



A U S T R A L I A N
B R O A D C A S T I N G
A U T H O R I T Y



annual report 1993-94



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MISSION STATEMENT

To promote the availability and development of a range of broadcasting services which is responsive to the diverse needs and interests of all Australians.

About this Report

This Annual Report assesses the Australian Broadcasting Authority's performance in 1993-94 as measured against its *Corporate Plan 1993-96*.

The year's activities are discussed in terms of the Corporate Plan's action strategies, with highlights shown against the performance measures. The operational areas which implemented the action strategies are nominated.



LETTER TO THE MINISTER

The Hon. Michael Lee, MP,
Minister for Communications and the Arts,
Parliament House,
Canberra, ACT, 2600

Dear Minister,

In accordance with the provisions of clause 14 of Schedule 3 of the Broadcasting Services Act, 1992, I am pleased to present the Annual Report of the Australian Broadcasting Authority for 1993-94.

The past year has been one of great change for the Australian Broadcasting Authority. The broadcasting industry has continued its growth and development, adapting to the changing environment, embracing new technologies and looking to ways to implement them.

The Authority has also prepared for change. The Authority adopted its first corporate plan during the period of this report and now possesses a new, streamlined staffing structure which has achieved a remarkable amount in the past 12 months. It looks forward with enthusiasm to the challenges facing it.

The Authority's achievements over the past year have been considerable and cover three main areas of planning, allocating and renewing licences, and programming matters.

Planning

The Authority has embarked on a three year program to plan the broadcasting spectrum. The task is not only unprecedented in its scope, but for the first time in Australian broadcasting, planning decisions are being made with full public participation at every stage of the process. To tackle this task, the Authority first had to decide how to divide the country up into planning zones and then decide what priority to give each zone. It also had to decide what priority to give each of the broadcasting bands (AM radio, FM radio and television).

Because of technical restraints relating to the delivery and reception of services, the Authority decided to consider planning zones of quite large areas, rather than consider individual towns and communities. The Authority divided the country into 22 television zones and 23 radio zones.

It then allocated each of these planning zones to one of five priority groups, with group one zones having the highest priority. People living in remote or sparsely settled areas commonly suffer a dearth of all types of broadcasting services. The Authority gave great weight to this factor and as a result, its priorities favour areas of relative lack over those of relative abundance.

The Authority's planning priorities were determined on 29 September 1993.

Once its priorities were determined, teams of Authority staff began a program of visits to all 14 group one planning zones. Public meetings were held in 41 communities covering the length and breadth of Australia, from Thursday Island to Mt. Gambier and from Griffith to Geraldton. Local television and radio stations ran community service announcements about the meetings and the Authority published notices in local newspapers calling for submissions. The announcements and the notices told people how they could give their views about the mix of broadcasting services in their area, improvements to the delivery of existing services and what new services they would like.

The Authority received over two thousand submissions as a result of this wide public consultation.

The information collected by the Authority has been used in the drafting of licence area plans, the micro-planning stage of the process. The first of these were in preparation at the end of the reporting period.

Before these licence area plans can be completed, the Authority must determine a national framework for the allocation of channels. These frequency allotment plans (one each for AM radio, FM radio and television), show the number of channels available in each area that use broadcasting spectrum. The Authority released its first draft frequency allotment plan in May 1993. In the light of issues raised, a second draft was released for comment in December 1993.

Licence allocation

When completed, licence area plans will set out the number and characteristics of services to be available in an area. Where the ABA identifies channels to be made available for new commercial broadcasting services, it will call for applications for licences using a price-based allocation mechanism.

With channels to be made available for new community broadcasting services, a merit-based allocation mechanism will be used.

The Authority is currently developing both these allocation mechanisms. It expects to allocate its first broadcasting licences directly as a result of this program early in 1995.

The Broadcasting Services Act has introduced regulation by exception. The level of regulation is dependent on the perceived influence of the service. For the more influential services, such as subscription television and commercial or community broadcasting, individual licences must be obtained from the Authority. For the less influential services, such as narrowcasting, allocation is as simple as publishing a class licence in the (Commonwealth of Australia) *Gazette*.

In keeping with the aim of the Broadcasting Services Act, the Authority has made unallocated spectrum available for short term use; for temporary transmissions, re-transmissions, open narrowcasting and community television purposes. The sixth television channel has been made available for community and educational non-profit use, as per your direction, until 28 February 1996.

In allocating and renewing licences, the Authority attempts to balance longer term public interest considerations against continuing high levels of immediate demand for access to spectrum from a variety of sources. With few exceptions, allocation of new broadcasting services using the AM or FM radio bands or VHF or UHF television bands must await the completion of spectrum planning.

In the past twelve months, the Authority has allocated satellite subscription television licences A and B and 203 non satellite subscription television licences. It has also issued transmitter licences for five open narrowcasting television services for community or educational use, 239 temporary transmissions, and issued apparatus licences for 247 low power information services, 131 for low power special events, 29 for high power open narrowcasting services and 146 for re-transmission purposes.

The Authority has also completed the technical planning for the 74 transmitters associated with television equalisation in Tasmania, the technical planning and

transmitter licensing for five new commercial and six new community radio services and the planning associated with 126 new national services (42 television and 84 radio). The Authority also successfully implemented a price-based allocation process for high power open narrowcasting licences, whereby spectrum was made available for short term use.

New licensing arrangements for low power information services in the band 87.6–88.0MHz were implemented. So popular was this type of narrowcasting service, the Authority received more than one thousand applications in 18 months. The allocation process was streamlined to expediate processing of applicants.

The Authority publishes broadcasting financial results to provide public information on the financial state of the broadcasting industry. Advertising revenue for commercial radio continued to show strong growth during the year.

Programming issues

A key premise of the Broadcasting Services Act is that broadcasters should take primary responsibility for their relationship with the larger Australian community rather than be prescribed in their course of actions in the first instance by a government body. Service providers are now charged with developing codes of practice and are the first port of call for complaints from the public about programs.

The Authority has retained program standards relating to Australian content and children's programs for commercial television. These standards reflect the importance the Parliament attaches to the welfare and needs of children and the reflection of Australian identity, character and cultural diversity on our television screens.

One of the major achievements of the past year has been the development and registration of codes of practice for the commercial broadcasting industry. The television code, which includes new procedures for dealing with complaints, was developed by the Federation of Australian Commercial Television Stations in consultation with the community and took effect in September 1993. It introduced two new program classifications, M and MA, bringing television program classification into line with the system used for film and video. (Codes of practice for the commercial radio industry were registered with the Authority last financial year.)

In addition, the national broadcasters (the ABC and the SBS) notified the Authority of their codes of practice. The Authority continues to monitor the codes and complaints process, in consultation with the industry bodies. Monitoring complaints is also a way of gauging community attitudes and standards.

A further measure is by way of attitudinal research. During 1993-94, the Authority conducted a number of research projects into community attitudes on broadcasting issues – children and television (classification issues), community standards for pay TV, radio uses, pay TV 'siphoning', codes, and families and electronic entertainment. The Authority's research projects inform both the Authority and the industry about broadcasting matters and how the community relates to them. The results of the research will also inform the development of codes for the other sectors of the broadcasting industry, such as community, narrowcasting and subscription radio and television.

In February, you directed the Authority to provide you with options about which events of national importance or cultural significance should continue to be available on free-to-air television. The Authority presented a report, with those options, to you in May 1994.

One of the major features of the year has been the Authority's input into fostering a sense of Australian identity and increasing the representation of cultural diversity in television programming. The importance of promotion of Australian identity and culture through broadcasting is an issue which has been raised on numerous occasions. The Broadcasting Services Act's objects include the intention that a diverse range of broadcasting services should be widely available, should reflect a sense of Australianness and should be responsive to audience needs. The Authority is looking closely at the issue of cultural identity, with the objective of informing itself, the industry and public about its implications, particularly for broadcasting.

The Authority has started a review of the Australian content television program standard. This will be a public process requiring input from and consultation with the local production industry, community interest groups and broadcasters. The achievements of the Australian content program standard are well documented, however, the Authority is mindful that the broadcasting environment is rapidly changing.

The Authority continued to monitor compliance with the Australian content program standard. All stations met their requirements and audiences continued to show their liking for the Australian product.

The Authority continues to encourage the provision of quality children's programming through the children's television standards. Australian children's television programs are recognised internationally for their high quality. All stations met the C drama minimum score for the first three years of the children's television standards. The Authority continues to assess applications for the classification of children's television programs.

Other issues

The Authority has monitored the performance of companies in relation to suitability, foreign ownership limitations and cross-media limitations. Looking to the future, the Authority is examining issues such as trans-border satellites, cable television, convergence, the global marketplace and international relationships, especially with other regulators. The Authority's publications, in particular its newsletter *ABA Update*, continue to be a major vehicle for information about broadcasting issues.

All of these major achievements have been carried out in what were, at times, difficult circumstances. The Authority successfully moved to new premises during the year. Thanks to the excellent support from management and staff, the move was completed with a minimum of disruption.

The Authority successfully implemented a new staff structure in early December 1993 which better reflects its functions as set out in the Broadcasting Services Act. At the same time, the Authority reduced staff numbers, from 220 in October 1992 to 157 in January 1994, six months ahead of schedule. All state offices were closed during the year. Implementing the new structure required significant effort on the part of all Authority officers and they are to be commended for their efforts.

Future

In regulating broadcasting services, the Broadcasting Services Act requires the Authority to consider the public interest in a way that accommodates technological change, encourages broadcasting technology development and provision of these services to the

community. The Authority also looks to a national cultural policy which will provide a strong framework for the future development of Australia's pluralistic culture.

One of the challenges in broadcasting regulation today is to find new vehicles for promoting and encouraging local programming material.

The Authority is required by the Broadcasting Services Act to perform its functions in a manner consistent with Australia's international obligations. We have a common interest in collaborating with our neighbours in the Asia-Pacific region to address the challenges that cut across national borders. Convergence will change the nature of the relationship between program supplier, program and audience. The new market is breaking down domestic market boundaries and providing for the emergence of regional and global markets.

The emerging world of digital radio and television presents new challenges for legislators and regulators to ensure the benefits of these new technologies can be fully developed. The Authority is establishing itself as a source of advice and information about the new technologies. Of immediate interest are broadband technologies, digital terrestrial television broadcasting and digital audio broadcasting.

We look forward to the challenges of the future with confidence and optimism about the outcomes that may be available.



BRIAN JOHNS
Chairman

6 October 1994



CORPORATE OVERVIEW

The new structure of the Authority took effect during the reporting year, on 6 December 1993. Members of the Authority are:

Mr Brian Johns (Chairman)

Mr Johns was appointed chairman of the Authority from 5 October 1992 to 4 October 1997. In December 1993, Mr Johns was invited to chair the Broadband Services Expert Group. Before joining the Authority, Mr Johns was managing director of SBS for five years, and before that, publishing director of Penguin Books Australia. He has had extensive experience in government having worked in the Prime Minister's department in both the Whitlam and Fraser governments. Mr Johns also has extensive experience in the print media, having held senior journalist positions on *the Sydney Morning Herald* and *the Australian* newspapers and *the Bulletin* magazine

Mr Peter Webb (Deputy Chairman)

Mr Webb was appointed a member of the Authority for the period 5 October 1992 to 4 October 1997 and Deputy Chairman from 1 February 1993 for the remainder of his term. Mr Webb was Acting Chairman of the former Australian Broadcasting Tribunal from 1 July to 4 October 1992, following his appointment as Vice Chairman of the ABT on 11 May 1992. He has held several positions in the New South Wales Attorney-General's Department. He was Deputy Secretary/Deputy Director-General between 1985 and 1991 and Director-General of the New South Wales Courts Services from 1989 to 1991. He was a member of the New South Wales Legal Aid Commission from 1983 to 1991 and of the Law Foundation of New South Wales between 1982 and 1985. Mr Webb was also a member of the Board of the Australian Commercial Disputes Centre between 1986 and 1992. He is legally qualified.

Mr Tim O'Keefe (Member)

Mr O'Keefe was appointed to the Authority for the five year period 5 October 1992 to 4 October 1997. He was previously a member of the ABT, following his appointment in July 1990 for a five year period. He has had 12 years experience in the broadcasting industry and, before joining the Authority, was Chief Executive of Wesgo Limited and Chairman of all that listed company's licensee subsidiaries. Mr O'Keefe has also held corporate development and financial management positions with Wesgo, AWA Radio Network and 2DAY FM Ltd and has served on the Federal Council of the Federation of Australian Radio Broadcasters.

