be televised in special circumstances by mutual agreement between the licensee and representatives of the religious organisations in the area concerned.

298. As part of its general review of the Television Program Standards, the Tribunal issued a discussion paper on the subject of the standard applying to the televising of religious matter without charge. The paper, which was issued during 1983, was prepared by staff of the Tribunal. It set out details of the history of the standard in its present form, including the recommendations for change which had been made by the former ABCB Advisory Committee on Religious Programs and by the Tribunal, following its 1977 inquiry into self regulation for broadcasters. The paper canvassed the range of options available to the Tribunal pursuant to its powers under section 103 of the Act. The Tribunal is at present considering the responses to the discussion paper and, as in the case of all standards, will issue a draft standard for comment before it reaches its concluded decision on the revised standard.

299. Information available to the Tribunal from program schedules, logs and other sources indicates that all television station licensees were complying with the provisions of the Act and Standards in regard to religious matter televised without charge. The majority of the programs presented are provided by the national and state program production organisations of the mainstream churches represented in the service areas of the stations.

300. It is appropriate to note that many commercial television station licensees, in addition to televising religious matter under the above provisions, also accept and televise religious programs under sponsorship arrangements. The majority of these programs are produced in the United States of America and are provided by local agencies of the production organisation concerned.

ADVERTISING

301. It is a function of the Tribunal under section 16 of the Act to assemble information about broadcasting and television in Australia. As part of this function, the Tribunal has conducted periodical surveys of advertising presented by television stations. These periodical surveys cover advertising and other non-program matter presented by stations.

302. The following tables provide details of material shown on metropolitan commercial television stations and selected provincial commercial television stations.

303. The tables are derived from information supplied by stations and are based on sample weeks in September 1983, November 1983, February 1984 and April 1984.

TABLE 1: PERCENTAGE OF TIME OCCUPIED BY TELEVISION ADVERTISEMENTS
BY DAY OF WEEK SUNDAY TO SATURDAY - 1100-2300

STATION	SUN	MON	TUES	WED	THURS	FRI	SAT
ATN	18.0	17.9	18.4	18.1	18.1	17.6	17.5
TCN	18.5	19.3	18.9	19.5	19.1	18.8	19.9
TEN	19.7	17.9	17.6	18.1	17.2	16.7	17.9
CTC	14.8	15.9	15.3	15.7	15.0	15.6	12.8
CBN/CWN	12.5	14.1	13.8	14.2	13.1	11.4	9.5
NBN	11.9	15.2	14.4	15.7	13.3	12.3	10.5
NEN/ECN	11.3	13.0	12.7	13.5	13.3	12.1	9.4
NRN/RTN	8.8	10.9	10.9	11.8	10.5	9.6	7.5
RVN/AMV	10.1	14.0	14.0	13.7	13.2	13.3	8.8
WIN	15.7	16.7	16.7	16.9	16.9	16.9	12.7
ATV	17.1	17.9	18.7	17.7	18.2	16.8	16.4
GTV	17.4	19.1	19.2	19.3	19.0	18.4	17.3
HSV	18.1	17.7	17.3	17.4	17.7	16.2	16.2
BCV/GLV	13.6	15.5	15.3	15.6	15.5	14.5	12.0
BTV	11.6	14.6	13.6	14.0	12.7	11.8	9.9
GMV	13.2	15.3	15.3	15.4	14.5	13.3	12.2
BTQ	17.4	16.5	17.6	17.6	17.2	15.6	15.9
QTQ	14.9	17.9	17.2	17.4	17.3	16.9	15.2
TVQ	18.2	16.9	17.5	17.7	17.2	16.3	17.4
DDQ/SDQ	13.2	15.0	14.9	15.3	15.7	14.1	12.1
ITQ	8.3	12.6	10.1	8.8	9.2	8.9	7.0
MVQ	10.7	11.9	12.3	12.2	11.5	10.9	10.0
RTQ	10.0	13.8	12.6	13.2	12.3	11.7	8.7
SEQ	12.2	14.1	13.9	13.7	13.6	11.8	9.5
TNQ/FNQ	13.6	15.2	16.0	16.0	15.1	13.5	12.8
ADS	17.2	17.2	17.1	16.8	17.2	17.0	15.7
NWS	13.5	16.3	16.1	16.6	18.1	14.9	14.9
SAS	16.7	16.2	17.0	16.6	16.7	16.0	15.6
GTS	8.1	9.3	7.6	7.1	8.9	6.2	5.3
RTS	9.8	12.8	11.3	9.6	12.2	9.5	7.7
SES	9.7	11.0	10.6	10.7	11.2	9.8	8.7
STW	17.6	17.2	17.3	18.6	18.2	17.9	16.2
TVW	17.4	18.8	18.7	17.2	18.6	19.2	18.9
BTW/GSW	11.2	12.1	13.8	14.0	13.5	10.9	9.0
GTW	7.0	10.4	10.9	10.5	9.0	8.5	6.9
VEW	12.5	14.0	14.6	14.9	12.4	12.5	8.3
TVT	13.2	15.3	14.3	15.1	13.8	12.1	9.5
TNT	9.6	14.6	15.1	15.4	14.3	13.6	10.9
NTD	9.5	11.9	13.2	11.6	12.7	10.9	10.0

**TABLE 2: PERCENTAGE OF TIME OCCUPIED BY TELEVISION ADVERTISEMENTS
BY SESSION MONDAY TO FRIDAY - 0700-0000**

STATION	0700- 0900	0900- 1200	1200- 1600	1600- 1700	1700- 1900	1900- 2200	2200- 0000
ATN	9.9	10.0	17.1	11.8	19.7	17.9	19.7
TCN	18.0	17.3	20.9	11.6	20.7	18.0	18.2
TEN	17.9	13.1	16.5	11.2	20.8	18.1	19.2
CTC	17.8	10.2	15.2	11.3	17.5	17.0	15.0
CBN/CWN	NT	0.3	12.6	6.3	13.9	16.4	10.9
NBN	7.6	4.3	14.7	9.5	15.6	16.6	11.8
NEN/ECN	NT	8.4	11.0	6.7	16.4	16.4	13.4
NRN/RTN	NT	4.0	8.0	6.9	14.8	15.4	7.0
RVN/AMV	19.6	6.2	13.5	10.4	13.4	16.6	11.1
WIN	16.7	7.5	17.7	13.7	18.7	17.6	14.7
ATV	19.1	12.9	17.5	15.6	20.5	16.9	18.9
GTV	18.3	16.3	20.1	13.8	20.6	18.0	19.0
HSV	13.6	10.8	16.7	12.6	19.4	17.7	18.8
BCV/GLV	16.8	11.3	10.6	9.1	15.5	17.6	13.7
BTV	6.7	4.8	12.6	10.0	14.5	16.3	13.9
GMV	11.7	4.8	13.9	11.7	17.4	17.5	15.1
BTQ	13.1	11.0	16.0	11.9	20.6	17.6	16.6
QTQ	16.0	8.8	18.5	12.3	19.7	16.8	14.6
TVQ	18.0	8.7	16.8	13.8	19.4	17.6	15.7
DDQ/SDQ	1.3	3.8	14.9	10.5	16.6	17.3	13.8
ITQ	NT	0	6.4	3.2	13.3	12.3	7.2
MVQ	NT	0.7	9.6	6.4	16.7	15.6	11.2
RTQ	NT	7.2	11.1	7.0	17.0	15.4	9.4
SEQ	NT	7.1	13.4	7.5	15.9	15.8	10.6
TNQ/FNQ	NT	0	14.4	9.6	20.5	16.8	12.0
ADS	10.8	6.6	16.6	10.8	20.3	17.7	18.8
NWS	15.4	12.5	16.9	9.2	17.2	16.8	14.5
SAS	10.5	5.5	19.7	10.5	19.7	17.2	17.1
GTS	NT	NT	3.3	0.9	9.1	13.1	5.8
RTS	NT	NT	6.3	5.7	12.0	12.8	10.3
SES	NT	7.1	8.0	4.3	12.5	15.6	10.1
STW	17.3	11.7	17.8	12.2	20.0	17.0	18.0
TVW	9.6	11.3	19.4	15.9	21.0	18.0	18.0
BTW/GSW	NT	5.2	10.7	5.3	14.8	17.2	11.4
GTW	NT	NT	7.8	NT	11.8	11.8	5.5
VEW	13.8	3.0	10.7	NT	13.2	15.4	11.4
TVT	17.5	9.5	14.5	8.0	15.7	16.6	12.1
TNT	17.0	8.2	14.5	7.7	16.7	16.7	11.4
NTD	NT	0	10.2	6.8	11.9	13.7	10.3

**TABLE 3: PERCENTAGE OF TIME OCCUPIED BY TELEVISION ADVERTISEMENTS
BY SESSION SATURDAY AND SUNDAY - 0700-0000**

STATION	0700- 0900	0900- 1200	1200- 1600	1600- 1700	1700- 1900	1900- 2200	2200- 0000
ATN	6.0	13.7	13.0	16.6	19.7	17.8	16.7
TCN	9.8	18.5	17.9	18.0	19.4	17.6	19.7
TEN	9.1	17.8	18.5	20.2	20.6	17.6	17.1
CTC	4.3	15.0	13.1	12.5	16.9	14.0	10.4
CBN/CWN	0	8.0	11.0	8.4	11.4	12.1	7.7
NBN	3.4	8.6	11.7	13.5	11.0	12.5	11.1
NEN/ECN	NT	4.7	8.2	6.6	13.0	12.5	10.5
NRN/RTN	NT	9.5	6.2	5.5	10.6	10.2	7.3
RVN/AMV	0	1.1	7.6	8.1	12.1	12.6	6.4
WIN	5.8	17.8	13.6	13.0	18.1	13.2	9.1
ATV	5.8	17.8	16.1	19.8	19.6	15.2	15.8
GTV	9.2	16.9	15.4	18.7	18.9	17.9	19.8
HSV	3.9	13.2	16.8	12.9	19.1	17.1	18.5
BCV/GLV	4.8	13.3	16.7	10.9	12.9	15.6	14.5
BTV	3.8	7.3	8.2	6.7	14.1	13.9	10.2
GMV	4.7	10.9	10.2	7.8	15.6	15.7	13.2
BTQ	7.5	14.9	16.4	13.8	19.5	17.6	12.6
QTQ	9.6	13.8	13.8	15.1	17.1	15.7	13.0
TVQ	2.0	9.4	17.9	17.2	19.3	14.4	14.1
DDQ/SDQ	0	1.8	10.4	11.0	15.2	16.2	14.4
ITQ	NT	11.7	3.8	6.5	9.5	8.6	7.7
MVQ	0.3	1.6	6.6	9.0	13.1	14.6	8.3
RTQ	NT	3.7	5.8	7.4	11.9	12.3	8.6
SEQ	1.2	5.2	8.7	8.5	13.5	14.8	9.1
TNQ/FNQ	NT	5.6	10.7	12.6	16.3	15.7	11.0
ADS	6.6	10.2	15.0	17.0	20.3	16.8	14.9
NWS	6.8	10.1	12.6	12.9	18.8	15.8	13.9
SAS	4.6	6.1	16.4	18.8	17.9	15.4	17.5
GTS	0.2	7.0	5.0	3.6	8.4	8.9	8.5
RTS	NT	1.8	7.2	8.1	10.7	10.9	5.7
SES	0	5.1	6.8	7.6	8.4	12.8	9.6
STW	7.7	10.7	13.1	17.4	19.2	16.5	11.7
TVW	8.3	12.1	12.9	19.0	19.4	17.4	17.8
BTW/GSW	0.6	3.4	8.0	3.3	11.4	14.0	10.7
GTW	NT	NT	3.0	5.5	7.3	10.3	5.1
VEW	12.0	11.4	13.5	0	8.2	12.7	9.7
TVT	8.6	7.4	9.7	8.2	12.8	14.4	10.2
TNT	7.5	8.2	9.9	7.0	10.9	15.3	8.9
NTD	0	1.7	8.5	8.1	9.0	13.6	8.0

TABLE 4: COMPOSITION OF 'AVERAGE HOUR' OF COMMERCIAL TELEVISION
SUNDAY TO SATURDAY - 1100-2300

STATION	PROGRAMS		ADVERTISEMENTS		STATION AND PROGRAM PROMOTIONS		UNPAID COMMUNITY SERVICE ANNOUNCEMENTS	
	MIN	SEC	MIN	SEC	MIN	SEC	MIN	SEC
ATN	47	29	10	47	1	33	0	11
TCN	46	21	11	30	1	59	0	10
TEN	46	53	10	45	2	16	0	06
CTC	49	33	9	02	1	08	0	17
CBN/CWN	51	04	7	38	0	52	0	26
NBN	50	03	8	00	1	36	0	21
NEN/ECN	50	50	7	20	1	25	0	25
NRN/RTN	52	49	6	01	0	57	0	13
RVN/AMV	50	14	7	29	1	18	0	59
WIN	48	27	9	39	1	35	0	19
ATV	46	43	10	33	2	38	0	06
GTV	46	40	11	00	2	06	0	14
HSV	49	02	10	21	0	23	0	14
BCV/GLV	50	14	8	46	0	48	0	12
BTV	50	25	7	32	1	20	0	43
GMV	49	13	8	32	1	02	1	13
BTQ	47	34	10	07	2	07	0	12
QTQ	47	31	10	01	2	23	0	05
TVQ	47	25	10	25	1	54	0	16
DDQ/SDQ	49	27	8	37	1	18	0	38
ITQ	53	13	5	34	0	50	0	23
MVQ	51	51	6	50	0	38	0	41
RTQ	51	10	7	05	1	19	0	26
SEQ	51	12	7	38	0	43	0	27
TNQ/FNQ	49	17	8	47	1	22	0	34
ADS	48	24	10	08	1	19	0	09
NWS	48	30	9	28	1	45	0	17
SAS	47	54	9	50	1	47	0	29
GTS	49	47	7	30	1	05	1	38
RTS	50	15	6	15	2	04	1	26
SES	50	58	6	09	1	18	1	35
STW	47	25	10	33	1	47	0	15
TVW	46	56	11	02	1	52	0	10
BTW/GSW	51	21	7	15	1	02	0	22
GTW	53	13	5	25	1	09	0	13
VEW	51	06	7	39	0	26	0	49
TVT	50	30	8	00	1	04	0	26
TNT	50	00	8	02	1	33	0	25
NTD	50	52	6	43	1	13	1	12

PROGRAM RESEARCH

304. During 1983-84 the Tribunal continued to collect information relating to its areas of responsibility by means of original field research and statistical analyses.

305. Major projects undertaken by the Program Research Branch during 1983-84 were as follows:

- . The report of a detailed study of aspects of the Australian drama series 'A Country Practice' was released. The study dealt with the reactions to the program of 12-year-old boys and girls from metropolitan and country schools. The report contained comprehensive treatments on the production and content of the program. The study was undertaken at the suggestion of the Tribunal's Children's Program Committee in order to ascertain the elements which contributed to the program's record of popularity with children.
- . A study designed to investigate young people's responses to music commenced. The study concentrates on the responses of people aged 12-20 years to radio, video-clips and various music-related activities, with special reference to young people's awareness of the choices available to them and of popular music performed by Australian artists. The study consists of two types of investigation, an exploratory stage of group discussions which obtained in-depth reactions to music, together with a field survey phase involving interviews with some 670 young people from a scientifically designed sample in Melbourne. The study will meet the aims of an internationally-based comparative study, titled 'International Communication and Youth Cultures', being co-ordinated by the University of Oregon, USA. The whole project will involve studies from over 20 countries, and will throw light on the manner in which internationally distributed music is perceived by young people in relation to music of their own countries.
- . A study commenced of television production during 1982-83 including facilities and staff, designed to obtain detailed information from television stations, independent production houses and government program production agencies. The project involves the survey by questionnaire of some 1300 potential respondents. This project is designed to assist the Tribunal's current review of the Australian content rules for commercial television (see para 247).
- . A discussion paper is being prepared on the status of women in the media as part of the activities of the Tribunal's Status of Women Committee. The paper, based on an examination of the literature, research and opinions of a wide variety of organisations, will be released for public response.
- . A study commenced examining the influence of television on driving, especially as it affects young people. The study is

being conducted in response to a recommendation by the House of Representatives Standing Committee on Road Safety and includes an examination of existing literature with special attention to the association of vehicles, alcohol and speed.

- . The content of programs televised during sample periods in 1983-84 was analysed as part of a continuing study. The analysis covered commercial television stations, a representative ABC television station, and the multicultural television station Channel 0/28. Detailed tables are shown at Appendix K.
- . The Tribunal subscribes to the audience measurement surveys of McNair Anderson Associates Pty Ltd. By permission of the company, the collection of surveys in the Tribunal's Melbourne office was open for private study by bona fide researchers.
- . Many students, teachers and other interested persons were assisted in their inquiries about aspects of television and research by the Research Branch.

STATUS OF WOMEN COMMITTEE

306. In February 1984, responding both to public interest and Federal Government policy, the Tribunal established a Committee to examine the portrayal of women in programs and advertising.

307. The Committee has concentrated its efforts in the difficult area of portrayal and presentation. While recognising the problems of women in employment in the media, television and film industries, employment is outside the Tribunal's jurisdiction.

308. A News Release was issued on 14 February 1984 notifying the public of the existence of the Committee and calling for expressions of interest.

309. Some sixty letters were received immediately after the News Release and letters from individual women, educationalists and organisations representing the broad range of concerns over women's issues continue to be received.

310. The Committee intends publishing a Discussion Paper during 1984-85 and to this end, a Research Branch Officer has conducted discussions with a number of organisations representing women's interests to establish a pool of research information. Interviews are also to be conducted with FACTS, FARB and the PBAA.

311. Some groups have viewed sex role stereotyping in a positive light as emphasising desirable qualities, whereas others held negative views on the subject.

312. Another aspect which is becoming evident is that identified by some groups as the 'invisibility factor'. This is represented by the total absence of women in certain television situations, thus producing an ongoing confirmation of stereotypes.

313. The interviews are providing valuable data for the identification of issues for the Discussion Paper. They are, however, also highlighting the problems of definition of stereotyping and the analysis of the data.

INFORMATION AND PUBLIC RELATIONS ACTIVITIES

314. 1983-84 saw the Tribunal increase its effort to keep the broadcasting industry, the public, and other interested groups as well informed as possible of major Tribunal decisions and actions.

Newsletter

315. The Tribunal's fortnightly newsletter - 'abtee' is now distributed to more than 1,500 individuals and organisations, free of charge. 'abtee' contains reports of Tribunal activities, notices of hearings and decisions, invitations to make submissions, commentaries on various matters, information about 'C' classified programs and details of Tribunal news releases.

316. The production of 'Abtee' has placed serious strains on the Tribunal's resources, and plans are underway to have the newsletter printed externally.

Public Meetings

317. In the second half of 1983, the Tribunal continued to hold public meetings to provide an opportunity for discussion of a wide range of broadcasting issues.

318. Meetings were held in Brisbane, Canberra, Sydney (two meetings) and Melbourne.

319. The day-time meeting in Sydney was attended by more than 200 western suburbs high-school students, and provided a lively and interesting debate. The night-time meeting was notable as the only one in the series which was poorly attended.

ABT Manual

320. In order to assist licensees, members of the public and a range of other interested people, the Tribunal is preparing a loose-leaf, colour coded manual which contains Tribunal Standards, Policy Statements, Practice Notes, Commentaries and other useful information about the operations of the Tribunal. About 800 copies of the ABT Manual will be supplied free of charge, most of them to libraries selected to provide the maximum opportunity for public access. All copies of the Manual will continue to receive free updates as they are issued by the Tribunal. As the object of the Manual is to improve access to Tribunal documents, there will be no restrictions on copying any of the material in the Manual. It is expected that the Manual will be released in late 1984.

ACKNOWLEDGMENTS

321. The Tribunal wishes to acknowledge the co-operation extended to it throughout the year by the various bodies with which it is associated in

matters relating to the broadcasting and television services of Australia.

322. The Tribunal acknowledges the co-operation received from the Film Censorship Board, officers from the Department of Administrative Services, the Department of Communications, the Australian Government Advertising Service, the Australian Government Publishing Service, the Australian Broadcasting Corporation and the Commonwealth Reporting Service (Attorney-General's Department).

323. The Tribunal wishes to thank the Industries Assistance Commission for the use of its hearing rooms during the Tribunal's public inquiries in Melbourne and local Shire and Town Councils for the use of their facilities during public inquiries.

David Jones	- Chairman
Kenneth Archer	- Vice-Chairman
Catharine Weigall	- Member
Mark Armstrong	- Member
Ray Watterson	- Member
Julie James-Bailey	- Member
Dr Russel Perry	- Member

B J Connolly
Secretary

APPENDIXES

APPENDIX A

COMMERCIAL RADIO STATIONS IN OPERATION ON 30 JUNE 1984

MEDIUM FREQUENCY SERVICES

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
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*Hours of service = hours of service per week to nearest quarter hour.

AUSTRALIAN CAPITAL TERRITORY

2CA	Canberra	1 053	5 000	Macquarie Broadcasting Holdings Limited Cnr Sussex and Liverpool Streets SYDNEY NSW 2000	168
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2CC	Canberra	1 206	5 000	Capital City Broadcasters Pty Ltd 6th Floor, CML Building University Avenue CANBERRA ACT 2601	168
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NEW SOUTH WALES
Metropolitan

2CH	Sydney	1 170	5 000	Council of Churches in NSW Broadcasting Co Pty Ltd 113-115 Oxford Street DARLINGHURST NSW 2010	168
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(Note: Amalgamated Wireless (Australasia) Ltd, 47 York Street, Sydney, NSW 2000, operates station 2CH under an agreement with the licensee, to which the Tribunal has given its consent, under section 89A of the Broadcasting and Television Act 1942)

2GB	Sydney	873	5 000	See 2CA Canberra above	168
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2KY	Sydney	1 017	5 000	2KY Broadcasters Pty Ltd 377 Sussex Street SYDNEY NSW 2000	168
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2SM	Sydney	1 269	5 000	Radio 2SM Pty Ltd 186 Blues Point Road NORTH SYDNEY NSW 2060	168
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CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
2UE	Sydney	954	5 000	Radio 2UE Sydney Pty Ltd 237 Miller Street NORTH SYDNEY NSW 2060	168
2UW	Sydney	1 107	5 000	Commonwealth Broadcasting Corporation Pty Ltd 11 Rangers Road NEUTRAL BAY NSW 2089	168
2WS	Sydney	1 224	5 000	Wesgo Communications Pty Ltd 2 Leabons Lane SEVEN HILLS NSW 2147	168
NEW SOUTH WALES Country					
2AD	Armidale	1 134	2 000	New England Broadcasters Pty Ltd Broadcast House 123 Rusden Street ARMIDALE NSW 2350	126
2AY	Albury	1 494	2 000	Amalgamated Wireless (Australasia) Ltd 47 York Street SYDNEY NSW 2000	168
2BE	Bega	765	3 500	Radio 2BE Pty Ltd Auckland Street BEGA NSW 2550	126
2BH	Broken Hill	567	500	Radio Broken Hill Pty Ltd 187 Argent Street BROKEN HILL NSW 2880	116
2BS	Bathurst	1 503	5 000	Bathurst Broadcasters Pty Ltd 5 Elizabeth Street SYDNEY NSW 2000	131
2DU	Dubbo	1 251	2 000	Western Broadcasters Pty Ltd 43 Macquarie Street DUBBO NSW 2830	131.10
2GF	Grafton	1 206	5 000	Amalgamated Wireless (Australasia) Ltd 47 York Street SYDNEY NSW 2000	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
2GN	Goulburn	1 368	2 000	Amalgamated Wireless (Australasia) Ltd 47 York Street SYDNEY NSW 2000	128.5
2GO	Gosford	1 323	5 000	Wesgo Communications Pty Ltd 2 Leabons Lane SEVEN HILLS NSW 2147	168
2GZ	Orange	1 089	5 000	Country Television Services Ltd Bathurst Road ORANGE NSW 2800	131
2HD	Newcastle	1 143	2 000	2HD Broadcasters Pty Limited 173-175 Maitland Road SANDGATE NSW 2304	168
2KA	Katoomba	783	2 000	Hayden Nepean Broadcasters Pty Ltd Suite 602, 5 Elizabeth Street SYDNEY NSW 2000	168
2KO	Newcastle	1 413	5 000	Radio 2KO Newcastle Pty Ltd CML Building 110 Hunter Street NEWCASTLE NSW 2300	168
2LF	Young	1 350	5 000	Young Broadcasters Pty Ltd 6th Floor, 5 Elizabeth Street SYDNEY NSW 2000	128.5
2LM	Lismore	900	2 000	Richmond River Broadcasters Pty Ltd 9-11 Molesworth Street LISMORE NSW 2480	129
2LT	Lithgow	1 395	5 000	Midwest Radio Network Pty Ltd 230 New South Head Road EDGECLIFF NSW 2027	128.5
2MC	Kempsey	531	5 000	Mid-Coast Radio Ltd 237 Miller Street NORTH SYDNEY NSW 2060	168
2MG	Mudgee	1 449	5 000	Mudgee Broadcasting Co Pty Ltd 5 Elizabeth Street SYDNEY NSW 2000	131

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
2MO	Gunnedah	1 080	2 000	2MO Gunnedah Pty Ltd 3 Rodney Street GUNNEDAH NSW 2380	122
2MW	Murwillumbah	972	5 000	Tweed Radio and Broadcasting Co Pty Ltd Murwillumbah Street MURWILLUMBAH NSW 2494	168
2NM	Muswellbrook	981	5 000	Hunter Broadcasters Pty Ltd 5 Elizabeth Street SYDNEY NSW 2000	132
2NX	Bolwarra	1 341	5 000	Hunter Broadcasters Pty Ltd 5 Elizabeth Street SYDNEY NSW 2000	168
2NZ	Inverell	1 188	2 000	Country Television Services Ltd Bathurst Road ORANGE NSW 2800	128.75
2OO	Wollongong	1 575	5 000	Wollongong City Radio Ltd 73 Wentworth Street PORT KEMBLA NSW 2505	168
2PK	Parkes	1 404	2 000	Parkes Broadcasting Co Pty Ltd 307 Clarinda Street PARKES NSW 2870	126
2QN	Deniliquin	1 521	2 000	Rich Rivers Radio Pty Ltd P O Box 312 DENILIQUIN NSW 2710	123
2RE	Taree	1 557	2 000	Manning Valley Broadcasting Pty Ltd Cowper Street, Chatham TAREE NSW 2430	122.5
2RG	Griffith	963	5 000	Broadcast Operations Limited PO Box 493 GRIFFITH NSW 2680	129.5
2ST	Nowra	999	5 000	South Coast & Tablelands Broadcasting Pty Ltd 53 Junction Street NOWRA NSW 2540	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
2TM	Tamworth	1 287	2 000	Tamworth Radio Development Co Pty Ltd Radio Centre, Calala TAMWORTH NSW 2340	139
2VM	Moree	1 530	2 000	Moree Broadcasting and Development Co Ltd 93 Balo Street MOREE NSW 2400	123.5
2WG	Wagga Wagga	1 152	2 000	Riverina Broadcasters (Holdings) Pty Ltd c/- Coopers & Lybrand 461 Bourke Street MELBOURNE VIC 3000	168
2WL	Wollongong	1 314	5 000	See 2CA Canberra above	168
2XL	Cooma	918	2 000	Cooma Broadcasters Pty Ltd 132 Sharp Street COOMA NSW 2630	138
VICTORIA Metropolitan					
3AK	Melbourne	1 503	5 000	General Television Corporation Pty Ltd Television City 22-46 Bendigo Street RICHMOND VIC 3121	168
3AW	Melbourne	1 278	5 000	See 2CA Canberra above	168
3CR	Melbourne	837	250	Community Radio Melbourne Pty Ltd 20 Cromwell Street COLLINGWOOD VIC 3066	168
3DB	Melbourne	1 026	5 000	The Herald and Weekly Times Ltd 44-74 Flinders Street MELBOURNE VIC 3000	168
3KZ	Melbourne	1 179	5 000	The Industrial Printing and Publicity Co Ltd 24 Victoria Street CARLTON VIC 3053	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
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(Note: 3KZ Radio Pty Ltd, 24 Victoria Street, Carlton, Vic 3053, a wholly owned subsidiary of the licensee, operates station 3KZ under an agreement with the licensee, to which the Tribunal has given its consent under section 89A of the Broadcasting and Television Act 1942)

3MP	Mornington Peninsula-Frankston	1 377	5 000	Mornington Peninsula Broadcasters Ltd Bayside Shopping Centre Beach Street FRANKSTON VIC 3199	168
3UZ	Melbourne	927	5 000	Nilsen's Broadcasting Service Pty Ltd 200 Berkely Street CARLTON VIC 3053	168
3XY	Melbourne	1 422	5 000	Station 3XY Pty Ltd 411 King Street MELBOURNE VIC 3000	168

(Note: Radio 3XY Pty Ltd, 411 King Street, Melbourne, Vic 3000, a wholly owned subsidiary of the licensee, operates station 3XY under an agreement with the licensee, to which the Tribunal has given its consent under section 89A of the Broadcasting and Television Act 1942)

