



A licence condition requiring certain regional TV stations to broadcast local content came into effect on 1 February 2004.

How regional TV stations are meeting local content rules

More local news and community information programs are now reaching regional Australia as a result of an additional licence condition imposed on certain regional commercial TV licences by the ABA last year.

The licence condition, which came into effect on 1 February 2004, was imposed on Seven Queensland, Southern Cross and WIN TV in Regional Queensland; NBN Ltd, Prime Television and Southern Cross in Northern NSW; Prime Television, Southern Cross and WIN TV in Southern NSW; and Prime Television, Southern Cross and WIN TV in Regional Victoria. It obliges these licensees to broadcast a minimum amount of material of local significance (local content).

WIN Television now provides half hour news services in each local area it serves in Regional Queensland, Southern NSW and Regional Victoria.

Prime TV broadcasts half hour daily news bulletins and updates in Northern NSW and Regional Victoria. In Southern NSW, Prime provides local news updates throughout the day. In addition Prime broadcasts other specific local material including local non-commercial community information (Monday to Friday), a one-hour-a-week rural focus program, and a locally produced country music program.

Southern Cross broadcasts individual news updates four times a day (Monday to Friday) and a weekly community information segment to each of the seventeen local areas it serves. On Saturdays it also broadcasts to each licence area a half hour current affairs program that focuses on regional issues.

In Northern NSW, NBN broadcasts a one hour local news bulletin each day, local news updates throughout the day, and a local magazine-style show three days a week.

Seven Queensland is broadcasting half hour local news bulletins in each of the five local areas it serves in Regional Queensland.



Licence condition

In 2001 the ABA conducted an investigation into the adequacy of local news and information programs provided by commercial television services in regional and rural Australia. The investigation was in response to community concerns at the closure of news bureaux by Southern Cross Broadcasting in Canberra, Cairns, Townsville, Darwin and Alice Springs. These closures followed Prime TV cutting its local news bulletins in Canberra, Newcastle and Wollongong earlier in 2001.

The investigation concluded that in the four regional licence areas of Regional Queensland, Northern NSW, Southern NSW and Regional Victoria there was a lack of diversity, competition and responsiveness to audience

needs in the broadcast of matters of local significance. Consequently, on 7 April 2003, the ABA imposed an additional licence condition on the licensees in these areas.

The licence condition divided the four television licence areas into a number of local areas, reflecting the different communities of interest within those areas. The condition also imposed a requirement that minimum amounts (or quota) of local content had to be broadcast in those areas.

To give licensees enough time to acquire the necessary staff, equipment and other resources to implement the condition and mandatory reporting requirements, the licence condition obligations did not come into effect until 1 February 2004. ▷

Each affected regional licence area has been divided into local areas, and each regional licensee must serve:

- 5 put of 7 local areas in Regional Queensland
- 4 out of 5 local areas in Northern NSW
- all 4 local areas in Southern NSW and Regional Victoria.



Local Areas Served

Licence Area – Regional Queensland

Local Area Served	NBN	Prime	WIN	SCB	7 Qld
Capricornia	n/a	n/a	✓	✓	
Central Coast & Whitsundays	n/a	n/a		✓	✓
Darling Downs	n/a	n/a	✓	✓	
Far North Queensland	n/a	n/a	✓	✓	✓
North Queensland	n/a	n/a	✓	✓	✓
Sunshine Coast	n/a	n/a	✓		✓
Wide Bay	n/a	n/a			✓

Licence Area – Northern NSW

Local Area Served	NBN	Prime	WIN	SCB	7 Qld
Central Coast	✓		n/a		n/a
Hunter	✓	✓	n/a	✓	n/a
Nthn Rivers & Mid Nth Coast	✓	✓	n/a	✓	n/a
Nth West Slopes & Plains	✓	✓	n/a	✓	n/a
Richmond/Tweed		✓	n/a	✓	n/a

Licence Area – Southern NSW

Local Area Served	NBN	Prime	WIN	SCB	7 Qld
ACT & Sthn Tablelands	n/a	✓	✓	✓	n/a
Central Tablelands & Central West Slopes	n/a	✓	✓	✓	n/a
Sth West Slopes & East Riverina	n/a	✓	✓	✓	n/a
Illawarra & Sth Coast	n/a	✓	✓	✓	n/a