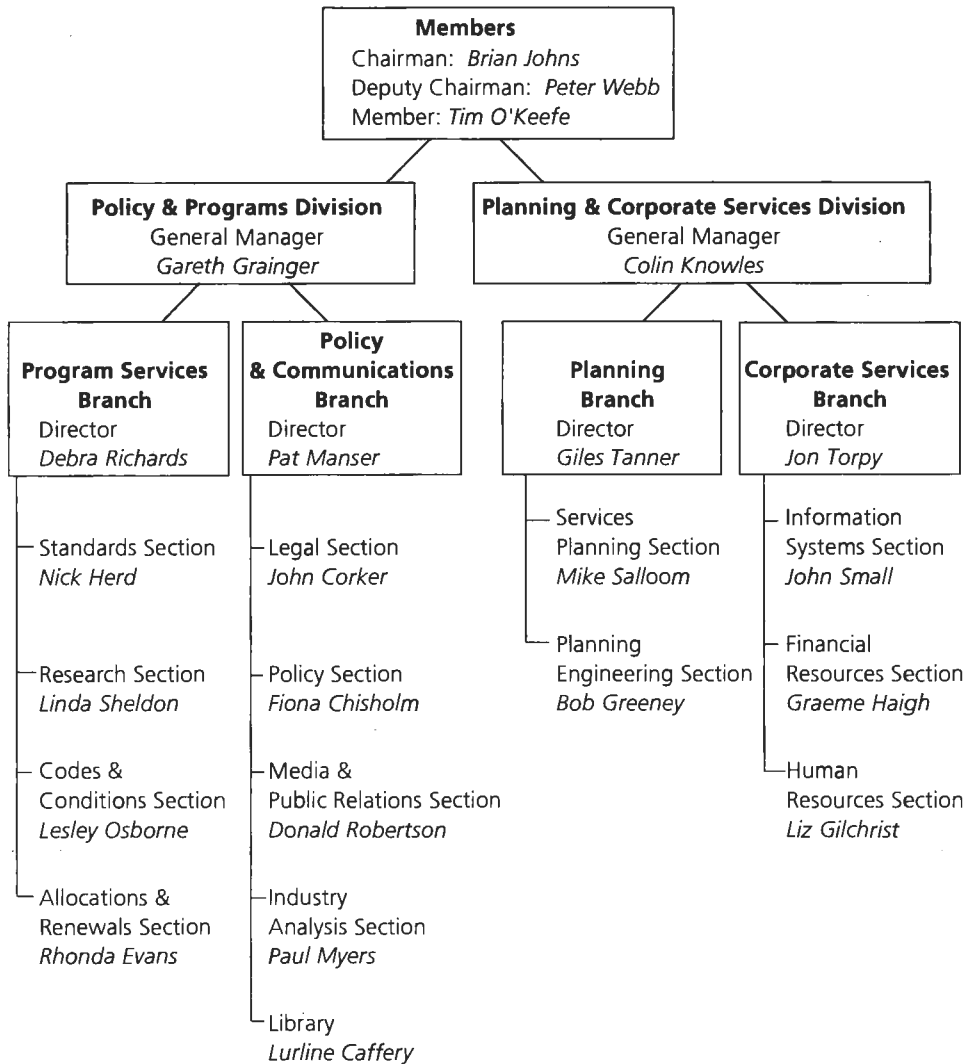
Senior Management

The senior management of the Authority, as at 30 June 1994, was:

| | |
|----------------------|--|
| Mr Colin Knowles | General Manager, Planning and Corporate Services Division |
| Mr Gareth Grainger | General Manager, Policy and Programs Division |
| Ms Pat Manser | Director, Policy and Communications Branch |
| Ms Debra Richards | Director, Program Services Branch |
| Mr Giles Tanner | Director, Planning Branch |
| Mr Jonathan Torpy | Director, Corporate Services Branch |
| Ms Jennifer Stafford | Unattached Senior Executive Service Officer on unpaid leave. |

Authority Structure

as at 30 June 1994



Powers and Functions

The Authority was established by s.154(1) of the *Broadcasting Services Act 1992* and is the broadcasting regulator for radio and television in Australia.

The Authority has been given a range of powers and functions to be used to produce stable and predictable regulatory arrangements. The Authority is also directed to use its powers to deal effectively with breaches of the Act in a way that balances the broadcasting needs of the Australian community with the interests of the broadcasting industry.

Objects

The objects of the Act are to:

- (a) promote the availability to audiences throughout Australia of a diverse range of radio and television services offering entertainment, education and information;
- (b) provide a regulatory environment that will facilitate the development of a broadcasting industry in Australia that is efficient, competitive and responsive to audience needs;
- (c) encourage diversity in control of the more influential broadcasting services;
- (d) ensure that Australians have effective control of the more influential broadcasting services;
- (e) promote the role of broadcasting services in developing and reflecting a sense of Australian identity, character and cultural diversity;
- (f) to promote the provision of high quality and innovative programming by providers of broadcasting services;
- (g) 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;
- (h) encourage service providers of broadcasting services to respect community standards in the provision of program material;
- (i) encourage the provision of means for addressing complaints about broadcasting services; and
- (j) ensure that providers of broadcasting services place a high priority on the protection of children from exposure to program material which may be harmful to them.

Functions of the Authority

The primary functions of the Authority, as set out in the Act are to:

- (a) provide advice to the Spectrum Management Agency in relation to:
 - (i) the spectrum plan and frequency band plans under the *Radiocommunications Act 1992*, and
 - (ii) the designation under section 31 of that Act of parts of the radiofrequency spectrum as being primarily for broadcasting purposes;
- (b) plan the availability of the broadcasting services bands on an area basis;
- (c) allocate, renew, suspend and cancel licences and to take other enforcement action under this Act;
- (d) conduct investigations or hearings relating to the allocating of licences for community radio and community television services;

- (e) design and administer price-based systems for the allocation of commercial television broadcasting licences and commercial radio broadcasting licences;
- (f) collect any fees payable in respect of licences;
- (g) conduct or commission research into community attitudes on issues relating to programs;
- (h) assist broadcasting service providers to develop codes of practice that, as far as possible, are in accordance with community standards;
- (i) monitor compliance with those codes of practice;
- (j) develop program standards relating to broadcasting in Australia;
- (k) monitor compliance with those standards;
- (l) monitor and investigate complaints concerning broadcasting services (including national broadcasting services);
- (m) inform itself and advise the Minister on technological advances and service trends in the broadcasting industry; and
- (n) monitor, and report to the Minister on, the operation of the Act.

Minister

The responsible Minister is the Hon. Michael Lee, Minister for Communications and the Arts.

Structure

The Authority's operational areas have been designed to achieve the Mission Statement in the most effective way possible. The Authority's structure has two Divisions, each with two Branches.

The Policy and Programs Division is comprised of the Policy and Communications Branch and the Program Services Branch.

The Policy and Communications Branch determines and monitors the suitability of licensees to ensure compliance with the ownership and control provisions of the Act, provides legal and policy advice to the Authority, a library and public information service.

The Programs Services Branch may allocate, renew, suspend and cancel licences and is responsible for the collection of any fees payable for those licences, assists broadcasting service providers (licensees) develop codes of practice, conducts research into community attitudes on programming matters, develops program standards relating to broadcasting in Australia and monitors and investigates complaints about licensees.

The Planning and Corporate Services Division comprises the Planning Branch and the Corporate Services Branch.

The Planning Branch plans the availability of segments of the broadcasting services bands (VHF/UHF television, FM and AM radio) and develops technical planning guidelines for services that use these bands.

The Corporate Services Branch attends to all matters related to personnel, accommodation, office services, financial matters and information technology.

All branches are located in Sydney, with the exception of Planning Branch which is located in Canberra.

A detailed exposition of the Authority's structure, powers and functions can be found in Appendix 3 – Freedom of Information Statement.

OBJECTIVE 1

Provide appropriate access to the broadcasting services bands of the radiofrequency spectrum, allocate and administer broadcasting licences for radio and television

ACHIEVEMENTS AGAINST PERFORMANCE MEASURES

- **A level of public participation in planning the priorities for allocating new broadcasting licences for radio and television which ensures that the needs of communities are adequately expressed.**
 - ✓ 863 submissions were received in 1992-93. Priorities determined in September 1993.
 - ✓ Highest priority was given to poorest served areas in remote Australia and including solus television markets.
- **Within the limits of the radiofrequency spectrum available for these purposes:**
 - **the extent to which new radio and television services are developed to meet identified community demand;**
 - **the extent to which opportunities for new radio and television services are taken up by existing and future operators; and**
 - **the number and diversity of new radio and television services which go to air**
- ✓ Technical planning of 74 transmitters associated with television equalisation in Tasmania completed.
- ✓ Technical planning and transmitter licensing for 5 new commercial radio and 6 new community radio licences completed.
- ✓ Planning associated with 126 new national (ABC and SBS) services (42 television and 84 radio) completed.
- ✓ Unallocated spectrum made available for short term use for temporary transmissions, re-transmissions, open narrowcasting, community television purposes.
- ✓ Community and educational use of the sixth television channel—licences made available to community television groups in Sydney, Melbourne, Brisbane, Adelaide, Lismore and Mandurah. Services commenced in Sydney, Lismore and Brisbane.
- ✓ Licences allocated for satellite subscription television licences A and B.

Objective 1 - Planning the spectrum

- ✓ Temporary transmissions—239 transmitter licences issued to aspirant community radio groups for periods up to 90 days.
- ✓ Low power information services—247 transmitter licences issued to low power information radio licences. More than ninety per cent of these were for tourist information services. Other types of services included farm radio and driving instruction.
- ✓ Low power special events—131 transmitter licences issued for radio broadcasts of sporting and cultural events.
- ✓ High power open narrowcasting—29 transmitter licences issued. Uses include racing services and foreign language services. A price-based allocation system for allocating 15 high power open narrowcasting licences was developed and implemented.
- ✓ Re-transmissions—146 facilities issued with transmitter licences for re-transmission.

• **The Authority's contribution to the financial health of the broadcasting industry**

- ✗ The Authority is unable to assess its contribution at this stage as benefits attributable to the different levels of regulatory control have yet to be realised.

• **The extent to which the Authority meets statutory timeframes for renewal of broadcasting licences for radio and television, and for providing legally-binding opinions to operators on the appropriate licence category for a radio or television service**

- ✓ 57 licences (35 commercial radio, 6 commercial television, 16 community radio) were renewed, all within the required time frame.
- ✓ All opinions to operators on the appropriate licence category for a radio or television service (s.21 opinions) were provided within the required timeframe.

• **The number and nature of complaints about the technical delivery of services which relate to the Authority's planning actions and the speed with which such complaints are resolved**

- ✓ The Authority and the Spectrum Management Agency have established a memorandum of understanding on how technical complaints are handled.
- ✓ Any complaints acted upon as quickly as possible and, where appropriate, referred to Spectrum Management Agency.

• **Planning priorities which result in the early start of new services or of improvements to the coverage of existing services.**

- ✓ Licence area plans (the final stage of planning) for the first priority group in preparation.

Objective 1 - Planning the spectrum

✓ The Authority is proceeding with the planning stages and the first services as a direct result of the planning process under the Broadcasting Services Act are expected in 1995.

✗ No new services commenced. No improvement to the coverage of existing services. Draft licence area plans for group one priority areas in final stages of preparation.

ADDITIONAL ACHIEVEMENTS

- **A level of public participation in the preparation of licence area plans**

- ✓ Planning meetings were held in 41 centres.

- ✓ More than two thousand submissions received.

- **A level of public participation in the preparation of frequency allotment plans**

- ✓ Second exposure draft frequency allotment plan released for public comment.

Operational areas: Services Planning Section, Planning Engineering Section (Planning Branch); Allocations and Renewals Section (Programs Services Branch)

Objective 1 - Planning the spectrum

- **Plan the allocation of the bands of the radiofrequency spectrum reserved for broadcasting to maximise opportunities for broadcasters to establish radio and television services in line with community needs**

Planning the broadcasting services bands is a three stage process: determining planning priorities, determining the frequency allotment plan and determining licence area plans. The Authority's planning process, with public comment at every key point, will ensure that as long as there are operators willing to provide services in particular areas, and there are available frequencies, community demand will be satisfied, as far as possible.

Determination of Priorities

As the first stage of planning, the Authority determined planning priorities for Australia identifying the order in which different markets and different bands will be planned. The priorities, determined on 29 September 1993, decide how the Authority allocates its planning resources and set a timetable for making new broadcasting services available in various parts of Australia. Highest priority for radio was given to remote Australia, Darwin and the Top End, and central and south west Western Australia (excluding Perth). Highest priority for television was given to those areas of Australia which currently have access to only one commercial television service. Table 1 lists the Authority's priorities.

Determination of Frequency Allotment Plan

In accordance with the determined priorities, the frequency allotment plan must be developed to cover all parts of Australia and all portions of the broadcasting services bands (AM and FM radio, VHF and UHF television). The frequency allotment plan sets out the number of radio and television channels available in each zone and the framework for detailed planning of future services in those zones. The frequency allotment plan may be revised from time to time to reflect licence area plan decisions.