VICTORIA
Country

3BA	Ballarat	1 314	5 000	Ballarat Broadcasters Pty Ltd 56 Lydiard Street North BALLARAT VIC 3350	168
3BO	Bendigo	945	2 000	Amalgamated Wireless (Australasia) Ltd 47 York Street SYDNEY NSW 2000	168
3CS	Colac	1 134	5 000	Enterprise Broadcasters Pty Ltd 241 Murray Street COLAC VIC 3250	133
3CV	Maryborough	1 071	5 000	Regional Communications Pty Ltd 18 Deakin Avenue MILDURA VIC 3500	126
3GL	Geelong	1 341	5 000	Geelong Broadcasters Pty Ltd 191-197 Ryrie Street GEEELONG VIC 3220	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
3HA	Hamilton	981	2 000	Nilsen McNiece Systems Pty Ltd 200 Berkeley Street CARLTON VIC 3053	130.5
3MA	Mildura	1 467	2 000	Sunraysia Broadcasters Pty Ltd 22 Deakin Avenue MILDURA VIC 3500	126
3NE	Wangaratta	1 566	5 000	North East Broadcasters Pty Ltd Templeton Street WANGARATTA VIC 3677	147
3SH	Swan Hill	1 332	2 000	Cameron Broadcasting Services Pty Ltd 77 McCallum Street SWAN HILL VIC 3585	128.5
3SR	Shepparton	1 260	2 000	Associated Broadcasting Services Ltd Walker Street BALLARAT VIC 3350	140
3TR	Sale	1 242	5 000	Southern Cross Communications Ltd Lily Street BENDIGO VIC 3550	131
3UL	Warragul	531	5 000	Associated Broadcasting Services Ltd Walker Street BALLARAT VIC 3350	128.5
3WM	Horsham	1 089	5 000	Cameron Broadcasting Services Pty Ltd 77 McCallum Street SWAN HILL VIC 3585	138
3YB	Warrnambool	882	2 000	Regional Communications Pty Ltd 18 Deakin Avenue MILDURA VIC 3500	124.5
QUEENSLAND Metropolitan					
4BC	Brisbane	1 116	5 000	Commonwealth Broadcasting Corporation (Qld) Pty Ltd CBC House 35-38 Wharf Street BRISBANE QLD 4000	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
4BH	Brisbane	882	5 000	See 2CA Canberra above	168
4BK	Brisbane	1 296	5 000	Queensland Newspapers Pty Ltd Campbell Street BOWEN HILLS QLD 4006	168
4IO	Brisbane	1 008	5 000	Radio Ten Pty Ltd 27 Wharf Street BRISBANE QLD 4000	168
4KQ	Brisbane	693	5 000	Labor Broadcasting Station Pty Ltd Radio City, Pickers Building Ross Street NEWSTEAD QLD 4006	168
QUEENSLAND Country					
4AK	Oakey	1 242	2 000	Queensland Newspapers Pty Ltd Campbell Street BOWEN HILLS QLD 4006	168
4AM	Atherton- Mareeba	558	5 000	Far Northern Radio Pty Ltd 160A Byrnes Street MAREEBA QLD 4880	143
4AY	Ayr	936	5 000	Radio 4AY Pty Ltd 12 The Strand TOWNSVILLE QLD 4810	168
4BU	Bundaberg	1 332	5 000	Bundaberg Broadcasters Pty Ltd 55 Woongarra Street BUNDABERG QLD 4670	120.5
4CA	Cairns	846	5 000	Amalgamated Wireless (Australasia) Ltd 47 York Street SYDNEY NSW 2000	168
4CD	Gladstone	927	5 000	Capricorn Broadcasters Pty Ltd Central Lane GLADSTONE QLD 4680	168
4GC	Charters Towers	1 170	100	North Queensland Broadcasting Corporation Pty Ltd PO Box 1016 TOWNSVILLE QLD 4810	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
4GG	Gold Coast	1 197	5 000	Gold Coast Radio Broadcasting Co Pty Ltd Bundall Road SURFERS PARADISE QLD 4217	168
4GR	Toowoomba	864	2 000	Gold Radio Service Pty Ltd CBC House 35-38 Wharf Street BRISBANE QLD 4000	168
4GY	Gympie	558	5 000	Gympie Noosa Broadcasters Pty Ltd Smithfield Chambers 75 Mary Street GYMPIE QLD 4570	168
4HI	Emerald	1 143	5 000	Emerald Broadcasting Co Pty Ltd c/- Messrs White & Hancock Unity House 25 Charlotte Street BRISBANE QLD 4000	133
4KZ	Innisfail-Tully	531	5 000	Coastal Broadcasters Pty Ltd 42 Rankin Street INNISFAIL QLD 4860	132
4LG	Longreach	1 098	2 000	Emerald Broadcasting Co Pty Ltd c/- Messrs White & Hancock Unity House 25 Charlotte Street BRISBANE QLD 4000	133
4LM	Mount Isa	1 368	2 000	North Queensland Broadcasting Corporation Pty Ltd 12 The Strand TOWNSVILLE QLD 4810	140
4MB	Maryborough	1 161	2 000	Maryborough Broadcasting Co Pty Ltd CBC House, 35-38 Wharf Street BRISBANE QLD 4000	121
4MK	Mackay	1 026	5 000	Barrier Reef Broadcasting Pty Ltd c/- G E Jones & Co 41 Sydney Street MACKAY QLD 4740	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
4RO	Rockhampton	990	5 000	Rockhampton Broadcasting Co Pty Ltd CBC House, 35-38 Wharf Street BRISBANE QLD 4000	168
4SB	Kingaroy	1 071	2 000	South Burnett Broadcasting Co Ltd 28 Alford Street KINGAROY QLD 4610	118
4SS	Nambour	828	5 000	Sunshine Coast Broadcasters Ltd 33 Currie Street NAMBOUR QLD 4560	168
4TO	Townsville	774	5 000	Amalgamated Wireless (Australasia) Ltd 47 York Street SYDNEY NSW 2000	168
4VL	Charleville	918	2 000	Concept Service Mart (Qld) Pty Ltd 73 Alfred Street CHARLEVILLE QLD 4470	119
4WK	Warwick	963	5 000	Amalgamated Marketing Pty Ltd 213 Margaret Street TOOWOOMBA QLD 4350	133
4ZR	Roma	1 476	2 000	Maranoa Broadcasting Co Ltd 35 McDowall Street ROMA QLD 4455	123
SOUTH AUSTRALIA Metropolitan					
5AA	Adelaide	1 386	5 000	Festival City Broadcasters Ltd 35 Fullarton Road KENT TOWN SA 5067	168
5AD	Adelaide	1 323	2 000	The Advertiser Broadcasting Network Pty Ltd 121 King William Street ADELAIDE SA 5000	168
5DN	Adelaide	972	2 000	See 2CA Canberra above	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
5KA	Adelaide	1 197	2 000	5KA Broadcasters Pty Ltd 43 Franklin Street ADELAIDE SA 5000	168
SOUTH AUSTRALIA Country					
5AU	Port Augusta	1 242	2 000	5AU Broadcasters Pty Ltd 43 Franklin Street ADELAIDE SA 5000	168
5MU	Murray Bridge	1 458	2 000	Murray Bridge Broadcasting Co Ltd 26 Seventh Street MURRAY BRIDGE SA 5253	168
5PI	Crystal Brook	1 044	2 000	The Advertiser Broadcasting Network Pty Ltd 121 King William Street ADELAIDE SA 5000	168
5RM	Renmark	801	2 000	River Murray Broadcasters Pty Ltd 43 Franklin Street ADELAIDE SA 5000	168
5SE	Mount Gambier	963	5 000	The Advertiser Broadcasting Network Pty Ltd 121 King William Street ADELAIDE SA 5000	168
WESTERN AUSTRALIA Metropolitan					
6IX	Perth	1 080	2 000	6IX Radio Network Pty Ltd Osborne Park Road TUART HILL WA 6060	168
6KY	Perth	1 206	2 000	Swan Television and Radio Broadcasters Ltd Hayes Avenue NOLLAMARA WA 6061	168
6PM	Perth	990	2 000	Consolidated Broadcasting System (WA) Pty Ltd 283 Rokeby Road SUBIACO WA 6008	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
6PR	Perth	882	2 000	Western Broadcasting Services Pty Ltd 340 Hay Street PERTH WA 6000	168
WESTERN AUSTRALIA Country					
6AM	Northam	864	2 000	Consolidated Broadcasting System (WA) Pty Ltd 283 Rokeby Road SUBIACO WA 6008	168
6BY	Bridgetown	900	2 000	6IX Radio Network Pty Ltd Osborne Park Road TUART HILL WA 6060	168
6CI	Collie	1 134	2 000	Golden West Network Ltd Roberts Crescent BUNBURY WA 6230	168
6GE	Geraldton	1 008	2 000	Great Northern Broadcasters Ltd 283 Rokeby Road SUBIACO WA 6008	168
6KA	Dampier/ Karratha/ Roebourne	1 260	1 000	Northwest Radio Pty Ltd 25 Baile Road CANNING VALE WA 6155	129.5
6KG	Kalgoorlie	981	2 000	Consolidated Broadcasting System (WA) Pty Ltd 283 Rokeby Road SUBIACO WA 6008	126
6LN	Carnarvon	666	1 000	Carnarvon Commercial Broadcasters Pty Ltd 15 Norton Way CARNARVON WA 6701	119
6MD	Merredin	1 098	2 000	Mid-Districts Radio Pty Ltd Commonwealth Bank Building MERREDIN WA 6415	168
6NA	Narrogin	918	2 000	Golden West Network Ltd Roberts Crescent BUNBURY WA 6230	168

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
6NW	Port Hedland	1 026	2 000	Northwest Radio Pty Ltd 25 Baile Road CANNING VALE WA 6155	129.5
6SE	Esperance	747	5 000	Esperance Broadcasters Pty Ltd Radio House 8-10 William Street ESPERANCE WA 6450	126
6TZ	Bunbury	963	2 000	Golden West Network Ltd Roberts Crescent BUNBURY WA 6230	168
6VA	Albany	783	2 000	Albany Broadcasters Ltd 171 York Street ALBANY WA 6330	168
6WB	Katanning	1 071	2 000	6IX Radio Network Pty Ltd Osborne Park Road TUART HILL WA 6060	168
TASMANIA Metropolitan					
7HO	Hobart	864	2 000	Commercial Broadcasters Pty Ltd 30 Davey Street HOBART TAS 7000	168
7HT	Hobart	1 080	5 000	Tasradio Pty Ltd 71 Paterson Street LAUNCESTON TAS 7250	168
TASMANIA Country					
7AD	Devonport	900	2 000	Northern Tasmania Broadcasters Pty Ltd 54 Cameron Street LAUNCESTON TAS 7250	116.5
7BU	Burnie	558	2 000	Burnie Broadcasting Service Pty Ltd 54 Cameron Street LAUNCESTON TAS 7250	118.5

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
7EX	Launceston	1 008	5 000	Tasradio Pty Ltd 71 Paterson Street LAUNCESTON TAS 7250	147
7LA	Launceston	1 098	2 000	HMA Broadcasters Pty Ltd 4 Shields Street LAUNCESTON TAS 7250	168
7QT	Queenstown	837	500	7QT Pty Ltd Level Seven, 39 Murray Street HOBART TAS 7000	112
7SD	Scottsdale	540	5 000	North East Tasmanian Radio Broadcasters Pty Ltd 54 Cameron Street LAUNCESTON TAS 7250	116.5
NORTHERN TERRITORY					
8DN	Darwin	1 242	2 000	Darwin Broadcasters Pty Ltd c/- Fell & Starkey 1st Floor, 30 Ainslie Avenue CANBERRA ACT 2600	168
8HA	Alice Springs	900	2 000	Alice Springs Commercial Broadcasters Pty Ltd 1st Floor, 12 Parsons Street ALICE SPRINGS NT 5750	134.5

APPENDIX B

COMMERCIAL RADIO STATIONS IN OPERATION IN ON 30 JUNE 1984

FREQUENCY MODULATION SERVICES

CALL SIGN	LOCATION OF STATION	FREQ (MHz)	POWER (KW)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE*
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*Hours of service = hours of service per week to nearest quarter hour.

NEW SOUTH WALES

2DAY	Sydney	104.1	35	2DAY FM Ltd 220 Pacific Highway CROWS NEST NSW 2065	168
2MMM	Sydney	104.9	35	Puerta Pty Limited c/- Messrs Freehill, Hollingdale and Page 3rd Floor, London Court 13 London Circuit CANBERRA CITY ACT 2601	168

VICTORIA

3EON	Melbourne	92.3	10	Melbourne FM Radio Pty Ltd 43 Bank Street SOUTH MELBOURNE VIC 3205	168
3FOX	Melbourne	101.9	10	Broadcast FM Pty Ltd Channel 10, cnr Hawthorn and Spangvale Roads NUNAWADING VIC 3131	168

QUEENSLAND

4MMM	Brisbane	104.1	6	Stereo FM Brisbane Ltd 6th Floor, 67 St Pauls Terrace SPRING HILL QLD 4000	168
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SOUTH AUSTRALIA

5SSA	Adelaide	107.5	5	Adelaide Stereo FM Ltd 127-128 Greenhill Road UNLEY SA 5061	168
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WESTERN AUSTRALIA

6NOW	Perth	96.1	10	New Broadcasting Ltd 16-18 Terrace Road PERTH WA 6000	168
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APPENDIX C

PUBLIC RADIO STATIONS IN OPERATION ON 30 JUNE 1984

FREQUENCY MODULATION SERVICES

CALL SIGN	LOCATION OF STATION	FREQ (MHZ)	POWER	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE**
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* Power = power (Kw) and polarisation.

** Hours of service = hours of service per week to nearest quarter hour.

NEW SOUTH WALES

Metropolitan

2BCR Cat C	Sydney	88.7	0.1 Mixed (c)	Bankstown City Radio Co-op Ltd 192 Birdwood Road GEORGES HALL NSW 2198	126
2CBA Cat S	Sydney	103.2	10 mixed (a)	Christian Broadcasting Association Ltd 420 Lyons Road FIVE DOCK NSW 2046	168
2GLF Cat C	Sydney	89.3	0.05 vert (a)	Liverpool-Green Valley Community Radio Co-op Ltd 19 Christie Street LIVERPOOL NSW 2170	80
2MBS (b) Cat S	Sydney	102.5	10 mixed (a)	Music Broadcasting Society of New South Wales Co-operative Ltd 76 Chandos Street ST LEONARDS NSW 2065	168
2MWM Cat C	Sydney	93.7	0.1 mixed (c)	Manly-Warringah Media Co-op Ltd Narrabeen Community Learning Centre Pittwater Road NORTH NARRABEEN NSW 2101	24.5
2NBC Cat C	Sydney	90.1	0.1 Vert (c)	Narwee Baptist Community Broadcasters Ltd 3 Gardinia Street NARWEE NSW 2209	119
2NSB Cat C	Sydney	91.5	0.08 Vert (c)	Northside Broadcasting Co-op Ltd 45 Orchard Road CHATSWOOD NSW 2067	59
2RDJ Cat C	Sydney	88.1	0.05 mixed (c)	2RDJ-FM Community Radio Co-op Ltd "Woodstock" Church Street BURWOOD NSW 2134	104

CALL SIGN	LOCATION OF STATION	FREQ (MHz)	POWER	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE
2RES Cat C	Sydney	89.7	0.1 Vert (a)	Radio Eastern Sydney Co-op Ltd 249A Oxford Street PADDINGTON NSW 2021	91.5
2RRR Cat C	Sydney	88.5	0.05 Vert (a)	Ryde Regional Radio Co-op Ltd 13a See Street MEADOWBANK NSW 2114	45
2RSR Cat C	Sydney	88.9	0.04 Vert (c)	Radio Skid Row Ltd 172-174 City Road DARLINGTON NSW 2006	168
2SER Cat E	Sydney	107.5	4 mixed (a)	Sydney Educational Broadcasting Ltd NSW Institute of Technology Broadway SYDNEY NSW 2007	168
NEW SOUTH WALES Country					
2AAA Cat C	Wagga Wagga	107.1	0.2 mixed (a)	Wagga Wagga Community Media Co-op Ltd cnr Coleman & Young Streets WAGGA WAGGA NSW 2650	133
2ARM (b) Cat C	Armidale	92.3	0.1 Hor (a)	Armidale Community Radio Co-op Ltd Milton Building University of New England ARMIDALE NSW 2350	120.2
2BBB Cat C	Bellingen	107.3	0.4 mixed (a)	Bellinger Community Communications Co-op Ltd 95 Hyde Street BELLINGEN NSW 2454	83.5
2CHY Cat C	Coffs Harbour	104.1	0.04 Vert (a)	Community Media CHY Ltd 31 Gordon Street COFFS HARBOUR NSW 2450	138
2MCE (b) Cat C	Bathurst	92.3	1 Vert (a)	Mitchell College of Advanced Education BATHURST NSW 2795	137.5
2NCR (b) Cat C	Lismore	92.5	3 mixed (a)	Northern Rivers College of Advanced Education LISMORE NSW 2480	168
2NUR (b) Cat C	Newcastle	103.7	3 mixed (a)	The University of Newcastle NEWCASTLE NSW 2308	124.5

CALL SIGN	LOCATION OF STATION	FREQ (MHz)	POWER	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE
2REM Cat C	Albury/ Wodonga	107.9	0.3 mixed (a)	Community Radio Albury/Wodonga Co-op Society Ltd c/- Lange, Stanton, Simpson & Co 2nd Floor, Council Chambers 533 Kiewa Street ALBURY NSW 2640	168
2YOU Cat C	Tamworth	95.5	0.02 mixed (a)	Tamworth Broadcasting Society Ltd PO Box 998 TAMWORTH NSW 2340	44
2VTR Cat C	Windsor/ Colo	89.7	0.02 mixed (a)	Macquarie Towns Communications Co-op Society Ltd 30 East Market Street RICHMOND NSW 2753	59
VICTORIA Metropolitan					
3MBS (b) Cat S	Melbourne	93.7	4 Hor (a)	Music Broadcasting Society of Victoria Ltd 146 Cotham Road KEW VIC 3101	93.5
3PBS Cat S	Melbourne	107.7	0.1 mixed (a)	Progressive Broadcasting Service Co-op Ltd 29 Fitzroy Street ST KILDA VIC 3182	95.5
3RRR (b) Cat E	Melbourne	102.7	10 mixed (c)	Triple R Broadcasters Ltd 25 Victoria Street FITZROY VIC 3065	160
VICTORIA Country					
3CCC Cat C	Bendigo/ Castlemaine	103.9	2 Vert (a)	Goldfields Community Radio Co-op Ltd 13 Mostyn Street CASTLEMAINE VIC 3450	145
3GCR (b) Cat C	Churchill (Gippsland)	103.5	0.05 mixed (c)	Gippsland Community Radio Society Co-op Ltd Suites 8 & 9 West Place CHURCHILL VIC 3842	85

CALL SIGN	LOCATION OF STATION	FREQ (MHz)	POWER	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE
3MBR Cat C	Murrayville	103.5	0.5 Vert (a)	Mallee Community and Educational Broadcasters Co-op Ltd c/- Murrayville High School Francis Street MURRAYVILLE VIC 3512	46.25
3RPC Cat C	Portland	106.3	0.035 mixed (a)	Radio Portland Corporation Ltd 36 Julia Street PORTLAND VIC 3305	114
QUEENSLAND Metropolitan					
4MBS Cat S	Brisbane	103.3	7.5 mixed (a)	Music Broadcasting Society of Queensland Ltd Kelvin Grove College of Advanced Education Victoria Park Road KELVIN GROVE QLD 4059	126
4ZZZ (b) Cat S	Brisbane	102.1	7.5 mixed (c)	Creative Broadcasters Ltd Union Building, Circular Drive University of Queensland ST LUCIA QLD 4067	168
QUEENSLAND Country					
4CRB Cat C	Burleigh Heads	89.3	16 mixed (c)	Gold Coast Christian & Community Broadcasting Assoc Ltd West Street BURLEIGH HEADS QLD 4220	103.25
4DDB Cat C	Toowoomba	102.7	2 Hor (a)	Darling Downs Broadcasting Society Darling Downs Institute of Advanced Education Baker Street TOOWOOMBA QLD 4350	101
4TTT Cat C	Townsville	103.9	0.05 mixed (a)	Townsville Community Broadcasting Co Ltd The Arts Centre cnr Walker and Stanley Streets TOWNSVILLE QLD 4810	102

CALL SIGN	LOCATION OF STATION	FREQ (MHz)	POWER	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE
SOUTH AUSTRALIA					
Metropolitan					
5EBI Cat S	Adelaide	92.9	4 mixed (a)	Ethnic Broadcasters Inc 7 Eldridge Crescent GRANGE SA 5022	150.25
5MMM Cat S	Adelaide	93.7	4 mixed (a)	Progressive Music Broadcasting Assoc Inc 56 Magill Road NORWOOD SA 5067	168
5PBA Cat C	Salisbury	89.7	0.25 mixed (a)	Para Broadcasters Assoc Inc Salisbury Education Centre Smith Road SALISBURY EAST SA 5109	102
Country					
5GTR Cat C	Mount Gambier	105.7	0.25 mixed (a)	South East Community Access Radio Inc PO Box 2161 MOUNT GAMBIER SA 5290	96
WESTERN AUSTRALIA					
Metropolitan					
6UVS (b) Cat S	Perth	92.1	5 mixed (a)	Universities Radio Ltd The University of Western Australia Mounts Bay Road NEDLANDS WA 6009	133
Country					
6NEW Cat C	Newman	92.9	0.25 Hor (a)	Newman Community Radio Keedi Road NEWMAN WA 6753	168
TASMANIA					
Metropolitan					
7HFC Cat S	Hobart	103.3	1.5 mixed (a)	Hope Foundation Communications Inc 47 Cross Street NEW TOWN TAS 7008	126
7THE (b) Cat S	Hobart	92.1	3 Hor (a)	Hobart FM Inc Mt Nelson Campus University of Tasmania HOBART TAS 7007	143

CALL SIGN	LOCATION OF STATION	FREQ (MHz)	POWER	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE
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Country

7RGY Cat C	Geeveston	95.3	0.01 Vert (a)	Radio Geeveston Youth Inc District High School GEEVESTON TAS 7116	30
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NORTHERN TERRITORY

8TOP Cat C	Darwin	104.1	10 mixed (a)	Darwin Community College Dripstone Road CASUARINA NT 5792	118
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8CCC Cat C	Alice Springs	102.1	0.125 Vert (a)	Community College of Central Australia FM Broadcasting Association Inc ALICE SPRINGS NT 5750	77.5
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MEDIUM FREQUENCY STATIONS

CALL SIGN	LOCATION OF STATION	FREQ (kHz)	POWER (watts)	LICENSEE AND REGISTERED OFFICE	HOURS OF SERVICE
2XX (b) Cat C	Canberra	1 008	300 (a)	Campus Community Broadcasting Association Incorporated Kingsley Street Hall Kingsley Street ACTON ACT 2601	138
2WEB Cat E	Bourke	576	2 000 (a)	WREB Co-op Ltd Bourke High School Tarcoon Street BOURKE NSW 2840	70
4EB Cat S	Brisbane	1053	500 (a)	Ethnic Broadcasting Association of Queensland Ltd 249 Montague Road West End BRISBANE QLD 4101	128.5
5UV (b) Cat E	Adelaide	531	500 (a)	The University of Adelaide North Terrace ADELAIDE SA 5000	125.25
6NR (b) Cat S	Perth	927	2 000 (c)	Western Australian Institute of Technology Hayman Road BENTLEY WA 6102	125.5

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- (a) erp omnidirectional
 - (b) Previously licensed as experimental stations under the Wireless Telegraphy Act 1905
 - (c) erp in direction of maximum radiation.

APPENDIX D

COMMERCIAL TELEVISION STATIONS IN OPERATION ON 30 JUNE 1984

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz) V-Vision S-Sound	POWER+ V-Vision S-Sound	LICENSEE AND REGISTERED OFFICE	HOURS*
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+ Power = power (kW erp) and polarisation

* Hours = hours of service per week (to nearest quarter hour)

AUSTRALIAN CAPITAL TERRITORY

CTC-7 Canberra	Black Mountain	V 182.2580 S 187.7576	V 100 S 10 Vert (c)	Australian Capital Television Pty Ltd Aspinall Street WATSON ACT 2602	128
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NEW SOUTH WALES
Metropolitan

ATN-7 Sydney	Artarmon	V 182.2500 S 187.7496	V 100 S 10 Hor (c)	Amalgamated Television Services Pty Ltd Television Centre EPPING NSW 2121	131
TCN-9 Sydney	Willoughby	V 196.2500 S 201.7496	V 100 S 10 Hor (c)	TCN Channel Nine Pty Ltd 54-58 Park Street SYDNEY NSW 2000	168
TEN-10 Sydney	Artarmon	V 209.2500 S 214.7496	V 100 S 10 Hor (c)	United Telecasters Sydney Ltd cnr Epping and Pittwater Roads NORTH RYDE NSW 2113	143

NEW SOUTH WALES
Country

BKN-7 Broken Hill	Rocky Hill	V 182.2500 S 187.7496	V 5 S 0.5 Vert (b)	Broken Hill Television Ltd Rocky Hill BROKEN HILL NSW 2880	67.5
CBN-8 Central Tablelands	Mount Canobolas	V 189.2580 S 194.7576	V 100 S 10 Vert (c)	Country Television Services Ltd Memorial Place Bathurst Road ORANGE NSW 2800	115

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz)		POWER+		LICENSEE AND REGISTERED OFFICE	HOURS*
		V-Vision S-Sound	V-Vision S-Sound	V-Vision S-Sound	V-Vision S-Sound		
CWN-6 Central Western Slopes	Mount Cenn- Cruaich	V 175.2600 S 180.7596	V 100 S 10	Vert (b)		Country Television Services Ltd Memorial Place Bathurst Road ORANGE NSW 2800	115
ECN-8 Manning River	Middle Brother	V 189.2500 S 194.7496	V 100 S 10	Vert (b)		Television New England Ltd Radio Centre Calala TAMWORTH NSW 2340	93
MTN-9 Murrumbidgee Irrigation Areas	Mount Bingar	V 196.2400 S 201.7396	V 100 S 10	Hor (c)		Broadcast Operations Ltd Remembrance Driveway GRIFFITH NSW 2680	116.5
NBN-3 Newcastle- Hunter River	Great Sugarloaf Mountain	V 86.2500 S 91.7496	V 100 S 10	Hor (c)		NBN Limited Mosbri Crescent NEWCASTLE NSW 2300	120
NEN-9 Upper Namoi	Mount Dowe	V 196.2400 S 201.7396	V 100 S 10	Hor (b)		Television New England Ltd Radio Centre Calala TAMWORTH NSW 2340	93
NRN-11 Grafton- Kempsey	Mount Moombil	V 216.2600 S 221.7596	V 100 S 10	Hor (b)		Northern Rivers Television Ltd 9-11 Molesworth Street LISMORE NSW 2480	92.8
RTN-8 Richmond- Tweed	Mount Nardi	V 189.2600 S 194.7600	V 100 S 10	Hor (c)		Richmond-Tweed TV Ltd 9-11 Molesworth Street LISMORE NSW 2480	92.8
RVN-2 South-Western Slopes and Eastern Riverina	Mount Ulandra	V 64.2600 S 69.7596	V 100 S 10	Hor (c)		Riverina & North East Victoria TV Ltd 198-206 Lake Albert Road Koorringal via WAGGA WAGGA NSW 2650	112.1

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz)		POWER+		LICENSEE AND REGISTERED OFFICE	HOURS*
		V-Vision	S-Sound	V-Vision	S-Sound		
WIN-4 Illawarra	Knight's Hill	V 95.2500	S 100.7496	V 100	S 10	TWT Ltd Fort Drummond Mount St Thomas WOLLONGONG NSW 2500	139
VICTORIA Metropolitan							
ATV-10 Melbourne	Mount Dandenong	V 209.2500	S 214.7496	V 100	S 10	Austarama Television Pty Ltd cnr Springvale and Hawthorn Roads NUNAWADING VIC 3131	141
GTV-9 Melbourne	Mount Dandenong	V 196.2480	S 201.7476	V 100	S 10	General Television Corporation Pty Ltd 22-46 Bendigo Street RICHMOND VIC 3121	168
HSV-7 Melbourne	Mount Dandenong	V 182.2500	S 187.7496	V 100	S 10	Herald-Sun TV Pty Ltd 44-74 Flinders Street MELBOURNE VIC 3000	123.5
VICTORIA Country							
AMV-4 Upper Murray	Barunduda Ranges	V 95.2600	S 100.7596	V 100	S 10	Riverina & North East Victoria TV Ltd 198-206 Lake Albert Road, Korringal via WAGGA WAGGA NSW 2650	112.1
BCV-8 Bendigo	Mount Alexander	V 189.2500	S 194.7496	V 100	S 10	Southern Cross Communications Ltd Lily Street BENDIGO VIC 3550	127
BTV-6 Ballarat	Lookout Hill (near Mount Buangor)	V 175.2480	S 180.7476	V 100	S 10	Ballarat and Western Victoria Television Ltd Walker Street BALLARAT VIC 3350	110.5
GLV-8 La Trobe Valley	Mount Tassie (near Callignee)	V 189.2600	S 194.7600	V 100	S 10	Southern Cross Communications Ltd Lily Street BENDIGO VIC 3550	127

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz)		POWER+		LICENSEE AND REGISTERED OFFICE	HOURS*
		V-Vision S-Sound	V-Vision S-Sound	V-Vision S-Sound	V-Vision S-Sound		
GMV-6 Goulburn Valley	Mount Major	V 175.2560 S 180.7556	V 100 S 10	Vert (b)		Goulburn-Murray Television Ltd Walker Street BALLARAT VIC 3350	107
STV-8 Mildura	Yatpool	V 189.2700 S 194.7696	V 100 S 10	Hor (b)		Sunraysia Television Ltd 18 Deakin Avenue MILDURA VIC 3500	121
QUEENSLAND Metropolitan							
BTQ-7 Brisbane	Mount Coot-tha	V 182.2500 S 187.7496	V 100 S 10	Hor (c)		Brisbane TV Ltd Sir Samuel Griffith Drive MOUNT COOT-THA QLD 4066	168
QTQ-9 Brisbane	Mount Coot-tha	V 196.2500 S 201.7496	V 100 S 10	Hor (c)		Queensland Television Ltd Leichhardt Chambers 139 Leichhardt Street BRISBANE QLD 4000	168
TVQ-0 Brisbane	Mount Coot-tha	V 46.2500 S 51.7496	V 100 S 10	Hor (b)		Universal Telecasters Qld Ltd Sir Samuel Griffith Drive MOUNT COOT-THA QLD 4066	129.5
QUEENSLAND Country							
DDQ-10 Darling Downs	Mount Mowbullen	V 209.2600 S 214.7596	V 100 S 10	Hor (b)		Darling Downs TV Ltd Video Avenue Mount Lofly TOOWOOMBA QLD 4350	85
FNQ-10 Cairns	Mount Bellenden- Ker	V 209.2500 S 214.7496	V 100 S 10	Hor (c)		Far Northern Television Ltd 12 The Strand TOWNSVILLE QLD 4810	82
ITQ-8 Mount Isa	2.4 km SE of Mount Isa	V 189.2500 S 194.7496	V 0.5 S 0.05	Hor (b)		Mount Isa Television Pty Ltd c/- Coopers and Lybrand 6 West Street MOUNT ISA QLD 4825	61.5

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz)		POWER+		LICENSEE AND REGISTERED OFFICE	HOURS*
		V-Vision	S-Sound	V-Vision	S-Sound		
MVQ-6 Mackay	Mount Blackwood	V 175.2500 S 180.7476	V 100 S 10	V 100 S 10	Hor (b)	Mackay Television Ltd 216 Victoria Street MACKAY QLD 4740	75
RTQ-7 Rockhampton	Mount Hopeful	V 182.2600 S 187.7596	V 100 S 10	V 100 S 10	Hor (c)	Rockhampton Television Ltd Dean Street ROCKHAMPTON QLD 4700	84
SDQ-4 Southern Downs	Passchen- deale Ridge	V 95.2400 S 100.7396	V 100 S 10	V 100 S 10	Hor (b)	Darling Downs TV Ltd Video Avenue Mount Lofty TOOWOOMBA QLD 4350	85
SEQ-8 Wide Bay	Mount Goonaneman	V 189.2400 S 194.7396	V 100 S 10	V 100 S 10	Vert (b)	Wide Bay-Burnett Television Ltd 187-189 Cambridge Street MARYBOROUGH QLD 4650	92
TNQ-7 Townsville	Mount Stuart	V 182.2500 S 187.7496	V 100 S 10	V 100 S 10	Hor (b)	Telecasters North Queensland Ltd 12 The Strand TOWNSVILLE QLD 4810	82
SOUTH AUSTRALIA Metropolitan							
ADS-7 Adelaide	Mount Lofty	V 182.2600 S 187.7596	V 100 S 10	V 100 S 10	Hor (c)	Television Broadcasters Ltd 125 Strangways Terrace NORTH ADELAIDE SA 5006	117
NWS-9 Adelaide	Mount Lofty	V 196.2600 S 201.7596	V 100 S 10	V 100 S 10	Hor (c)	Southern Television Corporation Pty Ltd 202-208 Tynte Street NORTH ADELAIDE SA 5006	144
SAS-10 Adelaide	Mount Lofty	V 209.2500 S 214.7496	V 100 S 10	V 100 S 10	Hor (c)	South Australian Telecasters Ltd 45-49 Park Terrace GILBERTON SA 5081	124.75

