

Application for renewal of a community radio broadcasting licence (in the broadcasting services bands)



Effective from 12 March 2014

Lodgement information

- > This form does not apply to remote Indigenous broadcasting licences.
- > Print clearly. Illegible, unclear or incomplete application details may delay processing.

Important notes

- > The ACMA is required to Gazette the fact that an application for the renewal of a licence has been made.
- > In considering any application for the renewal of a community radio broadcasting licence, the ACMA conducts an assessment against the matters at subsection 84(2) of the *Broadcasting Services Act 1992* (Cth).
- > **Please note that giving the ACMA false or misleading information—including information that may be misleading due to omission—is a serious offence.**
- > Notes relevant to community radio broadcasting licences are at the end of this form.

Appendices to this form

- > Licensees must attach supporting responses and documents to this form as a series of appendices. Please label each appendix to match the corresponding question. For example, a submission or document in support of an answer to **Question 7** should be marked Appendix 7.

Further information

- > For queries about completing this form, contact the Community Broadcasting Section on (02) 9334 7922.

Where to send this form

- > It is preferable that, wherever possible, the completed application form and attachments are lodged by email at:
Email: communitybroadcasting@acma.gov.au
- > Alternatively, a hard copy (paper version) of the completed application form and/or attachments may be sent to:
The Manager
Community Broadcasting Section
Australian Communications and Media Authority
PO Box Q500
Queen Victoria Building NSW 1230

Collection of personal information in this form

The *Privacy Act 1988* (Cth) (the Privacy Act) imposes obligations on the ACMA in relation to the collection, security, quality, access, use and disclosure of personal information. These obligations are detailed in the [Australian Privacy Principles](#).

The ACMA may only collect personal information if it is reasonably necessary for, or directly related to, one or more of the ACMA's functions or activities.

The purpose of the collection of the personal information in this form is to enable the ACMA to assess the applicant's capacity to continue to provide the community broadcasting service. This information is required under subsection 91(2A) of the *Broadcasting Services Act 1992* (Cth).

The ACMA will not use the information for any other purpose, nor disclose it, unless the relevant consent has been obtained or it is otherwise permitted to do so under the Privacy Act.

If the information requested in this form is not provided, the application for licence renewal may not be processed.

Further information on the Privacy Act and the ACMA's Privacy Policy is available from the ACMA website www.acma.gov.au/privacypolicy. The Privacy Policy contains details about how personal information that is held by the ACMA may be accessed, and how such information may be corrected, where appropriate. It also explains how a complaint about a breach of the [Privacy Act](#) may be lodged and how the ACMA will deal with such a complaint.

Any questions relating to the privacy of information requested in this form should be directed to the ACMA's privacy contact officer on telephone 1800 226 667 or by email to privacy@acma.gov.au.

Section 1: Licensee details

1. Licensee company name and ABN:

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2. Company's registered address and secretary or public officer's contact details:

Name
Address
Telephone
Fax
Mobile
Email

3. Preferred address and person to contact for processing of application:

Name
Address
Telephone
Fax
Mobile
Email

4. Names and positions of company directors/office holders (if insufficient space, attach additional details as APPENDIX 4):

1.	2.
3.	4.
5.	6.
7.	8.
9.	10.


Section 2: Community interest and service

5. What community interest does the licensee represent? (please tick one)

General

Other (please specify)

6. Please indicate whether the licensee wishes to change its community interest. No Yes

If yes,  Please attach evidence for request to change community interest as APPENDIX 6 (for further information, see the *Community broadcasting guidelines for request to change community interest*)

7. What is the licensee's call sign and on-air identifier?

Call sign	On-air identifier
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Section 3: Section 84(2) requirements

8. Explain how the service is meeting the existing and perceived future needs of the community within the licence area (section 84(2)(a)).

