

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



Effective from 12 March 2014

Lodgement information

- > Print clearly. Illegible, unclear or incomplete application details may delay processing.
- > Please read all documents in the information kit before completing this form.

Important notes

- > There is no statutory requirement for the ACMA to make available copies of applications for community radio broadcasting licences. Please note that the ACMA may provide the names and contact details of applications on the ACMA's website and interested persons may contact applicants directly if they wish to obtain details of applications.
- > In considering any application for a community radio broadcasting licence, the ACMA conducts an assessment against the matters at subsection 84(2) of the *Broadcasting Services Act 1992* (BSA).
- > 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

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

Information kit

- > This application form
- > Licence conditions
- > Codes of practice
- > Licence area definition
- > Licence area map
- > Technical specifications
- > Analog broadcasting services in the licence area.

The information kit is available from the ACMA website: www.acma.gov.au

Further information

For queries about completing this form, contact the Community Broadcasting and Safeguards 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:

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 and Safeguards Section
Australian Communications and Media Authority
PO Box Q500
Queen Victoria Building NSW 1230

Please note that the ACMA does not routinely acknowledge applications received.

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 provide the proposed community radio broadcasting service. This information is required under paragraph 84(2)(d) of the BSA.

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 the licence 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. 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 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: Applicant details

1. Applicant company name and ABN ( Please attach copy of registration and constituting documents as APPENDIX 1)

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2(a). Company's registered address and public officer's contact details

NAME
ADDRESS
TELEPHONE
MOBILE
EMAIL

2(b). Company's postal address (if different to above)

ADDRESS

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

NAME
ADDRESS
TELEPHONE
MOBILE
EMAIL

4. Names and positions of company directors/office holders

1.	2.
3.	4.
5.	6.

Section 2: Community interest and service

5. What community interest does the applicant propose to represent? (Please tick one)

General

Other (please specify)

6. What is the proposed service's licence area, call sign and on-air identifier?

Call sign	On-air identifier
Licence area (See licence area definition provided separately to this form)	

Section 3: Section 84(2) requirements

7. Explain how the proposed service will meet the existing and perceived future needs of the community within the licence area (section 84(2)(a)).

Supporting information may include:

- > the methods used to identify and monitor the needs of the community in the licence area (e.g. relevant research or market surveys—include methodology and results wherever possible)
- > a weekly program schedule listing the programs to be provided, including whether the programs will be locally produced or purchased and, if so, from whom (include details of the nature of the programs, such as talk, music, news etc)
- > an explanation of how the programs will meet the needs and interests of the community now and in the future
- > the procedures for the development of new programs that meet evolving community needs for local information and entertainment
- > a programming policy to ensure program diversity and to avoid favouring programming specific to particular groups, for example, ethnic or religious
- > the proportions of programming that will be locally sourced, nationally sourced and sourced overseas (express proportions as a percentage of 168 hours)
- > a sample number of letters of support for the service (between 10–15 would be adequate)
- > details of the measures that the applicant has taken or intends to take to encourage the community in the licence area to participate in the day-to-day operations of the service and in the selection and provision of programming, including:
 - a) proposed promotions of the service and programming through the local media, publications, internet and on-air announcements
 - b) membership drives that show a healthy level of participation by members of the community as subscribers, financial members or non-financial volunteers, including of relevant groups if membership is through group representation
 - c) collaboration with local community organisations, including in community events and training programs (provide details of local community sector organisations, including the number of community service announcements proposed to be broadcast in the sample week of the program schedule)
 - d) how financial members and non-financial volunteers will be involved in committees that show community involvement in decision-making in the day-to-day operations of the service and in the selection and provision of programming
- > a diagram showing how decisions will be made on:
 - a) requests for airtime and
 - b) audio recordings provided by a member of the community or a representative group.



ATTACH AS APPENDIX 7

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

Provide the following:

- > ABS statistics, for example, community profile and demographics, and a description of the applicant's understanding of the community in the licence area
- > relevant research or market surveys conducted by the applicant (including methodology and results wherever possible)
- > information on the 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 8

9. Explain how the nature and diversity of the proposed service will be distinguished from other broadcasting services (including national broadcasting services) available within the licence area (section 84(2)(c)). (*See analog broadcasting services in the licence area provided separately to this form.*)

Provide evidence of distinguishing factors from other broadcasting services available in the licence area, including in the areas of:

- > programs from the sample week of the program schedule which are not being provided by other broadcasting services in the licence area
- > information provision
- > entertainment
- > cultural relevance.