On 2 May 1993, the Authority released a draft frequency allotment plan for consultation with the industry and the public. Following consideration of issues the first draft raised, on 17 December 1993 the Authority released a second exposure draft of the frequency allotment plan. (Subsequent to the date of this report, on 19 August 1994, the Authority released its final frequency allotment plan.)

Licence Area Plans

Licence area plans will describe the number and type of broadcasting services (commercial, community or national) to be available in a licence area. They will include a description of the licence area and details of the technical characteristics within which the services must operate. The Authority expects to release the first draft licence area plans in the second half of 1994.

Table 1
**AUTHORITY DETERMINATION OF PRIORITIES FOR THE
 PREPARATION OF LICENCE AREA PLANS**

| Group | Planning Zone | Zone Description |
|---------|---------------|---|
| Group 1 | R1 | Remote Australia |
| | R21 | Central and South West Western Australia |
| | R23 | Darwin and Top End |
| | T11 to T22 | Solus Television - Darwin, Remote North East, Remote Central, Remote Western, Mount Isa, Griffith (MIA), Mildura, Broken Hill/Spencer Gulf, Renmark/Loxton/South East South Australia, South West and Great Southern Western Australia, Geraldton, and Kalgoorlie |
| Group 2 | R7 | Central NSW |
| | R11 | Albury, Shepparton and Wangaratta |
| | R16 | Central Victoria and Central Murray |
| | T5 | Perth Television |
| Group 3 | R2 | Northern Queensland |
| | R3 | Central Coast Queensland |
| | R4 | Darling Downs |
| | R6 | Hunter and Northern NSW |
| | R9 | Illawarra, South East NSW and Australian Capital Territory |
| Group 4 | R5 | Brisbane, Sunshine Coast, Gold Coast, Richmond/Tweed, Gympie |
| | R8 | Sydney and Central NSW Coast |
| | R15 | Melbourne and Geelong |
| | R19 | Adelaide |
| | R22 | Perth |
| Group 5 | R10 | Murrumbidgee/Riverina |
| | R12 | Gippsland |
| | R13 | Northern Tasmania |
| | R14 | Hobart/Southern Tasmania |
| | R17 | Western Victoria |
| | R18 | South East South Australia |
| | R20 | Spencer Gulf |
| | T1 to T4 | Metropolitan Television - Sydney and Central NSW Coast, Melbourne and Geelong, Brisbane and Adelaide |
| | T6 to T10 | Aggregated Television - Regional Queensland, Northern New South Wales, Southern New South Wales, Regional Victoria, and Tasmania |

- Notes:**
1. This table lists the priority for completion of licence area plans.
 2. All planning zones within a Group have equal priority and may be completed in any sequence within that Group.

R: radio zone T: television zone

Complete details are in the Authority's publication, *Planning Priorities*.

Objective 1 - Planning the spectrum

Public Consultation

In determining the priorities for broadcasting planning in Australia, the Authority considered 863 submissions gleaned from two calls for public comment in the 1993-94 reporting year. As the Authority moves into the more detailed planning covering particular communities, people in those communities will have further opportunities to participate in the planning process.

Teams of Authority staff visited 41 population centres in Group 1 planning zones (see Appendix 1) and invited public comment. These visits were only one part of the Authority's strategy to involve members of the public in the broadcasting planning process. The teams compiled and mailed out 'zone information' booklets which contained information known by the Authority about the zone. These booklets were sent to local councils, service groups (such as Rotary and the Country Women's Association), support groups such as ethnic and Aboriginal and Torres Strait Islander groups, as well as to people who had responded to the Authority's calls for public comment. All submissions were microfiched to be made available at the time of the release of each draft licence area plan.

The numbers of submissions received for each zone are shown in Table 2 and Table 3.

Table 2
SUBMISSIONS RECEIVED FROM GROUP ONE RADIO ZONES

| Zone | Area | Number of Submissions |
|--|--------------------|------------------------------|
| 1 - Remote Australia | Northern Territory | 15 |
| 1 - Remote Australia | Queensland | 312 |
| 1 - Remote Australia | Western Australia | 285 |
| 1 - Remote Australia | New South Wales | 99 |
| 1 - Remote Australia | South Australia | 30 |
| 1 - Remote Australia | Victoria | 35 |
| 21 - Central and South West Western Australia | | 501 |
| 23 - Darwin and Top End | | 113 |
| Total | | 1390 |

Table 3
SUBMISSIONS RECEIVED FROM GROUP ONE TELEVISION ZONES

| Zone | Area | Number of Submissions |
|---|--------------------|-----------------------|
| 11 – Darwin | | 15 |
| 12 – Remote North East | Queensland | 35 |
| 12 – Remote North East | New South Wales | 81 |
| 13 – Remote Central | New South Wales | 29 |
| 13 – Remote Central | Victoria | 17 |
| 13 – Remote Central | South Australia | 18 |
| 13 – Remote Central | Northern Territory | 8 |
| 14 – Remote Western | Western Australia | 89 |
| 15 – Mt Isa | | 19 |
| 16 – Griffith (MIA) | | 31 |
| 17 – Mildura | | 35 |
| 18 – Spencer Gulf | | 51 |
| 18 – Broken Hill | | 35 |
| 19 – Renmark/South East South Australia | Riverland | 7 |
| 19 – Renmark/South East South Australia | Mt Gambier | 40 |
| 20 – South West & Great Southern Western Australia | | 86 |
| 21 – Geraldton | | 13 |
| 22 – Kalgoorlie | | 67 |
| Total | | 617 |

MINISTER'S RESERVATIONS AND DIRECTIONS

Under the Broadcasting Services Act, the Minister may notify the Authority to reserve capacity in the broadcasting services bands for specified numbers of community and national broadcasting services.

National Services

On 29 October 1993, the then Minister for Communications, the Hon. David Beddall, MP, notified the Authority to reserve capacity for national radio services in the AM and FM bands and attached a schedule specifying particular areas where that was to be done. The schedule covered existing ABC, SBS and parliamentary broadcasting radio services and approved extensions of ABC and SBS radio services. The extensions include ABC radio network JJJ and SBS radio.

On 29 October 1993, Mr Beddall also notified the Authority to reserve capacity for ABC and SBS television services throughout Australia.

Community Services

On 29 October 1993, Mr Beddall notified the Authority to reserve capacity for existing community radio services.

Sixth Television Channel

Television planning has made provision for suites of frequencies to support six high power television channels in most areas of Australia. In many areas, five of the six available channels are already in use. There has been much discussion about what should be done with the last available channel, the so-called 'sixth channel'. A report on the matter was released by the House of Representatives Standing Committee on Transport, Communications and Infrastructure (HORSCOTCI) in September 1992.

On 17 March 1994, the Minister for Communications and the Arts, the Hon. Michael Lee, MP, directed the Authority to reserve the sixth channel for a high power television channel for the provision of national broadcasting services or for community broadcasting services and give favourable consideration to making the channel available immediately for community and educational television on a continuing trial basis.

The Authority decided to make the sixth channel available on an area-by-area basis for open narrowcasting services for community and educational non-profit purposes, until 28 February 1996. The decision will be re-examined at that time. In exercising its delegation to issue apparatus licences, the Authority has regard to the extent to which the service will be accessible to individuals and relevant groups within the area to be served.

Development of Technical Planning Guidelines

Section 33 of the Broadcasting Services Act requires the Authority to develop technical planning guidelines for all services that use the broadcasting services bands. These guidelines are technical conditions which attach to the broadcasting transmitter apparatus licences issued under the *Radiocommunications Act 1992*. They are to cover such matters as the emission standards to apply to broadcasting services and permitted maximum field strength of services' transmissions outside their licence areas. The Authority released draft technical planning guidelines for public comment on 30 June 1994 and, after consideration of those comments, will release the guidelines in 1994-95.

After collecting all of the planning information inherited by the Authority, a companion document for the *Technical Planning Guidelines*, the *Australian Broadcasting Planning Handbook*, will be compiled and is expected to be published in 1994-95.

Transitional Issues

There are substantial differences between the Broadcasting Services Act and the former Broadcasting Act. The *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992* (the Transitional Act) was enacted to ensure a smooth transition to the new regime—a bridge between the old and the new.

AM-FM CONVERSION IN METROPOLITAN MARKETS

Section 14 of the Transitional Act allows for conversion to FM of any metropolitan AM commercial radio licence if the licensee had applied under the National Metropolitan Radio Plan. One AM metropolitan commercial radio station converted to the FM band in 1993-94.

| AREA | CALLSIGN – OLD | CALLSIGN – NEW |
|--------|----------------|----------------|
| Sydney | 2UW | 2WFM |

LICENCE GRANTS UNDER THE *BROADCASTING ACT 1942*

Where the Australian Broadcasting Tribunal had not finalised applications for the grant of a commercial or public radio licence or a remote radio or television licence, the Authority can finalise the applications and grant a licence as if it were the Tribunal operating under the Broadcasting Act.

Services licensed under this provision must also have an accompanying apparatus licence granted, under the Radiocommunications Act, before they can commence. All licensing action was completed for five commercial and six community services in 1993-94.

| Commercial | CALLSIGN | AREA |
|-------------------|-----------------|-------------------|
| | 2MOR | Deniliquin, NSW |
| | 2ROX | Kempsey, NSW |
| | 2VLY | Muswellbrook, NSW |
| | 2WZD | Wagga Wagga, NSW |
| | 2ZZZ | Lismore, NSW |

| Community | CALLSIGN | AREA |
|------------------|-----------------|---------------------------|
| | 2DRY | Broken Hill, NSW |
| | 3REG | East Gippsland, Vic. |
| | 4BAY | Redland/Wynnum Manly, Qld |
| | 6AR | Perth, WA |
| | 6WR | Kununurra, WA |
| | 8EAR | Nhulunbuy, NT |

NATIONAL SERVICES

National television and radio services are defined as services provided by the ABC, SBS and the Parliamentary Broadcasting Service.

National services were exempt from licensing under the Broadcasting Act. Under the Broadcasting Services Act, national services do not require a service licence, but are required to hold an apparatus licence under s.100 of the *Radiocommunications Act 1992*.

No apparatus licences for existing national radio and television transmitters throughout Australia have yet been issued.

TELEVISION EQUALISATION IN REGIONAL AREAS

Under television equalisation, more than four million viewers in regional areas of eastern Australia will have the same choice of commercial television services as metropolitan viewers by 1996.

Viewers in smaller communities in the four eastern mainland approved markets (Queensland, northern New South Wales, southern New South Wales and the Australian Capital Territory, and Victoria) are gaining access to the additional services as soon as licensees' resources permit them to establish the necessary transmission facilities. Licensees have until 1996 to complete the construction programs specified in their implementation plans. Section 9(1)(d) of the Transitional Act preserves the obligations of those licensees as conditions of their licences.

Equalisation in Tasmania started in April 1994 with the commencement of new services.

Objective 1 - Planning the spectrum

Approvals

In 1993-94, 524 mainstream broadcasting services were approved to go to air including 74 transmitters associated with Tasmanian equalisation. Planning for these was preserved under the Transitional Act. They also include ABC and SBS television and radio services and additional commercial television services in the four other approved markets.

- ***Balance public interest with technical considerations in determining the planning priorities and timetable to enable allocation of new broadcasting licences for radio and television***

The Authority's planning priorities, which give high priority to those areas of Australia which are remote and underserved, are expected to result in new services, or improvements to existing services as soon as planning is completed in each area and allocation has also been completed. Availability of frequencies may limit new services and technical improvements to existing services, in some areas, particularly where television services are operating on VHF Band II (see below). The existence of potential operators willing to take advantage of the opportunities offered, especially in sparsely populated areas, may limit the introduction of new services.

In developing licence area plans for the Riverland, and for the top priority areas of South Australia and south west Western Australia, the Authority is having to balance the needs of the viewing public who receive television services on VHF television channels 3, 4 and 5 (Band II) against those of the listening public wanting additional FM radio services. Band II television channels straddle that part of the radiofrequency spectrum also used for FM radio. Television services using Band II channels may be required to move to other VHF or UHF channels, depending on the level of demand for additional radio-services in these areas. The matter is being considered by the Authority and options will be aired in the draft licence area plans for public comment before final decisions are made.

- ***Allocate and renew broadcasting licences for radio and television***

The Authority attempts to balance longer term public interest considerations against continuing high levels of immediate demand for access to spectrum from a variety of sources.

There will be no allocation of new, permanent commercial or community broadcasting services bands licences until the completion of the licence area planning process in line with the Authority's planning priorities.

However, the Authority continues to make spectrum available for temporary transmissions for a number of purposes, including temporary transmissions by aspirant community radio and television broadcasters, high power AM radio open narrowcast services of limited duration and for re-transmission of existing services.