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz) V-Vision S-Sound	POWER+ V-Vision S-Sound	LICENSEE AND REGISTERED OFFICE	HOURS*
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SOUTH AUSTRALIA

Country

GTS-4 Spencer Gulf North	The Bluff	V 95.2500 S 100.7496	V 100 S 10 Vert (c)	Spencer Gulf Telecasters Ltd 76 Wanderah Road PORT PIRIE SA 5540	67.5
RTS-5A Renmark- Loxton	4.0 km WSW of Loxton	V 138.2500 S 143.7496	V 40 S 4 Vert (b)	Riverland Television Pty Ltd c/- Tilley, Murphy, Hughes & Co 10 Wilson Street BERRI SA 5343	62.75
SES-8 South East (South Australia)	Mount Burr	V 189.2600 S 194.7596	V 100 S 10 Hor (b)	South East Telecasters Ltd 51 John Watson Drive MOUNT GAMBIER SA 5290	86

WESTERN AUSTRALIA

Metropolitan

STW-9 Perth	Bickley	V 196.2500 S 201.7496	V 100 S 10 Hor (c)	Swan Television and Radio Broadcasters Ltd Hayes Avenue TUART HILL WA 6060	168
TVW-7 Perth	Bickley	V 182.2500 S 187.7496	V 100 S 10 Hor (c)	TVW Enterprises Limited Osborne Road TUART HILL WA 6060	134

WESTERN AUSTRALIA

Country

BTW-3 Bunbury	Mount Lennard	V 86.2400 S 91.7396	V 50 S 5 Hor (c)	Golden West Network Ltd Roberts Crescent BUNBURY WA 6230	87.25
GSW-9 Southern Agricultural	Mount Barker	V 196.2400 S 201.7396	V 50 S 5 Vert (c)	Golden West Network Ltd Roberts Crescent BUNBURY WA 6230	87.25

CALL SIGN AND CHANNEL/ LOCATION OF STATION	LOCATION OF TRANSMITTER (a)	FREQ (MHz) V-Vision S-Sound	POWER+ V-Vision S-Sound	LICENSEE AND REGISTERED OFFICE	HOURS*
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WESTERN AUSTRALIA

Country

GTW-11 Geraldton	9.7 km NE of Geraldton	V 216.2500 S 221.7496	V 100 S 10 Hor (c)	Geraldton Telecasters Pty Ltd 24 Forrest Street GERALDTON WA 6530	59.25
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VEW-8 Kalgoorlie	6.4 km NW of Kalgoorlie	V 189.2500 S 194.7496	V 8 S 0.8 Hor (b)	Mid-Western Television Pty Ltd 2 Killarney Street KALGOORLIE WA 6430	78.15
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TASMANIA

Metropolitan

TVT-6 Hobart	Mount Wellington	V 175.2580 S 180.7576	V 100 S 10 Hor (c)	Tasmanian Television Ltd 52 New Town Road NEW TOWN TAS 7008	120
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TASMANIA

Country

TNT-9 North Eastern Tasmania	Mount Barrow	V 196.2380 S 201.7376	V 100 S 10 Hor (b)	Northern Television (TNT-9) Pty Ltd 37 Watchorn Street LAUNCESTON TAS 7250	121
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NORTHERN TERRITORY

NTD-8 Darwin	Blake Street (near Botanic Gardens)	V 189.2500 S 194.7476	V 20 S 2 Hor (b)	Territory Television Pty Ltd Lot 5237 Blake Street Gardens Hill DARWIN NT 5794	68
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- (a) Distances shown are approximate
 (b) erp in direction of maximum radiation
 (c) erp - omnidirectional

APPENDIX E

COMMERCIAL RADIO TRANSLATOR STATIONS IN OPERATION ON 30 JUNE 1984

MEDIUM FREQUENCY STATIONS

AREA SERVED	LOCATION	CALL SIGN AND AREA (parent station)	FREQ (kHz)	POWER (watts)	LICENSEE
NEW SOUTH WALES					
Bowral, Moss Vale, Mittagong, NSW	Burradoo Railway Station	2ST Nowra	1215	350	South Coast & Tablelands Broadcasting Pty Limited
Cobar, NSW	1.6 km south of Cobar	2DU Dubbo	972	100	Western Broadcasters Pty Ltd
Moruya, NSW	Moruya	2BE Bega	765	500	Radio 2BE Pty Ltd
Narooma, NSW	Narooma Beach 1 km SE of Narooma	2BE Bega	1584	200	Radio 2BE Pty Ltd
Penrith, NSW	Emu Plains 5 km NW of Penrith	2KA Katoomba	1476	500	Hayden Nepean Broadcasters Pty Ltd
QUEENSLAND					
Biloela, QLD (2km W of Biloela)	Biloela	4CD Gladstone	927	100	Capricorn Broadcastors Pty Ltd
Cloncurry, QLD	Smith Street Adj to Shire Council Works Depot	4LM Mt Isa	1453	100	North Queensland Broadcasting Corporation Pty Ltd
Cunnamulla, QLD	5 km South of Cunnamulla	4VL Charleville	1584	200	Concept Service Mart (QLD) Pty Ltd
Dysart, QLD	3 km NW of Dysart	4HI Emerald	945	1000	Emerald Broadcasting Company Pty Ltd

AREA SERVED	LOCATION	CALL SIGN AND AREA (parent station)	FREQ (kHz)	POWER (watts)	LICENSEE
Gordonvale, QLD	2 km NW of Meerawa	4CA Cairns	954	350	Amalgamated Wireless (Australasia) Ltd
Moranbah, QLD	Town Reserve, 2 km W of Moranbah	4HI Emerald	1 215	250	Emerald Broadcasting Company Pty Ltd
WESTERN AUSTRALIA					
Exmouth, WA	3 km south of Exmouth	6LN Carnarvon	747	1000	Carnarvon Commercial Broadcasters Pty Ltd
Paraburdoo, WA	Sewerage Farm, 2 km SW of Paraburdoo	6KA Dampier/ Karratha Roebourne	765	100	Northwest Radio Pty Ltd
Tom Price, WA	Racecourse, 2 km SW of Tom Price	6KA Dampier/ Karratha Roebourne	765	100	Northwest Radio Pty Ltd
NORTHERN TERRITORY					
Katherine, NT	Old Katherine Airfield, 3 km NE of town	8DN Darwin	765	250	Darwin Broadcasters Pty Ltd

APPENDIX F

COMMERCIAL TELEVISION TRANSLATOR STATIONS
IN OPERATION ON 30 JUNE 1984

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
AUSTRALIAN CAPITAL TERRITORY					
Tuggeranong Mt Taylor	CTC Canberra	7	10	100 V (b)	Australian Capital Television Pty Ltd
NEW SOUTH WALES					
Armidale 2.5 km SSW of Armidale	NEN Upper Namoi	9	10	50 H (b)	Television New England Ltd
Ashford 2.4 km E of Ashford	NEN Upper Namoi	9	10	15 V (b)	Television New England Ltd
Bateman's Bay- Moruya Mount Wandera	WIN Illawarra	4	11	1 000 H (b)	TWT Ltd
Bathurst ATC R/T site Mount Panorama	CBN Central Tablelands	8	11	200 V (b)	Country Television Services Ltd
Bega Mt Mumbulla	WIN Illawarra	11 (via Bateman's Bay- Moruya trans- lator)	6	500 H (b)	TWT Ltd
Bonalbo Brown's Hill 3km SE of Bonalbo	RTN Richmond- Tweed	8	5	5 V (b)	Richmond- Tweed TV Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Cobar Fort Bourke Hill	CWN Central Western Slopes	6 (c)	10	50 V (b)	Country Television Services Ltd
Condobolin Hospital Hill Lookout	CBN Central Tablelands	8	69	40 V (b)	Country Television Services Ltd
Cooma Mt Roberts	CTC Canberra	7	10	50 000 V (b)	Australian Capital Television Pty Ltd
Deniliquin 9.6 km SE of Deniliquin	GMV Goulburn Valley	6	10	1 000 V (b)	Goulburn- Murray Television Ltd
Dungog Coorei Hill	NBN Newcastle- Hunter River	3	69	50 H (b)	NBN Limited
Eden Bimmil Trig 6 km North of Eden	WIN Illawarra	6 (via Bega trans- lator)	3	50 H (b)	TWT Ltd
Glen Innes Merdon's Hill, 4 km NW of Glen Innes	NEN Upper Namoi	9	3	10 H (b)	Television New England Ltd
Gloucester 5 km NNW of Gloucester	ECN Manning River	8	11	200 H (b)	Television New England Ltd
Goulburn Mt Gray	CTC Canberra	7	10	100 V (b)	Australian Capital Television Pty Ltd
Hay 15.3 km ENE of Hay	MTN Murrumbidgee Irrigation Area	9	5A	1 400 H (b)	Broadcast Operations Limited

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Inverell 'Hillview' - 2 km NE of Inverell	NEN Upper Namoi	9	10	25 H (b)	Television New England Ltd
Jerilderie 5.6 km West of Jerilderie	GMV Goulburn Valley	6	8	150 H (b)	Goulburn- Murray Television Ltd
Kandos-Rylstone Mt Cumber- Melon	CBN Central Tablelands	8	10	20 V (b)	Country Television Services Ltd
Khancoban 0.5 km W of Khancoban	AMV Upper Murray	10 (via Mt Elliot trans- lator)	7	20 H (b)	Riverina & North East Victoria TV Ltd
Kings Cross Kingsgate Hyatt Building, Kings Cross	ATN Sydney	7	49	1 000 H (b)	Amalgamated Television Services Pty Ltd
Kings Cross Kingsgate Hyatt Building, Kings Cross	TCN Sydney	9	52	1 000 H (b)	TCN Channel Nine Pty Ltd
Kings Cross Kingsgate Hyatt Building, Kings Cross	TEN Sydney	10	55	1 000 H (b)	United Telecasters Sydney Ltd
Kyogle Geneva Hill 2 km W of Kyogle	RTN Richmond- Tweed	8	5	5 V (b)	Richmond- Tweed TV Ltd
Lithgow Reservoir Hill	CBN Central Tablelands	8	6 modified - 1000 kHz	30 V (b)	Country Television Services Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Merriwa Banderra Downs Homestead, Merriwa	NBN Newcastle- Hunter River	3 (via UHF link)	10	50 V (b)	NBN Limited
Mudgee Endicotts Hill	CWN Central Western Slopes	6	9	10 V (b)	Country Television Services Ltd
Murrurundi Mt Helen adjacent to ATC R/T site	NBN Newcastle	3 (via UHF link)	1	50 H (b)	NBN Limited
Murwillumbah May's Hill, 10 km NE Murwillumbah	RTN Richmond Tweed	8	5	25 H (b)	Richmond- Tweed TV Ltd
Narooma Buckeridge Lookout 5 km NW of Narooma	WIN Illawarra	11 (via Bateman's Bay/ Moruya trans- lator)	3	500 H (b)	TWT Ltd
Portland- Wallerwang Garlands Hill	CBN Central Tablelands	8	4	100 H (b)	Country Television Services Ltd
Quirindi 'Who'da thought it' Lookout	NEN Upper Namoi	9	11	500 H (b)	Television New England Ltd
Tamworth Bald Hill	NEN Upper Namoi	9 (via UHF link)	0	1 000 H (b)	Television New England Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Tumbarumba Hill 0.8 km East of Post Office	RVN South Western Slopes and Eastern Riverina	2	69	8 V (b)	Riverina & North East Victoria Tv Ltd
Upper Hunter 12.8 km WNW of Aberdeen	NBN Newcastle- Hunter River	3	10	1 500 H (b)	NBN Limited
Wagga Wagga Williams Hill R/T site	RVN South Western Slopes and Eastern Riverina	2 (via cable from RVN studio)	11	25 H (d)	Riverina & North East Victoria TV Ltd
Walcha Clive Blakes Hill, 4 km NE of Walcha	NEN Upper Namoi	9	1	100 H (b)	Television New England Ltd
Wollongong Brokers Nose	WIN Illawarra	4 (e)	3	2 000 H (b)	TWT Ltd
Young Iandra Street, Young	RVN South Western Slopes and Eastern Riverina	2	6	50 H (b)	Riverina & North East Victoria TV Ltd
VICTORIA					
Alexandra Burgess Road, 5 km north- west of Yarck	GMV Goulburn Valley	6	11	1 000 H (b)	Goulburn- Murray Television Ltd
Bright Clear Spot	AMV Upper Murray	4	11	10 H (b)	Riverina & North East Victoria TV Ltd
Corryong- Khancoban Mount Elliott	AMV Upper Murray	4	10	100 H (b)	Riverina & North East Victoria TV Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Eildon Near Wightman's Hill	GMV Goulburn Valley	11 (via Alexandra trans- lator)	3	50 H (b)	Goulburn- Murray Television Ltd
Foster-Toora North Foster, adjacent to ATC R/T site	GLV La Trobe Valley	8	6	250 H (b)	Southern Cross Communications Ltd
Lakes Entrance Part of Crown Allotment 45, Ocean View Parade, Lakes Entrance	GLV La Trobe Valley	8 (via UHF link)	11	100 H (b)	Southern Cross Communications Ltd
Marysville 2 km west of Marysville township	ATV Melbourne	10	55	10 H (b)	Austarama Television Pty Ltd
Marysville 2 km west of Marysville township	GTV Melbourne	9	52	10 H (b)	General Television Corporation Pty Ltd
Marysville 2 km west of Marysville township	HSV Melbourne	7	49	10 H (b)	Herald-Sun TV Pty Ltd
Mount Dundas North Peak	BTV Ballarat	6 (via microwave link)	10	30 000 H (b)	Ballarat and Western Victoria Television Ltd
Myrtleford Tower Hill	AMV Upper Murray	4 (via UHF link)	9	20 H (b)	Riverina & North East Victoria TV Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Nhill Mt Lawloit	BTV Ballarat	6 (via UHF link)	7	20 000 V (b)	Ballarat and Western Victoria Television Ltd
Orbost Mt Raymond	GLV La Trobe Valley	8 (via UHF link)	7	150 V (b) 200 H (b)	Southern Cross Communications Ltd
Portland Mt Clay	BTV Ballarat	6 (via UHF link)	11	3 500 H (b)	Ballarat and Western Victoria Television Ltd
Swan Hill Goschen	BCV Bendigo	8 (via UHF link)	11	20 000 V (d)	Southern Cross Communications Ltd
Tawonga South 2 km NE of Tawonga South	AMV Upper Murray	4	10	1 H (b)	Upper Kiewa Valley Television Reception Committee
Warburton Mount Victoria 3 km north of Warburton	ATV Melbourne	10	55	150 H (b)	Austarama Television Pty Ltd
Warburton Mount Victoria 3 km north of Warburton	GTV Melbourne	9	52	150 H (b)	General Television Corporation Pty Ltd
Warburton Mount Victoria 3 km north of Warburton	HSV Melbourne	7	49	150 H (b)	Herald-Sun TV Pty Ltd
Warrnambool- Port Fairy Tower Hill	BTV Ballarat	6	9	1 300 V (b)	Ballarat and Western Victoria Television Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
QUEENSLAND					
Babinda ATC R/T site 9.5 km SE of town	FNQ Cairns	10	6	300 V (b)	Far Northern Television Ltd
Blackwater- Bluff Cutlers Hill	RTQ Rockhampton	7	10	500 H (b)	Rockhampton Television Ltd
Bowen 100 metres south of Sprole Castle ATC microwave site	TNQ Townsville	7 (via UHF link)	1	5 000 H (b)	Telecasters North Queensland Ltd
Capella Microwave Relay Station	RTQ Rockhampton	6 (via Emerald trans- lator)	9	100 H (d)	Rockhampton Television Ltd
Cardstone Village vicinity of Transmission Tower K1.12.	FNQ Cairns	10 (via UHF link)	55	20 H (b)	Queensland Electricity Generating Board
Clermont 3.2 km south of Clermont	MVQ Mackay	6 via (via) micro- wave link)	8	30 H (b)	Mackay Television Ltd
Collinsville Mt Devlin	MVQ Mackay	6	11	20 H (b)	Mackay Television Ltd
Cracow Golden Plateau	RTQ Rockhampton	7	5	1 H (b)	Banana Shire Council

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Dysart 5.6 km NW of Dysart	MVQ Mackay	11 (via Moranbah- Goonyella trans- lator)	6	610 V (b)	Mackay Television Ltd
Emerald 6 km north Emerald	RTQ Rockhampton	7 (micro- wave link)	6	1 000 H (b)	Rockhampton Television Ltd
Gladstone Maunalor Hill	RTQ Rockhampton	7	10	10 H (d)	Rockhampton Television Limited
Gordonvale 4QY national radio station site; 5 km N of Gordonvale	FNQ Cairns	10	2	500 H (b)	Far Northern Television Ltd
Gunpowder Gunpowder Plateau	ITQ Mount Isa	8 (via UHF link)	10	20 H (b)	Gunpowder Copper Ltd
Gympie Black Mountain	SEQ Wide Bay	8	1	3 000 V (b)	Wide Bay- Burnett Television Ltd
Herberton Adjacent water reserve Jane St, Herberton	FNQ Cairns	10	5A	20 H (b)	Far Northern Television Ltd
Mareeba Mareeba ATC R/T site	FNQ Cairns	10 (via UHF link)	6	16 H (d)	Far Northern Television Ltd
Mary Kathleen Mary Kathleen national transmitter ABMKQ-9	ITQ Mount Isa	(via broad band bearer)	10	50 H (b)	Mount Isa Television Pty Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Middlemount Middle Mount	MVQ Mackay	6 (via Dysart translator)	10	25 V (b)	Mackay Television Ltd
Mission Beach Dunk Island	FNQ Cairns	10	5A	100 V (b)	Far Northern Television Ltd
Monto Mulgildie Plateau	SEQ Wide Bay	8	5	1 200 V (b)	Wide Bay- Burnett Television Ltd
Moranbah- Goonyella Carborough Range (southern end)	MVQ Mackay	8 (via Nebo trans- lator)	11	2 000 H (b)	Mackay Television Ltd
Mossman/ Port Douglas 4 km N of Mossman	FNQ Cairns	5A (via North Cairns trans- lator)	11	1 000 V (b)	Far Northern Television Ltd
Nambour Dulong Lookout	SEQ Wide Bay	1 (via Black Mountain trans- lator)	10	3 000 H (b)	Wide Bay- Burnett Television Ltd
Nebo Smith's Hill 6.5 km N of Nebo	MVQ Mackay	6	8	100 H (b)	Mackay Television Ltd
North Cairns Buchan ATC R/T site	FNQ Cairns	10	5A	2 000 H (b) 500 V (b)	Far Northern Television Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Ravenshoe Bald Rock, 1.6 km W of Ravenshoe	FNQ Cairns	10	11	12 V (b)	Far Northern Television Ltd
Springsure Rodda's Lookout 6 km ESE of Springsure	RTQ Rockhampton	6 (via Emerald trans- lator)	10	250 H (b)	Rockhampton Television Ltd
Tamborine Mountain adjacent to Golf Course	BTQ Brisbane	7	52	50 000 H (b)	Brisbane TV Ltd
Tamborine Mountain adjacent to Golf Course	QTQ Brisbane	9	58	50 000 H (b)	Queensland Television Ltd
Tamborine Mountain adjacent to Golf Course	RTN Richmond- Tweed	8	55	50 000 H (b)	Richmond-Tweed TV Ltd
Tamborine Mountain adjacent to Golf Course	TVQ Brisbane	0	46	50 000 H (b)	Universal Telecasters Qld Ltd
Toowoomba Picnic Point	DDQ Darling Downs	10	5A	900 H (b)	Darling Downs TV Ltd
Townsville Seacom Site- Yarrowonga	TNQ Townsville	7	5A	20 H (b)	Telecasters North Queensland Ltd
Tully ATC R/T site Mount Myrtle	FNQ Cairns	6 (via Babinda trans- lator)	11	1 000 V (b)	Far Northern Television Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Tully Falls Approx. 700 m ENE of Township	FNQ Cairns	10	49	35 H (b)	Queensland Electricity Generating Board
SOUTH AUSTRALIA					
Adelaide Foothills Grenfell Street between King William Street and Gawler Place	ADS Adelaide	7	49	2 000 H (b)	Television Broadcasters Ltd
Adelaide Foothills Grenfell Street between King William Street and Gawler Place Adelaide	NWS Adelaide	9	52	2 000 H (b)	Southern Television Corporation Pty Ltd
Adelaide Foothills Greenfell Street between King William Street and Gawler Place Adelaide	SAS Adelaide	10	55	2 000 H (b)	South Australian Telecasters Ltd
Cowell Mount Olinthus	GTS Spencer Gulf North	4	8	6 000 V (b)	Spencer Gulf Telecasters Ltd
Port Lincoln Borthwicks Hill	GTS Spencer Gulf North	8 (via Cowell trans- lator)	5	1 000 H (b)	Spencer Gulf Telecasters Ltd
WESTERN AUSTRALIA					
Albany Mt Clarence	GSW Southern Agricultural	9	10	50 V (d)	Golden West Network Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Esperance National Television Station ABEW-10	VEW Kalgoorlie	8 (via micro- wave link)	9	500 H (b)	Mid-Western Television Pty Ltd
Kambalda Red Hill	VEW Kalgoorlie	8	3	10 H (b)	Mid-Western Television Pty Ltd
Katanning Fairfield ATC Microwave Repeater Site	BTW Bunbury	3 (micro- wave link)	10	400 V (b)	Golden West Network Ltd
Koolyanobbing Wundowie Hills,	VEW Kalgoorlie	10 (via Southern Cross trans- lator)	6	10 H (b)	Mid-Western Television Pty Ltd
Mawson Mawson Trig	BTW Bunbury	3 (micro- wave link)	10	10 000 H (d)	Golden West Network Ltd
Merredin Merredin ATC R/T Site	VEW Kalgoorlie	8 (micro- wave link)	6	15 H (d)	Mid-Western Television Pty Ltd
Narrogin Narrogin ATC Microwave Repeater Site	BTW Bunbury	3 (micro- wave link)	6	1 000 H (d)	Golden West Network Ltd
Norseman ATC MW Repeater Station 7 km NW of Norseman	VEW Kalgoorlie	8 (micro- wave link)	9	40 H (b)	Mid-Western Television Pty Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Northam 1. 75 kmW of Northam PO	BTW Bunbury	10 (via Mawson trans- lator)	59	50 H (b)	Golden West Network Ltd
Southern Cross ATC R/T facility at Ghooli	VEW Kalgoorlie	8 (via micro- wave link)	10	250 H (b)	Mid-Western Television Pty Ltd
Tammin Cunderdin Hill	VEW Kalgoorlie	50 (approx) (via York trans- lator)	69	15 000 H (b)	Mid-Western Television Pty Ltd
Wagin Mt Latham Microwave Repeater Site No. 628	BTW Bunbury	3 (micro- wave link)	11	12 000 H (b)	Golden West Network Ltd
York Mt Bakewell	VEW Kalgoorlie	8 (micro- wave link)	50	5 000 H (b)	Mid-Western Television Pty Ltd
TASMANIA					
Burnie Round Hill	TNT North Eastern Tasmania	9 (via UHF link)	10	500 V (b)	Northern Television (TNT 9) Pty Ltd
Derby 1. 6km NW of Derby	TNT North Eastern Tasmania	9	11	1.2 H (b)	Northern Television (TNT 9) Pty Ltd
East Devonport Kelcey Tier	TNT North Eastern Tasmania	9	51	800 H (b)	Northern Television (TNT 9) Pty Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Lileah Willis Hill	TNT North Eastern Tasmania	9 (via UHF link)	6	2 000 V (b)	Northern Television (TNT 9) Pty Ltd
Maydena Abbot's Lookout	TVT Hobart	6	8	5 H (b)	Tasmanian Television Ltd
Queenstown- Zeehan Mount Owen	TVT Hobart	6	8	300 H (b)	Tasmanian Television Ltd
Rosebery Renison Bell Mt Reid	TVT Hobart	8 (via Queenstown trans- lator)	10	300 H (b)	Tasmanian Television Ltd
Savage River- Luina Mt Cleveland	TNT North Eastern Tasmania	11 (via Waratah trans- lator)	7	300 H (b)	Northern Television (TNT 9) Pty Ltd
Smithton Tier Hill	TNT North Eastern Tasmania	9 (via UHF link)	11	100 V (b)	Northern Television (TNT 9) Pty Ltd
South Launceston ATC R/T site Juliana Street	TNT North Eastern Tasmania	9	11	30 H (b)	Northern Television (TNT 9) Pty Ltd
St Helens West of St Helens Airport	TNT North Eastern Tasmania	11 (via St Mary's Fingal Valley trans- lator)	7	30 H (b)	Northern Television (TNT 9) Pty Ltd

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
St Mary's- Fingal Valley South Sister Hill	TNT North Eastern Tasmania	9	11	160 V (b)	Northern Television (TNT 9) Pty Ltd
Strathgordon Twelve Trees Range	TVT Hobart	6	8	20 H (b)	Tasmanian Television Ltd
Swansea- Bicheno Bicheno	TVT Hobart	6	8	500 H (b)	Tasmanian Television Ltd
Taroona White Rock Point	TVT Hobart	6	8	300 H (b)	Tasmanian Television Ltd
Waratah Companion Hill, ATC R/T site	TNT North Eastern Tasmania	9 (via UHF link)	11	1 000 H (b)	Northern Television (TNT 9) Pty Ltd
Wynyard Table Cape	TNT North Eastern Tasmania	9 (via UHF link)	5A	1 000 V (b)	Northern Television (TNT 9) Pty Ltd

- (a) Distances shown are approximate
(b) erp in direction of maximum radiation
(c) Via microwave-intermediate repeater stations at Hermidale and Mount Poppy
(d) erp omnidirectional
(e) Via VHF-UHF translator at WIN studios

APPENDIX G

TELEVISION REPEATER STATIONS
IN OPERATION ON 30 JUNE 1984

CALL SIGN	AREA SERVED	LOCATION (a)	CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
WESTERN AUSTRALIA					
CKWR	Koolan Island	Koolan township	10	50 H (b)	BHP Minerals Ltd
CKWR	Cockatoo Island	Cockatoo township	11 (Relays programs of CKWR Koolan Island)	4 H (b)	BHP Minerals Ltd
HTWR	Mount Tom Price	Tom Price	7	50 H (b)	Hamersley Iron Pty Ltd
HTWR	Mount Nameless	Mount Nameless	9 (Relays programs of HTWR Mount Tom Price)	2500 H (b)	Hamersley Iron Pty Ltd
HTWR	Paraburdoo	Paraburdoo	11 (Relays programs of HTWR Mount Tom Price via HTWR Mount Nameless)	200 H (b)	Hamersley Iron Pty Ltd
NEWR	Newman	TV Hill, 0.9 km NW of Newman town centre	9	50 H (b)	Mt Newman Mining Co Pty Ltd

CALL SIGN	AREA SERVED	LOCATION (a)	CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
NORTHERN TERRITORY					
GEMR	Groote Eylandt	East end of Alyangula township	9	200 H (b)	Groote Eylandt Mining Co Pty Ltd
GOVR	Nhulunbuy	Mt Saunders	8	100 H (c)	Nhulunbuy Corporation Ltd
JSWR	Jabiru	Approx 0.9 km NE of Jabiru town centre	10	25 H (b)	Jabiru Sports and Social Club Inc

- (a) Distances shown are approximate
(b) erp in direction of maximum radiation
(c) erp omnidirectional

APPENDIX H

COMMUNITY TELEVISION AERIAL SYSTEMS
IN OPERATION ON 30 JUNE 1984

LICENSEE	AREA	NO. OF SUBSCRIBERS
NEW SOUTH WALES		
E R Moffitt Management Committee - Bayview Community TV System	Balmoral	120
Master Antenna Systems Pty Ltd	Bayview	83
Australian Motel Industries Ltd	Castlecrag	14
	Koala Welcome Inn, Oxford Square, Sydney	1*
TCN Channel Nine Pty Ltd	Palm Beach	5
VICTORIA		
Harrow Community TV System	Harrow	10
State Electricity Commission of Victoria	Newport D Power Station	96
State Electricity Commission of Victoria	Mary Street Control Centre, Richmond	18
QUEENSLAND		
Australian Telecommunications Commission	Wollongabba	27
SOUTH AUSTRALIA		
Professional Officers Development Co-op Ltd	Salisbury	40
WESTERN AUSTRALIA		
Western Titanium Ltd	Leeman	48

* The Koala Welcome Inn has 350 rooms connected to the system.

APPENDIX I

NATIONAL TELEVISION TRANSLATOR STATIONS LICENSED UNDER BROADCASTING AND
TELEVISION ACT 1942
IN OPERATION ON 30 JUNE 1984

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
NEW SOUTH WALES					
Tumbarumba Hill 0.8 km East of PO	ABMN South Western Slopes/Eastern Riverina	0	66	8 V (b)	Tumbarumba Community Translator Group
VICTORIA					
Tawonga South 2 km NE of Tawonga South	ABAV Upper Murray	1	9	1 H (b)	Upper Kiewa Valley Television Reception Scheme
QUEENSLAND					
Bamaga Adjacent to Water Reservoir	ABQ Brisbane	8 (via Thursday Island trans- lator)	69	50 H (b)	Northern Peninsula Area Council
Cardstone Village vicinity of Transmission Tower K1.12	ABNQ Cairns	9 (via Tully Falls trans- lator)	52	20 H (b)	The Queensland Electricity Generating Board
Edward River within the Community Township	ABQ Brisbane	SAT	69	5 V (d)	Edward River Aboriginal Council
Gununa adjacent to Power House	ABQ Brisbane	SAT	69	10 V (d)	Mornington Shire Council

AREA SERVED AND LOCATION (a)	CALL SIGN AND AREA (PARENT STATION)	INPUT CHANNEL	OUTPUT CHANNEL	POWER (WATTS) AND POLARIS- ATION	LICENSEE
Kowanyama North-West of and immediately adjacent to township	ABQ Brisbane	SAT	69	10 V (b)	Kowanyama Aboriginal Council
Lockhart River within the Community Township	ABQ Brisbane	SAT	69	5 V (d)	Lockhart River Community Council
Middlemount Middle Mount	ABMQ Mackay	2 (via Dysart trans- lator)	8	25 V (b)	Mackay Television Ltd
Tully Falls approx. 700 m ENE of township	ABNQ Cairns	9	46	35 H (b)	The Queensland Electricity Generating Board
WESTERN AUSTRALIA					
Argyle Mine Site Smoke Creek Telecom Radio Terminal	ABW Perth	SAT	69	100 H (b)	Argyle Diamond Mines Pty Ltd

SAT: Satellite Service via INTELSAT.