Supporting information should include:

- > a description of the needs of the community and the steps taken by the licensee to monitor community needs
- > results of any relevant research or surveys conducted by the licensee (including methodology), or on the licensee's behalf
- > the most recent copy of an actual weekly program schedule
- > an analysis of the actual weekly program schedule including:
 - > a brief summary of the content of each program
 - > an indication of whether the program was produced locally, elsewhere in Australia or overseas
 - > an indication of whether the program was purchased from another source and, if so, from whom
 - > the proportion of airtime dedicated to local programs, national programs and international programs (express proportions as a percentage of 168 hours)
- > an explanation of how the programs are meeting the needs and interests of the community in the licence area
- > a list of the community services and/or community sector organisations for which community service announcements and community information material were broadcast during the week selected for the program schedule
- > a copy of the licensee's programming policy, including details of the strategies and decision-making process that show how new programs or program ideas are approved and incorporated into the program schedule
- > numbers of financial members for the last two years (if available, indicate the numbers residing in the licence area and the number from outside the licence area)
- > if the station has subscribers, give the number of subscribers for the last two years
- > numbers of volunteers for the last two years and an indication of the roles performed
- > evidence of the measures that the licensee undertakes to encourage the community in the licence area to participate in the operations of the service and in the selection and provision of programming, which may include:
 - > promotions of the service and programming through the local media, publications, internet and on-air announcements
 - > membership drives that show a healthy level of participation by members of the community as subscribers, financial members or volunteers, including of relevant groups if membership is through group representation
 - > mechanisms providing for community feedback
 - > involvement with local community organisations, including in community events and training programs
 - > the establishment of committees, or other structures, that facilitate community involvement in decision-making in a range of areas, including programming.

(The *Community broadcasting participation guidelines* provide guidance on the activities that licensees should undertake in order to satisfy this requirement.)

 **ATTACH AS APPENDIX 8**

9. Describe the nature and diversity of the interests of the community within the licence area (section 84(2)(b)).

Supporting evidence may include:

- > ABS statistics, for example, community profile and demographics
- > relevant research or surveys conducted by the licensee, or on the licensee's behalf (including methodology)
- > information about the current demographic and socio-economic characteristics of the licence area, for example, sourced from state publications
- > the specific needs and interests of the local community, for example, sourced from material produced by local councils in the licence area.

 **ATTACH AS APPENDIX 9**

10. Explain how the service adds to the diversity of broadcasting services (including national broadcasting services) available within the licence area (section 84(2)(c)).

Provide evidence of factors that distinguish the service from other broadcasting services in the licence area, including in the areas of:

- > information provision
- > entertainment
- > cultural relevance

- > for the weekly program schedule, identify those programs broadcast on the service that are not provided by other broadcasting services in the licence area.

 **ATTACH AS APPENDIX 10**

11. Describe the capacity of the licensee to provide the service (section 84(2)(d)).

The capacity of the licensee includes:

- > the management, financial and technical capacity to provide the service
- > the capacity of the licensee to comply with licence obligations.

11a) Management

Provide the following:


- > a diagram setting out details of the organisational structure, showing the elected and appointed positions, board and committee positions, and the relationships between them
- > details of relevant management skills and the experience that each elected and appointed person brings to the service
- > a list of paid staff positions (indicating the total amount of money paid as salaries and/or commissions) and unpaid volunteer positions
- > strategies for attracting and retaining financial members (including relevant groups if membership is through group representation), volunteers and subscribers
- > any schedule of fees for membership and access to airtime (include copies of the membership application and any other relevant forms)
- > minutes of meetings of the last two AGMs and most recent annual report
- > description of training programs, if provided
- > written corporate governance policies and procedures.
- > a copy of the licensee's current constituting documents (e.g. Certificate of Registration, Constitution and/or Memorandum and Articles of Association).

 **ATTACH AS APPENDIX 11A**

11b) Financial

Provide the following:

- > audited financial statements for the past two years (if company is not required to audit accounts, unaudited financial statements should be provided)
- > a five-year business plan accompanied by a five-year budget (a licence is renewed for five years)
- > if not provided in the financial statements, include the following:
 - > list of current sponsors (including total amount raised per year through sponsorships),
 - > list of other sources of funds, including grants, donors and subscribers (including the amount raised per year through each source).

