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Regional TV news inquiry report released

The ABA has formed the view that, in order to ensure that commercial television licensees in regional Queensland, NSW and Victoria are sufficiently responsive to audience needs, an additional condition should be imposed on each commercial television licence in those regional areas. The proposed additional licence condition requires licensees to broadcast a minimum amount of programs about matters of local significance to each sub-market.

'The ABA expects that the proposed licence condition will provide a 'safety net' that will deliver at least six daily local news bulletins each week to commercial television audiences in the sub-markets, with all commercial television licensees broadcasting a minimum amount of matters of local significance,' said Professor David Flint, ABA Chairman.

'In addition, the ABA believes that the amount of local emergency information is inadequate. As the commercial television code of practice is currently under review, the ABA believes that the Federation of

Australian Commercial Television Stations should, as part of the co-regulatory system, adopt a code to deal with the broadcast of emergency information. This should be done as soon as possible.'

The ABA's proposals are contained in its report on the investigation into the adequacy of local news and information programs provided on commercial television services in regional and rural Australia, released in Cairns on 27 August 2002.

Professor Flint also said that the ABA will investigate separately the situation of regional and remote broadcasters outside the four aggregated markets (Regional Queensland, Northern NSW, Southern NSW/ACT and Regional Victoria) and also the impact of the affiliation agreements between the regional licensees and the metropolitan networks on the capacity of regional licensees to broadcast matters of local significance.

'Aggregation has been a great success. It has delivered three commercial television services

that are comparable to those in capital cities to audiences in most parts of regional Australia. It has created larger and more viable television markets in regional Australia and encouraged competition in general terms among broadcasters in those markets. The regional broadcasters are to be congratulated for their achievements in overcoming the technical problems involved, especially in providing viable services to hard-to-reach communities. Hence, there is public concern in the aggregated markets that there are insufficient programs about matters of local significance, particularly since the closure of local news bureaux by some broadcasters in those areas in 2001, the ABA investigation found,' said the ABA Chairman.

There is more local news programming available now than there was in the early 1990s, with each sub-market except for one having at least one local news service. However, in recent years, there has been a decline in competing sources of news.

There has been a significant decline in local information other than news since aggregation.

Having regard to the fact that there are three licensees in each of the aggregated markets, the amount of local news and information broadcast and the failure by some licensees to broadcast local news and information, the ABA believes there are legitimate community concerns in the four aggregated markets that there is a lack of diversity in broadcasts of matters of local significance by commercial television licensees in those markets (object 3(1)(a) of the Act) and a lack of competition in delivering local news and information (object 3(1)(b) of the Act).

While some regional commercial television broadcasters make a significant contribution to localism, others do not provide appropriate coverage of matters of local significance (particularly local information) in the four aggregated markets and, in failing to do so, are not sufficiently responsive to audience needs for local





content, particularly programs about matters of local significance (objects 3(1)(b) and 3(1)(g) of the Act).

Compliance by regional commercial television broadcasters with the statutory condition (clause 7(2)(a) Part 3 Schedule 2 of the Act) has not in itself resulted in the achievement of objects 3(1)(b) and 3(1)(g) of the Act, the ABA concluded.

'The ABA is now calling for submissions on the proposed additional condition', said Professor Flint. 'I encourage interested parties to do so as soon as possible, but no later than 31 October 2002.'

Background

The ABA's investigation was a response to community concerns at the time about the closure of news bureaux in Canberra, Cairns, Townsville, Darwin and Alice Springs by Southern Cross Broadcasting in November 2001. This followed similar closures by Prime Television Ltd in Canberra, Newcastle and Wollongong in June 2001.

In December 2001, the ABA announced terms of reference for the investigation and called for submissions from the general public and interested parties. The ABA also conducted a survey of all commercial television broadcasting licensees, made visits to

television stations in Canberra (ABC), Hobart (WIN), Launceston (Southern Cross), Tamworth (Prime), Wollongong (WIN), and held public meetings in Cairns, Canberra, Mildura, Mt Isa, Newcastle, Townsville and Wollongong in early 2002.

Although the ABA's investigation covered commercial television services across regional and rural Australia, having regard to the extent of community concern in the four aggregated television markets of Regional Queensland, Northern NSW, Southern NSW and Regional Victoria (Approved Markets A, B, C and D respectively), the ABA decided to report first on these markets.