APPENDIX J

PUBLIC BROADCASTING TRANSLATOR STATIONS
IN OPERATION 30 JUNE 1984

AREA SERVED	LOCATION	CALL SIGN AND AREA (parent station)	FREQ (MHz)	Power (watts)	LICENSEE
NEW SOUTH WALES					
Dorrigo NSW	Reservoir 0.5 km south of Dorrigo	2BBB Bellingen	90.5	100	Bellinger Community Communications Co-op Ltd

TABLE ONE: ANALYSIS OF TELEVISION PROGRAMS BY CATEGORIES 6.00am - 12.00mn
 APPENDIX K

PROGRAM CATEGORY	METROPOLITAN STATIONS				PROVINCIAL STATIONS				ALL STATIONS
	COMMERCIAL	NATIONAL	SBS	ALL STATIONS	COMMERCIAL	NATIONAL	NATIONAL	ALL STATIONS	
	%	%	%	%	%	%	%	%	
Drama	9.8	4.1	4.6	8.4	8.0	4.1	4.1	6.1	
Adventure	6.6	1.6	1.0	5.4	6.0	1.6	1.6	3.8	
Crime & Suspense	23.9	8.0	18.6	20.5	22.9	8.0	8.0	15.4	
Domestic & Comedy	2.3	-	-	1.7	1.9	-	-	1.0	
Western	0.5	0.7	7.7	0.8	0.7	0.7	0.7	0.7	
Period	3.0	0.8	11.2	2.9	2.5	0.8	0.8	1.6	
Miscellaneous	46.1	15.2	43.1	39.8	42.1	15.2	15.2	28.6	
Light Entertainment									
Cartoons	6.0	4.3	3.9	5.6	3.6	4.3	4.3	4.0	
Music	1.2	3.9	5.7	1.9	1.3	3.9	3.9	2.6	
Personality & Quiz	7.8	0.9	0.7	6.1	10.9	0.9	0.9	5.9	
Talent	0.6	-	-	0.4	1.0	-	-	0.5	
Variety	2.6	3.4	2.2	2.7	2.5	3.4	3.4	3.0	
Sport	18.1	12.6	12.6	16.8	19.4	12.6	12.6	16.0	
News	9.7	11.4	14.3	10.2	11.3	11.4	11.4	11.4	
Children:	8.2	6.0	9.8	7.8	8.3	6.0	6.0	7.2	
Kindergarten	3.2	16.5	-	5.7	3.0	16.5	16.5	9.8	
Other	4.9	6.6	4.3	5.2	4.9	6.6	6.6	5.8	
Family Activities	8.0	23.1	4.3	10.9	7.9	23.1	23.1	15.6	
Information	1.9	0.9	-	1.6	2.3	0.9	0.9	1.5	
Current affairs	1.6	7.6	8.6	3.1	2.4	7.6	7.6	5.0	
Political matter	4.7	5.4	3.6	4.8	3.6	5.4	5.4	4.5	
Religious matter	*	-	-	*	*	-	-	*	
The arts	1.6	1.5	-	1.5	2.7	1.5	1.5	2.1	
Education:	*	2.8	1.4	0.6	*	2.8	2.8	1.4	
Formal	*	13.3	-	2.7	0.1	13.3	13.3	6.7	
Other	0.1	-	2.4	0.2	*	-	-	*	
	0.1	13.3	2.4	2.9	0.1	13.3	13.3	6.8	
	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

1% projected to 52 weeks and rounded to the nearest 30 mins equals in duration per station: 63 hours 47 hours 26 hours 56 hours 47 hours 47 hours 47 hours

* Less than 0.1%.
 NB: Due to rounding, columns may not total 100%.

TABLE TWO: ANALYSIS OF TELEVISION PROGRAMS BY CATEGORIES
(A) METROPOLITAN STATIONS

PROGRAM CATEGORY	6pm - 10pm			6am - 10pm & 10pm - 12mn		
	COMMERCIAL %	NATIONAL %	ALL STATIONS %	COMMERCIAL %	NATIONAL %	ALL STATIONS %
Drama:						
Adventure	12.7	9.6	11.2	8.9	1.6	7.4
Crime & Suspense	11.4	3.5	8.5	5.2	0.7	4.3
Domestic & Comedy	32.3	17.0	27.3	21.4	4.0	18.1
Western	1.5	-	1.0	2.5	-	2.0
Period	0.8	1.0	1.6	0.4	0.6	0.6
Miscellaneous	2.7	1.9	2.9	3.1	0.3	3.0
	61.4	33.1	37.9	41.6	7.1	49.8
Light entertainment:			52.4			35.3
Cartoons	0.2	-	0.5	7.7	6.3	7.3
Music	0.3	5.8	2.2	1.4	3.1	1.8
Personality & Quiz	8.3	1.3	5.9	7.7	0.8	6.2
Talent	1.9	-	1.3	0.2	-	0.1
Variety	3.1	10.5	5.0	2.4	0.2	1.9
Sport	13.9	17.6	15.2	19.4	10.4	9.3
News	2.9	3.2	13.8	11.7	15.1	12.4
Children:	15.7	14.0	12.9	5.9	2.4	5.6
Kindergarten	-	-	-	4.1	23.9	7.7
Other	0.1	-	0.5	6.3	9.6	6.9
Family Activities			0.5			14.6
Information	*	0.8	-	2.4	0.9	2.1
Current Affairs	2.9	19.0	9.1	1.2	2.5	1.7
Political matter	3.1	11.2	4.8	5.2	2.9	4.7
Religious matter	*	-	*	-	-	-
The arts	-	0.1	-	2.1	2.1	2.0
Education:	-	0.9	0.4	*	3.7	0.7
Formal	-	-	-	*	19.3	3.6
Other	-	-	-	0.1	-	0.2
	100.0	100.0	100.0	100.0	100.0	100.0
				0.1	19.3	5.6
				100.0	100.0	100.0
						3.9
						100.0

* Less than 0.1%

NB: Due to rounding, columns may not total 100%.

TABLE THREE: TELEVISION PROGRAMS OF AUSTRALIAN ORIGIN ANALYSIS BY CATEGORIES
(A) METROPOLITAN STATIONS

PROGRAM CATEGORY	COMMERCIAL			NATIONAL			SBS			ALL STATIONS		
	AUST PROGRAM	ALL PROGRAM	%	AUST PROGRAM	ALL PROGRAM	%	AUST PROGRAM	ALL PROGRAM	%	AUST PROGRAM	ALL PROGRAM	%
Drama:			∅									
Adventure	0.5	0.2	1.2	0.6						0.6	0.3	
Crime and suspense	1.7	0.8	0.3	0.1						1.4	0.6	
Domestic and comedy	10.7	4.8	2.8	1.3						8.7	3.9	
Western	0.4	0.2	-	-						0.3	0.1	
Period	0.2	0.1	0.6	0.3						0.3	0.1	
Miscellaneous	0.2	0.1	0.2	0.1						0.2	0.1	
		13.8	6.2	5.0			2.4			-	11.5	5.1
Light entertainment:												
Cartoons	*	-	0.2	0.1			0.1		*	*	-	
Music	1.0	0.4	4.2	2.0			6.2		1.6	1.8	0.8	
Personality and quiz	13.7	6.1	1.7	0.8			1.6		0.4	10.8	4.8	
Talent	1.3	0.6	-	-			-		-	1.0	0.4	
Variety	3.0	1.4	1.3	0.6			1.0		0.3	2.6	1.2	
		19.0	8.5	7.4			3.6			2.3	16.2	7.2
Sport		17.4	7.8	18.8			9.0			5.2	17.8	7.9
News		18.3	8.2	12.5			6.0			9.8	17.5	7.8
Children:												
Kindergarten	6.9	3.1	11.4	5.5			-		-	7.7	3.4	
Other	8.2	3.7	4.8	2.3			5.6		1.4	7.4	3.3	
		15.1	6.8	16.2			7.8			1.4	15.1	6.8
Family activities	3.1	1.4	1.4	1.8			0.9		-	-	2.7	1.2
Information	1.5	0.7	0.7	4.8			2.3			3.3	2.5	1.1
Current affairs	10.5	4.7	4.7	11.1			5.4			3.6	10.7	4.8
Political matter	*	*	*	-			-		-	-	*	*
Religious matter	1.2	0.5	0.5	2.4			1.1		-	-	1.4	0.6
The arts	*	*	-	3.1			1.5		-	-	0.7	0.3
Education:												
Formal	*	-	16.8	8.1			-		-	3.7	1.6	
Other	0.2	0.1	-	-			-		-	0.1	0.1	
		0.2	0.1	16.8			-		-	-	-	
		100.0	44.8	100.0			48.1			25.5	100.0	44.6
		1% projected to 52 weeks and rounded to nearest 30 min equals in duration per station:	28 hrs 30 min	63 hours	22 hrs 30 min	47 hours	6 hrs 30 min	26 hours	25 hours	56 hours		

* Less than 0.1%.
 ∅ This shows the Australian programs as a percentage of all programs. For example, Australian drama makes up 6.2% of all programs. The previous column shows that drama makes up 13.8% of all Australian programming.
 NB: Due to rounding columns may not total 100%.

TABLE THREE: TELEVISION PROGRAMS OF AUSTRALIAN ORIGIN ANALYSIS BY CATEGORIES
(B) PROVINCIAL STATIONS

PROGRAM CATEGORY	COMMERCIAL			NATIONAL			ALL STATIONS		
	AUST	PROGRAM	ALL PROGRAMS	AUST	PROGRAM	ALL PROGRAMS	AUST	PROGRAM	ALL PROGRAMS
	%	%	%	%	%	%	%	%	%
Drama:									
Adventure	0.4	0.2		1.2	0.6		0.8	0.4	
Crime & suspense	1.2	0.6		0.3	0.1		0.8	0.4	
Domestic & comedy	9.6	5.0		2.8	1.3		6.3	3.2	
Western	0.3	0.1		-	-		0.1	0.1	
Period	0.5	0.3		0.6	0.3		0.6	0.3	
Miscellaneous	0.1	*	6.3	0.2	0.1	2.4	0.1	0.1	4.4
		12.1		5.0			8.7		
Light entertainment:									
Cartoons	0.1	*		0.2	0.1		0.2	0.1	
Music	0.8	0.4		4.2	2.0		2.4	1.2	
Personality & quiz	19.7	10.3		1.7	0.8		11.0	5.5	
Talent	2.0	1.0		-	-		1.0	0.5	
Variety	3.5	1.8		1.3	0.6	3.6	2.5	1.2	8.6
		26.1	13.6	7.4			17.1		
Sport	19.5	10.1		18.8	9.0		19.2	9.6	
News	16.0	8.3		12.5	6.0		14.3	7.2	
Children:									
Kindergarten	5.6	2.9		11.4	5.5		8.4	4.2	
Other	6.9	3.6		4.8	2.3		5.9	2.9	
		12.5	6.5	16.2	7.8		14.3	7.2	
Family activities	3.3	1.7		1.8	0.9		2.6	1.3	
Information	2.4	1.2		4.8	2.3		3.6	1.8	
Current affairs	6.8	3.5		11.1	5.4		8.9	4.4	
Political matter	*	*		-	-		*	*	
Religious matter	1.0	0.5		2.4	1.1		1.7	0.8	
The arts	*	*		3.1	1.5		1.5	0.8	
Education:									
Formal	0.2	0.1		16.8	8.1		8.2	4.1	
Other	*	*		-	-		*	*	
		0.2	0.1	16.8	8.1		8.2	4.1	
		100.0	52.1	100.0	48.1		100.0	50.1	
1% projected to 52 weeks and rounded to the nearest 30 mins equals in duration per station:		24 hrs 30 min	47 hours	22 hrs 30 min	47 hours	23 hrs 30 min	47 hours	47 hours	

∅ This shows the Australian programs as a percentage of all programs. For example, Australian drama makes up 6.3% of all programs. The previous column shows that drama makes up 12.1% of all Australian programming.
 * Less than 0.1%.
 NE: Due to rounding, columns may not total 100%.

TABLE FOUR - AUSTRALIAN PROGRAMS - ALL METROPOLITAN STATIONS

Average yearly amount of time per station devoted to particular categories of Australian programs.

PROGRAM CATEGORY	COMMERCIAL			NATIONAL			SBS
	1980-81 HOURS	1981-82 HOURS	1982-83 HOURS	1983-84 HOURS	1983-84 HOURS	1983-84 HOURS	1983-84 HOURS
Drama:							
Adventure	18.2	19.2	7.1	14.3	26.7	-	-
Crime and suspense	92.1	79.6	62.3	48.7	5.8	-	-
Domestic and comedy	193.2	224.8	245.6	303.2	62.8	-	-
Western	8.7	2.9	3.3	12.4	-	-	-
Period	(4.7	5.9	5.1	14.1	-	-
Miscellaneous	(6.2	14.7	9.0	6.3	3.6	-	-
	318.4	345.8	333.3	390.2	113.0	-	-
Light entertainment:							
Cartoons	4.8	0.5	1.1	1.2	5.1	0.9	0.9
Music	46.4	35.9	33.6	27.1	94.8	41.0	41.0
Personality and quiz	336.2	427.1	438.3	386.8	37.9	10.7	10.7
Talent	38.5	42.3	33.7	36.2	-	-	-
Variety	71.7	85.2	105.5	85.3	30.0	6.5	6.5
	497.7	591.1	612.1	536.5	167.8	59.1	59.1
Sport	599.6	704.4	584.1	491.7	426.2	134.0	134.0
News	260.8	364.7	497.4	516.2	282.9	251.9	251.9
Children:							
Kindergarten	201.0	213.7	213.2	195.4	258.9	-	-
Other	229.5	229.3	213.9	232.8	109.0	36.8	36.8
	430.6	443.0	427.1	428.2	367.9	-	-
Family activities							
Information	150.9	82.5	90.4	88.2	40.2	-	-
Current affairs	74.9	45.0	44.6	41.4	109.6	84.4	84.4
Political matter	123.7	196.7	277.9	296.3	252.4	93.2	93.2
Religious matter	1.3	1.0	1.7	*	-	-	-
The arts	36.5	34.7	33.3	33.9	54.2	-	-
Education:	5.3	-	0.8	-	70.1	-	-
Formal	1.9	1.7	1.7	0.6	381.8	-	-
Other	11.5	10.9	6.8	5.1	-	-	-
	13.4	12.6	8.5	5.7	381.8	-	-
Total amount of							
Australian programming	2513.1	2821.6	2911.3	2828.4	2265.9	659.2	659.2
Expressing the above							
figures as a percentage							
of all transmission time	1.7%	1.6%	1.6%	1.6%	2.1%	3.9%	3.9%
100 hours equals							

The two following tables show changes over the past three years. They are based on all programs, imported and Australian, televised by the fifteen commercial television stations in the State capitals and twenty-two representative provincial commercial stations.

**TABLE FIVE: PERCENTAGE OF TIME OCCUPIED BY VARIOUS TYPES OF PROGRAMS
COMMERCIAL TELEVISION STATIONS
6.00 AM TO 12.00 MIDNIGHT**

PROGRAM TYPE	METROPOLITAN STATIONS			PROVINCIAL STATIONS		
	1981-82	1982-83	1983-84	1981-82	1982-83	1983-84
Television drama	29.2	29.7	31.7	29.8	31.1	30.9
Cinema movies	15.7	15.2	14.4	12.8	13.5	11.2
Light entertainment	18.1	17.9	18.1	19.2	18.3	19.4
Sport	13.3	11.2	9.7	12.1	11.5	11.3
News	5.9	7.8	8.2	7.2	8.0	8.3
Children	8.7	7.8	8.0	9.2	7.8	7.9
Family activities	1.4	2.0	1.9	1.6	1.9	2.3
Information	2.4	2.2	1.6	2.9	2.1	2.4
Current affairs	3.3	4.4	4.7	3.0	3.1	3.6
Political matter	-	*	*	-	*	*
Religious matter	1.7	1.5	1.6	2.1	2.7	2.7
The arts	-	*	*	-	*	*
Education	0.2	0.1	0.1	0.1	0.1	0.1
	100.0	100.0	100.0	100.0	100.0	100.0

* Less than 0.1 per cent.

NB: Due to rounding, columns may not total 100 per cent.

TABLE SIX: PERCENTAGE OF TIME OCCUPIED BY VARIOUS TYPES OF PROGRAMS
 COMMERCIAL TELEVISION STATIONS
 6.00 AM TO 10.00 PM

PROGRAM TYPE	METROPOLITAN STATIONS			PROVINCIAL STATIONS		
	1981-82	1982-83	1983-84	1981-82	1982-83	1983-84
Television drama	45.1	45.4	47.0	43.4	45.8	46.1
Cinema movies	14.4	15.0	14.4	12.2	10.6	9.6
Light entertainment	14.4	13.8	13.9	15.6	15.0	14.5
Sport	2.6	3.2	2.9	2.5	4.7	4.2
News	14.9	15.7	15.7	15.9	16.1	17.0
Children	-	*	0.1	-	-	*
Family activities	-	*	*	-	*	*
Information	4.2	3.3	2.9	4.0	2.1	2.7
Current affairs	4.7	3.4	3.1	5.9	5.4	5.7
Political matter	-	1.0	*	-	*	*
Religious matter	-	*	-	-	0.1	*
The arts	-	*	-	-	-	*
Education	-	-	-	-	-	-
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0

* Less than 0.1 per cent.

NB: Due to rounding, columns may not total 100 per cent.

APPENDIX L

AUSTRALIAN BROADCASTING TRIBUNAL

CONSOLIDATED LIST OF PROGRAMS CLASSIFIED 'C'
JULY 1983 - JUNE 1984

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
ANDREW (YOUNG PEOPLE'S SPECIAL - SERIES II)	Drama Special 55 min	USA	Viacom International Pty Ltd	5.1.84
ANNA CIRO E COMPAGNIA	Drama Series 13 episodes	ITALY	SBS	28.10.83
BAKER STREET BOYS	Drama Series 4 x 60 min	UK	Fremantle International Productions Pty Ltd	26.8.83
BETWEEN TWO LOVES (FAMILY HOUR FESTIVAL)	Drama Special 60 min	USA	Fremantle International Productions Pty Ltd	10.6.83
BILLY BOY	Drama Special 21 min	UK	BBC	26.8.83
BOOK TOWER, THE	Documentary Series V 9 x 30	UK	Telepix Pty Ltd	29.9.83
BROKE	Drama Series 3 episodes (EP 1 38' 48") (EP 2 34' 4") (EP 3 41' 15")	SWEDEN	SBS	29.9.83
CAMEL BOY, THE	Animation/Live Action 75 min	AUST	Yoram Gross Film Studio Pty Ltd	22.6.84

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
CORNFLAKES FOR TEA	Drama Special 90 min	AUST	Andromeda Productions Pty Ltd	29.9.83
CRIME IN YELLOW	Drama Special 71 min 17 sec	BULGARIA	SBS	26.8.83
DAVID COPPERFIELD	Animated Special 72 min	AUST	Burbank Films	28.10.83
DIRKHAM DETECTIVE AGENCY (BOOK ADVENTURES - SERIES 11)	Drama 60 min	USA	MCA Australia Pty Ltd	22.6.84
DOT AND THE BUNNY	Animation/Live Action 78 min	AUST	Yoram Gross Film Studio Pty Ltd	22.6.84
DOT AND THE KANGAROO	Animation/Live Action 80 min	AUST	Yoram Gross Film Studio Pty Ltd	22.6.84
EDISON TWINS	Drama Series 13 x 30	CANADA	Viacom International Pty Ltd	29.2.84
*ESCAPE	Drama 28 min	NORWAY	TCN	22.6.84
FIRE IN THE STONE, THE	Drama Feature 94 min	AUST	SA Film Corporation	28.10.83
FISHERMAN'S SON, THE (YOUNG PEOPLE'S SPECIALS - SERIES II)	Drama Special 55 min	USA	Viacom International Pty Ltd	2.12.84
FRAGGLEROCK	Animated 36 x 30 min	USA	United Telecasters Pty Ltd	1.8.83

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
FRIEND OR FOE	Drama Special 70 min	UK	Australia Council for Children's Films and Television	1.8.83
GANG NEXT DOOR, THE	Drama Special 108 min	THE NETHER- LANDS	SBS	29.9.83
GIRL AND THE BOY, THE	Drama Series 6 episodes	POLAND	SBS	2.12.83
GOLD MEDALLION, THE	Animation Special 80 min	AUST	Eric Porter	26.8.83
GOING GREAT - SERIES 1, 2 & 3	Documentary Series 39 x 27 min	CANADA	D L Taffner Pty Ltd	After appeal to ABT 7.5.84
HAVE YOU EVER BEEN ASHAMED OF YOUR PARENTS (BOOK ADVENTURES - SERIES II)	Drama Special 60 min	USA	MCA Australia Pty Ltd	22.6.84
HAYBURNERS, THE (YOUNG PEOPLE'S SPECIALS - SERIES II)	Drama 55 min	USA	Viacom International Pty Ltd	2.12.83
HILLS OF HEAVEN, THE	Drama Series 3 episodes	UK	BBC	5.1.84
HOLIDAYS ON DEATH STREET	Drama Special 67 min	HUNGARY	SBS	28.10.83
HORSE CALLED JESTER, A	Drama Special 55 min	UK	Australia Council for Children's Films and Television	8.4.84

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
HOSTAGES, THE	Drama Special	UK	Australia Council for Children's Films and Television	29.9.83
HUSKIE'S NEVER FREEZE	Drama Special 26 min	SWEDEN	SBS	29.9.83
*JAMES (SAILORMAN)	Drama Special 24 min	UK	TCN	22.6.84
*JOOST (SUNSHINE)	Drama Special 28 min	HOLLAND	TCN	22.6.84
KIDS OF DEGRASSI STREET	Drama Series 13 x 30 min	CANADA	R A Becker & Co Pty Ltd	29.8.83
LITTLE CONVICT, THE	Animation/Live Action 80 min	AUST	Yoram Gross Film Studio Pty Ltd	22.6.84
LITTLE NEZHA FLIGHTS THE GREAT DRAGON KINGS	Animated Special 60 min	UK	BBC	31.5.84
LONE WOLF	Drama Special 78 min 58 sec	YUGO- SLAVIA	SBS	28.10.83
LONG CHASE, THE	Drama Series 13 x 25	UK	BBC	8.4.84
LUDWIG	Animated Series 23 x 4 min 9 sec	UK	BBC	28.10.83
MAESTRO'S COMPANY, THE	Opera Series 13 x 25 min	AUST	Independent Productions Pty Ltd	22.6.84

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
MANDY'S GRANDMOTHER (YOUNG PEOPLE'S SPECIALS - SERIES II)	Drama Special	USA	Viacom International Pty Ltd	2.12.83
MAN FROM NOWHERE, THE	Drama Special	UK	Australia Council for Children's Films and Television	26.8.83
MINSTREL, THE (JACKANORY PLAYHOUSE)	Drama Play 25 min	UK	BBC	31.5.84
*MY SISTER CAMILLE	Drama Special 28 min	FRANCE	TCN	22.6.84
NOTORIOUS JUMPING FROG OF CALAVERAS COUNTRY (ABC AFTER SCHOOL SPECIAL - SERIES III)	Drama Special 24 min	USA	TCN	28.10.83
OUT OF BOUNDS	Drama Series 6 x 25	UK	BBC	29.9.83
PAGANINI STRIKES AGAIN	Drama Feature 59 min	UK	Australia Council for Children's Films and Television	31.5.84
PLAYHOUSE: MAGIC MIRROR	Drama Special 29 min	UK	BBC	8.4.84
PLAYHOUSE: MAGIC OF MONDAY	Drama Special 30 min	UK	BBC	26.8.83
PUPPET PUDDING, THE	Information/ Puppetry Special 24 min 17 sec	AUST	Tasmanian Film Corporation	28.10.83

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
REBECCA OF SUNNYBROOK FARM	Drama Series 4 x 30 min	UK	BBC	31.5.84
RUBBISH	Puppetry Special 48 min	AUST	Tasmanian Film Corporation	28.10.83
SCANNER	Magazine Series 65 x 30 min Proposed initially	AUST	Ian Fairweather Productions	1.8.83
SEAVIEW	Comedy Series 6 x 30 min	UK	BBC	22.6.84
SECRET WORLD OF OG, THE	Animated Special 47 min	USA	Hanna-Barbera Australia	22.6.84
SHE CAME OUT OF THE BLUE SKY	Drama Series 13 episodes	CZECH	SBS	28.10.83
SHERLOCK HOLMES AND THE BASKERVILLE CURSE	Animated Special 72 min	AUST	Burbank Films	28.10.83
SHERLOCK HOLMES AND THE SIGN OF FOUR	Animated Special 48 min	AUST	Burbank Films	22.6.83
*SIMON AND SARAH	Drama Special 27 min 40 sec	BELGIUM	TCN	22.6.84
SIMON TOWNSEND'S WONDER WORLD 'C' CLASS - (GRANTED FOR INITIAL 130 x 60 MIN PROGRAMS OF WONDER WORLD)	Magazine 5 x 30 min weekly for 26 weeks annually	AUST	Townsend Entertainments Pty Ltd	31.5.84

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
SNOOGLES, THE	Puppetry 1 x 30 produced 13 proposed	AUST	Salt Productions Aust. Pty Ltd	1.8.83
SONG AND THE STORY	Documentary Special 25 min	UK	BBC	2.11.83
SOUTH AUSTRALIA'S MID NORTH	Documentary Special 25 min	AUST	NWS	29.2.84
STANDBY, LIGHTS, CAMERA, ACTION!	Information Series 12 x 60 min	USA	Fremantle International Productions Pty Ltd	26.8.83
STRIKER - SERIES II	Drama Series 5 episodes	UK	BBC	28.10.83
ST URSULA'S IN DANGER	Drama Special 60 min	UK	BBC	31.5.84
*SUNKEN VILLAGE, THE	Drama Special 28 min	SPAIN	TCN	22.6.84
TAKE HART - SERIES IV	Magazine Series 13 x 20	UK	BBC	29.2.84
TAKE HART - SERIES V	Magazine Series 13 x 20	UK	BBC	29.9.83
TAKE HART - SERIES VI	Magazine Series 15 x 25	UK	BBC	2.12.83
TAKE HART - SERIES VII	Magazine Series 15 x 25	UK	BBC	2.12.83

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
TAKE HART ON HOLIDAY: BY THE SEA	Magazine Special 30 min	UK	BBC	29.9.83
THINK OF A NUMBER - SERIES II	Instructional Series 5 x 25	UK	BBC	29.9.83
THINK OF A NUMBER - SERIES III	Instructional Series 6 x 25	UK	BBC	28.10.83
THINK OF A NUMBER - SERIES IV	Instructional Series 5 x 25	UK	BBC	26.8.83
TINSLETOWN AND THE BIG APPLE (YOUNG PEOPLE'S SPECIALS - SERIES II)	Drama Special 55 min	USA	Viacom International Pty Ltd	2.12.83
VIDEO ADVENTURE ('C' CLASSIFICATION GRANTED - FOR 12 MONTHS FROM COMMENCEMENT OF PRODUCTION)	Game Show 5 x 30 min Weekly proposed	AUST	Richard Bence Productions	6.1.84
WINNER, THE (JACKANORY PLAYHOUSE)	Drama Special 30 min	UK	BBC	31.5.84
*WOLF IN THE NIGHT, A	Drama Special 27 min 14 sec	FINLAND	TCN	22.6.84
WRONG WAY KID, THE (BOOK ADVENTURES - SERIES II)	Drama Special 60 min	USA	MCA Australia Pty Ltd	22.6.84
XMAS STAR, THE (API ANIMATED CLASSIC)	Animated Special 30 min	USA	ATN-7	1.8.83

TITLE	DESCRIPTION/FORMAT	ORIGIN	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
YORKE PENINSULA A WELCOME BREAK!	Documentary 1 x 25 min	AUST	NWS	1.8.83
ZERTIGO DIAMON CAPER (BOOK ADVENTURES - SERIES II)	Drama Special 60 min	USA	MCA Australia	22.6.84

* First European broadcasting union drama exchange for children.

AUSTRALIAN BROADCASTING TRIBUNAL

**PROGRAMS CLASSIFIED
'C' AUSTRALIAN DRAMA**

TITLE	DESCRIPTION/FORMAT	SUBMITTED BY DISTRIBUTOR	DATE APPROVED
DANNY'S EGG	Special	TCN	22.6.84

(First European Broadcasting Union drama exchange for children)

APPENDIX M

SUMMARY OF THE REPORT ON NEW STANDARDS OF CHILDREN'S AND PRE-SCHOOL TELEVISION

Published: 2 April 1984

The following summary of the Report should not be regarded as a substitute for the Report which is the official record of the Tribunal's views on this matter.

- . It is the objective of the Broadcasting and Television Act that commercial broadcasting be conducted in the interests of the public.
- . The Tribunal's determination pursuant to the Act clarifies and extends the rules applicable to children's (including pre-school children's) television.
- . The rules continue the existing requirements that sets aside the 4.00 pm to 5.00 pm weekday period (C time) for quality, age-specific children's programs (C programs). They introduce a requirement that 50% of the C programs transmitted by a licensee in a year be first release Australian programs, limit the repetition of C programs and prohibit the practice of back-to-back scheduling of episodes or programs in the same series on the same day.
- . The rules consolidate and extend the existing requirements relating to the transmission of advertising and related material in C time.
- . The rules introduce a requirement that licensees transmit a minimum of 8 hours of first release Australian children's drama each financial year.
- . The rules consolidate the requirement that licensees televise a minimum of 30 minutes of pre-school programs before 4.00 pm each weekday.
- . The determination of these Standards follows public release of various reports and recommendations from the Tribunal's advisory committee (CPC), public release by the Tribunal of proposed Standards, consideration of responses to these documents and analysis of the record relating to this matter.
- . It has long been recognised that commercial television licensees have an obligation to serve children. This is based on their fundamental duty to program in the public interest, and thereby provide diverse programs to meet the needs of substantial and important minorities within the communities they serve. Broadcasting should make a positive contribution to society.
- . There is a history of regulatory action with respect to children's television culminating in the introduction of the C program concept on 1 July 1979 which followed the Tribunal's Inquiry in 1977 into self-regulation for broadcasters.

- Regulatory action has been a response to a lack of quality age-specific television programs for children and to the need to protect their interests.
- The CPC has become increasingly concerned about the status of children's television and has strongly recommended initiatives, including a drama quota, to improve the current position. The CPC is supported in this matter by a range of community organisations and bodies.
- The commercial television industry is generally opposed to the Standards. There is opposition, and in some cases open hostility, to the new Standards dealing with Australian content, repeats, Australian drama and advertising. Some stations have not opposed the C concept and have indicated a commitment to quality programs for children. Others regard the whole proposal as a unwarranted and unjustified intrusion on their right to program as they see fit. There is general industry concern about the economic implications of the Standards but little detailed financial information supporting this.
- Significantly, the submission by the commercial television industry representative body (FACTS), although critical of the Standards and the CPC, does not address the following:
 - * There is no indication of a recognition or acceptance that children have particular and special needs in relation to television.
 - * There is no indication of a recognition or acceptance that children are entitled to be provided with quality, age-specific and comprehensive programs geared to their special cognitive abilities and experiences.
 - * There is no indication of a recognition or acceptance that the commercial television industry has any obligation or responsibility to provide such programs.
 - * There is no enunciation of any policy or philosophy that the commercial television industry follows or would be prepared to follow in catering for Australian children.
 - * Although there is strong criticism of the C program and drama proposals no positive suggestions or alternatives are forthcoming that might better satisfy the needs of children.
- Having regard to the record, the Tribunal's basic policy position is:
 - * It affirms the long standing policy that children are entitled to be provided with quality, age-specific and comprehensive programs geared to their special cognitive abilities and experiences.
 - * It is part of the public interest responsibility of commercial

television licensees to provide such programs and it is also part of their statutory undertaking to provide an adequate and comprehensive service.