The Authority commenced the process of developing two key licence allocation systems, which will come into effect following the determination of licence area plans. These are a price-based allocation system for permanent commercial broadcasting licences and a merit-based allocation system for permanent community broadcasting licences.

The Authority renewed 35 commercial radio licences, 6 commercial television and 16 community radio broadcasting licences. Commercial radio and television licences attract a \$200 renewal fee.

Subscription television broadcasting licences

Satellite

The Authority allocated satellite subscription television (pay TV) licences A and B. The licence allocations followed the full payment of prices bid under a price-based allocation system, the completion of investigations relating to the ownership structures, control and suitability of each of the applicants, and the receipt of reports from the Trade Practices Commission. The Authority has published reports of each of these investigations.

Non-satellite (cable, not MDS)

In the reporting period, the Authority allocated 203 non-satellite subscription television broadcasting licences to 13 licensees. These licences were allocated following the Authority's consideration of the ownership structure of the applicants and the receipt of reports from the Trade Practices Commission on the effect of licence allocations on competition in the relevant markets. These licences are allocated under s.96 of the Broadcasting Services Act on the basis of one licence for a proposed service. No services under these licences had commenced at the end of the reporting year. A list of licensees is available from the Authority on request.

Temporary allocation of spectrum for the sixth channel

The Authority allocated or renewed five temporary licences for open narrowcasting services for community and educational non-profit purposes, using the sixth television channel. The licences are in Sydney, Melbourne, Adelaide, Lismore and Brisbane.

There were a further six applications under consideration at the time of reporting.

In addition, the Authority granted several short term temporary licences to Mandurah Community Television (in Perth) pending the longer term allocation of a Perth-based licence for community and educational use.

• *Identify and act on breaches of statutory licence conditions for operating radio and television services*

Following complaints from a community radio service that another service was causing interference to its signal, the Authority investigated the matter with a view to assisting the second service to comply with its technical specifications. In November 1993, the Authority referred to the matter to the Spectrum Management Agency (SMA) for investigation. As the matter is still under investigation and may result in legal proceedings, the services involved cannot be named.

Several low-power open narrowcasting services caused problems during 1993-94. Some service operators sought to increase signal range thereby breaching their technical conditions and some services caused interference to other broadcasting services. In all cases the complaints have been investigated by the SMA and have been rectified by the operators.

The Authority investigated a complaint relating to the possible breach of a licence condition related to simulcasting by the licensee of commercial radio services 3EE and 3MP in Melbourne. It also investigated a complaint relating to the technical conditions of

Objective 1 - Breaches/alternative uses of BSB

the 2ROX translator operating from Mt Yarrahappinni (Coffs Harbour, NSW). In the former case, the licensee ceased simulcasting. In the latter, the matter was resolved to the satisfaction of all the parties.

The Authority and the SMA have established a memorandum of understanding on how technical complaints are handled. There were a small number of complaints associated with the introduction of new services, these have been resolved promptly. There is a further class of complaints about reception, or lack thereof, which may only be resolved by the provision of extra transmitters. These problems generally affect only a small number of people and resolution eventually depends on the Government (for national services) or commercial licensees meeting the cost of the new installations. The Authority will be looking at the extent of such problems during its detailed planning.

- ***Allow alternative uses of the broadcasting services bands for temporarily unallocated parts of the radiofrequency spectrum***

To foster efficient spectrum management, the Authority is given flexibility in determining the use of the broadcasting bands. The Authority has the discretion to make spectrum available for alternative uses for specified periods when: not all licences are made available for commercial allocation; not all commercial licences are allocated; spectrum is available, but planning has not begun or is not complete; or capacity is reserved for community or national use, but is not being used.

The Authority may decide that parts of the broadcasting services bands are available for allocation, for a period specified by the Authority for temporary or re-transmission purposes, subscription broadcasting, subscription narrowcasting or open narrowcasting or any other purpose determined by the Authority.

Low power narrowcasting services

The Authority released frequencies in the 87.6 to 88.0 MHz range for open narrowcasting purposes, on a nationwide basis, for low power information services until January 1997. These frequencies are at the extreme low end of the frequency range used for FM radio. The keenness with which potential operators applied for apparatus licences for these services was not anticipated and had a serious impact on the Authority's resources. The Authority, in consultation with interested parties, developed a streamlined approach for licensing these services which is expected to reduce the backlog of applications for apparatus licences.

Apparatus licences for 247 low power information services were granted in the reporting period (compared with 260 in the previous reporting period). Most have been for tourist information services, although there has been interest in providing religious, foreign language and farming information services, music programs to limited areas and services which transmit inside sports stadiums.

Detailed technical conditions apply to low power open narrowcasting services. A restriction has been placed on the height of the transmitting antenna of these services so that a large number of services can share the channels. The effective radiated power (ERP) of low power information services shall not exceed 1 watt in a residential area. Outside a residential area, the maximum ERP may be increased to 10 watts.

The planning arrangement for these services has been greatly simplified, but the onus is on operators not to cause interference to broadcasting and other services and to rectify

any interference that results from the installation of low power open narrowcasting services.

In order to assist existing and prospective radio narrowcasters to better understand the Authority's interpretation of the category definitions applicable to broadcasting services, the Authority released a discussion paper, *Narrowcasting for Radio* in April 1994. The paper had previously circulated as a draft to relevant industry bodies and other stakeholders for comment and may be further revised in response to future industry developments.

High power narrowcasting services

Two AM frequencies, in Wollongong and Newcastle, were vacated by operators converting to the FM band. On the basis that no further planning was required, an AM frequency in each of these areas was approved for use for high power narrowcasting racing and betting services, until 22 April 1996. There are also 14 high power FM services in remote Queensland.

The Authority also decided to allocate a further 15 planned, but unused, AM radio channels for which there had been a high level of demand. The Authority successfully developed and implemented a price-based system for the allocation of temporary high power open narrowcasting AM radio licences.

The allocation was by open cry auction for 15 licences in total; six in NSW (Sydney, Penrith, Katoomba, Wollongong, Gosford and Newcastle), four in Victoria (Melbourne (3) and Geelong) three in Queensland (Townsville, Southport and Gold Coast) and one each in Adelaide and Perth. A total of 55 applicants registered as bidders for the licences and the total raised by the allocation exercise was \$621 000. The licences at Newcastle and Katoomba were not allocated due to lack of bidders.

The Authority engaged the assistance of Pickles Auctions Pty Ltd and the Department of Administrative Services to assist in this task.

Temporary transmissions

Temporary transmissions are used by community radio and television broadcasting aspirant groups or for special events. The former use temporary transmissions to attract community support, test equipment and give the members of their groups valuable practice in broadcasting. Following negotiations with the broadcasting industry, on 1 April 1993, the Authority introduced a new policy that temporary transmissions could be undertaken to an aggregate of 90 days over a twelve month period. In response to issued raises by the success of Hitz FM (an aspirant community group aimed at Melbourne youth), the Authority decided to review its policy. New guidelines for temporary transmissions by aspirant community broadcasters are expected to be negotiated with interested parties, with a view to their introduction early in the 1994-95 financial year.

Apparatus licences for 239 temporary transmissions were issued in the reporting period.

Apparatus licences were also issued for 131 special events, such as sporting carnivals and religious festivals.

Objective 1 - Alternative uses of BSB

Re-transmissions (section 34)

Communities may apply to operate their own re-broadcasting transmitter or cable re-transmission system to improve their reception of broadcasting services. The Authority must first make spectrum available for a specified period under s. 34 of the Broadcasting Services Act. A total of 145 re-transmission facilities for services, operating in the broadcasting services bands, have been issued with apparatus licences in the reporting period.

Re-transmissions (section 212)

There has been considerable interest in the provisions of the Act relating to the re-transmission of programs (s.212). In December 1993, the Authority disseminated to industry bodies and other key stakeholders, a draft *Guide to Special Provisions for Re-transmission of Programs* to assist in the interpretation of these provision. In particular, the draft guide was designed to clarify the Authority's role in giving, or refusing, permission to applicants seeking to re-transmit programs outside the licence area of a service. The Authority expects to finalise the guidelines in the coming year.

The Authority completed one application, giving permission to re-transmit a service outside the licence area of the host service.

At the date of this report, the Authority was conducting an investigation into proposals by Imparja Television Pty Ltd and Queensland Satellite Television (QSTV), to re-transmit certain television services. The purpose of the investigation is to determine whether granting the permissions sought would have the effect of precluding other, more appropriate options for new television services in the affected areas, being options which may be identified through the Authority's formal planning process.

Public comment has been sought and submissions close on 8 July 1994, after the date of this report.

- ***Provide written, legally-binding opinions indicating the appropriate licence category for a particular radio or television service or a proposed service***

The Authority processed 30 applications for opinions on category of service under s.21 of the Act. All applications were resolved within the statutory time limit. In eight cases the Authority's opinion was different from that proposed by the applicant. One applicant failed to respond to a request for further information and thus no opinion could be provided.

OBJECTIVE 2

Ensure that control of commercial television broadcasting services rests with Australians, and that diversity of control of the more influential broadcasting services is maintained

ACHIEVEMENTS AGAINST ACTION STRATEGIES

- **The maintenance of Australian control of commercial television services, and the extent of diversity in the ownership and control of broadcasting services**
 - ✓ Control of all commercial television services remains in Australian hands.
 - ✓ Ownership and control cross-media rules have maintained effective separation of activities of the companies with major media interests.
- **Successful implementation of monitoring procedures of the ownership and control provisions of the *Broadcasting Services Act 1992***
 - ✓ A database which monitors control of commercial broadcasting licences has been developed.
 - ✓ Regular meetings with commercial licensees were held.

Operational areas: Control Subsection (Industry Analysis Section, Policy and Communications Branch)

Objective 2 - Ownership and control

- ***Establish an information system on the ownership and control of radio and television services***

The Authority collects information on an annual basis about ownership, foreign ownership and directors of media companies operating commercial television services.

In addition, there are provisions in the Broadcasting Services Act requiring companies and individuals to notify the Authority when control changes hands. These form the regular reporting devices under the Act.

The Authority also seeks additional information from other agencies, such as the Australian Securities Commission and the Trade Practices Commission.

- ***Monitor, as required, possible or impending changes of changes of ownership and control***

Transactions and events which have been monitored for their potential impact on the control of the companies involved include the following: CanWest and TEN Group Ltd; Northern Rivers Television.

CanWest and TEN

Sections 57 and 58 of the Act place limits on foreign ownership and control of commercial television licensees. As a consequence of a 58 per cent economic interest (including a 15 per cent shareholding) in TEN Group Ltd, owner of the TEN television network, by CanWest Global Communications (CanWest), the Authority has continued to monitor the involvement of the Canadian company in TEN Group Ltd.

Northern Rivers Television

The licensee of Northern Rivers Television (NRN) was placed into receivership on 15 October 1993. NRN was subsequently sold to a consortium consisting of Mr Kerry Stokes, Mr Jack Cowin and Telecasters North Queensland (TNQ). Mr Cowin and TNQ are shareholders in TEN Group Ltd. Mr Stokes has interests in regional West Australian television and owns *The Canberra Times* newspaper. During the year, Capital Television Group Ltd, which controls television licences in Adelaide, Perth and Canberra, commenced legal action against the receivers and other parties, including the owners of TEN Group Ltd. The action related to an alleged breach of contract and trade practices based on alleged breaches of the Broadcasting Services Act. The Authority had not identified any breach of the Broadcasting Services Act, but continues to monitor the commercial television licensees associated with these events.

Other investigations have involved Telecasters North Queensland, UCOM and Hi-Vision; Continental Century and New World Telecommunications.

- ***Provide written, legally binding opinions about whether the various formal and informal business arrangements under which a person operates constitute a position of control over a radio or television service, or a newspaper, that is associated with the area of the broadcasting licence or a company***

During this reporting period the Authority has provided one opinion only, on an individual's directorships in two media companies.

Subscription Television Broadcasting Licences

The Authority allocated satellite subscription television broadcasting licences A and B, under s.93 of the Act. On allocating licences A and B, the Authority issued reports that contained an assessment of the ownership and control of the licences. The Authority found that the company structures complied with the ownership and control provisions of the Act. Similarly, the Trade Practices Commission provided a report that did not make a finding, within the terms of s.94 of the Broadcasting Services Act, that would prevent the Authority from allocating the licence.

Since allocating licences A and B, the Authority has monitored the ownership and control of these licences. To date the Authority has not identified a breach of these provisions.

Similarly, the Authority has considered and continues to monitor the ownership of licences for non-satellite subscription television broadcasting services issued under s.96 of the Act.

• *Identify and act on breaches of the ownership and control provisions of the Broadcasting Services Act 1992*

Once the Authority becomes aware of a potential breach of these provisions, information is sought from the parties and other sources. Adequate opportunity is provided to parties to put their case.

The Authority has conducted investigations into possible breaches, one of which was the investigation of Telecasters North Queensland (TNQ).