Sub-markets

Based on the available material, what is appropriate coverage of matters of local significance in the aggregated markets cannot be determined simply by reference to the boundaries of each aggregated market because the areas covered by each of those markets are too big, and their populations are too diverse.

In the ABA's view, there are two guiding principles that may be adopted in identifying the geographical units within which audiences have an expectation of receiving coverage of matters of significance to their community: the areas into

which commercial television licensees currently broadcast local inserts; and the areas that were service areas prior to aggregation.

As appears from the table below, the ABA has found that these two principles generally result in the identification of the same areas, and that those areas are centred on the major population centres within each of the four aggregated markets.

Accordingly, for the purpose of considering the extent to which object 3(1)(g) of the *Broadcasting Services Act 1992* is being achieved, the ABA considered the extent to which there is appropriate coverage of matters of local significance, particularly by the broadcast of local news and information, in the areas specified above.

In the ABA's opinion, matters of 'local' significance are matters that relate to areas in which a particular broadcasting service is provided. These areas generally correspond with major population centres, the areas that licensees themselves identify as 'sub-markets', and the pre-aggregation service areas.

Conclusions

Having regard to the findings of the investigation, and in order to promote the relevant objects of the Act, the ABA proposes to add greater specificity to the generally

expressed statutory licence condition at Schedule 2 of the *Broadcasting Services Act*, by imposing an additional condition on all regional licences in the four aggregated markets.

The proposed additional licence condition will become effective six months from the date that it is made, and will be reviewed after two years. The proposed additional licence condition would:

- Require licensees in the aggregated markets to broadcast matters of local significance in each of the sub-markets that meets a minimum of 90 points per licensee per sub-market per week and 960 points per licensee per sub-market per eight weeks.
- Enable licensees to accrue points for the broadcast of matters of local significance: 2 points per minute of local news and 1 point per minute of local current affairs or local information, all within specified time zones (Monday to Friday – 3.00 p.m. to 11.00 p.m.; Saturday and Sunday – 8.00 a.m. to 11.00 p.m.).
- Require each licensee to report on compliance to the ABA, in a form approved by the ABA, within 30 days of 30 June and 31 December each year.





Legislative framework

Section 170 of the Broadcasting Services Act empowers the ABA to conduct investigations for the purposes of the performance or exercise of any of its functions or powers.

In its terms of reference, the ABA identified the following three objects of the Act as relevant to this investigation:

- to promote the availability to audiences throughout Australia of a diverse range of radio and television services offering entertainment, education and information;
- to provide a regulatory environment that will facilitate the development of a broadcasting industry in Australia that is efficient, competitive and responsive to audience needs; and
- to encourage providers of commercial and community broadcasting services to be responsive to the need for a fair and accurate coverage of matters of public interest and for an appropriate coverage of matters of local significance; ...

Schedule 2 of the Act sets out a number of licence conditions that include conditions relating to content. In particular, each commercial television broadcasting licence is subject to the following condition:

... the licensee will provide a service that, when considered together with other broadcasting services available in the licence area of the licence (including another service operated by the licensee), contributes to

the provision of an adequate and comprehensive range of broadcasting services in that licence area. (Clause 7(2)(a) Part 3 Schedule 2 of the Act)



This report is available on the ABA's website at www.aba.gov.au.

Local news and/or information broadcast in pre-aggregation service areas (Jan 2002)

Pre-aggregation service areas	Licensees broadcasting local news	Licensees broadcasting local information
Regional Queensland		
Cairns	WIN	WIN
Townsville	WIN	
Mackay	WIN, Seven Network	
Maryborough	WIN, Seven Network	
Rockhampton	WIN	
Toowoomba	WIN	
Warwick*	-	
Northern NSW		
Coffs Harbour	Prime, NBN	Prime, NBN, Southern Cross
Lismore	Prime, NBN	
Newcastle	NBN	
Tamworth	Prime, NBN	
Taree	Prime, NBN	
Southern NSW		
Dubbo	WIN, Prime	WIN, Prime
Orange	WIN, Prime	
Wagga Wagga	WIN, Prime	
Canberra	WIN	
Wollongong	WIN	
Regional Victoria		
Albury/Wodonga	WIN, Prime	WIN, Prime, Southern Cross
Ballarat	WIN	
Shepparton	WIN	
Bendigo	WIN	
Traralgon	WIN	
* Warwick never received a separate news service (it received the Toowoomba news service).		