- * Children, like adults, are entitled to a viewing choice and are entitled to the diversity of ideas and information that is central to broadcasting policy. It would be derisory treatment of their needs to confine them to the ABC and SBS channels.
- * At least for the foreseeable future, commercial television will have unparalleled access and resources to reach young viewers. Therefore commercial television licensees cannot expect to abdicate their responsibilities to the child audience to other outlets.
- . On the basis of the policy it has enunciated and its analysis of the record, the Tribunal supports the CPC's position that reliance upon industry initiatives and market forces will not ensure that the special needs of children are adequately met by commercial television.
- . The Tribunal cannot be confident that the removal or easing of regulation would result in the provision by the commercial television industry of quality, age-specific programs to satisfy the particular and unique needs of children.
- . The Tribunal concluded that, without regulation, the position of children's television would not improve significantly. The Tribunal therefore supports, in particular, the continuation of the C program concept; the introduction of a drama quota; an Australian content requirement and restrictions on repeats and back to back programming.
- . Children's television advertising has long been regarded as one of the most difficult and contentious areas in broadcasting, where stations should be bound by firm regulatory requirements.
- . Having regard to the record, the Tribunal considers it necessary, in the public interest, to continue its regulation of advertising in C time. This is so notwithstanding an industry Code dealing with the matter and introduced by FACTS in 1981. Such a decision does not necessarily preclude Tribunal reliance upon industry codes in other areas but in the Tribunal's judgment regulation by it is the appropriate course in this matter.
- . In view of the structure of the commercial television industry it is clear that any financial burden arising from the Standards will be shared across the industry as already occurs in other programming areas. Even if the revenue derived from children's programs does not cover their costs, it is not an unduly onerous or unreasonable burden.

- Concern has been expressed by the commercial television industry about the effect of other regulatory action, such as the revision of the Advertising Time Standards, on its ability to fund children's programs. The financial effects of these Standards will be taken into account in any other regulatory action taken by the Tribunal.

Number: POS 01
Issued: 12 September 1983

POLICY STATEMENT

Grant of Permits for Test Transmissions

1. INTRODUCTION

1.1 Section 126 of the Broadcasting and Television Act 1942 ('the Act') provides:

- (1) A person who wishes to make test transmissions for purposes connected with the transmission of broadcasting programs or television programs and who is not authorised to make such transmissions by any other provision of this Act or by any other Act may apply to the Tribunal, in accordance with the form approved by it, for a permit under this section.
 - (2) On receipt of an application made under sub-section (1), the Tribunal may grant to the applicant a permit in writing authorising the holder of the permit to conduct test transmissions.
 - (3) A permit granted under this section shall continue in force for such period, not exceeding 7 days, as is specified in the permit, and is subject to such conditions as are imposed by the Tribunal.
 - (4) Transmissions shall not be made by virtue of a permit granted under this section except in accordance with such technical specifications as are determined by the Minister.
 - (5) The Tribunal may, at any time, cancel a permit granted under this section by notice given to the holder of the permit, or to such other person as the Tribunal thinks appropriate, by any means the Tribunal thinks appropriate.
 - (6) Subject to sub-section (6A) the holder of a permit granted under this section shall not broadcast or televise advertisements.
- (6A) Sub-section (6) does not apply in relation to -
- (a) a permit granted in relation to a proposed variation of a specification, being a specification as defined by sub-section 80(1); or
 - (b) a permit granted in relation to a proposed broadcasting translator station licence or a proposed television translator station licence.

- (7) Anything done in pursuance of a permit granted under this section shall be deemed not to be in contravention of the Wireless Telegraphy Act 1905 or the regulations under that Act.'

1.2 By Notice dated 24 January 1983, the Tribunal published its intention to revise the policy to be applied in the grant of test transmission permits and invited comments on the policy that the Tribunal should follow. Some 22 submissions were received in response to the Notice and they have been taken into account by the Tribunal together with other relevant information.

1.3 The purpose of this Policy Statement is to outline the principles the Tribunal will generally apply in the administration of section 126 of the Act.

2. CATEGORIES OF PERSON TO WHOM PERMITS MAY BE GRANTED

2.1 Permits may be granted to the following categories of person:

- (a) A person to whom the Tribunal has decided to grant a licence, pending the grant of that licence;
- (b) The licensee of an existing station who, with the approval of the Department of Communications, wishes to conduct technical tests relating to the operation of that station e.g. propagation tests for changed aerial systems or operating frequencies, transmission tests of new modulation techniques, etc; or
- (c) A person who is a potential broadcaster under the criteria specified below.

3. CRITERIA FOR ELIGIBILITY AS A POTENTIAL BROADCASTER

3.1 To be eligible for the grant of a permit as a potential broadcaster an applicant must meet the following criteria:

- (a) The Government must have formulated a clear and defined policy which would provide, in the foreseeable future, for the introduction of the same type of service as that for which the permit is sought, in the area to which the application relates. It will not be necessary to establish that the Minister has formally called for applications for the grant of a licence for such a service or has issued, or has under consideration, a specific planning proposal for the establishment of the service the subject of the application if such service is clearly provided for in a general policy statement by the Government. An example is the Government policy statement issued on the commencement of Phase 1 of the Development of Public Broadcasting;
- (b) The purposes of the test proposed must be consistent with the Government policy under which the permit is sought. Provided that policy allows the type of service sought to be tested in the area sought to be covered the purposes can include technical testing; program format testing, and public reaction and attitude testing.

- (c) The applicant must be a bona fide potential broadcaster, applying for the test permit on that basis.
- (d) There must be a reasonable time between the lodgment of the application and the period for which the test permit is sought for the Minister to authorise the specifications for the test permit.

4. MULTIPLE TEST TRANSMISSION PERMITS

4.1 Test transmissions are restricted to a relatively short period, to maintain their character as a 'test', and to avoid any confusion as to their status. The Act does not allow a permit for a period of longer than 7 days. Therefore, the Tribunal will apply the following criteria in determining the number of permits to be issued to one person or group:

- (a) Any impression of a regular or permanent service is to be avoided;
- (b) As a general rule, permits for consecutive periods will not be granted, particularly for tests that transmit programs. An exception is where the tests are prior to the commencement of a permanent service pursuant to a licence granted under the Act;
- (c) As a general rule, no more than 3 test permits in any period of 12 months will be granted to any one potential broadcaster.

5. CONDITIONS APPLYING TO TEST TRANSMISSION PERMITS

5.1 Conditions about the following matters will generally be imposed on the grant of a test permit where such test includes programs:

- (a) Use of a call sign will be prohibited;
- (b) The maximum duration of a test permit will be 7 calendar days rather than 168 hours over 8 calendar days;
- (c) Transmission of advertisements, including sponsorship announcements, will be prohibited, except where the permit is granted in relation to
 - (i) a proposed variation of a specification; or
 - (ii) a proposed translator station licence;
- (d) The application, to the permit and its holder, of any other section of the Act which is relevant having regard to the nature and purposes of the test, will be specified. Sections 102, 107, 111, 112, 116, 117, 118, 119 and 121 will apply to every test permit;
- (e) The application, to the permit and its holder, of the relevant provisions of the Broadcasting and Television Program Standards will be specified.

6. ENFORCEMENT

6.1 Where a test permit has been issued, failure to comply with section 126 of the Act is an offence under section 132 of the Act, rendering the person conducting the transmission liable to a fine not exceeding \$5,000 for a natural person, and \$10,000 for a body corporate.

6.2 Failure to comply with any other condition imposed by the Tribunal on the test permit, would be a factor to be taken into account by the Tribunal in its consideration of any subsequent application for a test permit, or for a licence, by the person concerned.

Amended: 27.2.84

POLICY STATEMENT

Election Advertisements

1. INTRODUCTION

1.1 The Broadcasting and Television Amendment (Election Blackout) Act 1983 amended section 116 of the Broadcasting and Television Act 1942 ("the Act") in several respects. The principal amendment was to confine the application of the 'election blackout' to 'election advertisements', as now provided in sub-sections 116(4) and 116(4A):

"(4) Where -

- (a) the writ for an election has been issued; and
- (b) the Tribunal is of the opinion that programs broadcast from a particular broadcasting station or televised from a particular television station are ordinarily received in the whole or in a part of the area of Australia to which the election relates;

the Tribunal shall, by notice in writing served on the licensee that operates the broadcasting station or television station, as the case may be, not later than 14 days before the commencement of the period that is the relevant period in relation to that election, require the licensee to refrain from broadcasting or televising from that broadcasting station or television station election advertisements in relation to that election during that relevant period.

- (4A) A licensee upon which a notice has been served pursuant to sub-section (4) in relation to an election shall not broadcast or televise an election advertisement in relation to that election in contravention of the notice. [emphasis added]

1.2 The words quoted apply only in respect of an election for one or more members of:

- (a) the Senate or the House of Representatives; or
- (b) a House of the Parliament of a State.

The blackout provisions do not apply to any referendum, or to an election for a member or members of the Legislative Assembly of the Northern Territory, the Australian Capital Territory House of Assembly, or any other assembly or council in an Australian Territory, or to local government elections in a State.

1.3 The purpose of this Policy Statement is to outline the principles the Tribunal will apply in determining whether or not broadcast or televised matter is an 'election advertisement'.

2. SCOPE OF 'ELECTION ADVERTISEMENT'

2.1 The term 'election advertisement' in relation to an election, covers three kinds of situations defined in sub-section 116(6), as follows -

- '(a) an advertisement -
 - (i) that contains election matter that relates to that election; and
 - (ii) in respect of the broadcasting or televising of which the licensee that operates the relevant broadcasting or television station has received or is to receive, directly or indirectly, any money or other consideration;
- (b) an announcement containing a statement to the effect that a program that is to be or has been broadcast or televised is or was sponsored by a particular person or persons and indicating that the person is a candidate, or one or more of the persons is or are candidates, at the election, or
- (c) an announcement containing a statement to the effect that a program is to be or has been broadcast or televised is or was sponsored by a particular political party, where a candidate at the election belongs to that political party.'

2.2 Advertisements containing Election Matter for which the Licensee receives Money or other Consideration:

In the Tribunal's opinion, this class of election advertisement will cover any broadcast or televised item containing "election matter" as defined in the Act (see paragraph 3.1 below), where -

- (a) the item as a whole can reasonably be said to promote or oppose a candidate or a political party contesting the elections, or promote or oppose a particular point of view in relation to an issue or matter being submitted to the electors at the election;

and

- (b) the licensee has received, or is to receive, directly or indirectly, a payment in money or in goods or services, or any other right, interest, profit or benefit in exchange for the broadcasting or televising of the item.

For example, in the Tribunal's view, the legislation was not intended to, nor does it in fact, prevent a bona fide unscripted exclusive interview (containing election matter) with a candidate or political leader during the blackout period for the purposes of a news or current affairs program. That is so even if the interviewee might regard the interview as an opportunity to

promote himself or herself, and the exclusive right granted to the licensee might be said to amount to 'other consideration'. Any other election advertisements broadcast or televised as an integral or incidental part of scheduled news or current affairs programs would not give rise to a contravention of the Act provided the licensee received no money or 'other consideration' (as explained above) in return for broadcasting or televising them.

2.3 Announcement of Sponsorship by Candidate(s): An announcement can take the form of spoken words and/or visual display. Where an announcement states that a particular program is or was sponsored, it is immaterial whether the program was in fact sponsored, or what form any sponsorship took. A sponsorship announcement will only give rise to a difficulty during the blackout period if it indicates (states directly or indirectly) that the sponsor is a candidate at the election.

2.4 Announcement of Sponsorship by a Political Party: The considerations outlined in paragraph 2.3 above apply here too. For example, there would be no prohibition on a sponsorship announcement during the blackout period naming a particular political party as the sponsor, if no candidate at the election belonged to that party. The Tribunal also considers that the term "political party", for the purposes of section 116, should encompass any body or organisation whether incorporated or not, having as one of its objects or activities the promotion of the election of a candidate or candidates endorsed by it or by a body or organisation of which it forms a part.

3. ELECTION MATTER

3.1 In order to fall under paragraph (a) of the definition of "election advertisement", an advertisement must contain "election matter". Election matter is defined in the Act as -

- "(a) matter commenting on, or soliciting votes for, a candidate at the election;
- (b) matter commenting on, or advocating support of, a political party to which a candidate at the election belongs;
- (c) matter commenting on, stating or indicating any of the matters being submitted to the electors at the election or any part of the policy of a candidate at the election or of the political party to which a candidate at the election belongs; or
- (d) matter referring to a meeting held or to be held in connection with the election."

3.2 Problems may arise, in particular, with advertisements containing the kind of election matter outlined in paragraphs (b) and (c) above. In accepting paid advertising for the two days immediately preceding an election day, and for the election day itself, licensees should exercise particular care in cases where the advertisers are, by their nature, close to the political process. Examples of such advertisers are:

- (a) newspapers and magazines;

- (b) Government departments and authorities;
- (c) trade unions;
- (d) industry or employer associations.

3.3 Some hypothetical examples which, in the Tribunal's opinion, would contravene the election blackout are as follows:

Example A: Taxation policy is an issue at a certain Federal general election. Two days before the polling day, a licensee televises a paid advertisement for a newspaper which states that an Election Eve Special Issue "will provide full details on the failure of the Government [or Opposition] to provide a coherent tax policy".

Example B: A political party contesting a State by-election in a rural area has made increased native forest conservation in the electorate a major issue. The day before the by-election, a licensee in the electorate televises a paid advertisement, produced for an industry association, which emphasises in a general way the economic benefits of logging to the communities in the area encompassed by the electorate, and states that any decrease in logging activity would cause the loss of jobs.

Example C: Housing policy is an issue at a certain Federal general election. On the afternoon of polling day, a licensee televises a paid advertisement, (independently of the election), which explains new subsidies for first home buyers introduced by the Government in the previous budget, and indicates that many more people can now benefit than was previously the case.

Example D: During the blackout period prior to a Federal by-election in a State capital city, a licensee in that city televises a paid advertisement, produced for a State government department, which features the State Premier. The Premier details the achievements of his Government in metropolitan transport and states that the Government is committed to considerably increased spending in this area, "in line with the policy of my party to improve the quality of city life". The Premier's party is fielding a candidate in the by-election but metropolitan transport is not directly a Federal issue.

3.4 Some hypothetical examples which, in the Tribunal's opinion, would not, or would not necessarily, contravene the election blackout are as follows:

Example E: In the situation outlined in Example A, the advertisement states only that the Election Eve Special issue "will provide full details of the taxation policies of the Government and Opposition".

Example F: In the situation outlined in Example C, the advertisement simply indicates that first home buyers may be eligible for assistance from the Department, and that further information can be obtained from Departmental offices or by ringing a certain telephone number.

Example G: In the situation outlined in Example D, the Premier simply explains new fare arrangements applicable to metropolitan transport, and invites viewers to seek a detailed brochure from the transport authority.

3.5 It should be noted, however, that although advertisements may not be prohibited under section 116, they may need to be accompanied by an announcement in accordance with section 117 of the Act, which relates to the announcement of the names of speakers and authors of statements relating to a political subject or current affairs.

4. ENFORCEMENT

4.1 It is an offence under section 132 of the Act to fail to comply with sub-section 116(4A), rendering a licensee liable to a fine not exceeding \$10,000.

4.2 By virtue of section 129 of the Act, sub-section 116(4A) is a condition of a licence; any breaches will be taken into account at the next occasion on which the performance of the licensee is reviewed, and in serious cases may warrant immediate action by the Tribunal: see sub-paragraphs 86(11B)(c)(iii) and 88(1)(a)(iii).

POLICY STATEMENT

Blasphemous, Indecent or Obscene Matter

1. INTRODUCTION

1.1 Section 118 of the Broadcasting and Television Act 1942 ('the Act') states that:

- (1) The Corporation or a licensee shall not broadcast or televise matter which is blasphemous, indecent or obscene.
- (2) A person shall not render for broadcasting or televising an item, or pass or select for broadcasting or televising an item, which contains matter which is blasphemous, indecent or obscene.
- (3) An offence against this section shall not be prosecuted without the written consent of the Minister."

1.2 By virtue of section 129 of the Act, the obligations set out in section 118 are a condition of a licence and are therefore a proper matter for consideration by the Tribunal. Indeed, because of the relevance of compliance with licence conditions to the Tribunal's licensing powers in general, it is under a statutory obligation to investigate any possible failure to comply with the obligations set out in section 118 and where appropriate to take regulatory action in accordance with the powers applicable to the failure to comply with licence conditions. Prosecutions under section 118, and compliance by the Australian Broadcasting Corporation and the Special Broadcasting Service are, however, matters for the Minister for Communications.

1.3 The purpose of this Policy Statement is to outline the principles the Tribunal applies in its administration of the obligations set out in section 118 of the Act, in so far as they constitute a condition of a licence.

2. BLASPHEMOUS MATTER

2.1 In summary, matter is blasphemous if it arouses outrage of substantial resentment in Christians by insulting offending or vilifying God, Christ, or the Christian religion: see e.g. R v Lemon [1978] 3 All ER 175; [1979] 1 All ER 898. It is important to stress that the transmission of programs criticising or opposing belief in God, Christ, or the Christian religion will not be blasphemous unless the program content goes beyond the normal boundaries of reasoned argument or discussion. In determining whether matter may be blasphemous, the Tribunal will have regard to all the circumstances and the context in which the matter was transmitted.

2.2 The use of names or phrases of Christian significance such as 'Jesus

Christ', as oaths or expletives will not normally amount to blasphemy under the common Law. However, such use of words of Christian significance, and words of significance to other religions (such as Islam and Judaism), may be offensive to a section of the public and care should be exercised: see section 119 of the Act. The prohibition on the transmission of blasphemous matter should also be read in conjunction with those Program Standards covering the denigration of religious faiths and beliefs of all kinds: see Television Program Standards, paragraph 7(h), and Broadcasting Program Standard 1(v).

3. OBSCENE OR INDECENT MATTER

3.1 The test of obscenity and indecency is whether the matter in question offends to a substantial degree the sexual modesty of the average man or woman in the Australian community or offends to a substantial degree the contemporary standards of decency currently accepted by the Australian community: see e.g. Crowe v Graham (1968) 121 C.L.R. 375, Romeyko v. Samuels (1972) 2 S.A.S.R. 529. It is the standards applicable in the Australian community at the date of the transmission that will be applied by the Tribunal and not the standards of some past age or era. Further, the standards for the whole community will be applied, not the standards of groups or classes within the community to whom transmission of the matter is intended or likely. However, the standards do not include special susceptibilities over and above those of the average member of the community.

3.2 All the circumstances and the setting of the transmission will be considered. The fact that a particular matter had a restricted publication, and the classes of persons and the ages of those persons to whom the transmission is made or likely, will be relevant circumstances in deciding whether the community standard has been breached. The words complained of will be looked at in the context of the transmission as a whole. For example, was their use accidental or deliberate? Was it a gratuitous use or a deliberate use as part of a serious presentation of a matter of artistic or literary merit, or a social or moral issue? See also Television Program Standards, paragraph 4, and Broadcasting Program Standard 1.

3.3 The influence and pervasiveness of the broadcast medium concerned will be taken into account as a relevant factor. This will vary a degree depending on the medium. In the Tribunal's view, in the context of the broadcast media, commercial television has the greatest degree of influence and pervasiveness and public broadcasting the least. Consequently contemporary community standards are likely to be more liberal as they apply to public broadcasting than as they apply to commercial television but less liberal for commercial broadcasting than public broadcasting.

3.4 There is no absolute ban on the transmission of particular language. However, for practical purposes, without setting out an exhaustive list, the following factors are likely to be relevant in a consideration of whether language would substantially offend contemporary community standards of decency and be indecent or obscene under section 118:

- (a) The broadcast medium involved (commercial television, commercial or public radio), and the nature of the broadcast market in which the station is located.

- (b) The nature of the language transmitted.
- (c) The nature of the transmission as a whole. Was the use of the language in context? Was it gratuitous? Was it deliberate? What was the overall purpose of the transmission? Did it involve a serious matter of artistic or literary merit? Did it involve a serious discussion or presentation of some moral or social issue?
- (d) The time at which the transmission was made.
- (e) The probable demographic composition and size of the audience of the transmission. Were a significant number of children or young people included in that audience?
- (f) Were warnings and other precautions taken regarding the transmission? If so, what was the nature and likely effectiveness of those measures?

3.5 The application of the principles outlined above is well exemplified in the Tribunal's reasons for decision in licence renewals for public broadcasting station 4ZZZ-FM Brisbane (1981; Report No.101/81 R(R) and commercial broadcasting station 6PR Perth (1983; Report No.154/83 R(R)).

4. RENDERING, PASSING AND SELECTING ITEMS

4.1 As well as applying to licensees, the obligations set out in section 118 apply to individuals involved in the rendering, passing or selection of items for transmission. This includes not only on-air presenters actors and interviewees, but persons who are responsible in other ways for the item being included in the programs of the station. The Tribunal would normally regard the producer and/or director of the program or item as having the primary responsibility for the purposes of sub-section 118(2), apart from a person knowingly making a blasphemous, indecent or obscene statement on-air.

5. ENFORCEMENT

5.1 Any failure to comply with the obligations set out in section 118, is a failure to comply with the conditions of a licence, and will therefore be taken into account at the next occasion on which the performance of the licensee is reviewed: see sub-paragraph 86(11B) (c) (iii) and 88(1) (a) (iii), and licence renewal reasons for 4ZZZ-FM and 6PR (referred to in paragraph 3.5).

5.2 Under sub-section 119(1), where a person is convicted of an offence under sub-section 118(2), the Tribunal may call upon that person to show cause why an order should not be made prohibiting or restricting his future involvement in the rendering, passing or selection of items for transmission. Similar action, may be taken where no prosecution has taken place, but the Tribunal is satisfied that the failure to comply with the obligations set out in section 118 occurred and caused offence to a section of the public.

5.3 In cases where the Tribunal has advanced warning that matter, which in its opinion is blasphemous, indecent or obscene, is to be transmitted by a licensee, the Tribunal will consider action under section 101 of the Act to require that the relevant matter not be transmitted.

5.4 It is an offence under section 132 of the Act to fail to comply with section 118, rendering a natural person liable to a fine not exceeding \$5,000 and a licensee liable to a fine not exceeding \$10,000. Sub-section 118(3) specifically requires the consent of the Minister for Communications for any prosecution to proceed.

5.5 In determining whether a licensee or natural person has failed to comply with the obligations set out in section 118, the Tribunal need not be satisfied beyond reasonable doubt, but only on the balance of probabilities. However, the Tribunal must examine the evidence critically and thoroughly, bearing in mind the seriousness of the consequences, and disregard evidence which is not clear and well substantiated: see Rejtek v McElroy (1967) 112 C.L.R. 517; 6PR licence renewal reasons (see paragraph 3.5).

POLICY STATEMENT

Hours of Service

1. INTRODUCTION

1.1 Paragraph 16(1)(f) of the Broadcasting and Television Act 1942 ('the Act') states that it is a function of the Tribunal 'to determine the hours during which programs may be broadcast or televised by licensees'. Section 97 of the Act provides that -

"A licensee shall not broadcast or televise programs except during such hours as the Tribunal determines."

The Tribunal has determined the hours of the day during which a station may transmit programs for every commercial and public radio and television licensee. These are referred to hereafter as the 'basic hours of service'. The basic hours of service are a factor in the Tribunal's assessment of whether a licensee is providing an adequate and comprehensive service in pursuance of the licence.

1.2 In the case of stations which do not transmit continuously, the Tribunal receives numerous requests for approval for temporary variations of basic hours of service to permit the transmission of special events outside those hours (including trade or professional telecasts in the case of television stations). The Tribunal has generally approved these requests.

1.3 In accordance with previous directions by the Tribunal and the former Australian Broadcasting Control Board, prior application in respect of variations in hours of service has not been required for -

- (a) minor variations in the time at which transmission ends for the day, if such variations are to accommodate unforeseen and unavoidable changes in the duration of individual programs; and
- (b) programs which by their nature must be presented at short notice, and transmission in times of emergency. Details of the latter have been notified to the Tribunal after the event.

The Tribunal is of the opinion that the fulfilment of its function to determine hours of service would be greatly improved if the need to apply for approval of variations of hours of service were rationalised and reduced, and the criteria to be applied were clearly stated.

2. GENERAL DETERMINATION FOR TEMPORARY EXTENSION OF HOURS OF SERVICE

2.1 The Tribunal considers that administration of hours of service can best be simplified by a general determination covering all licensees who do

not transmit continuously, allowing licensees some flexibility to transmit programs outside the basic hours of service. Accordingly, the Tribunal has made the determination of Attachment A, which will commence on 1 December 1983.

3. NOTES ON THE GENERAL DETERMINATION

3.1 The effect of the general determination above is that a licensee may, subject to certain conditions, exceed the basic hours of service specifically applicable to the licence in question without seeking prior approval from the Tribunal.

3.2 The determination makes it clear that the extended hours of service are not to be regarded as a means of routinely providing extra programs. Apart from covering delays in normal program schedules caused by technical breakdowns, or necessary schedule revision, the purpose of the general determination is to make it simpler for licensees to provide live coverage of special events which take place outside the basic hours of service, and to provide a service in emergency situations. Paragraph (b) will provide the Tribunal with the information it requires to monitor operation of the general determination.

3.3 In rare cases, it may not be possible, for technical reasons, to permit licensees to transmit programs outside their basic hours of service eg. where the basic hours of service restrict the licensee to daytime transmission in order to avoid interference with another service. In such cases, the Tribunal will notify the licensee in writing that the general determination at ATTACHMENT A is not to apply to it.

3.4 The Tribunal will keep operation of the general determination under review, and may make further adjustments having regard to licensees' performance.

4. POLICY CRITERIA FOR PERMANENT VARIATIONS IN HOURS OF SERVICE

4.1 A licensee may also seek a specific and permanent variation of its hours of service. An application for a permanent variation which will result in an increase in the basic hours of service will normally be approved unless the Tribunal is satisfied that it would not be in the public interest to do so, having regard to:

- (a) the need for an adequate and comprehensive service to be provided in pursuant of the licence; and
- (b) the financial, technical and management capabilities of the licensee.

In most cases where a significant increase is proposed the Tribunal will require information from the licensee on the kind of programming proposed for the extended service. In some cases, the Tribunal may form a prima facie view, in the absence of any application, that a licensee's current hours of service are not adequate and should be varied to enable an extended service. In such cases, the licensee will be invited to show cause why such a variation should not be made.

4.2 An application for a permanent variation which will result in a reduction in the number of hours per week the station is transmitting programs, will normally only be approved where the Tribunal is satisfied that -

- (a) the licensee does not have the financial, technical and management capabilities necessary to provide an adequate and comprehensive service during its current hours of service, and it is not advisable in the public interest to refuse to renew, or to revoke, the licence: or
- (b) it is otherwise advisable in the public interest that the hours of service be reduced.

In some cases, the Tribunal may suggest to a licensee that such a variation be made: see 7THE-FM Licence Renewal Reasons (Report No.142/83 OR(R)).

4.3 An application for a permanent variation which will alter the opening and closing times of the service, but will otherwise not result in any change to the number of hours of service, will be approved as a general rule, unless the Tribunal is satisfied it would not be in the public interest to do so.

5. ENFORCEMENT

5.1 It is an offence under section 132 of the Act to fail to comply with section 97, rendering a licensee liable to a fine not exceeding \$10,000.

5.2 By virtue of section 129 of the Act, compliance with section 97 is also a condition of a licence, and any breach will be taken into account at the next occasion on which the performance of the licence is reviewed; see GTW Licence Renewal Reasons (Report No.155/83 R(RT)).

5.3 It should be noted that it is not an offence or a breach of licence conditions for a licensee to transmit programs for a shorter period than that allowed under the station's basic hours of service. However, a licensee's undertaking to provide an adequate and comprehensive service in pursuant of the licence will be generally assessed over the basic hours of service. A consistent failure by a licensee to transmit programs for the whole of the period covered by the basic hours of service will be considered by the Tribunal in examining compliance with the undertaking.

ATTACHMENT A

BROADCASTING AND TELEVISION ACT 1942
PARAGRAPH 16(1)(f) AND SUB-SECTION (17)(1)

General Determination for Temporary Extension of
Hours of Service

1. (a) For the purpose of this Determination, 'basic hours of service' means those hours of a particular day, determined specifically for a licensee in accordance with the Broadcasting and Television Act 1942 ('the Act'), during which the licensee may transmit programs.
- (b) This Determination applies to every licensee under the Act, whether granted the licence before or after the making of the Determination, other than a licensee whose basic hours of service are from 00.00 to 24.00 every day or a licensee specifically exempted from this Determination by notice in writing from the Tribunal.
2. (a) A licensee may transmit programs before the commencement of, or after the conclusion of its basic hours of service for the purpose of -
 - (i) providing or completing live coverage of a special event;
 - (ii) completing transmission of a program which was scheduled to finish within the basic hours of service but which did not so finish; or
 - (iii) providing a service in times of local or national emergency.
- (b) Where, in the course of any month, a licensee transmits programs outside its basic hours of service in accordance with paragraph (a), the licensee shall furnish to the Tribunal, within ten working days after the end of that month, a statement giving details of the circumstances and duration of each occasion on which such transmission took place.
3. This Determination shall commence on 1 December 1983.

Dated this twenty-first day of November 1983.

For the Tribunal

David Jones - Chairman

B J Connolly - Secretary

POLICY STATEMENT

Renewal of a Licence for less than
the Maximum Period

1. INTRODUCTION

1.1 Sub-section 87(2) of the Broadcasting and Television Act 1942 ("the Act") states that:

"Subject to this Act, a licence granted by way of renewal continues in force for 3 years or such lesser period (being not less than 12 months) as is specified in the licence, but the Tribunal shall not specify a period of less than 3 years unless it is satisfied that the circumstances justify its so doing."

See also sub-section 33(11) of the Broadcasting and Television Amendment Act 1977.

1.2 In the Tribunal's opinion, the range of matters encompassed by the provision is not limited by the licence renewal criteria in section 86 of the Act. It is for the Tribunal in each case to weigh all the circumstances of the licensee's past, present and future operation about which evidence has been given, and to reach a decision which is both fair to the licensee, and accords with the public interest.

1.3 The purpose of this Policy Statement is to outline the considerations the Tribunal will generally take into account in deciding whether the circumstances in a particular licence renewal justify a renewal of the licence for less than three years.

2. AN EARLIER REVIEW OF PERFORMANCE

2.1 A short licence renewal will be considered by the Tribunal in circumstances where the performance of the licensee has been found to be unsatisfactory, but assurances have been given that changes and improvements will be made to improve the situation. In such cases, the Tribunal may decide that three years is too long a period to elapse before the promised improvement in performance is evaluated.

2.2 The need for an earlier review of performance will usually reinforce a decision to grant a short licence renewal as a sanction (see Section 3 below), or a decision to impose a condition on the licence. However, the Tribunal may consider that an earlier review of performance is necessary even where no sanction is warranted. For example, the financial, technical and management capabilities of the licensee may be so marginal as to make it doubtful whether the service could continue. In such cases, a positive review at the end of one or two years may be more appropriate than a three year renewal, particularly if the licensee has promised the Tribunal an early improvement.