On 16 November 1993, TEN Group Ltd entered into an agreement with Westfield Holdings Limited and Westfield Capital Corporation Limited for the acquisition of Westfield Capital Corporation's 50 per cent shareholding in the Capital Television Group Limited (Capital). Capital controls commercial television broadcasting licences in Adelaide, Perth and the Southern NSW/ACT market. TNQ has 40 per cent shareholding interest in the TEN Group, and in the absence of proof to the contrary, is regarded as being in a position to exercise control of the TEN Group. Prior to the TEN Group entering into the agreement with Westfield, TNQ controlled three commercial television broadcasting licences, and through its deemed control of the TEN Group, the three licences owned by the TEN Group.

The Authority is considering the issue of whether TNQ is in a position to exercise control of the TEN Group and Capital licences. If TNQ controls these licences, then TNQ would be in a position to exercise control over commercial television broadcasting licences whose combined licence area populations exceed 75 per cent of the population of Australia. TNQ would then be in breach of the population reach limit under s.53(1) of the Act.

OBJECTIVE 3

Encourage service providers to be responsive to the diverse broadcasting needs, interests and values of the Australian community

ACHIEVEMENTS AGAINST PERFORMANCE MEASURES

- **Recognition of the Authority's contribution to the responsiveness of industry practice for radio and television to community attitudes as indicated by the results of attitudinal research commissioned by the Authority**

✗ Research into community attitudes about awareness and usage of the new television program classification system and complaints procedures is currently underway but is not complete at the date of this report.

- **Codes of practice are implemented by the radio and television industries, and are accepted by the community**

✓ Codes of practice for commercial radio and television have been developed and implemented. The codes cover issues such as classification of programs, news and current affairs programs, time occupied by non-program matter and the handling of complaints.

✓ The Authority has consulted with community broadcasters, subscription television licensees and narrowcasters on development of codes.

✓ Information about community attitudes from the Authority's research program has been used by broadcasting groups in the development of codes of practice.

- **Recognition of the Authority's contribution to the availability of high quality programs for children**

✓ Children's television specialists have publicly endorsed the Authority's children's television standards and the Authority's role in children's television.

✓ Recognition by producers and programmers of timely and efficient assessment of C and P programs by the Authority in granting classification in line with the objective of the standards.

✓ Positive feedback received from children's program producers on quality of assistance provided by Authority staff.

✓ International recognition of the contribution towards high quality Australian children's television made by the children's television standards.

✓ Authority staff have been invited to participate in forums on children's television issues, conferences and seminars.

✓ Members of the public approach the Authority about children's television issues and provide positive feedback about responses.

- **Recognition of the Authority's efforts in assisting the radio and television industries to resolve complaints effectively**

- ✓ The Authority provides advice to licensees on complaint handling procedures.
- ✓ Regular consultation with radio and television industries on complaint handling procedures and monitoring their effectiveness.
- ✓ Timely provision of advice to complainants about the industries' complaints procedures.

- **Resolution of complaints referred to the Authority in a timely manner.**

- ✓ The Authority developed procedures to handle complaints referred to it for response or investigation.

Operational areas: Children's Television Subsection, Standards Section, Research Section, Codes and Conditions Section (Programs Services Branch)

Objective 3 - Industry perspectives/research

- ***Develop links with program producers, radio and television operators, community groups and other interested parties to maintain awareness and understanding of changing community and industry perspectives on broadcasting issues***

Members and staff of the Authority held regular meetings with the Federation of Australian Commercial Television Stations (FACTS), the Federation of Australian Radio Broadcasters (FARB), Media and Communications Council (MACC), Community Broadcasting Association of Australia (CBAA), Federation of Australian Narrowcasting and Subscription Services (FANSS) and Broadcasting Industry Advisory Council (BIAC). Staff of the Authority met regularly with program producers, television operators and other interested parties to discuss broadcasting issues, including those pertaining to children's television. The Authority maintains regular contact with people in the field of children's issues, programming and production.

- ***Conduct and commission research into community attitudes on broadcasting issues***

During the conduct of attitudinal research projects, the Authority has consulted extensively with industry, community and educational organisations. The Authority has also consulted with the Senate Select Committee on Community Standards Relevant to the Supply of Services Utilising Electronic Technologies on research exploring program content issues for pay TV. Links developed have led to the exchange of information, access into schools to conduct research and changes to the design of questionnaires used for surveys.

The Authority undertook six attitudinal research projects during the year:

Children and Television (Classification Issues): This research is part of a major project on children and television. Research commenced in April 1993 and involved qualitative and quantitative stages with children in NSW. The objectives of the research were to examine how children view television in their homes, to explore whether children are concerned about swearing, violence, kissing and nudity on television and whether children were aware of any parental regulation about television. These objectives were met and a final report from the consultant was received in April 1994. Results will be presented to industry and other interested organisations in the next financial year.

Community Standards for Pay TV: The Act requires the Authority to conduct attitudinal research and make recommendations to Parliament about whether R-rated programs should be broadcast on pay TV. National qualitative and quantitative research commenced in March 1993. The objectives of the research were to explore the nature of concerns people have about pay TV program content, the acceptability of R-rated material on pay TV and to explore attitudes to the use of disabling devices to restrict access to R-rated program by children and teenagers. These objectives were met and a final report from the consultant was received in March 1994. At 30 June 1994, the Authority was drafting its report and recommendation to Parliament.

Radio: This research will assist the planning of broadcasting services by examining attitudes and behaviour about current radio services and needs for new services. National

qualitative and quantitative research commenced in March 1994 and will continue into the next financial year.

Pay TV 'Siphoning': A national survey was commissioned to determine community attitudes to the possible migration or 'siphoning' of major television events from free-to-air to pay TV. The survey was completed in March 1994. The survey results and associated analysis of television ratings data contributed to the options report submitted to the Minister for Communications and the Arts in May 1994.

Codes and Conditions: A national survey was commissioned to monitor the effectiveness of the television industry code of practice and concerns about television programs. A questionnaire has been developed and a survey will be conducted in the next financial year.

Families and Electronic Entertainment: National qualitative and quantitative research was commissioned to examine the impact of existing and new forms of electronic entertainment on family life. This is a joint research project with the Office of Film and Literature Classification. Its aim is to determine how families, children and teenagers use various forms of electronic entertainment and how parents monitor and regulate their children's access to such entertainment. The project commenced in June 1994 and will continue into the next financial year.

- ***Assist the radio and television industries with the development and implementation of codes of practice covering program content, methods to ensure that children are protected from harmful material, advertising, and the methods developed by broadcasters for dealing with complaints***

Attitudinal research conducted in previous years into classification issues and cultural diversity assisted the commercial television industry develop its code of practice.

The Authority registered the commercial television industry Code of Practice, which came into effect on 5 September 1993. The Authority consulted with the Federation of Australian Commercial Television Stations (FACTS) to ensure that the Code of Practice reflected prevailing community standards and provided adequate community safeguards. The code covers such matters as classification of programs, program promotions, news and current affairs, time occupied by non-program matter, classification and placement of commercials, and handling complaints.

The Authority also received two quarterly reports from FACTS as to the number and nature of complaints received by the commercial television industry. The Authority received quarterly reports from the Federation of Australian Radio Station (FARB) on behalf of the commercial radio industry as to the operation of its Codes of Practice, which came into effect on 17 May 1993.

The Authority consulted with the Community Broadcasting Association of Australia (CBAA), the Confederation of Australian Subscription Television (CAST) and Federation of Australian Narrowcasting and Subscription Services (FANSS) about the development of their respective codes.

The attitudinal research projects conducted by the Authority into children and television classification issues, and community standards for pay TV, will inform the development of the subscription television broadcasting industry code of practice. The results of these projects will be disseminated to industry groups in the next financial year.

Objective 3 - Codes of practice/complaints

- **Monitor the effectiveness of the operation of industry codes of practice by means of complaints, research and consultation with interested organisations and community groups**

The Authority's assessment of industry codes of practice is ongoing through the complaints process, research and consultation with the industry and the community.

As part of this monitoring process, the Authority has commenced national attitudinal research into the effectiveness of the operation of the television industry codes of practice. The research aims to explore concerns about television programming, awareness and usage of the new classification system, complaints procedures and the community's acceptance of 'consumer aspects' of the commercial television industry's code. The results will contribute to future consultation with industry and community groups to ensure the codes reflect current community standards.

Monitoring of codes incorporated standards issues and children's matters.

The Authority met regularly with the Media and Communications Council, FARB and FACTS. The Authority also attended the FACTS Code Administration Council meetings and the meetings of FARB's Australian Music Performance Committee.

The Authority implemented a computerised complaint management program and had ongoing consultation with industry regarding complaint handling processes. The Authority received 2348 complaints during 1993-94. A detailed breakdown of the number and nature of complaints received is found at Appendix 5.

- **Assess applications for the classification of children's television programs**

The Authority has an assessment system for the classification of children's programs based on initial screening of programs by staff and assessment by specialist consultants on a case by case basis.

Children's programs are classified against the Children's Television Standard (CTS) 2 criteria. The objective of the CTS is to ensure that children have access to a variety of quality television programs made specifically for them, including Australian drama and non-drama programs. In 1993-94 the Authority classified programs for children as follows: 17 C, 69 C Australian Drama, 5 Provisional C and 6 P programs. Twelve applications were refused classification and 27 applications were withdrawn.

| |
|---|
| <p>C program: a program classified by the Authority as suitable for primary school children</p> <p>Australian children's drama (C drama): a program meeting the requirements for Australian produced children's television drama for children</p> <p>P program: a program classified by the Authority as suitable for preschool children</p> |
|---|

- **Identify and act on breaches of licence conditions relating to program content and advertising for radio and television**

The Authority has investigated a number of possible breaches of the Act in response to complaints about program content and licence conditions. In monitoring compliance with the program standards, the Authority has identified some minor breaches such as late notification of changes to C and P periods. These breaches have been acted upon in accordance with the seriousness of the breach.

OBJECTIVE 4

Promote the role of broadcasting services in developing and reflecting a sense of Australian identity, character and cultural diversity

ACHIEVEMENTS AGAINST PERFORMANCE MEASURES

- **Recognition of the Authority's contribution toward fostering a dynamic local production industry which is responsive to the issues associated with Australian culture and identity**

- ✓ The Authority commenced a review of its television program standard dealing with Australian content. This will be a public process requiring input from and consultation with local production industry, the community interest groups and broadcasters.

- ✓ The Authority developed guidelines for implementation of 10 per cent 'new Australian drama' requirements for subscription television drama services.

- **The extent to which television operators meet or exceed the Authority's program standards.**

- ✓ All licensees met the requirements of the program standard for Australian content on television and the children's television standards in 1993.

- ✓ All three networks reported advertising time used for foreign advertisements well below the allowable maximum of 20 per cent.

- **Recognition of the Authority's contribution to the representation of cultural diversity in television programming through raising the level of awareness in the broadcasting industry**

- ✓ Increased number of acting roles reflecting multicultural society.

- ✓ Codes of practice for commercial radio and television include provisions for and sensitivity to vilification.

- ✓ The Authority has participated in the debate about the increased portrayal of cultural diversity in response to previous research by the Authority on community attitudes about this issue.

- ✓ The commercial radio industry has developed guidelines on the participation by women and indigenous Australians as an adjunct to their Code of Practice.

- ✓ The draft guidelines for portrayal of cultural diversity have been developed by the commercial television industry and work on the final guidelines is continuing.

- **A greater recognition and acceptance by the broad community, as measured by research, of the need to express the cultural diversity of Australia in television programming through the promotional efforts of the Authority**

- ✓ Previous research by the Authority used as focus for discussion in forums on this issue.
- ✓ Development of advisory notes for codes of practice assuring sensitivity to such issues.

- **Positive recognition of the efforts made by broadcasters in the promotion of an Australian culture and identity in television and radio programming, and of the Authority's contribution to this outcome through raising the level of awareness in the industry**

- ✓ The commercial television industry is developing guidelines, in concert with the Authority, on the portrayal of cultural diversity, women and men, and Aboriginal and Torres Strait Islander peoples.
- ✓ The commercial television industry's guidelines have been informed by attitudinal research into classification and cultural diversity commissioned by the Authority.

Operational areas: Research Section, Australian Content Subsection, Standards Section (Program Services Branch)

- ***Develop links with program producers, radio and television operators, community groups and other interested parties to maintain awareness and understanding of changing community and industry perspectives on the promotion of Australian culture and identity through broadcasting***

Throughout 1993 the Authority had discussions with interested parties on Australian content, the performance of the current standard and issues arising from s.160(d) of the Act which requires the Authority to perform its functions in a manner consistent with international obligations.

The importance of the promotion of Australian identity and culture through broadcasting has been a fundamental issue raised on numerous occasions with program producers, television operators, community groups and other interested parties. The issues have arisen particularly in terms of imported preschool (P classified) programs and children's drama (C Australian drama classification) applications.