 **ATTACH AS APPENDIX 11B**

11c) Technical (please check the technical specifications for the licence)

Provide the following:

- > outline whether the service is operating in accordance with its technical specifications (including transmitter site, maximum effective radiated power (ERP), antenna radiation pattern, antenna polarisation and antenna height), and if not, provide reasons
- > details of studio location and, if applicable, details of studio-to-transmitter link (STL) and transmission backup
- > a list of times the service was off-air during the current licence period, including dates, durations and reasons
- > details of operational and management plans to ensure the licensee is meeting its technical specifications.

 **ATTACH AS APPENDIX 11C**

12. Is any one person in a position to exercise control of more than one community broadcasting licence that is a broadcasting services bands licence in the same licence area? (section 84(2)(e))

Provide details:

- > if the licensee, or any person associated with it, is in a position to exercise control of more than one community broadcasting licence which is a broadcasting services bands licence in the same licence area (include any trusts, agreements, arrangements, understandings or practices that are in place with another licensee or person associated with another licensee).



ATTACH AS APPENDIX 12

13. Is the Commonwealth, a State, a Territory or a political party in a position to exercise control of the community broadcasting licence? (section 84(2)(f))

Provide details:

- > if the Commonwealth, a State or Territory, or a political party is in a position to exercise control of the licence (include any trusts, agreements, arrangements, understandings or practices that are in place with a Commonwealth, a State or Territory, or a political party).



ATTACH AS APPENDIX 13

Section 4: Certification of application

This application for the renewal of community radio broadcasting licence held by:

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(Company name)

is made on:

Day	Month	Year
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With the authority of the board of directors of the licensee company.

Presiding member of the board of directors of the licensee company:

Signature
Print name
Title

Secretary or public officer:

Signature
Print name
Title

NOTES

Community radio broadcasting licences

Applications

Under section 90(1A) of the *Broadcasting Services Act 1992*, an application for renewal must be made no earlier than one year before the licence is due to expire, but no later than the earlier of the following times:

- (a) 26 weeks before the licence is due to expire
- (b) a time that is notified in writing to the licensee by the ACMA.

A time that is notified by the ACMA (under paragraph 90(1A)(b)) must be at least four weeks after the day on which it is notified to the licensee.

Applications should contain sufficient relevant information to enable the ACMA to conduct an assessment against the considerations at section 84(2) of the *Broadcasting Services Act 1992*.

In deciding whether to allocate a community broadcasting licence that is a broadcasting services bands licence to an applicant or to one of a group of applicants, the ACMA is to have regard to:

- (a) the extent to which the proposed service or services would meet the existing and perceived future needs of the community within the licence area of the proposed licence
- (b) the nature and diversity of the interests of that community
- (c) the nature and diversity of other broadcasting services (including national broadcasting services) available within that licence area
- (d) the capacity of the applicant to provide the proposed service or services
- (e) the undesirability of one person being in a position to exercise control of more than one community broadcasting licence that is a broadcasting services bands licence in the same licence area
- (f) the undesirability of the Commonwealth, a State or a Territory or a political party being in a position to exercise control of a community broadcasting licence.

The ACMA may refuse to renew the licence if, having regard to those statutory considerations, it considers that it would not allocate such a licence if it were deciding whether to allocate the licence to the licensee (section 91(3) of the *Broadcasting Services Act 1992*).

Community broadcasting services

Community broadcasting services are defined in section 15 of the *Broadcasting Services Act 1992* as broadcasting services that:

- (a) are provided for community purposes
- (b) are not operated for profit or as part of a profit making enterprise
- (c) that provide programs that:
 - (i) are able to be received by commonly available equipment
 - (ii) are made available free to the general public
- (d) comply with any determinations or clarifications under section 19 in relation to community broadcasting services.

Community broadcasting licences remain in force for five years.

Compliance requirements

Community radio broadcasting licensees are required to comply with the licence conditions set out in Parts 1, 2 and 5 of Schedule 2 to the *Broadcasting Services Act 1992*, as well as the Community Radio Broadcasting Codes of Practice.

Apparatus licences

The ACMA also issues an apparatus licence to the licensee to enable the community radio broadcasting service to be provided. An apparatus licence is issued under the *Radiocommunications Act 1992* and is also subject to licence conditions.