3. A FORM OF SANCTION

3.1 The Tribunal regards a short licence renewal as an appropriate form of sanction where a licensee breaches a licence condition (or conditions) in circumstances which would not justify non-renewal of the licence. In this sense it may be compared to a penalty imposed for a breach of the Trade Practices Act. The principles to be applied in setting this form of penalty are well summed up by the following comments of the Federal Court in T.P.C. v Stihl Chain Saws (Aust) Pty Ltd (1978) 3 T.P.R. 306:

"The penalty should constitute a real punishment proportionate to the deliberation with which the defendant contravened the provisions of the Act. It should be sufficiently high to have a deterrent quality and it should be kept in mind that the Act operates in a commercial environment where deterrence of those minded to contravene its provisions is not likely to be achieved by penalties which are not realistic. It should reflect the will of Parliament that the commercial standards laid down in the Act must be observed, but not so high as to be oppressive."

These principles will be applied by the Tribunal in deciding the degree of sanction which should be applied.

4. REVIEW OF OTHER MATTERS AFFECTING THE FUTURE OPERATION OF THE STATION

4.1 In some circumstances, a licensee may seek or agree to a renewal of a licence for less than the maximum period for reasons of its own. For example, the licensee may be discussing with the Minister for Communications the possibility of a fundamental change to the nature of the station's licence. Without expressing any view on the desirability of such a change, the Tribunal may consider it appropriate in the circumstances to renew the licence for less than three years.

4.2 In other cases, a licensee may seek renewal of the licence for a three year period, and the performance and capabilities of the licensee may provide no justification for a short renewal in themselves. However, the Tribunal may have before it evidence that, for example, the station is affected by an internal conflict which could in the near future change the legal ownership or control of the station without that change necessarily coming before the Tribunal for approval. In such circumstances the Tribunal may regard a short licence renewal as appropriate.

5. EXAMPLES

5.1 Three recent examples of situations where the Tribunal decided on a short licence renewal as a form of sanction for breaches of the Act and licence conditions, combined with a need for early review of performance, are the licence renewals for commercial broadcasting stations 3CV Maryborough (1983; Report No. 150/83 OR(R)) and 6PR Perth (1983; Report No. 154/83 R(R)), and commercial television station VEW Kalgoorlie (1983; Report No. 156/83 R(T)). Less recent examples worthy of note are the licence renewals for public broadcasting stations 3MBS-FM Melbourne (1981; Report No. 86/81 R(R)) and 4ZZZ-FM Brisbane (1981; Report No. 101/81 R(R)). An example of a short licence renewal given in circumstances where the principal object was to

permit an earlier review of performance rather than impose a sanction is provided by the licence renewal for 7THE-FM Hobart (1983; Report No. 142/83 OR(R)).

5.2 Examples of situations covered by section 4 above are the licence renewals for commercial television station GSW Albany (1983; Report No. 155/83 R(RT)), 4KQ Brisbane (1981; Report No. 100/81 R(R)), and 2KA Katoomba (1982; Report No. 140/82 R(R)).

POLICY STATEMENT

A Licensee's Undertaking to Provide an
Adequate and Comprehensive Service in
Pursuance of the Licence

1. INTRODUCTION

1.1 The Broadcasting and Television Act 1942 ("the Act") requires persons seeking the grant, renewal or consent to the transfer of certain licences, or approval of certain share transactions, to give an undertaking to the Australian Broadcasting Tribunal: see sub-sections 83(5), 86(10), 89A(1A) 90JA(2) and 92FAA(2) of the Act. Sub-section 83(5) states:

"(5) An applicant for a licence shall, at the inquiry into the grant of the licence or, if the Tribunal, in accordance with sub-section (2), considers the application without holding an inquiry, before the consideration by the Tribunal, give an undertaking in writing to the Tribunal that he will, if the licence is granted to him -

- (a) comply with the conditions of the licence; and
- (b) if the licence is a licence referred to in paragraph (a), (b), (g), (h), (k), (ka), or (l) of the definition of "licence" in sub-section 80(1) -
 - (i) provide an adequate and comprehensive service in pursuance of the licence, having regard to -
 - (A) the nature of the community to be served in pursuance of the licence;
 - (B) the diversity of the interests of that community; and
 - (C) the nature of the other broadcasting and television services (if any) of which satisfactory reception is being obtained by that community; and
 - (ii) encourage the provision of programs wholly or substantially produced in Australia and use, and encourage the use of, Australian creative resources in and in connection with the provision of programs."

1.2 The purpose of this Policy Statement is to outline the principles the Tribunal will apply in respect of that part of the undertaking concerning the provision of an "adequate and comprehensive service in pursuance of the licence". The Statement covers both the interpretation of the undertaking, and the policy which will be applied by the Tribunal in assessing compliance

with the undertaking.

1.3 In the view of the Tribunal, it is the purpose of the Act to ensure that broadcasting is conducted in the interests of the public. In interpreting the undertaking, the Tribunal has had regard to the ordinary meaning of the words used, and where such an approach would give rise to uncertainty or competing interpretations, the Tribunal has had regard to sub-section 15AA(1) of the Acts Interpretation Act 1901 which states that:

"In the interpretation of a provision of an Act, a construction that would promote the purpose or object underlying the Act (whether that purpose or object is expressly stated in the Act or not) shall be preferred to a construction that would not promote that purpose or object."

This same principle has been given prime importance in the formulation of policy for the administration of the undertaking.

2. THE SERVICE IN PURSUANCE OF THE LICENCE

2.1 The words "adequate and comprehensive" appeared in the Act until 1977 in connection with "programs". Since 1981, they have applied to the "service in pursuance of the licence". "Service", in the opinion of the Tribunal, refers not only to the programming (including advertising or sponsorship) matter of a station, but includes the transmission of that matter to a defined community. The scope of a service is defined by the type of licence (i.e.. commercial or public, radio or television) and the specifications which govern it. The specifications cover the nature and purpose of the service, the technical operating conditions, and the service area; they are set by the Minister for Communications and may not be varied by the Tribunal except at the Minister's direction. Within the framework provided by the type of licence and the specifications, the licensee undertakes that his service will be "adequate and comprehensive" having regard in particular to the nature and diversity of the interests of the community to be served in pursuance of the licence, and to the other broadcasting and television services of which satisfactory reception is obtained by that community.

3. THE COMMUNITY TO BE SERVED

3.1 What is the Community?: The community to be served in pursuance of the licence will generally mean the body of people residing within the defined service area of the licence. If no service area is specified in the licence, or if the specification is not precise, the community to be served will be a matter for determination by the Tribunal based on evidence before it. Irrespective of whether a service area is defined, some licences (usually public broadcasting services) may specify that the purpose of the licence is to serve a sub-group of the body of persons residing within an area, united by one or more common social or ethnic characteristics. In such cases, the Tribunal will regard the community to be served as that sub-group of persons.

3.2 The Nature of the Community: The "nature" of the community involves consideration of its "essential qualities", which will include a range of factors, such as:

- (a) geographic environment;

- (b) population (with particular reference to age distribution);
- (c) ethnic composition;
- (d) educational backgrounds;
- (e) major work patterns;
- (f) major social (including recreational) patterns.

3.3 The Diversity of the Interests of that Community: Knowledge of the "diversity of the interests" of a community requires an appreciation of the goals and expectations of various sections of the community in question, not just the typical range of programming interests of the average member of the community. This is equally as applicable to licensees whose community is defined by the special purpose of the licence, as to licensees whose community to be served is simply defined by a geographical boundary.

3.4 Ascertainment of the Nature and Diversity of Interests of the Community: The most appropriate methods by which each licensee ascertains the nature and diversity of interest of the community to be served will depend on the licensee's circumstances and capabilities. For example, in small communities formal research methods may be an unreasonable expense and cost-inefficient compared to more informal methods. In other cases, the extent of community involvement in the running of a station and the production of programs may itself show a degree of responsiveness to community needs so as to make formal ascertainment unnecessary. The principal criterion to be applied by the Tribunal is assessing the weight to be placed on the ascertainment methods selected by a licensee will be simply whether the methods selected give a reliable and reasonably complete picture of the nature and diversity of interests of the community. In the larger and more disparate communities, greater weight will be placed on the need for properly conducted research (within the resource limitations of licensees) on community programming preferences and aspirations (in addition to commercial ratings surveys). In the case of licensees serving the major capital cities, the Tribunal would encourage collaboration between licensees in the production of a detailed profile of the community they serve.

4. AN ADEQUATE SERVICE

4.1 The ordinary meaning of "adequate" is "equal to the requirement or occasion". "Adequate" does not imply a uniform standard, but an assessment of the quality of performance of a service in its particular context (including the resources available to the licensee), and in relation to a particular community. In the Tribunal's opinion "adequate" refers to two aspects of a service:

- (a) the provision of programs (and advertising or sponsorship matter) which are equal to the occasion in quality, quantity and presentation; and
- (b) the provision of a satisfactory signal to the community to be served in pursuance of the licence.

4.2 In general, the Tribunal will expect licensees to maintain the highest program quality possible for the full hours of transmission. Licensees should be aware that "quality" of a program in this context is not simply a matter of the technical skill applied in making it (although this is important), but also of the extent to which the content of the program shows an understanding of, and respect for, the community being served. For example, in assessing whether a news service being provided to a particular community is of adequate quality, the Tribunal will look at the source of the news, the range of issues presented, and the overall division between local, national and international coverage. It should be noted that children's television programs which have been classified 'C' will be regarded as being of adequate quality by virtue of that classification. In the case of newly established stations, and some regional stations, allowances will be made for achievement of the optimum standards in program quality over a period of time. In assessing whether a licensee's program quality is at or below the optimum standard which can reasonably be expected of that licensee, the Tribunal will have regard to the proportion of station revenue which has been re-invested in programming over time.

4.3 In respect of a licensee's coverage of its community, the Tribunal will expect, in most cases, that a satisfactory signal will be available to the whole of that community, and will take advice from the Department of Communications on this question, as necessary. The Tribunal is, of course, aware that the ultimate decision on whether a licensee is provided with the technical specifications which permit adequate coverage of the community remains with the Minister for Communications. It has already been noted in paragraph 2.1 above, that the adequacy of any service will be judged within the limits imposed by the licence specifications. However, the Tribunal will be concerned that licensees take all reasonable steps, within existing planning procedures, to bring deficiencies in the service to the attention of the Minister, and to initiate solutions. Where there are pockets of the community with unsatisfactory reception, the Tribunal would expect a licensee to take steps to submit a proposal to the Department of Communications to rectify the situation, unless it would clearly be unreasonable in all the circumstances at that, time to expect the licensee to pay for any construction and additional operations which may be necessary.

4.4 Where the resources of a station are limited, the Tribunal understands that it may not be possible in the short term to provide substantial simultaneous improvements to both program quality and coverage of the community. In such cases, where deficiencies in both areas have been disclosed, the Tribunal will expect the licensee to establish priorities which are based on an understanding of the needs of the community being served, and a realistic assessment of where improvements are most required in order to meet those needs.

5. A COMPREHENSIVE SERVICE

5.1 The ordinary meaning of "comprehensive" in this kind of context is "of large scope" i.e.. comprehensiveness is concerned with the variety of programming being provided rather than the degree of excellence achieved by any particular kind of program. The scope of a service must be assessed within the framework provided by the type of licence and its specifications and in the light of other broadcasting and television services in the area: see paragraph 5.2. However, the Tribunal considers that the intention is that

a community should have access to a variety of programming from those stations which serve it, which reflects the nature and the diversity of the interests of that community. Variety, in this content, means not only variety in categories of programming but also variety within each category. Involved also is consideration of the type and proportion of programming provided for various interests, and when that programming is provided.

5.2 Licensees are required to have regard to the nature of the other broadcasting and television services (if any) of which satisfactory reception is being obtained by the community they are serving. This provision is of key importance in assessing whether a licensee is providing a "comprehensive" service. In determining which "other" services are to be taken into account, the Tribunal considers that the intention of the provision is that in assessing the undertaking given by any licensee (whether broadcasting or television) regard will be had to all the other broadcasting and television services providing a satisfactory signal to the community in question. Such "other" services would include those provided by the Australian Broadcasting Corporation and the Special Broadcasting Service. The effect of having regard to such other services is that the provision of a comprehensive service is to be assessed across all the services being taken into account.

5.3 It is not possible or appropriate for the Tribunal to indicate in advance in the case of any particular community what would constitute a comprehensive service, as individual programming decisions remain the responsibility of licensees. An assessment of whether a comprehensive service is being provided to a community will be necessarily a decision made on the facts before the Tribunal at the time the decision is to be made. However, any total service to a community (i.e. taking into account all relevant broadcasting and television services) which could reasonably be described as "comprehensive", should contain a significant component of programming other than entertainment (including sport), covering -

- .. information and education, particularly news and current affairs;
- .. information on local community events, interests and developments.

In assessing comprehensiveness, the Tribunal will be concerned to ensure that due attention has been paid to the needs of children, both in terms of the categories of programming and the variety within those categories. In the case of television, it should be noted that although a 'C' classification provides a standard of adequate program quality for programs transmitted between 4.00 pm and 5.00 pm on weekdays, variety within the 'C' programs transmitted remains the licensee's responsibility.

5.4 The Tribunal considers that a week is generally a reasonable period of time to reflect the variety of programming being provided to a community. While this may allow some concentration on particular kinds of programming on certain days (for example, weekend sport), the Tribunal considers it reasonable to expect that programs of interest to more than one part of the community would be available in the course of any day from the stations serving the community. The Tribunal will have regard to each licensee's scheduling policy, and how that affects the opportunity of sections of the community to have access to those programs of most relevance to them.

5 Specialised Services: The more stations that serve a particular community, the more scope there is for a station which has been licensed to provide a general service to become more specialised. The development of specialised services is a normal process in multi-station areas, and is in the public interest if it leads to real diversity in programming. In selecting a specialised program format, licensees should bear in mind that the Tribunal will expect that the total service available to the community might reasonably be described as comprehensive. Where evidence before the Tribunal suggests that significant interests in the community have been ignored, the weight that the Tribunal would attach to that fact in respect of any particular licensee would be dependent on the following matters:

- (a) whether the licensee was aware of, or had made reasonable attempts to discover, the interest in question.
- (b) whether the licensee had reasonable grounds for believing that the interest was being adequately and comprehensively served by one or more other services in the area;
- (c) whether, given the program format(s) adopted by the licensee during the preceding period of the licence, it was reasonable to expect that licensee to have served the interest in question.

6. A FOCUS FOR PUBLIC INPUT

6.1 In his Second Reading Speech on the Broadcasting and Television Amendment Bill 1981, the then Minister noted that the undertaking "provides a focus for public input at licensing inquiries". At such inquiries, where members of the public wish to make submissions relating to programming which do not allege non-compliance with express statutory requirements or Tribunal Standards, the Tribunal will normally require those submissions to address directly the licensee's undertaking, as outlined in this Policy Statement.

7. A DISCRETION IN THE PUBLIC INTEREST

7.1 The Tribunal's examination of compliance with the undertaking by a licensee goes towards a finding as to whether "it is advisable in the public interest" that the licence should not be renewed, (or should be suspended or revoked). It is important to note that non-compliance with the undertaking does not automatically mean that the license is in jeopardy. The Tribunal is aware that a number of factors may make it difficult for a licensee to reach the standards expected by the Tribunal and the community. The Tribunal will be sympathetic in cases of non-compliance where it is satisfied that the licensee has taken its responsibility seriously, and has made and will continue to make genuine efforts to provide an adequate and comprehensive service in pursuance of the licence. However, the circumstances of non-compliance may lead the Tribunal to the conclusion that the renewal of a licence for less than the full term of three years is justifiable in order to evaluate at an earlier time the licensee's compliance with the undertaking.

7.2 The Tribunal emphasises it is in the interest of licensees to be completely honest and frank with the Tribunal about their future intentions and capabilities in those cases where deficiencies in performance have been identified by the Tribunal. Where the Tribunal renews (or refrains from

taking action against) a licence on the basis of assurances from the licensee about future improvements or changes in the service, failure to carry out those assurances will be regarded a a very serious matter.

POLICY STATEMENT

Advertising Matter Relating To
Cigarettes or Cigarette Tobacco

1. INTRODUCTION

1.1 Sub-section 100(5A) of the Broadcasting and Television Act 1942 ("the Act") states that -

"A licensee shall not broadcast or televise an advertisement for, or for the smoking of, cigarettes or cigarette tobacco."

Sub-section 100(10) of the Act states -

"A reference in sub-section ... (5A) ... to the broadcasting or televising ... of an advertisement shall be read as not including a reference to the broadcasting or televising of matter of an advertising character as an accidental or incidental accompaniment of the broadcasting or televising of other matter in circumstances in which the licensee does not receive payment or other valuable consideration for broadcasting or televising the advertising matter."

1.2 The purpose of this Policy Statement is to outline the principles the Tribunal will apply in the administration of sub-sections 100(5A) and (10) of the Act.

2. AN ADVERTISEMENT FOR, OR FOR THE SMOKING OF, CIGARETTES OR CIGARETTE TOBACCO

2.1 In deciding whether an item breaches sub-section 100(5A) of the Act, two questions must be asked:

- .. is the item an advertisement?
- .. if so, is it an advertisement for, or for the smoking of, cigarettes or cigarette tobacco?

2.2 An Advertisement: Sub-section 100(5A) uses the word "advertisement", but nowhere in the Act is it defined. For the purposes of this sub-section, the Tribunal considers that "advertisement" means:

matter which draws the attention of the public, or a segment thereof, to a product, service, person, organisation or line of conduct in a manner calculated to promote or oppose, directly or indirectly, that product, service, person, organisation or line of conduct.

It should be noted that this definition will not normally catch bona fide

discussion or reporting of public affairs because, in general, such matter is not drawn to the attention of the public in a manner calculated to promote or oppose its subject.

2.3 An advertisement may take the form of, among other things, sound effects, music or spoken words and/or the visual display of names, logos or slogans, whether occupying full screen, or in titles of events, in backdrops or billboards, or on items such as clothing or vehicles.

2.4 For, or for the smoking of, Cigarettes or Cigarette Tobacco: The Act is concerned only with advertisements which are "for" cigarettes or cigarette smoking. Advertisements opposing cigarettes or cigarette smoking are not prohibited. In deciding whether an advertisement is for, or for the smoking of, cigarettes or cigarette tobacco, the Tribunal will apply the following test:

would a reasonable person regard the advertisement, in all the circumstances, as seeking, directly or indirectly, to promote cigarettes or cigarette tobacco or to encourage the smoking of cigarettes or cigarette tobacco.

Whether the advertisement displays or mentions the name of a cigarette brand or manufacturer is not the key question. The proper application of the test may mean that an advertisement which does not display or mention a brand name or manufacturer is nevertheless prohibited; on the other hand, an advertisement which does mention a brand name or manufacturer may not be prohibited.

2.5 The Tribunal will pay particular attention to advertisements which may indirectly promote cigarettes or cigarette smoking in the course of promoting other products, whether marketed by a cigarette manufacturer or not.

2.6 Hypothetical examples of advertisements which may be prohibited are:

Example A: X manufactures a very popular brand of cigarettes which are sold under the brand name "Y". X also sells a small number of pipes and cigarette lighters under the same brand name. A television advertisement by X shows (but does not otherwise describe or promote) a pipe and a lighter and concludes with the slogan: "Y products are the best in quality".

Example B: X sponsors a television talk show. Part of the arrangement is that the host conducts some interviews in front of a backdrop which displays the brand "Y" logo and the slogan "the best in quality".

Example C: Brand "Z" is commonly identified in the public mind with a certain musical theme; and a western image. A television advertisement shows a cowboy on a horse lighting a cigarette, with the musical theme in the background, but brand "Z" is not specifically identified.

3. ACCIDENTAL OR INCIDENTAL ADVERTISING

3.1 Sub-section 100(10) of the Act provides an exception from sub-section

100(5A) in circumstances where "matter of an advertising character"-

- (a) is an "accidental or incidental accompaniment" of other transmitted matter; and
- (b) "the licensee does not receive payment or other valuable consideration" for transmitting it.

3.2 Matter of an Advertising Character: The use of this phrase, rather than the word "advertisement", makes it clear that it is intended to apply to a wide range of matter apart from discrete advertisements placed directly with a licensee by an advertiser. However, the test of what constitutes "matter of an advertising character" is otherwise no different to the test described in paragraphs 2.2 and 2.3.

3.3 Accidental or Incidental Accompaniment: The transmission of advertising matter relating to cigarettes or cigarette smoking in the course of transmitting other matter will not be "accidental" if, in the circumstances of the transmission, it is more likely than not that -

- (a) the licensee intended to promote a particular brand of cigarettes, or cigarette tobacco, or cigarette smoking in general; or
- (b) a reasonable person would have foreseen that advertising matter for cigarettes, cigarette tobacco or cigarette smoking would be transmitted.

For example, where the television coverage of a sporting event refers extensively to the fact that the event is sponsored by brand "Y", and incorporates the brand "Y" logo into the program titles, that would be prima facie evidence of intention to promote brand "Y". A similar conclusion might be drawn if interviews with personalities in a sporting (or other) event are all conducted in front of a backdrop advertising brand "Y", when other interview locations are available which do not show such a backdrop. Alternatively, where the licensee does not have any arrangement with the sponsor, but covers the event in the knowledge that a quantity of advertising matter for cigarettes will inevitably be picked up in the course of the coverage, that advertising matter could not be described as an "accidental accompaniment".

3.4 Where advertising matter for cigarettes is not an accidental accompaniment of other matter, it may still be an "incidental accompaniment", and thus permissible to transmit. Advertising matter which forms an integral part of the principal subject of the transmission will not be regarded as an "incidental accompaniment". Matter will only be regarded as an "incidental accompaniment" if it is subordinate to the main matter being transmitted. Thus, if advertising matter for cigarettes dominates or forms a substantial feature of a particular radio or television program, scene or segment it will not be regarded by the Tribunal as an "incidental accompaniment" of that program, scene or segment. Ultimately, this is a question of judgement which must be made having regard to the facts of a particular case. It is not possible to provide any precise or comprehensive test on the matter. However, emphasis, tone and frequency of repetition of the advertising matter in question are relevant factors.

3.5 Payment or Valuable Consideration: The exception under sub-section 100(10) applies only where a licensee does not receive 'payment or other valuable consideration' for transmitting the advertising matter. Direct payments to the licensee are expressly included whether or not they are made by a manufacturer or retailer of cigarettes. 'Valuable consideration' has been defined in law to consist either of 'some right, interest, profit or benefit accruing to one party, or some forbearance, detriment, loss or responsibility given, suffered or undertaken by the other': Currie v. Misa (1875) L.R. 10 Ex. 162. Provision of goods or services will, of course, be included as 'valuable consideration'.

3.6 More difficult questions arise where a television licensee has paid for the rights to televise a sporting event, and each party to the agreement knows and accepts that 'incidental' perimeter cigarette advertising will take place, and that it cannot practicably be avoided. The licensee obtains 'valuable consideration', i.e. the right to televise the event, but this will not normally be "valuable consideration for ... televising the advertising matter", and hence that limb of sub-section 100(10) will normally apply in those circumstances.

3.7 The situation would be quite different if the evidence showed that an agreement was for the right to cover a sporting event in exchange for -

- (a) payment by the licensee; and
- (b) an express or implied undertaking by the licensee to televise the perimeter advertising,

especially if it appeared that a discount has been allowed to the licensee by reason of the undertaking. Not only could this amount to "valuable consideration for ... televising the advertising matter", but it would probably result in a finding by the Tribunal that the televising of the advertising matter was not an 'incidental accompaniment' of the telecast of the sporting event, since the advertising matter would clearly be an integral part of the television coverage.

4. ENFORCEMENT

4.1 It is an offence under section 132 of the Act to fail to comply with sub-section 100(5A), rendering a licensee liable to a fine not exceeding \$10,000.

4.2 By virtue of section 129 of the Act, sub-section 100(5A) is a condition of a licence; any breaches will be taken into account at the next occasion on which the performance of the licensee is reviewed: see subparagraphs 36(11B)(c)(iii) and 88(1)(a)(iii).

4.3 This Policy Statement is intended to avoid the need for more specific action. However, the Tribunal points out that failure to comply with the letter and the spirit of sub-sections 100(5A) and (10) may lead to the determination of Standards relating to incidental cigarette advertising.

POLICY STATEMENT

Holding of Public Inquiries

1. INTRODUCTION

1.1 Sub-section 18(1) of the Broadcasting and Television Act 1942 ('the Act') states that:

"Before taking action under this Act in relation to any matter, the Tribunal may if it thinks fit, and shall if this Act so provides, hold an inquiry in accordance with this Division into that matter."

Sections 83, 86, 89, 89A, 90JA and 92FAA all contain provisions describing the circumstances in which the Tribunal is obliged to hold a public inquiry before reaching a decision. However, the Tribunal may, in its discretion, decide to hold an inquiry under any of these sections, even where it is not obliged to. In other matters such as the determination of Standards, investigation of compliance with various requirements, and the like, the Tribunal's discretion to conduct a public inquiry or not, as it sees fit, is completely unfettered.

1.2 The purpose of this Policy Statement is to outline the factors the Tribunal will take into account in deciding whether or not to conduct a public inquiry into a matter.

2. LICENCE GRANTS

2.1 Under sub-section 83(2), the Tribunal must hold a public inquiry into the grant of a licence, except in the following circumstances:

- (a) the licence is for a translator station, a television repeater station, a community television aerial system, or a supplementary station;
- (b) there is only one applicant for the licence; and
- (c) no submissions (or in the case of a supplementary licence, no submissions objecting to the grant of the licence) have been received from interested persons, other than the application for the licence and "submissions that, in the opinion of the Tribunal, are frivolous, vexatious or not made in good faith".

2.2 For the purposes of this Policy Statement, the Tribunal defines "submission" as follows:

a document, lodged in response to an invitation for submissions, which seeks to support or oppose the relevant application before the Tribunal, or to persuade the Tribunal to a particular point of view, and which contains evidence or argument in support of its case.

A submission will only be dismissed on the grounds that it is frivolous, vexatious or not made in good faith if, in the opinion of the Tribunal -

- (a) it is not worthy of serious notice;
- (b) it consists of allegations or assertions of a far-fetched and damaging nature, for which insufficient supporting evidence is provided; or
- (c) views put forward in the submission are not honestly held.

2.3 In cases where the Tribunal is, by virtue of the circumstances outlined above, not required to hold an inquiry, the Tribunal will take into account the following factors in deciding whether or not an inquiry should be held:

- (a) the adequacy of the application for the grant of the licence;
- (b) the kind of licence - especially whether it is a licence for a main station or a translator station;
- (c) the record of the applicant's previous involvement, if any, in radio or television broadcasting;
- (d) the size and nature of the community to be served;
- (e) the availability of other services to the community to be served; and
- (f) such other evidence as the Tribunal may have in its possession relevant to the criteria set out in section 83.

For example, in the case of a well-documented and unopposed application by an existing licensee with excellent financial, technical and managerial capabilities for a commercial television translator station licence to serve a small rural community with no current commercial service, the Tribunal would generally grant the licence without holding a public inquiry. On the other hand, if the application failed to provide sufficient information, or the applicant's capabilities were, to the knowledge of the Tribunal, possibly insufficient to enable the station to be established within a reasonable time, a public inquiry might be scheduled.

3. LICENCE RENEWALS

3.1 Sub-section 86(11) of the Act states that -

"The Tribunal shall not refuse to renew the licence unless it has held an inquiry into the renewal of the licence or the renewal of the licence is prohibited by paragraph 86A(7)(b) or sub-section 86B(2)".

Sub-section 86(8) states that -

"Where no submissions (other than submissions that, in the opinion

of the Tribunal, are frivolous, vexatious or not made in good faith have been lodged by virtue of sub-section (4), the Tribunal shall, as soon as practicable after the expiration of the period referred to in sub-section (6), hold an inquiry into the renewal of the licence or, if it thinks fit, consider the application without holding an inquiry."

The scope of "frivolous, vexatious or not made in good faith" is considered in paragraph 2.2 above.

3.2 In cases where the Tribunal is, by virtue of the circumstances outlined above, not required to hold an inquiry, the Tribunal will take into account the following factors in deciding whether or not an inquiry should be held:

- (a) the adequacy of the application for renewal of the licence;
- (b) alleged breaches of the Act or Standards which were detected by the Tribunal during the previous period of the licence;
- (c) the kind of licence;
- (d) the size and nature of the community to be served;
- (e) the apparent adequacy and comprehensiveness of the service which was provided during the previous period of the licence (other than for translator station or CTAS licences);
- (f) such other evidence as the Tribunal may have in its possession relevant to the criteria set out in section 86.

3.3 With respect to a renewal of a supplementary licence occurring at least 8 years after the grant of the licence, special provisions apply. These require the Tribunal to examine the question of whether an additional commercial station to serve the area in question would be reasonably likely to be commercially viable after the expiration of a prescribed (three-year) period: see sub-section 86A(4). The Tribunal will issue a Policy Statement on this subject at a later date.

4. LICENCE SUSPENSION OR REVOCATION

4.1 Section 89 of the Act states that:

"The Tribunal shall not suspend or revoke a licence on any ground except after holding an inquiry into the question whether facts exist by reason of which the licence is liable to suspension or revocation on that ground."

Where the Tribunal considers that sufficient evidence may exist to justify an inquiry into whether a licence should be suspended or revoked, it will request the licensee to show cause why an inquiry should not be held. If the licensee's reply is not adequate, a public inquiry will be scheduled.

5. LICENCE TRANSFERS AND SHARE TRANSACTIONS

5.1 The Act makes it clear that the Tribunal may not refuse consent to a licence transfer or approval of a share transaction unless it has held a public inquiry: see sub-sections 89A(1B), 90JA(6) and 92FAA(6). However, there is no limitation on the circumstances in which the Tribunal may approve a licence transfer or a share transaction without a public inquiry.

5.2 Licence Transfers: Where a licence, other than a translator station or CTAS licence, is to be transferred to a company unrelated to the transferor, the Tribunal will always hold a public inquiry if it receives relevant submissions which are not "frivolous, vexatious or not made in good faith", and which object to the transfer. If no such submissions are received, the factors the Tribunal will take into account will be similar to those relevant to the grant of a licence, which are outlined in paragraph 2.3 above.

5.3 In the case of a licence transfer which would involve no real change in the ownership or control of the licence (e.g. where the applicant is a wholly owned subsidiary of the licensee, or vice versa), an application will generally be considered without a public inquiry.

5.4 Share Transactions: Share transactions fall into several major groupings of relevance to this Policy Statement:

Group A: transactions where a person acquires (directly or indirectly) an interest in the licensee company, which, for the first time in relation to that person, puts the person in a position to exercise control of the licensee company: see sections 90E and 92B.

Group B: transactions where a person, being already in a position to exercise control of the licensee company, increases (directly or indirectly) his or her interests in the licensee company by an amount which is significant in relation to the interest already held;

Group C: transactions where a person acquires (directly or indirectly) an interest in the licensee company which, for the first time in relation to that person, gives the person a 'prescribed interest' in the licence. This group is in practice limited to transactions affecting television licences, since in the case of a transaction affecting a radio licence, the person would also fall into Group A.

Group D: transactions where a person, being already the holder of a prescribed interest in the licence or in a position to exercise control of the licensee company, increases (directly or indirectly) his or her interests in the licensee company by an amount which is not significant in relation to the interest already held.

5.5 In the case of Groups A and B, the Tribunal will apply the same criteria in deciding whether an inquiry should be held, as it would if the matter were a licence transfer rather than a share transaction. In the case of Group C, the Tribunal will take into account the following factors in deciding whether an inquiry should be held:

- (a) whether the acquisition of a prescribed interest by the person is a real change in the ownership or control of the licence;
- (b) whether the Tribunal has previously approved the acquisition by the person of a prescribed interest in a licence;
- (c) whether the acquisition of a prescribed interest by the person is opposed;
- (d) such other evidence as the Tribunal may have in its possession relevant to the criteria set out in section 92FAA.