The Authority works with the production industry providing advice where necessary to ensure that issues associated with Australian culture and identity are carefully considered.

This is evidenced by increased mention by applicants for C, P and CAD program classification of the intention to cast programs with actors of diverse cultural backgrounds, thus reflecting the multicultural nature of Australian society.

Throughout the year the Authority had informal discussions with the broadcasting and production industry on the effectiveness of the Australian content standard, including whether it met its objective of encouraging programs which recognise the diversity of cultural backgrounds represented in the Australian community. The Authority is reviewing of the standard and at the time of this report, is finalising a discussion paper which will canvass these issues.

The Authority releases publications and reports and disseminates research findings on these issues to community and industry groups on a regular basis.

- ***Promote Authority standards on Australian content of television programs, and stimulate debate, including related issues of cultural diversity and the representation of minorities in broadcasting***

The requirement for first release drama/diversity programs was designed to increase program diversity and is measured by a formula-based scoring system. This system is intended to provide licensees with flexibility in complying with the standard.

Staff of the Authority organised an internal seminar entitled 'Stereotypes in the Media' in which the representation of minorities and issues of cultural diversity in broadcasting were considered in detail in relation to children's programming. The seminar assisted staff in the assessment of CTS 2 (d), 'enhances a child's understanding and experience' and (e), 'is appropriate for Australian children'.

The commercial television industry has been informed by attitudinal research into classification and cultural diversity issues commissioned by the Authority. The industry is currently developing an advisory note to the code of practice which addresses cultural diversity issues in particular.

- **Participate in and organise seminars, conferences and other public activities**

Representatives from the Authority have been invited to speak at a number of conferences during the year. The Authority has also been represented at a large number of conferences, workshops and meetings. A full list is detailed in Appendix 4.

- **Identify cultural issues in Australian broadcasting and conduct and disseminate research around those issues**

In 1992-93, the Authority conducted research into community attitudes to Australian programs which is informing the current review of the Australian content standard. The findings of the research were presented to the Australian Communication Association conference in July 1993. The results were published during the year as *Viewing Australia: Audience views about Australian television programs and films in 1992*, which was made available to community and industry groups. (A full list of publications is included in Appendix 3 – Freedom of Information.)

Cultural identity

The Authority is undertaking a project on cultural identity with the aim of informing the Authority, the industry and the public on its implications, particularly for broadcasting.

- **Develop and implement guidelines for Australian drama on pay TV**

In May 1994 the Authority issued *Guidelines for the Implementation of the pay TV 'new Australian drama' licence condition*. The guidelines were developed in consultation with production industry groups and broadcasters.

- **Monitor, and review the operation and effectiveness of Authority standards on the extent of Australian content in television programs and the children's television standards**

Compliance results released in 1993-94 show that all stations met the C drama minimum score of the children's television standards.

The Authority monitors the compliance of the three networks in Sydney, Melbourne and Brisbane. Results released during the year show all stations met the minimum Australian transmission quota in each of the 1990-92 period. All stations also met the minimum total drama/diversity score. All stations met the minimum drama score in the first three-year period of the Australian content standard.

The former Australian Broadcasting Tribunal introduced a television program standard covering Australian content in advertising (Television Program Standard (TPS) 23) in January 1992. Compliance results for 1992 show that all three

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| <p>The children's television standards require licensees to transmit each year a minimum of 260 hours of C programs (aimed at primary school age children) and 130 hours of P programs (for preschoolers). In addition licensees are required to transmit a minimum of at least 16 hours of C Australian drama programs.</p> |
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The **Australian content standard**, Television Program Standard (TPS)14, has two elements—a **transmission quota** for the overall level of Australian content and a quota for **first run drama/diversity** and **children's drama** programs.

The standard sets a **transmission quota** of 50 per cent Australian content between 6 a.m. and midnight, with both first release and repeat programming counting towards the quota.

Individual program **scores** are calculated by multiplying an 'Australian factor' by a 'quality factor' and the number of hours transmitted.

for 1992 show that all three networks reported advertising time used for foreign advertisements well below the allowable maximum of 20 per cent. The highest network average was recorded by the TEN network with 8.13 per cent. The network averages for 1993 range from 5.53 per cent for the Nine network to 9.96 per cent for the TEN network.

The Authority has started a review of Australian content and will review relevant standards when necessary in the light of changes and developments in the broadcasting environment.

OBJECTIVE 5

Establish the Authority as a principal source of expert advice and information on broadcasting issues for Government, the broadcasting industry and the community

ACHIEVEMENTS AGAINST PERFORMANCE MEASURES

- **The Authority is accepted as an authoritative source on broadcasting issues, as measured by client satisfaction surveys**
 - ✗ No client satisfaction survey yet done.
- **The extent to which the Authority advice is adopted, or is influential, in policy development, industry practice and community discussion**
 - ✓ The report to the Minister for Communications and the Arts on the Authority's investigation of the issue of 'siphoning' programs from free-to-air to pay TV investigation was very positively received.
 - ✓ Authority members and staff asked to chair industry groups.
 - ✓ Authority members and staff requested to speak at conferences.
- **A positive response from the community, including the broadcasting industry, to the range and quality of Authority papers and publications, and from participants of Authority seminars.**
 - ✓ Positive responses, both written and oral, to Authority publications and papers released such as planning documents, *Broadcasting Financial Results* and other publications, discussion papers, research monographs, trends and issues papers, guides, information pamphlets and the Authority's newsletter, *ABA Update*.
- **The number of Authority publications sold and their use by the public and industry**
 - ✓ The Authority's publications are in constant demand by both the public and industry, particularly *ABA Update* which has become a resource for broadcasting issues.

Operational areas: Services Planning Section, Planning Engineering Section (Planning Branch), Legal Section, Policy Section, Media and Public Relations Section, Industry Analysis Section, Library (Policy and Communications Branch), Standards Section, Research Section, Codes and Conditions Section, Allocations and Renewals Section (Program Services Branch)

- **Develop an effective public information strategy**

As part of its program to make information about the Authority and its decisions accessible by a wide and diverse a group as possible, staff of the Authority liaise with the media and issue news releases. The Authority also produces and distributes information pamphlets and other information products. (A full list of these is in Appendix 3, Freedom of Information statement.)

The Authority is developing a communications strategy for working with industry groups. The aim is to provide a structure for liaison on a formal basis while not impinging on the informal contact which has been found to be very successful, especially when working on important issues.

- **Implement a broad-based research program covering all aspects of broadcasting**

The six attitudinal research projects undertaken this year cover a broad range of broadcasting issues and contribute to the general body of broadcasting research also conducted by other organisations and individuals in Australia and overseas. This research builds upon earlier research conducted by the Australian Broadcasting Tribunal. Earlier research projects have collected attitudinal and informational data on issues such as television violence, program classifications, cultural diversity, children and how people use television. Current projects build upon this previous work and extend into the areas of pay TV, radio, the concerns of children about program content and electronic entertainment.

- **Collect, interpret and disseminate information on matters relating to broadcasting**

The Authority has established small groups of experts to investigate relevant developments in technology, assess their possible impact and propose initial planning strategies for their introduction.

Digital Terrestrial Television Broadcasting

One of these specialist groups, comprising industry and government experts, is examining options for a digital terrestrial television broadcasting (DTTB) system to best suit Australia's consumer and broadcasting needs into the next century. The group released a discussion paper, *Issues and Options for Digital Terrestrial Television* in December 1993. The paper sought comments on a range of issues including whether VHF spectrum would be practical for DTTB, how long existing analog services should continue to broadcast after implementation of a digital system, compatibility between analog and digital channelling, and standards for DTTB. The responses are being considered in the development of a policy for the introduction of DTTB in Australia.

RADCOM Computer Project

The Spectrum Management Agency and the Authority are currently in the process of building the RADCOM computer system, costing in the order of \$10 million, which will replace the current Spectrum Management Information System of the SMA and the Authority's broadcasting planning computer facilities. The project is expected to be completed in 1996.

Objective 5 - Public information/research

RADCOM is designed to provide an integrated system to facilitate radiocommunications licensing and regulation, and broadcasting planning. BHP IT has been contracted to provide SUN hardware systems, INGRES database management systems and ARC/INFO geographic information systems.

RADCOM will assist the Authority in the planning and administration of those parts of the radiofrequency spectrum used for radio and television broadcasting. It will also act as a public register for all radiocommunications licences and will automate the administration of radiocommunications licences and conversion of apparatus licences to spectrum licences.

Financial state of the broadcasting industry

Section 22 of the *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992*, provides continuing force to s.123 of the *Broadcasting Act 1942*. Section 123 requires that commercial television and radio broadcasting licensees provide the Authority with an audited balance sheet and profit and loss account in a format approved by the Authority. The financial information required by the Broadcasting Services Act is considerably less than was the case under the Broadcasting Act but still enables monitoring of the financial state of the broadcasting industry. This information is tabulated and published in the yearly *Broadcasting Financial Results*.

A synopsis of the main points from the 1992-93 yearbook for the commercial television and radio industries is listed below:

Commercial Television

Broadcasting revenue for Australian commercial television services increased by 9.5 per cent to \$2035.8m in the year to 30 June 1993. This compares with the 9.4 per cent increase to \$1858.8m in the previous year. Expenditure increased by 14.0 per cent to \$1923.2m, reversing a 12.9 per cent decrease to \$1687.3m in 1991-92. Despite the high increase in expenditure, the industry made a broadcasting profit of \$112.6m compared with the \$171.4m profit in 1991-92. This is only the second time since 1987-88 that commercial television has made a broadcasting profit.

Commercial Radio

Australian commercial radio revenue increased by 3.5 per cent to \$455.6m in 1992-93 compared with the increase of 1.9 per cent to \$440.4 in 1991-92. Expenditure increased by 3.8 per cent to \$415.0m in 1992-93, reversing the 10.7 per cent decrease to \$399.8m in 1991-92. The industry's broadcasting profit increased by 0.2 per cent to \$40.7m in 1992-93 compared with the \$40.6m profit in 1991-92.

Other Matters

The Authority is also collecting, interpreting and disseminating information on broadcasting matters covering the following areas:

International relations: This project aims to forge closer links between the Authority and its overseas counterparts through meetings/forums and exchanges of information. The project will examine current and proposed regulatory regimes and regional concerns about protection of national cultural identity.

At the date of this report, the Authority is establishing initial contact with international organisations.

Consumer issues: Digital Terrestrial Television Broadcasting (DTTB): This project has identified a broad range of consumer issues arising as a result of the proposed introduction of DTTB including: the potential advantages/disadvantages of DTTB; the effect of the transition period on consumers; the type of programming available during the transition period; the cut-off date for PAL transmissions; and cost factors.

Converging technologies: The Authority is preparing an information paper about consumer issues arising from converging technologies, with recommendations for any areas which will need addressing by the Authority. The main aims of the project, which is in its final stages, are to identify which consumer issues have policy implications for the Authority and other government bodies; areas of policy reform and development; areas of law and regulation which may require amendments; and benefits and disadvantages to the community.

Trans-border satellites: implications for Australia: This project aims to investigate the implications of foreign satellite signals reaching across Australian borders including consideration of legal remedies and policies necessary for pursuing national and international solutions.

Library

The Library, whose services are available to the public and broadcasting industry, increased its collection by almost five hundred items, including books, videos, microfiche and serials. Internal and external borrowings from the collection amounted to more than eleven hundred items. The number of external visitors to the library increased by 10 per cent to more than seven hundred people.

A computerised search function, which allows Sydney-based staff to access the Library from their desks, was introduced during the year. Access was established to the Internet, an international computer network for resource sharing and co-operation.

The Library became an inaugural member of the Federal Libraries Information Network which promotes improved access to information among Government agencies.

- ***Publish reports, monographs and other material prepared by the Authority on broadcasting issues***

The Authority conducts a wide ranging publications program which reports on Authority activities, major issues and results of investigations and research.

ABA Update is Authority's major vehicle for disseminating information about the Authority. It contains articles by members and staff as well as members of broadcasting and affiliated industries. The number on the *ABA Update* maillist increased by nearly 150 per cent in the reporting period. This has broadened the range of subscribers to *ABA Update* and expanded its influence in providing information about the Authority to the public.

A full list of publications produced during the year is contained in Appendix 3 (Freedom of Information).

Objective 5 - Public information/advice

- ***Participate in and organise seminars, conferences and other public activities which discuss current and emerging broadcasting issues***

Members and staff of the Authority were invited to speak at conferences and seminars, including international meetings during the year. The Authority was also represented at a number of meetings, conferences and seminars during the year. A full list is in Appendix 4.