Licence Area – Regional Victoria

Local Area Served	NBN	Prime	WIN	SCB	7 Qld
Gippsland	n/a	✓	✓	✓	n/a
Nth Central Victoria	n/a	✓	✓	✓	n/a
South West Victoria	n/a	✓	✓	✓	n/a
Upper Murray & Goulburn Valley	n/a	✓	✓	✓	n/a

Local content obligations

Licencees must broadcast a weekly and six-weekly quota of local content within each local area they serve. The material broadcast can relate either to a specific local area or to the licensee's wider licence area. Local area material and licence area material attract different points towards the quota obligations.

The affected regional licencees must broadcast material of local significance within *eligible periods* to meet minimum quotas comprising:

- at least 90 points per week within each local area
- a minimum of 720 points (in each defined local area) each 6 week timing period.

Eligible periods are 6.30am to midnight on Monday to Friday, and 8am to midnight on Saturday and Sunday.

The quota system

- Local area news attracts **2 points** per minute.
- Other local area material (not news) attracts **1 point** per minute.
- Licence area material attracts **1 point** per minute.
- Points are calculated over 6 week timing periods, commencing 1 February 2004. ➤



ABA commences formal investigation into Five AA

The Australian Broadcasting Authority has decided to commence a formal investigation into whether certain commercial arrangements between Mr Leon Byner, a radio presenter with Five AA in Adelaide, and a number of third parties should have been disclosed under the *Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000*.

On 23 January 2004, the *Advertiser* newspaper in Adelaide published allegations about Mr Byner and his proposal to enter into third party arrangements with the Adelaide Lord Mayor and the Adelaide City Council. The ABA made preliminary inquiries of Five AA, seeking more information. Five AA suspended Mr Byner from duty and initiated its own investigation. Following this investigation,

Five AA provided a significant amount of material to the ABA.

"While Five AA has been co-operative in providing information to the ABA in relation to Mr Byner's arrangements, the material raises unresolved questions as to whether those arrangements fall within the regulatory regime of the Disclosure Standard," said Ms Lyn Maddock, Acting Chair of the ABA. "A formal investigation

will enable the ABA to consider all relevant material and reach a concluded view on whether any of these arrangements should have been disclosed as required by the Disclosure Standard."

The ABA will develop terms of reference for the investigation and will seek further information from Five AA and Mr Byner before finalising a report.



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- The 4 week period starting 15 December is not included (this takes into account news journalists' 4 week leave period).
- Licence area material cannot be more than 50% of accumulated points.
- Repeat material does not count - except for community service announcements (CSAs), of which 4 repeats are permitted within a six week timing period. (CSAs may only count toward 10% of total accumulated points.)
- Advertising does not count towards the quotas.
- Mandatory reports must be provided to the ABA every 6 months, after 30 June and 31 December of each year. These reports are to include the raw score achieved in each week.

- Licensees are also required to keep sufficient record of material to substantiate the quota points they claim, and to provide this information to the ABA upon request.

Local area material

Material may have local significance depending on its relevance to the local area served. Material must have a local emphasis to qualify as 'material of local significance'. Examples of local material include material that:

- has been collected and prepared in the local area
- deals with people, organisations, events or issues that are of particular interest to people in the area, in a way that focuses on the interests of people in the area

- is about an individual in whom people in the area are particularly interested because of an association with the area, such as the individual's having grown up, or lived, in the area
- deals with the effects in the area of an event that occurs elsewhere
- is about a sporting event that involves a team from the area or that involves a team from a nearby area, whose principal support base includes the area, or a significant part of the area
- is about market conditions that closely affect a major business activity in the area, such as prices of a commodity in an area where that commodity is produced on a significant scale.

Licence area material

Licence area material is material that is relevant to the wider licence area, but not sufficiently focussed or specific to be relevant to a local area.

Points for licence area material are capped at 50 per cent of total points claimed for any one local area. Information may be considered licence area material when it:

- relates to economic affairs in the licence area
- relates to government in the licence area
- relates to social issues that affect the licence area.