5.6 In the case of Group D, the Tribunal will normally not conduct a public inquiry unless there are special reasons for so doing.

6. INVESTIGATION OF BREACHES OF STANDARDS OR OTHER CONDITIONS OF LICENCE

6.1 The Tribunal will generally initiate investigations of breaches of Standards or other conditions of a licence without first commencing a public inquiry. If more detailed investigation appears necessary the matter may be raised at the next licence renewal for the licensee in question. In serious cases, the Tribunal may consider holding an inquiry into the suspension or revocation of the licence: see paragraph 4.1 above.

6.2 In some cases, a matter may not relate to a particular licensee, but may have general application. For example, a question may be raised about whether certain advertisements transmitted by most licensees were made in accordance with the Tribunal's Australian content Standards. If correspondence or meetings with relevant persons fail to produce sufficient information to enable the Tribunal to finalise its position, a special inquiry may be scheduled.

7. DETERMINATION OR AMENDMENT OF STANDARDS

7.1 The Tribunal believes that, as far as possible, the deliberative processes leading to amendments of, or additions to, Tribunal Standards should provide the maximum opportunity for public and industry input. The Tribunal's policy is to facilitate this process by the issue of Discussion Papers, and draft Standards. At any stage of its deliberations, the Tribunal has the option of holding a public inquiry. In general, the Tribunal will hold a public inquiry where, in its opinion -

- (a) the issues are of significant public interest;
- (b) the evidence supplied to the Tribunal is complex and/or contradictory; and
- (c) the Tribunal would be assisted by oral testing and refining of the evidence.

8. JOINED AND CONSOLIDATED INQUIRIES

8.1 Joined Inquiries: In some cases, the Tribunal may decide that two proposed inquiries will traverse enough of the same evidence to warrant a concurrent hearing. The Act permits, in particular, an inquiry into a share

transaction to be joined with a licence renewal inquiry: see sub-sections 90JA(8) and 92FAA(8) of the Act. In deciding whether to join inquiries, whether they relate to grant or renewal of licences, or some other matter, the Tribunal will pay particular attention, on the one hand, to the need for an expeditious and thorough investigation of all relevant matters, and, on the other hand, to the requirement that the Tribunal should be fair to all parties: see sections 25 and 80A of the Act. Where the Tribunal is satisfied, at any stage, that the interests of a party would be prejudiced if the inquiries were to be joined, or were to remain joined, the inquiries will be separated.

8.2 Consolidated Inquiries: Occasionally, the Tribunal may be required to hold inquiries into matters which overlap to such a degree that they cannot reasonably be regarded as separate inquiries at all. For example, an inquiry into whether a commercial broadcasting station licence should be granted to serve a certain town could not normally be conducted separately from an inquiry into whether a commercial broadcasting translator station licence should be granted to serve the same town, because the licences are, in effect, mutually exclusive: see sub-section 105AD(2) of the Act. In such cases, the Tribunal will consolidate the inquiries: see decision and reasons for consolidation of inquiries into provision of commercial broadcasting services to Coffs Harbour (published 24 May 1983). The effect of consolidating two inquiries is that they become thereafter a single inquiry, rather than two inquiries running concurrently.

PRACTICE NOTE

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Children's Programs - Classification and Review

1. INTRODUCTION

1.1 The purpose of the C classification is to indicate to parents and children that a program has been specifically designed for 6 to 13 year olds, is considered to have achieved a level of excellence and contains material of substance. The Tribunal has adopted criteria for the classification of C programs. These criteria are outlined in Children's Television Standard (CTS) 2 but essentially a C program is one which:

- (a) Is designed specifically for children older than 5 years and younger than 14 years;
- (b) Is designed to entertain children;
- (c) Is well produced technically and artistically;
- (d) Can be easily understood and appreciated by children;
- (e) Fulfils some special need of children;
- (f) Contributes to the social, emotional or intellectual development of children;
- (g) Is appropriate for Australian children, not assuming too much of the culture, dialect or environment or some other country; and
- (h) Is not outdated in content or in technical or artistic production.

The Children's Program Committee ('the Committee') is the Tribunal's advisory committee on children's television, and gives advice on the classification of C programs.

1.2 The purpose of this Practice Note is to explain the procedures which have been adopted by the Tribunal for the classification of children's programs and the review of decisions under the CTS.

1.3 Every application for a C classification will be dealt with in accordance with these procedures. Applications which do not provide the requested information may be referred back to the applicants.

2. APPLICATION FOR C CLASSIFICATION

2.1 An application for a C classification (or one of the qualified C classifications outlined in paragraph 4.1(a)) may be made by any person on Form ABT 62 available from all Tribunal offices. The completed form should be submitted to the Secretary of the Tribunal, accompanied by the following:

A. For a completed program:

- * in the case of a one-off program - the whole program;
- * in the case of a program comprising a number of episodes, three sample episodes which are true to type of the content of all other episodes of the program.

B. For a proposed Australian produced children's program other than a drama program:

- * a written proposal containing a full script of one episode and outlines of two other episodes, and a detailed description of the artistic and technical aspects of the program, together with a pilot episode of the program; or
- * if the application is for a provisional C classification, a tape presentation indicating the nature of the program.

C. For a proposed Australian children's drama program:

- * in the case of a one-off program a written proposal containing the full script plus a detailed description of the artistic and technical aspects of the program;
- * in the case of a program comprising a number of episodes, a full script of one episode and outlines of two other episodes and a detailed description of the artistic and technical aspects of the whole program.

2.2 When a proposed Australian produced children's program is to contain extracts from:

- (a) G classified film clips, including music and feature film clips;
- (b) archival footage and supporting extracts from other programs;
- (c) any other program material which has not been classified by the Film Censorship Board;

the applicant must give details in the written proposal to accompany the application of:

- (i) the nature of the extracts, including subject matter; and
- (ii) an assessment as far as practicable of the number and duration of such extracts to be included in each episode of the proposed program.

3. CONSIDERATION OF THE APPLICATION

3.1 The Tribunal's power to classify children's programs is delegated, under section 15D of the Act, to a Member of the Tribunal, hereafter called "the Member".

3.2 Every application for C classification will be considered at a meeting of the Member and the Committee. Meetings are held monthly in various cities and a schedule of such meetings is published well in advance.

3.3 The applicant may, if he so desires, appear in person, or be represented by an agent, when his or her application is considered. If the Committee is of the view that it would be assisted the applicant may be requested to attend the meeting. Meetings are conducted informally, and applicants are free to submit any additional information which will assist the Member and the Committee.

4. DECISION ON THE APPLICATION

4.1 Following consideration of the application, the Committee will

- (a) recommend to the Member that the program be classified C, station of origin C, provisional C or provisional station of origin C; or
- (b) make such other recommendation to the Member as it considers appropriate, having regard to the C program criteria.

4.2 After receiving the recommendations of the Committee, the Member will make a decision on behalf of the Tribunal on the classification of the program. The applicant will be informed of the decision by letter. The classification given will not necessarily be that sought by the applicant. If the program has not been classified C, station of origin C, provisional C, provisional station of origin C, or where the classification is not as requested, the Member will provide a brief statement of reasons to the applicant. Any further evidence which has been taken into account in reaching the decision will be disclosed to the applicant.

4.3 Where the applicant wishes to present fresh evidence or amend the program, the program may be resubmitted together with such evidence or amendments in writing to the next convenient Committee meeting without a fresh application being necessary.

4.4 Applicants who receive 'provisional C' classifications should note that a 'provisional C' does not clear a program to go to air in C time. The 'provisional C' is a classification for the assistance of producers designed to indicate before a program is fully produced whether it is likely to gain a C before the expense of production is incurred. When the program is produced, it must be submitted for 'C' classification in order to be eligible for C time

transmission. There is an exception in favour of pilot programs in some situations, as explained in CTS 10(4).

5. RELATED DECISIONS UNDER THE CHILDREN'S TELEVISION STANDARDS

5.1 In addition to the initial classification of children's programs, the Member may make other decisions, after receiving advice from the Committee, relating to the application of the CTS:

- (a) variation of C time - CTS 4(1);
- (b) renewal of C classification - CTS 8(2), 10(3);
- (c) revocation of C classification - CTS 8(3);
- (d) assessment of a program as an Australian Children's Drama - CTS 13.

6. REVIEW OF DECISIONS

6.1 An applicant who is dissatisfied with a decision of the Member may, as first step, lodge with the Secretary a written request for a detailed statement of reasons from the Member, and the Member shall furnish the statement to the applicant within 21 days after receipt of the applicant's request.

6.2 The applicant may apply for a review of the Member's decision, not later than 21 days after receipt of the statement of reasons under paragraph 6.1. An application for review must be in writing and must be supported by a submission which specifies in detail the reason for reasons why, having regard to the statement of reasons provided by the Member, the applicant considers that the decision should be reviewed. The Tribunal will request additional information in writing from an applicant if it considers that the submission contains insufficient detail.

6.3 When the Tribunal is satisfied that the application is sufficiently detailed and complete, a hearing will be conducted by a review panel comprising a quorum of the Tribunal, at a time and location to be agreed with the applicant. A representative of the Committee and where possible, the Member will also be present at the hearing, but the Member will not form part of the quorum of the Tribunal for the purposes of making its decision.

6.4 As far as practicable, the hearing will be conducted in an informal atmosphere, but the following procedures will generally apply in the interests of fairness and expedition:

- (a) the applicant will be invited to speak to the written submission lodged with the Tribunal, and present any additional matter in support of the submission. At the conclusion of this presentation, the applicant may seek the leave of the chairman of the review panel to put questions to the Committee representative to clarify any issue arising in the applicant's case. The review hearing is not an adversary proceeding, so that questions to which answers are sought should be submitted, as far as practicable, with the application for review. Answers given by

the Committee representative at the hearing will be directed to the chairman. Where it is necessary in order to ensure that the applicant has a fair opportunity to present his or her case, the chairman of the review panel may permit further questions to be put to the Committee representative at the hearing. Any such question shall be put through the chairman, and must directly refer to the decision under review.

- (b) As well as considering advice tendered by the applicant and the Committee, the Tribunal will take into account any other information it considers to be relevant. The applicant (or the applicant's agent, as the case may be) will be given notice before the hearing of any material (other than that presented by the applicant) to which the Tribunal may have regard.
- (c) The Tribunal will consider its decision and inform the applicant of it within 28 days of the hearing.
- (d) A record will be made of the hearing, and will be provided to the applicant and members of the Committee.

At all times, the onus will be on the applicant to show cause why the decision of the Member should be varied.

6.5 The Tribunal will either affirm or vary the decision of the Member. The applicant will be informed by letter of the Tribunal's decision and the reasons for the decision.

6.6 Where a decision to refuse a C classification has been affirmed by the Tribunal, the Tribunal will not consider any request for further review of that decision. A re-application under paragraph 2.1 will be accepted only if the program has been amended in a serious effort to remedy the deficiencies outlined in the Tribunal's reasons for refusing a C classification. A decision on whether to accept a re-application will be taken by the Member after receiving advice from the Committee.

7. PUBLICATION OF REASONS

7.1 Decisions or recommendations in respect of particular programs will not be made public, other than a decision that a program should receive a C classification.

7.2 General reasons (i.e. not referring to any particular programs) for the rejection of programs for C classification, or for the non-renewal or revocation of C classifications, may be made public from time to time.

Compliance with Broadcasting
Program Standard 6 - Telephone Conversations

1. INTRODUCTION

1.1 Broadcasting Program Standard 6 ("BPS 6") covers the broadcasting of casual interviews and telephone conversations. Among other things it states that licensees must observe the requirements of Telecom Australia in recording telephone conversations, and that each telephone speaker who contributes to an open line program is made aware in advance that his or her remarks may be broadcast. The Standard also requires certain controls over programs incorporating casual interviews and telephone conversations.

1.2 The Tribunal is concerned that potentially serious incidents involving telephone conversations have occurred where BPS 6 has not been fully complied with. The purpose of this Practice Note is to provide additional assistance for licensees on the objects and requirements of BPS 6 as it relates to the broadcasting of telephone conversations.

2. THE OBJECTS OF BPS 6

2.1 The objects of BPS 6 may be summarised as follows:

- (a) to prevent persons whose comments may be broadcast from being misled as to the purpose of the conversation;
- (b) to protect the privacy of such persons;
- (c) to ensure the broadcast is properly controlled; and
- (d) to require compliance with Telecom rules.

3. THE PRACTICAL APPLICATION OF BPS 6

3.1 When a station initiates a conversation it is of a particular

importance that the person contacted is clearly and fully informed of the purpose and given the opportunity to decline.

3.2 Particular care must be taken when a person is contacted by telephone. The decision by the person to participate or not must not be made on-air, and the Tribunal does not believe that a seven second delay prior to broadcasting provides adequate time to decide. Agreement to participate must be obtained prior to broadcast, and if the interview or conversation is pre-recorded, preferably before recording commences. Where, in the course of a telephone interview or conversation, any new persons are brought on the line, the station must establish clearly at the outset that all such persons are aware that the interview is being, or may be, broadcast.

3.3 If a person telephones a station seeking to participate in a talk-back program or a contest, it is not unreasonable to assume that the person is aware that his or her comments will be broadcast, and agrees to that. If lengthy delay occurs before a call is put to air, some procedure to alert the caller immediately before the broadcast begins would be desirable.

3.4 Licensees should note the further requirements, relating to the competence of comperes and/or producers and procedures to ensure exclusion of undesirable matter, applicable to telephone conversation programs: see 2KY Licence Renewal Reasons (Report No.140/82 R(R)) and 6PR Licence Renewal Reasons (Report No.154/83 R(R)).

4. CONSEQUENCES OF NON-COMPLIANCE

4.1 Licensees should note carefully that a failure to comply with BPS 6 (including the Telecom requirements) may amount to a breach of licence conditions and will be taken into account on the next occasion that the performance of the licensee is reviewed.

4.2 It is also important to note that the use of unauthorised recording device or the absence of Telecom-supplied Recorder-Connector together with a failure to inform the other person that the conversation is being recorded is an offence under the Telecommunications (Interception) Act, 1979. Failure to observe Telecom requirements may also be an offence under Telecom By-laws.

Applications for Test
Transmission Permits

1. INTRODUCTION

1.1 Section 126 of the Broadcasting and Television Act 1942 ('the Act') empowers the Tribunal to grant test transmission permits. The criteria which the Tribunal applies in granting such permits are set out in Policy Statement POS 01, issued 13 September 1983.

1.2 The purpose of this Practice Note is to explain the procedures the Tribunal will adopt in respect of the grant of test transmission permits.

2. FORM OF APPLICATION

2.1 A person who wishes to apply for the grant of a test transmission permit should submit a completed Form ABT 54 to the Secretary of the Tribunal. Copies of Form ABT 54 are available from each State office of the Tribunal.

2.2 The application should set out details of the technical specifications, proposed program or other material, together with the duration (not to exceed 7 days) and proposed date(s) of the test transmissions. Technical information required includes frequency, power, polarisation, aerial height and location, and details of the transmitter. The names and technical qualifications of persons who will supervise the test must also be included.

2.3 Where the application relates to a minor alteration in technical specifications, or the applicant has previously submitted full details of the proposed test to the Tribunal, the Tribunal may accept an application by way of a telex, telegram or letter if completion of Form ABT 54 would lead to significant delays in bringing the matter before the Tribunal.

3. TIME FOR LODGEMENT OF APPLICATION

3.1 An application must be lodged:

- (a) where the application relates to test following the grant of a licence, or the approval of a change in technical specifications - at least one month prior to the proposed commencement date for the test; and
- (b) in any other case - at least three months prior to the proposed commencement date for the test.

3.2 In situations where a licence has been granted and the Minister for Communications has already determined the final technical specifications for the licence, the Tribunal may waive the one month notice period altogether.

4. TECHNICAL SPECIFICATIONS

4.1 Sub-section 126(4) forbids test transmissions except in accordance with the technical specifications set by the Minister. No permit will be issued by the Tribunal until the specifications are finalised. It is in the applicant's interests to settle the specifications with the Department of Communications as soon as possible in order to facilitate the processing of the application. In addition, the Tribunal reminds those applicants who intend to lease technical equipment (i.e. antennas) to ensure that the equipment will be available on the dates required, in order to avoid unnecessary delays.

Meetings and Other Contact with the Tribunal

1. INTRODUCTION

1.1 The members and staff of the Tribunal have regular direct contact with many persons and organisations in the course of each year. This contact is necessary and valuable in two ways:

- (a) it enables the Tribunal to remain fully informed of developments affecting its responsibilities; and
- (b) it enables the Tribunal to quickly and informally assist a wide variety of people with information and advice relating to the Australian broadcasting system.

However, as an administrative authority with quasi-judicial powers, the Tribunal must ensure that it acts properly and is fair to everyone concerned in its decision-making processes. The Tribunal is also concerned that as a body charged with regulating in the public interest, meetings and contacts it has with outside bodies and individuals should, as far as is practicable, be on the public record.

1.2 This Practice Note outlines the procedures the Tribunal has adopted to enable it to provide the best service it can to the public and industry, and still ensure that the interests of any person coming before the Tribunal in a matter for decision are not prejudiced or given unfair preference.

2. CONTACT WITH TRIBUNAL MEMBERS

2.1 Subject to the following paragraphs, the availability of time, and the suitability of venue, the Tribunal is prepared to meet with any persons wishing to discuss a substantial issue relevant to the functions of the Tribunal. A request for such a meeting should be made in writing to the Secretary.

2.2 At any such meeting, the Tribunal will not discuss matters relating

specifically to the grant, renewal, suspension, revocation, transfer or other change in ownership of a particular licence, or past or present compliance by a particular licensee with the Act, Standards or other conditions of a licence, if a relevant inquiry has been scheduled, or is currently under consideration. Neither will the Tribunal entertain representations from any person that a published decision relating to a particular licence should be reconsidered unless it is established beforehand that the Tribunal was not aware of, or was in error concerning, facts which were significant to the decision.

2.3 The Tribunal will be prepared to discuss matters relevant to an inquiry into the formulation of program standards, or an inquiry under subsection 18(2) of the Broadcasting and Television Act, and the record of any such discussions will be treated as a submission, or addendum to a submission, for the purposes of the inquiry.

2.4 In respect of all meetings with the Tribunal involving the discussion of matters relevant to the Tribunal's functions, the following conditions apply:

- (a) a comprehensive record will be taken of the discussion;
- (b) the record will be attached to the Tribunal's files and may be subject to disclosure in accordance with the Freedom of Information Act 1982 (FOI Act); and
- (c) the fact that the meeting has taken place, and that notes of the meeting may be available under the FOI Act, will be noted in the Tribunal's fortnightly newsletter 'ABTEE'. Where practicable, advance notice will also be given in 'ABTEE' of significant consultative meetings to be held with representatives of the industry, government or public.

2.5 Individual Members: Members will not be available to discuss any matters in the circumstances outlined in paragraph 2.2 above, whether at a formal meeting or by telephone. In some circumstances, the Tribunal may authorise one or more members to represent it at a meeting. In such cases, paragraphs 2.3 and 2.4 above will apply. Members will generally not be available to give information on the interpretation or application of the Act or Standards, nor will they accept direct contact from representatives of licensees or aspiring licensees seeking approval of any proposed action.

2.6 Subject to the above, members will, at their discretion, accept written invitations to attend meetings or conventions, or take part in interviews or seminars involving the discussion of issues relevant to Tribunal functions. Any such attendance will be reported at the next Tribunal meeting and recorded in the minutes of that meeting, and will be noted in the Tribunal's newsletter, 'ABTEE'.

2.7 Members engaged in licence renewal inquiries, particularly in country areas, may accept an invitation to inspect a licensee's premises. The fact that such an inspection has taken place or will take place will be noted in the transcript of the hearing and in the subsequent report on the inquiry. Any discussions between the member and representatives of the licensee during an inspection remain subject to the restrictions in paragraph 2.2 above. At

times other than during licence renewal inquiries, members (and staff) may accept invitations to visit licensees' premises in order to familiarise themselves with current developments in the technical and production aspects of radio and television.

3. STAFF OF THE TRIBUNAL

3.1 All oral approaches for advice or information concerning Tribunal functions or specific issues should be directed in the first instance to the appropriate staff contact officers listed in Attachment A.

3.2 The contact officers are authorised to informally assist licensees and members of the public as far as possible, but are not able to commit the Tribunal to any course of action in a particular matter nor give legal advice purporting to bind the Tribunal. Where an authoritative statement or opinion is sought from the Tribunal itself, all the relevant facts should be set out in a letter addressed to the Secretary, with a request that the matter be considered by the Tribunal. The Tribunal will, if it considers it appropriate, give an opinion or a ruling on the matters referred to it.

3.3 Contact with the Press: A journalist seeking information or comment for the purposes of publication should direct inquiries in the first instance to the Chairman, the Public Relations Officer or the Secretary. In appropriate cases, these officers may refer a journalist to another Tribunal Member or staff member for further information.

4. IMPROPER CONTACT DURING AN INQUIRY RELATING TO A PARTICULAR LICENCE

4.1 If, in the context of an inquiry relating to the grant, renewal, suspension, revocation, transfer or acquisition of an interest in a particular licence, any person knowingly disregards the restrictions on contact with Tribunal members outlined in paragraphs 2.2 and 2.5 and attempts to persuade a member of the Tribunal to accept certain evidence, make a particular decision or take some other course of action, the member will provide a full report to the Tribunal. The report will form an Appendix to the inquiry report.

STAFF CONTACT OFFICERS

The officers named below may be contacted by telephone (Sydney: (02) 922-2900; Melbourne: (03) 602-0151) in relation to the listed topics. All written correspondence should be addressed to "The Secretary, Australian Broadcasting Tribunal, PO Box 1308, North Sydney, NSW 2060".

1. Rosemary James, Public Relations Officer, Sydney

- (a) Press contacts, requests for copies of media releases and inquiries relating to publication of Tribunal decisions.
- (b) All arrangements for journalists' interviews with Tribunal members.

2. Brian Connolly, Secretary, Sydney

- (a) Press contacts, and general inquiries about Tribunal responsibilities and current activities.
- (b) All arrangements for formal meetings with the Tribunal.
- (c) Inquiries on matters relating to administration, staffing and organisation of the Tribunal.

In Melbourne, inquiries relating to (c) may be directed to Clarrie Answerth.

3. Jack Quaine, Director, Program Services Division, Melbourne

- (a) All complaints and inquiries relating to programs and advertisements on radio and television (other than the ABC and SBS).
- (b) Inquiries relating to Tribunal research.

In Sydney, inquiries and complaints concerning programs and advertisements may be directed to Charles Williams.

4. Stephen Wilson, Director, and Jim Adamson, Assistant Director, Public Inquiries/Licensing Division, Sydney

- (a) Inquiries concerning public inquiry schedules, lodgement of documents, submissions time limits, etc. in grant or renewal inquiries.

(b) Inquiries concerning ownership or control matters, including shareholdings, notices and applications for approval of share transactions, loan interests, directorships, etc.

Inquiries relating to (a) should be directed to Jim Adamson, and inquiries relating to (b) should be directed to Stephen Wilson.

In Melbourne, inquiries relating to (a) may be directed to Clarrie Answerth and inquiries relating to (b) may be directed to Mark Austin.

5. Leo Grey, Principal Executive Officer (Legislation), Sydney

(a) Inquiries of a purely legal nature concerning the Broadcasting and Television Act, Standards, and Freedom of Information Act.

(b) Inquiries concerning Policy Statements and Practice Notes issued by the Tribunal.

(c) Inquiries concerning applications for review of Tribunal decisions by the Administrative Appeals Tribunal or Federal Court.

6. Cleo Sabadine, Acting Head, Secretariat, Sydney

Inquiries concerning applications for access to documents under the Freedom of Information Act.

7. State Offices

Inquiries on any matter relating to the Tribunal may be channelled through the Tribunal's State Offices in States other than NSW and Victoria.

<u>Queensland:</u>	Bill Gibson	Tel: (07) 371-2277
<u>South Australia:</u>	Allan Biggs	Tel: (08) 51-4041
<u>Western Australia:</u>	Bernie Doyle	Tel: (09) 325-7041
<u>Tasmania:</u>	Brian Coogan	Tel: (002) 34-5918

APPENDIX P

DECISIONS OF THE AUSTRALIAN BROADCASTING TRIBUNAL RELATING TO CIGARETTE
ADVERTISING TO 30 JUNE 1984

Advertiser: Alfred Dunhill Ltd

Title: House of Dunhill (Key No. RMP 3596)

Description: A man enters the Dunhill shop (apparently the London shop) and is welcomed by staff. As he walks through the shop, and examines various items, the camera shows a range of products available in the shop. The man leaves the shop with a cigarette lighter, and the final sequence includes a scene showing the man tossing the lighter in his hand, accompanied by the distinctively styled Dunhill name. The audio content contains the Dunhill musical theme and stresses the traditional craftsmanship in Dunhill products. In conjunction with the final frame, the voice over states 'Dunhill, for those who appreciate the finer things'.

Decision: By majority (Jones (C) exercising casting vote, Archer (V-C), Armstrong; Weigall, Wilkinson and Watterson dissenting), the advertisement is not an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: Alfred Dunhill Ltd is a company associated with a wide range of products apart from cigarettes, including clocks and watches, ties, hats, towels, toiletries, pens, shirts and pullovers etc. These products are available in Dunhill shops in major cities and through other department stores. Although the majority of the public would generally associate Dunhill with cigarettes, the company has wide and growing interests apart from tobacco.

The advertisement presents, in the opinion of the Tribunal, an extremely difficult case. On the one hand, the advertisement advertises a range of products bearing the 'Dunhill' name available from the Dunhill shops, all of which in themselves are quite legal to sell, and (apart from cigarettes) to advertise on television. On the other hand, in promoting the company as a whole, the advertisement may also have the effect of promoting or increasing brand awareness of the company's major product, its cigarettes, which are packaged under the Dunhill name with the distinctive stylised lettering and red and gold livery. The final images of the advertisement together with the slogan are worthy of particular note.

This issue must be decided, in the Tribunal's view, according to the perception of a reasonable person,

taking into account all the circumstances, particularly the extent to which Dunhill products apart from cigarettes are available to the public and are significant in Dunhill's operations. In its Policy Statement POS 07, the Tribunal referred to a hypothetical example in which an advertisement referred for smoking-related products which were only a small feature of company business might well be in breach of the Act if it would appear to a reasonable person that the advertisement was in fact seeking to promote the cigarettes which accounted for most of the company's business.

In this particular case, the range and availability of Dunhill products other than cigarettes, and the concentration of the advertisement on those products, has satisfied the majority of the Tribunal, on balance, that a reasonable person would not regard the advertisement in all the circumstances as seeking, directly or indirectly, to promote Dunhill cigarettes.

A minority of the Tribunal disagrees and would find the advertisement in breach of sub-section 100(5A). In its view the advertisement would reasonably be regarded as seeking to promote the brand name 'Dunhill' in a general way and to draw attention to the quality of, and satisfaction to be gained from, all goods sold under the Dunhill brand name, including cigarettes. Although cigarettes or cigarette packets are not visible, the stylised brand name of Dunhill as used on Dunhill cigarette packets and associated in the public mind with cigarettes is given prominence throughout the advertisement. It is also relevant in the assessment of the overall effect of the advertisement to note the words used in the advertisement, namely 'Dunhill, for those who appreciate the finer things'. These are exactly the same as those used in Dunhill print media advertising for cigarettes.

Advertiser: PBL Marketing Pty Ltd

Title: Radio commercial for Benson and Hedges World Series Cup.

Description: Details are given of the location and starting times of a cricket match in the 'Benson and Hedges World Series Cup'.

Decision: The advertisement is not an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The only references in this radio commercial to Benson and Hedges are as part of the official title of the World Series Cup.

The advertisement itself was placed by the promoters of the World Series matches. The words appear without any special emphasis, embellishment or additional reference (for example, to Benson and Hedges sponsorship of the event), and, of course, without the strong visual reinforcement occurring in some television advertisements. The mere mention of the name Benson and Hedges in the absence of additional promotional matter is insufficient to lead to the conclusion that the advertisement seeks to promote cigarettes.

The Tribunal is of the opinion that a reasonable person would not regard the advertisement, in all circumstances, as indirectly promoting Benson and Hedges cigarettes.

Advertiser: Hoyts Theatres Ltd

Title: 'Aussie Assault' (Key Nos.AA55/1R, AA55/2R and AA25/1R)

Description: The advertisement show scenes from the documentary film 'Aussie Assault' which concerns Australia II's successful challenge for the America's Cup. At the beginning and end of the advertisements, an inset in red and white contains the words 'a Winfield Company sponsorship'.

Decision: The insets in the advertisements are advertisements for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: Rothmans of Pall Mall (Aust.) Ltd has registered the 'Winfield 25's Company' as a business name. The 'Winfield Company' appears to be simply a contraction of this business name. There is no corporation called the Winfield Company, nor does 'Winfield' have any associations apart from a popular brand of cigarettes distinguished by its red and white packet. The use of the insets in the 'Aussie Assault' advertisement is apparently intended to promote, or attract goodwill to, the name 'Winfield' and, by extension, the only product bearing the Winfield name.

If there were no insets in the advertisements no issue under sub-section 100(5A) would have arisen. Furthermore, if the material had appeared in the course of a program, rather than a paid advertisement, there would have been a question as to whether it was 'incidental' to the matter in which they appeared. That exception to sub-section 100(5A) is not available in this case.

The comments of FACTS Commercials Acceptance Division were sought. In a very brief response, FACTS advised that senior counsel was of the opinion that the advertisements did not infringe sub-section 100(5A), and it was therefore not proposed to withdraw acceptance for them. No details of counsel's advice were provided.

The Tribunal is of the opinion that a reasonable person would regard the insets in the advertisements, in all the circumstances, as seeking indirectly to promote Winfield cigarettes.

Advertiser: Bryant & May

Title: Redhead Matches - 'Strike up a friendship' (Key No.0364/30T)

Description: An attractive couple are located in a comfortable room in front of a log fire. They are playing in a lighthearted fashion with boxes of Redhead Matches bearing playing card designs. At the beginning and end of the advertisement, the man lights a cigarette for the woman with the matches. A vocal refrain and visual slogan invite the viewer to 'strike up a friendship'.

Decision: The advertisement is an advertisement for the smoking of cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The advertisement concerns the use of matches to light cigarettes. In so doing, it shows a young and attractive couple in a sophisticated setting enjoying cigarettes. The man and the woman are apparently getting to know each other (striking up a friendship) and the cigarette smoking, and the lighting of the partner's cigarette, are presented as central features of the cosy romantic atmosphere. The association of smoking with successful social interaction is strongly emphasised by the slogan 'strike up a friendship'.

The comments of FACTS Commercials Acceptance Division were sought. In a very brief response, FACTS advised that senior counsel had advised that the advertisement did not infringe sub-section 100(5A), and it was therefore not proposed to withdraw acceptance for it. No details of counsel's advice were provided.

The Tribunal is of the opinion that a reasonable person would regard the advertisement, in all the circumstances, as seeking indirectly to encourage the smoking of cigarettes.