The Authority was represented at the interim meeting of the Radiocommunications Bureau of the International Telecommunication Union (ITU) in Geneva in October 1993. These meetings dealt mainly with the international quest for standards for Digital Terrestrial Television Broadcasting services and for digital sound broadcasting services. These international studies are expected to lead to the development of international standards in the next year or two.

The Authority was also represented at the Technical and Management Meeting of ITU Study Groups 10 and 11 (radio and television) in Geneva in March 1994. This meeting is responsible for establishing international recommendations on broadcasting systems and transmission planning.

The Authority is heavily involved in ITU activities, particularly the National Study Groups (NSGs) relating to sound and television broadcasting, providing Chairs and Secretariat functions. The NSGs involve experts from government and the broadcasting industry.

- ***Provide timely policy advice to the Minister on current and emerging issues, and on the operation of the Act***

Siphoning

The Minister for Communications and the Arts directed the Authority to conduct an investigation into the events, or events of a kind, the televising of which, or the live televising of which, should be available free to the general public. The Minister also directed the Authority to consider views from the community and the broadcasting industry about events of national importance or of cultural significance to the Australian community that have usually been broadcast by commercial or national television broadcasters.

The Authority prepared a report of the investigation and provided it to the Minister on 13 May 1994. The Authority's report assisted the Minister to form an opinion as to which events should continue to be available free to the general public. The Minister subsequently specified those events in a notice he issued on 6 July 1994.

Section 158(n) Review

Under s.158(n) of the Act, it is a primary function of the Authority 'to monitor, and to report to the Minister on, the operation of this Act'. The first report is to be provided to the Minister late in 1994.

Ministerial Briefings

In the period 6 December 1993 to 30 June 1994 the Authority forwarded 99 question time briefings to the Minister.

- **Ensure that all areas of the Authority are kept informed and up-to-date on broadcasting issues**

All areas of the Authority are kept informed about broadcasting issues through consultation with relevant areas and through agency publications such as *ABA Update*, internal staff presentations and regular briefings.

OBJECTIVE 6

Ensure the optimum operation of the Authority by pursuing continual improvement in the management of its resources

ACHIEVEMENTS AGAINST PERFORMANCE MEASURES

- **Effective discharge of Authority functions within budget, performance goals and corporate and operational plans**

- ✓ New structure developed and implemented. The targeted 30 per cent reduction in staff achieved six months ahead of scheduled deadline of 30 June 1994.
- ✓ Establishment of Authority completed in 1993-94 and significant progress made in carrying out functions set down in the Broadcasting Services Act.

- **Effective implementation of the Corporate Plan and operational plans**

- ✓ Corporate and operational plans adopted at all levels of the Authority.

- **Revised organisational structure and staffing arrangements in place by October 1993**

- ✗ Implemented on 6 December 1993.

- **Effective implementation of changes to industrial relations policies e.g. conclusion of a satisfactory workplace bargaining agreement for Authority staff by 1994**

- ✗ Authority will be addressing a workplace bargaining agreement in the coming year. (To date, no small Commonwealth agency has such an agreement.)
- ✓ Authority is fully informed on developments in workplace bargaining and industrial relations.

- **Authority staff satisfaction with internal corporate support services as measured by periodic in-house surveys**

- ✓ Extensive survey of client satisfaction with records management system conducted.
- ✓ Communications methods put in place to facilitate staff feedback on corporate service provided in-house.

- **Information technology meets user and management requirements**

- ✓ Production of a Computer Information Technology Plan (CITP) started.
- ✓ CITP will ensure most appropriate computer information systems are employed by Authority and will be completed by December 1994.

Operational areas: Information Systems Section, Financial Resources Section, Human Resources Section (Corporate Services Branch)

- **Develop and implement annual operational plans to help achieve the objective of the Authority's Corporate Plan**

All Branches have operational plans in place which provide an important management tool for the work of the Authority. These plans are closely followed, reviewed and updated regularly.

During 1993-94 the Authority held its 'Future Directions' conference to investigate issues identified as crucial to the Authority's operating environment. The Divisions and Branches also undertook separate planning activities to identify and develop work strategies for their areas of responsibility.

- **Conduct annual evaluation of Authority performance against the Corporate Plan and operational plans**

The results of evaluation of outcomes against the corporate plan are reflected in comments against the objectives set out in this report. Operational plans are evaluated periodically.

- **Implement a new organisational structure for the Authority reflecting the change of functions under the Broadcasting Services Act 1992**

The Authority successfully implemented a new structure in early December 1993 which better reflects the functions as set out in the *Broadcasting Services Act 1992*.

When the Authority was established in October 1992 the resource level was set at approximately 30 per cent less than the combined resources previously available to the Australian Broadcasting Tribunal and the Planning Branch of the Department of Transport and Communications. This required a reduction in staff numbers from 220 in October 1992 to 157 by July 1994.

The Authority was able to achieve the reduction by January 1994, six months ahead of schedule and with the full co-operation of relevant staff unions. The majority of the reductions were achieved through voluntary redundancies.

The implementation of the new structure required significant effort on the part of all Authority officers. The impact of this process has been to divert some attention from both the ongoing administrative tasks and some new initiatives. It is anticipated that with the new structure now bedded down, effort can now be concentrated on tasks such as corporate policy development and implementation during 1994-95.

A joint management/union review of the operation of the new structure is being undertaken and is due to report in September 1994. Amongst other things, the review will report on the appropriateness of the Authority organisation and internal structure relative to the achievement of the objectives of the Broadcasting Services Act.

It is intended that the organisational structure of the Authority be as flexible as possible to enable it to respond quickly to varying demands and points of focus in the continually changing communications environment.

Objective 6 - Operational issues

• *Design and implement an information technology strategy for the Authority*

During June 1994 the Authority developed and put out to tender a proposal to several potential contractors to prepare a Corporate Information Technology Strategic Plan (CITP) for the Authority.

The CITP will include:

- findings from interviews and surveys with Authority personnel in relation to the existing and future corporate IT requirements;
- an inventory of corporate systems across the Authority;
- an Authority-wide IT systems needs analysis based on business functions and initial success factors;
- findings from the review of the installed systems in all areas of the Authority and of the Australian Broadcasting Tribunal; and Department of Transport and Communications CITPs;
- recommendations on the appropriate IT technology for the Authority covering acquisition of hardware and software by the Authority;
- all recommendations must consider Commonwealth Government IT policies, including GOSIP (Government Open Systems Interconnection Profile), purchasing guidelines, etc., over the forthcoming three year period with possible other strategies beyond that horizon; and
- the Authority's recommendations for a telecommunications strategy to meet voice and data requirements of the split site operations (in Canberra and Sydney).

It is anticipated that the CITP will be completed during 1994-95.

In parallel with the development of the CITP, permanent communications links will be established between the Authority offices in Sydney and Canberra as well as with the Spectrum Management Agency and the Department of Communications and the Arts. The Authority intends to establish a connection to the Internet during 1994-95.

• *Monitor and implement developments in industrial relations policies for Authority staff e.g. workplace bargaining*

The Authority does not, as yet, have an enterprise agreement in place. The major restructure that occurred during 1993-94 has exerted a dominating influence over workplace issues during the year. The options available to the Authority, given the current workplace bargaining arrangements operating within the Commonwealth, will be explored further during the upcoming year.

• *Continual improvement in the operational standards for the Authority to keep pace with the best public sector management practices*

Commitment to best practice

Policy development and implementation have been given a high priority by the Authority and are critical for a new organisation, in its second year of operation. The Authority is committed to best practice and ensures that where possible it is identified and adopted as the operating standard.

- **Continual improvement in the training and support provided for managers of staff and financial resources**

The Authority developed its first Staff Development Strategic Plan during the year. This plan aims to put in place a comprehensive staff development and training program for the next three years. It supports the Authority's corporate objectives in regard to staff development and training in an equitable and systematic way.

During 1993-94 several senior managers were able to take advantage of the development opportunities offered through the Public Service Commission and the Mt. Eliza Management College. Other senior and middle managers undertook a variety of courses such as people management, conflict resolution, supervision, team-building and leadership.

Develop the commitment and professionalism of staff to enhance the effectiveness of the Authority

ACHIEVEMENTS AGAINST PERFORMANCE MEASURES

• **Conduct in-house surveys to determine the levels of staff satisfaction and the degree of shared understanding of the Authority objectives and performance goals**

✓ High level of participation and involvement in the planning and decision making process of the Authority.

✗ In-house surveys have not been conducted.

• **A clear understanding by staff of what is required of the them and how to improve performance**

✓ Each position covered by extensive documentation (duty statement, job specifications and selection criteria) to provide staff with an understanding of their duties.

✓ Individual training agreements provide staff with required focus and skills to improve performance.

• **Successful move to the new accommodation in Sydney**

✓ Successfully completed on 2 August 1993.

✓ Move organised using a participative process involving health and safety representatives.

• **Low level of staff grievances and appeals**

✓ There were no appeals and only one grievance in the period.

• **Successful implementation of staff performance appraisal and individualised training agreements**

✓ Performance appraisal for all senior officers conducted in the period, following introduction of performance management scheme for senior officers in 1993. Principles were followed for all staff.

✓ A comprehensive Staff Development Strategic Plan aimed at supporting the Authority's corporate objectives was developed and endorsed by management and unions.

✓ Individual training agreements to be established for all staff, as per Staff Development Strategic Plan. All staff had access to training to draw up and negotiate agreements which will be finalised in 1994-95.

- **Well targeted use of staff training funds directed towards Authority organisation objectives and staff satisfaction with the range relevance and quality of training offered**

- ✓ Authority is committed to a high level of staff development and training. All staff encouraged to attend training courses, which included oral and written communication, interpersonal communication, management, leadership, stress management, team building, supervision and information technology.

- ✓ Expenditure under the Training Guarantee Scheme was \$275 197, 4.13 per cent of payroll and well above the minimum requirement of 1.5 per cent of payroll.

- **Low level of disputes between staff and management**

- ✓ No disputes between staff and management.

Operational areas: all sections

Objective 7 - Management practices

- ***Promote the development of a corporate culture which encourages team work and shared responsibility for the achievement of the Authority's corporate objectives, and which recognises the contribution of staff to the achievement of those objectives***

The Authority has developed a number of task forces to achieve certain targets, such as the planning and allocation taskforce, commercial and community licensing taskforce and the licence area plan teams. These task forces and teams have enabled participants to work towards shared objectives to cut across boundaries and work both within and across sections and branches.

- ***Review and improve communications within the Authority***

The draft Industrial Democracy Plan includes a communication strategy directed at enhancing the communication mechanisms within the Authority. It identifies specific actions such as the conduct of regular branch/section meetings, the preparation and distribution of information from management meetings, and encouraging the sharing of information with staff.

An important medium for dissemination of information throughout the Authority is the local area computer network. During 1993-94 the system was enhanced to provide an e-mail link between the Sydney and Canberra offices. In 1994-95 the Sydney LAN operating system will be converted to a Banyan Vines network to allow full integration with the Canberra office.

- ***Ensure that Authority staff members have a clear understanding of their role in the organisation.***

The Authority has developed and maintains extensive documentation for each position. This consists of an individual duty statement and job specifications. Also, during 1993-94 a user guide, which provides a description of the key functions and responsibilities for each section, was issued to staff.

- ***Implement a staff development strategy based on:***

- ***individual training agreements for all staff which allow them to contribute to the effective operation of the Authority, and to develop their personal skills and achieve their career aspirations;***

The Staff Development Strategic Plan provides for individual training agreements to be established for all staff. These agreements (Personal Development Plans) will complement the Performance Appraisal arrangements that the Authority has in place for SES and senior officers. During 1993-94 all staff had access to training to assist them in drawing up and negotiating individual training agreements. The agreements will be finalised during 1994-95.

- ***regular performance appraisal for all staff;***

During 1993-94 formal performance appraisal of all senior officers occurred under the Authority Performance Appraisal Scheme. It is intended that the date for completion of the next cycle be moved from May 1995 to March 1995 to coincide with the SES cycle

completion date. Also, the appropriateness of extending the scheme to all staff will be examined during 1994-95.

- **Ensure that Authority management practices reflect current public sector 'best practice', particularly regarding Industrial Democracy, Equal Employment Opportunities, and Occupational Health & Safety requirements for its staff**

Industrial Democracy

The Authority is committed to industrial democracy through the sharing of information, workplace participation and representative consultation.

The General Manager, Planning and Corporate Services Division is the Senior Executive responsible for industrial democracy. The Manager, Human Resources is the Industrial Democracy Facilitator assisted by staff of the Human Resources Section.

A Consultative Council comprising senior management and union representatives has been established with various committees. The Council met during the period and discussed a range of issues, including the Staff Development Strategic Plan, the Access and Equity Plan, and the Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy.

During the period the filling of positions in the new structure following restructuring, and the post implementation review have been conducted as fully participative processes.

Equal Employment Opportunities

EEO in Appointments During the twelve month period, four appointments were made. Of these three were women and one was from a non-English speaking background.