ATTACH AS APPENDIX 9

10. Describe the capacity of the applicant to provide the proposed service (section 84(2)(d)).

The capacity of the applicant includes:

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

10a) **Management**

Provide the following:

- > a diagram setting out details of the organisation structure, showing the elected and appointed positions, board and committee positions, and the relationships between them (include terms of elected and appointed positions)
- > details of the relevant management skills and experience that each elected and appointed person will bring to the proposed service (include details of any experience in managing a broadcasting service)
- > a list of paid staff and unpaid volunteer positions, indicating the proposed salary for each paid position
- > numbers of subscribers, financial members and non-financial volunteers, if available, indicating the numbers residing within and outside the licence area (if membership is based on group representation, please provide details of those groups)
- > any schedule of fees for different categories of membership
- > a training program, if training will be provided
- > any written corporate governance policies (e.g. membership, internal conflict, complaints handling, community participation, volunteering and sponsorship)
- > details of membership with any community broadcasting sector organisation (e.g. Community Broadcasting Association of Australia, Southern Community Media Association, etc)



ATTACH AS APPENDIX 10A

10b) **Financial**

Provide the following:

- > financial statements for at least the past two years (audited where this is a requirement of the company), identifying the main income and expenditure items
- > a five-year business plan accompanied by a five-year budget (a licence is allocated for five years)
- > copies of sponsorship arrangements, including letters from potential sponsors showing the amount and duration of sponsorship agreements
- > copies of other funding arrangements, including letters from potential donors and subscribers showing the amounts and duration of support.



ATTACH AS APPENDIX 10B

10c) **Technical** (See *technical specifications provided separately to this form.*)

Provide the following:

- > details of transmission infrastructure, including proposed transmitter site and effective radiated power (ERP), studio location and need for studio-to-transmitter link (STL) and availability of transmission backup
- > details of operational and maintenance plans to ensure the licence will meet technical specifications
- > the technical skills and expertise that are available to enable the applicant to provide a service that complies with technical specifications
- > names of members and/or employees who have technical experience, the work they do and the training they have undertaken
- > copies of relevant technical training certificates for members and/or employees
- > copies of letters from individuals and/or organisations detailing their agreement to provide technical advice and support
- > copies of agreements and/or contracts with providers of technical and transmission equipment.



ATTACH AS APPENDIX 10C

11. 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 the following:

- > a list of persons such as directors, station managers and program coordinators of the applicant involved with other community broadcasting services in the licence area and details of their involvement
- > details of arrangements with other community broadcasting services in the licence area, including:
 - a) contracts and/or agreements with other community broadcasting services in the licence area, setting out actions to be taken by the applicant on behalf of those other community broadcasting services
 - b) contracts and/or agreements of sponsorship, programming and/or other funding arrangements with other community broadcasting services in the licence area
 - c) contracts and/or agreements with members (particularly directors) and/or employees (particularly stations managers) of other community broadcasting services in the licence area, setting out actions to be taken by them for the applicant
 - d) copies of contracts and agreements.



ATTACH AS APPENDIX 11

12. Would the Commonwealth, a state, a territory or a political party be in a position to exercise control of the community broadcasting licence if it were to be allocated to the applicant? (section 84(2)(f))

Provide the following:

- > a list of persons such as directors, station managers and program coordinators involved with an agency of the Commonwealth, a state, a territory or a political party and details of their involvement
- > details of arrangements with the Commonwealth, a state, a territory or a political party, including:
 - a) contracts and/or agreements with an agency of the Commonwealth, a state, a territory or a political party, setting out actions to be taken by the applicant on behalf of that agency
 - b) contracts and/or agreements of sponsorship, programming and/or other funding arrangements with an agency of the Commonwealth, a state, a territory or a political party
 - c) contracts and/or agreements with members, employees, contractors and/or volunteers in the employ of any agency of the Commonwealth, a state, a territory or a political party, setting out actions to be taken by them for the applicant
 - d) copies of contracts and agreements.



ATTACH AS APPENDIX 12

Section 4: Certification of application

This application for a community radio broadcasting licence 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 applicant company.

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

SIGNATURE
PRINT NAME
TITLE

Secretary or public officer:

SIGNATURE
PRINT NAME
TITLE

Please apply the company seal here if one is available.

NOTES—community radio broadcasting licences

Eligibility

An applicant for a community radio broadcasting licence must:

- > be a company that is formed in Australia or in an external territory; and
- > represent a community interest.

Applications should contain sufficient relevant information to enable the ACMA to assess the merit of applications against the criteria in 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; and
- (b) the nature and diversity of the interests of that community; and
- (c) the nature and diversity of other broadcasting services (including national broadcasting services) available within that licence area; and
- (d) the capacity of the applicant to provide the proposed service or services; and
- (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; and
- (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 is not required to allocate the licence to any applicant. (Section 85 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; and
- (b) are not operated for profit or as part of a profit-making enterprise; and
- (c) that provide programs that:
 - (i) are able to be received by commonly available equipment; and
 - (ii) are made available free to the general public; and
- (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.

Commencement date of community radio broadcasting service

A community radio broadcasting licensee must commence to broadcast within one year of being allocated the licence. (Clause 9(1)(h) of Schedule 2 to the *Broadcasting Services Act 1992*)

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 successful applicant to enable the licensee to provide the community radio broadcasting service. An apparatus licence is issued under the *Radiocommunications Act 1992* and is also subject to licence conditions.