Advertiser: Benson and Hedges Company

Title: Test Cricket - 'Field of Battle' (Key No.016.T.606)

Description: Two medieval knights are shown in a slow motion sword fight. The visual content progresses to show cricketers in the same stylised fashion, with the voice track echoing the 'field of battle' motif. The final part of the advertisement includes extracts from previous Test matches (including Benson and Hedges hoardings), and concludes with a final shot of the Benson and Hedges coat of arms and distinctly lettered name in gold on black, together with a voice over stating 'proudly sponsored by the Benson and Hedges Company'.

Decision: The sponsorship announcement is an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The issue in this advertisement is whether the sponsorship announcement including the use of the Benson and Hedges arms and colours breaches sub-section 100(5A). The name and arms of the Benson and Hedges Company are, in the public mind, associated almost exclusively with cigarettes, notwithstanding some other activities undertaken by Benson and Hedges. An advertisement placed by Benson and Hedges (rather than the relevant sporting body) which gives as much prominence to promoting the Benson and Hedges Company as this advertisement does can reasonably be assumed to be intended to promote, or obtain goodwill for, the only product universally identifiable with that company, namely cigarettes. It should be noted that the simple mention of the name Benson and Hedges as part of the title of the event would not itself lead to this conclusion in the absence of the strong visual images at the end of the advertisement which closely parallel (although in 'negative') the design of the Benson and Hedges cigarette packet.

The comments of FACTS Commercials Acceptance Division were sought. In a very brief response, FACTS advised that senior counsel was of the opinion that the advertisement did not infringe sub-section 100(5A), and it was therefore not proposed to withdraw acceptance for it. No details of counsel's advice were provided.

The comments of station TVW-7 Perth, which had televised the advertisement, were also sought. In a brief response, TVW stated simply that the advertisement was 'manifestly not an advertisement for, or for the smoking of, cigarettes or cigarette tobacco. This view applies with or without regard to the application of the policy statement POS-7'.

The Tribunal is of the opinion that a reasonable person would regard the sponsorship announcement, in all the circumstances, as seeking indirectly to promote Benson and Hedges cigarettes.

Advertiser: Benson and Hedges Company

Title: Australian Ballet (Key No.017.T.006)

Description: A ballerina explains the forthcoming program of the Australian Ballet. The advertisement concludes with a final shot of the Benson and Hedges coat of arms and distinctly lettered name in gold on black, together with a voice over stating 'proudly sponsored by the Benson and Hedges Company'.

Decision: The sponsorship announcement is an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: This advertisement contains a sponsorship announcement which is identical to that attached to the Test Cricket advertisement, 'Field of Battle'. For the reasons expressed in relation to that advertisement, the Tribunal is of the opinion that a reasonable person would regard the sponsorship announcement, in all the circumstances, as seeking indirectly to promote Benson and Hedges cigarettes.

Advertiser: Australian Ballet

Title: 1984 Season (Key No.017.T.006)

Description: A ballerina explains the forthcoming program of the Australian Ballet. The advertisement concludes with a final shot of the Benson and Hedges coat of arms and distinctly lettered coat of arms and distinctly lettered name in gold on black, together with a voice over stating 'proudly sponsored by the Benson and Hedges Company'.

Decision: The sponsorship announcement is an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The sponsorship announcement is identical to that attached to the Benson and Hedges 'Field of Battle' advertisement, which was produced by the same advertising agency. The difference is that, in this case, the advertisement was not placed by the tobacco company itself.

While the fact that such an advertisement has or has not been placed by the Benson and Hedges Company is relevant, it is only one factor to be taken into account. Primary attention must be focussed on the actual form of the advertisement itself.

In this case, the Tribunal is of the opinion that a reasonable person would regard the sponsorship announcement as seeking indirectly to promote Benson and Hedges cigarettes, irrespective of who actually placed the advertisement.

Program: 1982 NSW Rugby League Grand Final (Winfield Cup) - live telecast

Station: ATN-7 Sydney

Description: Directly alongside the field, some distance in from the perimeter, were a number of large A-frames bearing the words in red, white and gold: 'Anyhow have a Winfield 25's'. On the half-way line, the A-frame said 'Winfield Cuyhow have a Winfield 25's'. On the half-way line, the A-frame said 'Winfield Cup. Making the big game bigger'. Similar advertising signs were positioned on the stands behind the goalposts, and a large Winfield sign in the shape of the cigarette packet was stained into the grass behind each goalpost. Prior to the commencement of the game, a dance display was televised. The dancers were dressed in red and white and waved flags bearing the red and white 'V' design associated with the Winfield packet. The climax of the display showed an aerial shot of a large flag bearing the words 'Winfield Cup' in red and white, unfurled parallel to the ground, and rotated slowly by the dancers to the accompaniment of that section of Tchaikowsky's Fifth Symphony which is commonly recognised as the Winfield theme.

Decision: The telecast of the 1982 NSW Rugby League Grand Final contained matter of an advertising character for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act, 1942 which was not accidental or incidental to the telecast of the Grand Final.

Reasons: The A-frames bearing the words 'Anyhow have a Winfield 25's' were matter of an advertising character for Winfield cigarettes. In the Tribunal's opinion, the dance display prior to the match was, taken as a whole, also advertising matter for Winfield cigarettes, although the Tribunal would not regard the individual elements of the display (i.e. the red and white dancers and flags, the large 'Winfield Cup' flag, and the musical theme) as sufficient to constitute advertising matter for Winfield cigarettes in the absence of all the other elements. The central issue in respect of this telecast is whether the exemption in sub-section 100(10) applies. It is not proposed to canvass the issue of valuable consideration since the purpose of this decision is not to record a breach by the licensee, but to express a view on the content of the telecast. It is clear that the televising of the advertising matter was not 'accidental': see POS 07, paragraph 3.3.

The question comes down to this: was the televising of the advertising matter 'incidental' to the televising of the rugby league match itself? The criteria which the

Tribunal considers must be applied are set out in paragraph 3.4 of POS 07. A judgement must be made as to whether the advertising matter dominates or forms a substantial feature of the program, scene or segment, having regard to the emphasis, tone and frequency or repetition of the advertising matter in question.

In the Tribunal's opinion, it is clear that the advertising character of the dance display could not be regarded in any way as 'incidental'. On the contrary it was completely self-contained and separated from the match itself.

The Winfield A-frames surrounding the field were apparently placed so as to ensure maximum television exposure. The Tribunal noted that most of the signs were on the side of the field facing the camera locations. The coverage by ATN showed frequent and lengthy close-ups of the A-frames and other signage around the field, sufficient for the Tribunal to conclude that it would not be regarded as 'incidental', whether or not ATN intended it to be included in the telecast.

This conclusion was reached both in respect of particular segments of play, and the telecast as a whole.

The comments of ATN were sought by the Tribunal. The station made the following points:

'Executives of ATN were aware that many advertising signs were located at this ground. It is not in the interest of a television station to give any long or repeated television exposure to any of these signs (whether for cigarette products or not). Nevertheless, as the most important obligation the station has is to give a comprehensive coverage of the game being played, it is impossible to avoid exposure of many of the signs.

You have pointed out that some of these signs were for the product 'WINFIELD'. We were not particularly aware of this advertisement nor any other, so cannot dispute your claim.

ATN received no reward, either financial or otherwise, to induce us to include exposure of this or any other advertising hoarding in our telecast.

Part of the coverage of this important television program was the lead up to the game. We were aware that this would include several spectacular entertainment items. In pre production briefings we were made aware of broad details such as, there

would be sky-divers and marching girls. We were not aware of the point of landing of the skydivers not the actual choreography of the marching girls.

As it transpired, the marching girls were dressed in one of the Winfield colour schemes and part of Tchaikovsky's Fifth Symphony was played. But, let us face it - Winfield colours include red & white, blue & white, and green & white - these are also the colours for three of the teams in the Sydney competition. Tchaikovsky's Fifth Symphony had achieved some significant public acceptance before Winfield's sought to borrow it.'

The Tribunal noted particularly the station's assertion that in providing a comprehensive coverage of the game, 'it is impossible to avoid exposure of many of the signs'. The Tribunal accepts that some advertising signage will appear in such telecasts, and this is covered under sub-section 100(10). The question is whether it was possible to reduce the coverage of the advertising signage to a level which could properly be called 'incidental' without adversely affecting coverage of the game itself. In this regard, the Tribunal examined tapes of the TEN and TCN coverage of the 1983 Rugby League Grand Final. In 1983, the layout of the Winfield signage was substantially similar to 1982. Disregarding the dance display, which was much less associated with Winfield cigarettes in 1983 than the year before, the Tribunal noted that the TEN and TCN cameras were able to avoid most of the signage through the careful use of camera angles and close up shots. It was also apparent that the cameras moved quickly off such signage as did appear close to the action. In the Tribunal's opinion, the two 1983 coverages did not result in a contravention of the Act, and demonstrate that such contraventions can be avoided. In any event, if a licensee considers that the advertising matter cannot be avoided to the degree necessary to avoid a contravention, it must accept the responsibility of refusing to televise the event unless and until change are made to the positioning of the signage.

Program: 1982 Winfield Masters Snooker Tournament.

Station: TEN-10 Sydney.

Description: The snooker table was located in a studio belonging to TEN, surrounded by banks of seats for the audience. Around the facings of the banks of seats at the table height was a red and white strip bearing the repeated words 'Winfield Masters'. Near one corner of the table was a scoreboard resembling a Winfield cigarette packet with the name Winfield prominently displayed. A sign above the audience, also in red and white, carried the words 'Winfield Masters Snooker'.

Decision: The telecast of the 1982 Winfield Masters Snooker contained matter of an advertising character for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942 which was not accidental or incidental to the telecast of the snooker.

Reasons: The scoreboard, and the strips surrounding the table were, in the opinion of the Tribunal, matter of an advertising character for Winfield cigarettes. It is clear that the televising of the advertising matter was not accidental: see POS 07, paragraph 3.3.

Was the televising of the advertising matter incidental to the televising of the snooker itself? The fact that the licensee constructed the set in its own studio could reasonably lead to the conclusion that the advertising matter was intended to be an integral part of the program, and therefore could not be incidental: see POS 07, paragraph 3.4. However, even if the advertising matter were not intended to be an integral part of the program, its proximity to the snooker table and incorporation into the scoreboard make it inevitable that it would form a substantial feature of the program. In the Tribunal's opinion, the Winfield advertising matter was not incidental to the program.

In 1983, TEN once again televised the Winfield Masters Snooker Tournament, using a similar set to 1982. The first episode was viewed by the Tribunal and the matter was raised with TEN management. As a result, in the second and subsequent episodes of the 1983 tournament, the Winfield signage was substantially reduced, and did not, in the Tribunal's opinion, lead to a contravention of sub-section 100(5A).

Advertiser: Euromarketing Internationale

Title: Tozzi Australian Tour Promotions.
(Key Nos: TOZ I/30/S; TOZ I/30/M; TOZ I/30/A). The three commercials are identical apart from closing graphics relating to different venues.

Description: A proposed television commercial, promoting the forthcoming tour of the Italian singer Tozzi, includes a full-screen graphic containing:

- (i) in the top left-hand corner a logo reading 'Eurobiz Internationale';
- (ii) in the top right-hand corner a square of a freeze frame of fireworks exploding; and
- (iii) a caption reading 'Peter Stuyvesant International', above which is a representation of a plane in flight. The words 'Peter Stuyvesant' are in the distinctive colouring and lettering associated with that brand of cigarettes. The representation of the plane in flight is identical to that used in 'Peter Stuyvesant' print media.

The full screen graphic is accompanied by an audio statement: 'Eurobiz and Peter Stuyvesant International present ...', which associates the artist's tour with the 'Peter Stuyvesant' company.

Decision: The graphic is an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The issue in this proposed commercial is whether the graphic, through its portrayal of Peter Stuyvesant International in colours and with lettering traditionally associated with this cigarette brand, together with the plane in flight, breaches sub-section 100(5A).

The name Peter Stuyvesant is, in the public's mind associated almost exclusively with cigarettes. The Tribunal recognises that the mere announcement of the name Peter Stuyvesant as co-sponsor of an event in a commercial concerning that event would not by itself lead to the conclusion that such announcement was an advertisement for cigarettes. However, the use in the graphic containing strong visual images associated with Peter Stuyvesant cigarettes changes its character and leads the Tribunal to conclude that a reasonable person would regard the graphic as seeking indirectly to promote Peter Stuyvesant cigarettes.

Note: The proposed commercial was never televised. However, a reconstructed version, which omitted the full-screen graphic, was subsequently televised.

Advertiser: B.A.L. Marketing, a division of Tamworth Radio Development Co Pty Ltd.

Title: Radio commercials for 'Chesterfield Star Maker' Quest.

Description: The commercials provide details of how to enter the 'Chesterfield Star Maker' talent quest and give the location, starting times and admission prices for various public stagings of the quest.

Decision: The commercials are not advertisements for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The principal references in these radio commercials to 'Chesterfield' are as part of the title of the quest which the commercials seek to promote. The words 'Chesterfield Star Maker' appear in the context of references to the quest itself and contestants in the quest. The word 'Chesterfield' also appears as part of the slogan 'Chesterfield Star Maker puts a shine on the stars-to-be', which occurs at the conclusion of the commercials.

The word 'Chesterfield' appears twice only in each of the commercials (in one it appears three times) in the context of a description of or reference to the quest which bears that name. The pre-ponderance of each commercial is devoted to promoting various aspects of the talent quest itself. In these circumstances, the Tribunal is of the opinion that a reasonable person would not regard these commercials as seeking to promote Chesterfield cigarettes.

Title: Promotion for NSW Rugby League.

Description: This item is a promotion for the NSW Rugby League. It involves a series of excerpts from rugby league games featuring prominent players against a backdrop showing spectators obviously enjoying 'the action'. It ends with a brief superimposed graphic on the bottom right hand corner of the screen in distinctive Winfield colours stating 'Winfield Cup - making the big game bigger'.

Decision: This item is not an advertisement for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942.

Reasons: The Tribunal is of the opinion that the mention of the name Winfield Cup in the item in the manner described above is insufficient to lead to the conclusion that it seeks to promote cigarettes.

Program: Telecast of an Australian Rules Football Match, played in Adelaide, in the Sterling Cup Series - 3 April 1984.

Station: HSV-7 Melbourne.

Description: Located at intervals around the ground on which this match took place were signs bearing the words 'Sterling 25's' "What a Sterling Idea" and 'Sterling Cup' "What a Sterling Idea". These signs were positioned on the boundary fence behind both goalposts, the eastern centre wing and the left forward pocket at the southern end of the ground. Distantly and barely visible, located on the grandstand awning, on the eastern wing and behind the goalposts at the southern end were signs stating 'Escort 30's - Join the Club'. No other advertising signs were visible apart from the logo of the South Australian National Football League and signs placed by spectators.

Decision: The telecast of this Australian Rules football match contained matter of an advertising character for cigarettes within the meaning of sub-section 100(5A) of the Broadcasting and Television Act 1942. Such matter was however incidental to the telecast of the match as provided for in s.100(10) of the Act. The telecast of such matter was not therefore prohibited by the Act.

Reasons: In the opinion of the Tribunal, the placement of the signs for Sterling cigarettes at the ground on which this telecast match was played greatly increased the opportunity for their television exposure. In such circumstances, the Tribunal considers that a station must exercise correspondingly greater care and caution in its match coverage in order to ensure that cigarette advertising signs do not dominate or become a substantial part of any particular segment of the telecast or the telecast as a whole.

The Tribunal carefully examined a recording of HSV's telecast of the last quarter of this match. The Tribunal observed, amongst other things, that the coverage did not contain frequent and lengthy close-ups of the Sterling cigarette signs. The Tribunal concluded that the Sterling cigarette signage contained within this telecast was incidental to it.

APPENDIX Q

LISTS OF REPORTS ON PUBLIC INQUIRIES PUBLISHED 1983-84

- 143/83 R(RT) . 2AY Albury, 2QN Deniliquin, 2WG Wagga Wagga, AMV-4 Upper Murray, RVN-2 South Western Slopes and Eastern Riverina, and associated television translator stations - licence renewals.
- 144/83 OR(T) . BTQ-7 Brisbane - licence renewal
 . Acquisition by Fairfax Corporation Pty Limited of shares in Brisbane TV Limited
 . Acquisition by Guerdon Pty Limited of shares in Brisbane TV Limited (joined inquiries).
- 145/83 R(RT) . 5AU Port Augusta, 5MU Murray Bridge, 5PI Crystal Brook, 5RM Renmark, 5SE Mount Gambier, 2BH Broken Hill, BKN-7 Broken Hill, GTS-4 Spencer Gulf North, and associated television translator stations - licence renewals.
- 145A/83 OR(T) . RTS-5A Renmark-Loxton and SES-8 Mount Gambier - licence renewals.
 . Acquisition by Murray River Telecasters Limited of shares in Riverland Television Pty Limited
 . Acquisition by Scott's Agencies Pty Limited of shares in South East Telecasters Limited (joined inquiries).
- 146/83 R(T) . 3BO Bendigo, 3CS Colac, 3WN Horsham, 3MA Mildura, 3TR Sale, 3SR Shepparton, 3SH Swan Hill, 3NE Wangaratta, 3UL Warrangul, BCV-8 Bendigo, GMV-6 Goulburn Valley, GLV-8 LaTrobe Valley, STV-8 Mildura, and associated television translator stations - licence renewals.
- 146A/83 R(R) . 3GCR-FM Churchill - licence renewal
- 150/83 OR(R) . 3CV Maryborough - licence renewal
 . Acquisition by Mr W R Lanyon of shares in WOS Broadcasting Pty Limited
 . 3YB Warrnambol - transfer of licence to WOS Broadcasting Pty Limited (joined inquiries)
- 151/83 G(R) . City of Gold Coast LGA and surrounding portions of the Shires of Albert and Tweed - public radio licence grant
- 152/83 R(R) . 3MBS-FM Melbourne - licence renewal
- 156/83 R(T) . VEW-8 Kalgoorlie and associated television translator stations - licence renewals
- *157/83 T(T) . Tully Falls and Cardstone Village, Qld - commercial and National television translator station grants

- 158/83 R(RT) . 4LM and ITQ-8 Mount Isa, and associated television translator stations - licence renewals
- *159/83 R(R) . 4NA Nambour - licence renewal
- 160/83 R(R) . 2DAY-FM and 2MMM-FM Sydney, 3EON-FM and 3FOX-FM Melbourne, 4MMM-FM Brisbane, 6NOW-FM Perth and 5SSA-FM Adelaide - licence renewals
 - . 2MMM-FM - licence transfer (joined inquiry)
- 161/83 R(T) . TVQ-0 and QTQ-9 Brisbane - licence renewals
- *162/83 R(R) . 2NW Muswellbrook - licence renewal
- 163/83 R(RT) . 4AK Oakey, 4GR Toowooba, 4GY Gympie, 4MB Maryborough, 4SB Kingaroy, 4VL Charleville, 4WK Warwick, 4ZR Roma, DDQ-10 Darling Downs, SDQ-4 Southern Downs, SEQ-8 Wide Bay and associated television translator stations - licence renewals
- 164/83 R(RT) . 4BU Bundaberg, 4CD Gladstone, 4RO Rockhampton, 4HI Emerald, 4LG Longreach, RTQ-7 Rockhampton, and associated radio and television translator stations - licence renewals
- 166/83 R(RT) . 2WS Sydney, 2GO Gosford, 2NX Bolwarra, 2HD, 2KO and NBN-3 Newcastle, and associated television tralsator stations - licence renewals
- 167/83 OR(RT) . 4CA Cairns, 4AM Atherton/Mareeba, 4KZ Innisfall/Tully, 4MK Mackay, 4TO Townsville, 4AY Ayr, 4GC Charters Towers, FNQ-10 Cairns, MVQ-6 Mackay, and associated television translator stations (including TNQ-5 Cardstone Village) - licence renewals
 - . Acquisition of all the issued capital of Far Northern Radio Pty Limited by The North Queensland Newspaper Company Limited
 - . Acquisition of stock units in the capital of Mackay Television Limited by The North Queensland Newspaper Company Limited (joined inquiries)
- 168/83 O(R) . Acquisition by the Australian Broadcasting Company Pty Limited of all the issued capital of Capital City Broadcasters Pty Limited.
- 169/83 R(R) . 4DDB-FM Toowoomba - licence renewal
- 170/83 R(R) . 2NUR-FM Newcastle - licence renewal
- *173/83 G(T) . Lithgow, NSW - commercial and National television translator licence grants
- *174/83 G(T) . Dungog, NSW - commercial television translator licence grant

- *175/83 G(T) . Tumbarumba, NSW - commercial and National television translator licence grants
- *176/83 G(T) . Kojonup, WA - National television translator licence grant
- 177/83 O(R) . 2KA Katoomba - licence transfer inquiry
- 178/83 OR(RT) . 2GZ Orange, 2PK Parkes, 2LF Young, 2LT Lithgow, 2BS Bathurst, 2MG Mudgee, 2WEB-FM Bourke, CNB-8 Central Tablelands, CWN-6 Central Western Slopes, MTN-9 Murrumbidgee Irrigation Areas, and associated television translator stations - licence renewals
- 179/83 R(R) . 2KA Katoomba - licence renewal
- 180/83 O(R) . 5MU Murray Bridge - acquisition by a group of persons of the issued capital of Bridge Radio Limited
- 181/83 O(RT) . Acquisition by Broadcast and Communications Limited and associated persons of shareholdings interests in Murrumbidgee Television Limited
- *182/83 R(T) . GEMR Groote Eylandt - licence renewal
- *183/83 G(T) . Bamaga, Qld - National television translator licence grant
- *184/83 G(T) . Mornington Island, Qld - National television translator licence grant
- *185/83 G(T) . Condobolin, NSW - commercial television translator licence grant
- 186/83 R(T) . CTC-7 Canberra and associated translator stations - licence renewal
- *187/83 G(T) . Christmas Island - two television repeater licence grants
- *188/83 G(T) . Glendon, Qld - commercial and National television translator licence grants
- *189/83 G(T) . Boyne Island and Tannun Sands, Qld - commercial television translator licence grant
- *190/83 G(T) . Windorah, Qld - National television translator licence grant
- *191/83 G(T) . Jundah, Qld - National television translator licence grant
- *192/83 G(T) . Stonehenge, Qld - National television translator licence grant
- *193/83 G(T) . Bollon, Qld - National television translator licence grant
- 194/83 O(T) . Registration of the Australian Mutual Provident Society and AMP Acceptances Limited as Registered Lenders

- 195/83 R(R) . 4ZZZ-FM Brisbane - licence renewal
- 196/83 R(T) . STW-9 and TVW-7 Perth - licence renewal
- 197/84 G(T) . Lockhardt River, Qld - National television translator licence grant
- *198/84 G(T) . Edward River, Qld - National television translator licence grant
- 200/84 O(R) . Acquisition by Mr S M Gazal of shares in the capital of Country Television Services Limited
- 201/84 G(R) . Cairns, Qld - public radio licence grant
- 202/84 G(R) . Tully, Qld - commercial radio translator licence grant
- *203/84 G(R) . Hughenden, Qld - commercial radio translator licence grant
- *204/83 G(R) . Cloncurry, Qld - commercial radio translator licence grant
- 205/83 R(R) . 6PR Perth - licence renewal
- 207/83 OM(T) . HTWR-7 Tom Price, HTWR-9 Mount Nameless, HTWR-11 Paraburdoo, NEWR-9 Newman - licence transfer (not approved)
 . variation of a condition of each of the licences (not approved)
- 219/84 R(R) . 2REM-FM Albury/Wodonga - licence renewal
- *249/84 G(T) . Jindabyne, NSW - commercial television translator licence grant
- *250/84 G(T) . Bombala, NSW - commercial television translator licence grant

* Decision made without holding public inquiries.

F84/246

2 November 1984

The Honourable the Minister
for Communications
Parliament House
CANBERRA ACT 2600

Dear Minister

AUSTRALIAN BROADCASTING TRIBUNAL
FINANCIAL STATEMENTS 1983-84

Pursuant to sub-section 27(2) of the Broadcasting and Television Act 1942 the Australian Broadcasting Tribunal has submitted for my report its financial statements for the year ended 30 June 1984.

The statements comprise -

- . a Statement of Activity for year ended 30 June 1984
- . a Statement of Assets and Liabilities as at 30 June 1984
- . a Statement of Capital Accumulation for year ended 30 June 1984.

The statements are accompanied by 'Notes to and forming part of Financial Statements'.

The statements, which have been prepared having regard to the accounting policies outlined in Note 1, are in the form approved by the Minister for Finance pursuant to sub-section 28(1) of the Act. A copy of the statements and accompanying Notes is attached for your information.

In accordance with sub-section 28(2) of the Act, I now report that the financial statements are in agreement with the accounts and records of the Tribunal and in my opinion -

- (a) the statements are based on proper accounts and records, and

(b) the receipt and expenditure of moneys, and the acquisition and disposal of assets, by the Tribunal during the year have been in accordance with the Act.

Yours faithfully

B T Kimball
Acting First Assistant Auditor-General

AUSTRALIAN BROADCASTING TRIBUNAL

CERTIFICATE

In our opinion, the accompanying Statement of Activity, Statement of Assets and Liabilities, Statement of Capital Accumulation and Notes to and forming part of Financial Statements have been properly prepared so as to show fairly the operations of the Australian Broadcasting Tribunal for the year ended 30 June 1984 and its state of affairs as at that date.

Secretary

Chairman

AUSTRALIAN BROADCASTING TRIBUNAL

STATEMENT OF ACTIVITY FOR YEAR ENDED 30 JUNE 1984

	NOTE	\$	\$
INCOME			
Parliamentary Appropriation		4,650,000	
Less: Funds transferred to Statement of Capital Accumulation for acquisition of capital items		69,568	4,580,432
Miscellaneous Income	2		<u>6,036</u>
			4,586,468
EXPENDITURE			
Salaries and Allowances	3	3,057,743	
Overtime		19,603	
Travelling and Subsistence		343,677	
Office Requisites and Equipment, Stationery, Printing, Library		169,905	
Postage, Telephones and Telegrams		164,591	
Consultancy Fees, Contract Research and Computer Services		158,035	
Furniture and Fittings		642	
Repairs and Maintenance		5,484	
Office Rental and Room Hire		409,866	
Legal Fees		11,814	
Incidentals	4	202,692	
Loss on disposal of Fixed Assets		<u>8,829</u>	<u>4,552,881</u>
EXCESS OF INCOME OVER FUNDED EXPENDITURE			33,587
PROVISIONS AND OTHER UNFUNDED CHARGES			
Provision for Long Service Leave	5		<u>755,762</u>
BALANCE TRANSFERRED TO STATEMENT OF CAPITAL ACCUMULATION			<u>(722,175)</u>

The accompanying notes form an integral part of these statements.

AUSTRALIAN BROADCASTING TRIBUNAL

STATEMENT OF ASSETS AND LIABILITIES AS AT 30 JUNE 1984

	NOTE	\$	\$
CAPITAL ACCUMULATION			
Balance transferred from Statement of Capital Accumulation			<u>(334,829)</u>
Represented by:			
CURRENT ASSETS			
Cash at Bank and on Hand		84,124	
Sundry Debtors		2,586	
Prepayments		58,072	144,782
<hr/>			
CURRENT LIABILITIES			
Accrued Expenses		100,668	
Sundry Creditors		297	
Provision for Long Service Leave	5	140,388	241,353
<hr/>			
			(96,571)
NET CURRENT ASSETS			
NON-CURRENT ASSETS			
Office Machines and Equipment		103,738	
Furniture and Fittings		148,689	
Monitoring and Allied Equipment		124,689	377,116
<hr/>			
			280,545
NON-CURRENT LIABILITIES			
Provision for Long Service Leave	5		615,374
<hr/>			
NET ASSETS			<u>(334,829)</u>

The accompanying notes form an integral part of these statements.

AUSTRALIAN BROADCASTING TRIBUNAL

STATEMENT OF CAPITAL ACCUMULATION FOR YEAR ENDED 30 JUNE 1984

	\$	\$
Balance as at 1 July 1983		317,778
<u>Add:</u> Funds transferred from Statement of Activity for acquisition of capital items:		
- Office Machines and Equipment	35,044	
- Furniture and Fittings	22,564	
- Monitoring and Allied Equipment	11,960	68,568
		<hr/> 387,346
Balance transferred from Statement of Activity		<hr/> (722,175)
CAPITAL ACCUMULATION AS AT 30 JUNE 1984 TRANSFERRED TO STATEMENT OF ASSETS AND LIABILITIES		<hr/> (344,829) <hr/>

The accompanying notes from an integral part of these statements.

AUSTRALIAN BROADCASTING TRIBUNAL

NOTES TO AND FORMING PART OF FINANCIAL STATEMENTS FOR YEAR ENDED 30 JUNE 1984

1. Statement of Accounting Policies

- The financial statements have been prepared on an historical cost basis.
- The Tribunal's financial statements have been prepared in accordance with the applicable accounting standards issued by the Australian accountancy bodies except to the extent that no provision has been made for depreciation or annual leave nor has a statement of sources and applications of funds been produced.
- The Tribunal has commended the implementation of accrual accounting in the current year. The programme of implementation will be completed in the forthcoming year and the financial statements produced for the year ended 30 June 1985 will fully accord with the requirements set down in the Guidelines for the Form and Standard of Financial Statements of Commonwealth Undertakings issued by the Minister for Finance in May 1983.
- Capital items purchased below a particular value (at present approximately \$50) are expenses.
- As no provision has been made for depreciation, profit or loss on sale of assets is therefore the difference between the historical cost and the proceeds received.
- All assets are valued on an historical cost basis.
- Comparative figures are not provided because the financial statements have been prepared on a partial accrual basis for the first time.

2. Miscellaneous Income

- An amount of \$5,785 included in the item "Miscellaneous Income" in the Statement of Activity represents proceeds from the sale of photocopying and microfiche material and miscellaneous repayments.

3. Salaries and Allowances

- Includes expenditure of \$351,183 to members of the Tribunal appointed under Section 8 of the Broadcasting and Television Act 1942. The remuneration payable to members is determined by the Remuneration Tribunal.

4. Incidentals

- The major expenditure components in 1983/84 were \$66,563 advertising; \$24,180 freight, cartage and storage; \$23,931 cleaning; \$22,830 light, power and heating; \$20,897 other incidentals and \$16,187 sitting fees.

5. Provision for Long Service Leave

- This item is the Tribunal's estimated liability at 30 June 1984 for the long service leave entitlements of its employees. The estimate is based on a qualifying period of ten years' eligible employee service, including previous eligible service with Commonwealth or State governments or statutory authorities, and is accrued from the commencement of the sixth year of such eligible service.
- In accordance with accepted practice, a portion of the Provision relating to amounts estimated to be payable within twelve months is included as a Current Liability and the remainder is shown as a Non-Current Liability.
- Payments of long service leave are funded by Parliamentary Appropriation on an as required basis and are included as expenditure under the item "Salaries and Allowances" in the Statement of Activity.
- The difference between the estimates liability at the beginning and the end of the financial year will be brought to account in the Statement of Activity as an adjustment to the Provision for Long Service Leave.
- The Provision includes \$67,275 for entitlements accrued in relation to 1983/84.

6. Commitments

- Contracts let for lease and hire expenditure amount to approximately \$625,000 included in the amount is approximately \$480,000 which is payable within 12 months after the end of the financial year.