Equal Employment Opportunity Following the creation of the Authority in October 1992, the Equal Employment Opportunity (EEO) Plan of the Australian Broadcasting Tribunal was reviewed and approved as the Authority's EEO Plan until June 1995. The objectives of the Plan focus on a range of specific actions and desired outcomes. The Authority is committed to an ongoing program of identifying and eliminating discriminatory practices and introducing measures which will allow people in target groups equality of employment opportunity.

The General Manager of the Planning and Corporate Services Division, at the SES Band 2 level, is the Senior Executive Responsible for EEO in the Authority. An officer at the ASO6 level is the co-ordinator in the Sydney office assisted by an ASO4 officer in the Canberra office. There is an EEO committee of the Consultative Council comprising management and union delegates.

Under the EEO Plan all supervisors and managers have responsibilities for implementing and promoting EEO practices. Senior Officer positions and most Administrative Service Officer positions have EEO responsibilities written into their selection criteria and duty statements.

During 1993-94, work continued on the Aboriginal and Torres Strait Islander Recruitment Strategy. Cross cultural awareness training was completed during the year for all staff in the Sydney and Canberra offices. The training was conducted by an accredited

Objective 7 - Management practices

cross cultural awareness facilitator and was attended by all levels of staff. The training sessions were participative and encouraged discussion between the course facilitator and staff about present and past issues. The participants gained knowledge of the complex nature of Aboriginal and Torres Strait Islander cultures and the way they are viewed by non-indigenous people. They developed a greater awareness and understanding of those cultures and how they operate. Participants explored and identified the discrepancies that exist between what is said and what is done at a cross cultural level and gained an understanding of the importance of behaviour in cross cultural interactions.

Status of Women

The Authority actively encourages women to attend courses especially designed for the development of women. During the period, women have attended courses such as Women in Management, Leadership Skills for Women and Career Development.

Staffing Overview

The net expenditure by the Authority for staff training was \$275 197. Of the 144 people employed at the Authority, 135 spent a total of 756 days on eligible training activities.

Occupational Health and Safety

It is the policy of the Authority to promote and maintain the highest degree of health, safety and well-being of all staff by aiming to:

- prevent accidents and ill-health caused by working conditions;
- protect staff from any health hazard which may arise out of their work or the conditions in which it is carried out; and
- place and maintain staff in an occupational environment designed to satisfy their needs or health, safety and well-being at work.

The Authority Occupational Health and Safety Committee met a number of times to discuss health and safety matters. The Committee membership is made up of an equal number of management, health and safety representatives and union delegates.

The Authority has three designated work groups with one health and safety representative and one deputy for each group. All six people have undertaken the five-day course of training which is accredited by the Commission for the Safety Rehabilitation and Compensation of Commonwealth Employees.

Prior to each Committee meeting, the health and safety representatives carried out workplace inspections. Action was then taken to remedy any problems or prevent any potential hazards.

In August 1993, the Authority moved the Sydney part of its head office from North Sydney to new premises in the Sydney CBD. A health and safety representative was a member on the accommodation committee which was established to co-ordinate the move to ensure that the new accommodation met health and safety standards.

No serious accidents or dangerous occurrences took place during the period.

- ***Ensure that the allocation of available staff resources are adequate to meet the number and timing of assigned tasks***

The Authority had sufficient funds to meet its operational needs during 1993-94. Some further funds were needed however to complete the restructure that commenced in late 1992.

The adequacy of the allocation of available staff resources is being examined by the Review Group which has been assembled to look at the operation of the new structure. This review (mentioned previously in this report) is due to report its findings in 1994-95.

The Authority's running costs budget is reduced by 30 per cent in 1994-95, in line with the funding levels determined when it was created. The Authority is of the view that the level of administrative expenses funding is not sufficient to cover its ongoing base expenditure requirements, and negotiations aimed at setting an appropriate funding level are currently in train with the Department of Finance.

- ***Improve and maintain a good physical working environment of the Authority***

In August 1993, the Authority moved the Sydney part of its head office its premises from North Sydney to the new Darling Park in the central business district of Sydney (Level 15 and part of Level 16). The move was motivated by the favourable leasing opportunities which existed in Sydney and the relatively unsatisfactory nature of the North Sydney premises.

Through the engagement of a consultant, action was taken to negotiate a favourable long-term lease and an incentive package which among other things included the cost of the fit-out of the new premises and the make-good for the old. The move was achieved within the required time frame and was cost-neutral to the Commonwealth.

During the year the decision was taken not to relocate the Planning Branch from Canberra to Sydney. Following that decision a new fitout was provided in the existing building in Canberra. The Authority pursues an active Occupational Health and Safety (OH&S) policy to promote and maintain the highest degree of health, safety and well-being of all staff. During 1993-94 OH&S issues were to the fore, particularly in light of the accommodation changes in Sydney and Canberra.

STAFFING MATTERS

Social Justice and Equity

Access and Equity

The Authority is committed to promoting access and equity, particularly in its dealings with groups which face barriers of race, such as Aboriginal and Torres Strait Islander peoples and people from non-English speaking backgrounds, some of whom are women and people with disabilities. The Authority aims to promote and maintain fairness in all its dealings with, and be responsive to, the needs of its least advantaged clients.

The Authority has developed an Access and Equity Plan, which is expected to be finalised and implemented by the end of 1994. All staff will have direct responsibilities for assisting in the implementation of access and equity. In particular, supervisors and managers will promote the policies and practices of access and equity.

The Authority recognises that broadcasting plays an intergral role in developing and reflecting Australian identity, character and cultural diversity and that broadcasters have an obligation to reflect the needs of the wider public.

Equal Employment Opportunity (EEO)

For further comments on EEO, see p.57.

EEO in Appointments

During the twelve month period, three women and one person from a non-English speaking background were appointed to the Authority.

Training

The net expenditure by the Authority for staff training was \$275 197. Of the 144 people employed at the Authority, 135 spent a total of 756 days on eligible training activities.

Occupational Health and Safety

For information about occupational health and safety, see p.58.

Industrial Democracy

For information about industrial democracy, please see p.57.

Performance Pay

The Authority paid a total amount of \$113 496 to 43 Senior Officers in the 1993-94. The break up for each classification is as follows:

| Classification | Number of Officers* | Amount Paid |
|---------------------|---------------------|-------------|
| SOG A & equivalents | 7 | \$25 466 |
| SOG B & equivalents | 12 | \$50 527 |
| SOG C & equivalents | 28 | \$36 608 |

No payments were made to Senior Executive Service officers during 1993-94.

* Please note that two officers received payment at both the SOG A and SOG B level and that two officers received payment at both the SOG B and SOG C level.

Consultancies

During the period, 93 consultants were engaged at a total cost of \$639 049.

Staffing Matters

Advertising and Market Research

Classified

In the twelve month period \$15 300 was paid for advertising for job vacancies in the press.

Advertising Agencies

A total of \$34 929 was paid to Vitascope, who developed radio and television advertisements for the planning process.

Market Research

A total of \$499 281 was spent on research studies.

Direct mail

A total of \$11 783 was paid to Hermes Precisa Australia, to conduct the mail out for *Planning Priorities* and the second exposure draft of the frequency allotment plan.

Freedom of Information

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

Requests Made

During 1993-94, the Authority received six requests for access, all of which were made direct to the Authority, six applications for internal reviews and finalised four requests that had been received during the previous period.

Two of the six requests received in 1993-94 were deemed to have been withdrawn by virtue of subsection 29(2) of the FOI Act, because the applicants failed to give the Authority the required notice of intention in relation to the Authority's assessment of the charge they were liable to pay; and another request had not been finalised at the end of the period.

The Authority granted partial access to the documents for the other three requests received during 1993-94 and for the four outstanding requests. In each case, the Authority decided that some documents or parts of documents were exempt under s.43 of the FOI Act, as it considered their release would adversely affect the business affairs of a person or organisation. On four occasions some documents were exempted under s.36 ('internal working documents') and some under s.42 ('documents subject to legal professional privilege'). The Authority also decided that some documents were exempt under s.40 ('documents concerning certain operations of agencies') and others under s.45 ('documents containing material obtained in confidence').

Applications for review

Three of the applications for review were made under subsection 54(1) of the FOI Act, by the person who had requested access. In each case, the Authority decided to grant access to further documents.

The other three applications for review were made under subsection 54(1D) of the FOI Act, by other parties whom the Authority had consulted before making its decisions on the related FOI requests. These parties applied to the Authority to review its decisions to release documents, which they had contended should be exempt. In one case, the

Authority decided that one document was exempt, and in the other two, it decided to continue to grant access to the documents which were the subject of the review.

Time taken

For the seven requests finalised during 1993-94, the average time taken from receipt of the request, including those received during the previous period, to the notification of the decision, was 76 days. Most of the requests required the Authority to consult other persons or organisations, under s.27 of the FOI Act, which prolonged the response time. In another case, a delay was caused by the need to obtain and consider an applicant's submissions in support of its contention that the assessed charges should be reduced or not imposed. There were also delays on occasions as a result of resource difficulties experienced by the Authority and by one of the applicants.

Cost of Freedom of Information

The total cost to the Authority for Freedom of Information activities in the 1993-94 period was approximately \$27 737.

Non-staff costs directly attributable to FOI totalled \$7000. They included \$1650 for training provided through seminars conducted by the Attorney-General's Department, and fees of \$3688 paid to the Australian Government Solicitor. Total staff costs for Freedom of Information activities were approximately \$11 209 which, with 85 per cent overheads of \$9528, made a total of \$20 737 for the period.

During the period, FOI charges were reduced in two cases, on financial hardship and public interest grounds. Charges totalling \$1245 for the processing of requests were paid, and the Authority received \$700 in fees for the lodgement of FOI requests and applications for internal review.

Internal and External Scrutiny

No matters in relation to internal scrutiny were raised during the period.

No matters were raised by the Auditor-General during the period.

Staffing Matters

FINANCIAL AND STAFFING RESOURCES SUMMARY

| | 1992-93 ACTUAL \$'000 | 1993-94 BUDGET (a) \$'000 | 1993-94 ACTUAL \$'000 |
|---|--------------------------------------|--|--------------------------------------|
| Salaries | 6 810 | 8 916 | 9 127 |
| Administrative Expenses | 4 227 | 7 149 | 6 719 |
| Total Expenditure | 11 037 | 16 065 | 15 846 |
| Less receipts | (155) | (160) | (721) |
| | 10 822 | 15 905 | 15 125 |
| Less Cash on Hand at beginning of financial year | (303) | (613) | (613) |
| Plus Cash on Hand at end of financial year | 613 | - | 780 |
| TOTAL APPROPRIATIONS | 11 192 | 15 292 | 15 292 |
| TOTAL OUTLAYS | 11 192 | 15 292 | 15 292 |
| STAFFING | | | |
| Staff years (ASL) | 154.0 | 157.0 | 157.3 |

(a) Budget figure amended to include Additional Estimates.

Actual figures for 1992-93 are for the period 5 October 1992 to 30 June 1993 only. This reflects the outcome for the Authority which was created on 5 October 1992. The budget figures for 1993-94 include an additional amount of \$3.8 million to cover the cost of restructuring the Authority which involved a reduction in staff numbers from 220 to 157. Receipts for 1993-94 were higher than anticipated, due largely to the sale of assets no longer required when the Authority relocated in August 1993.

SCHEDULE OF PLANNING MEETINGS IN GROUP 1 PLANNING ZONES

| Date of Public Meeting | Population Centre | Planning Zones |
|---------------------------|--------------------------|----------------|
| 9/2/94 | Bourke (NSW) | R1/T18 |
| 7/2/94 | Broken Hill (NSW) | R1/T18 |
| 10/2/94 | Cobar (NSW) | R1/T12/T13 |
| 6/11/93 | Griffith (NSW) | T16 |
| 23/11/93 | Mildura (Vic) | R1/T17 |
| 3/2/94 | Charleville (Qld) | R1/T12 |
| 1/2/94 | Cloncurry (Qld) | R1/T12 |
| 3/2/94 | Hughenden (Qld) | T12 |
| 1/2/94 | Longreach (Qld) | R1/T12 |
| 31/1/94 | Mt Isa (Qld) | R1/T15 |
| 8/2/94 | Roma (Qld) | R1/T12/T13 |
| 10/2/94 | St George (Qld) | R1/T12 |
| 7/2/94 | Thursday Island (Qld) | R1 |
| 9/2/94 | *Weipa (Qld) | R1/T1 |
| 13/12/93 | Mt Gambier (SA) | T19 |
| 14/12/93 | Port Lincoln (SA) | T18 |
| 14/12/93 | Port Pirie (SA) | T18 |
| 25/11/93 | Renmark (SA) | R1/T19 |
| 15/12/93 | Whyalla (SA) | T18 |
| 9/12/93 | Albany (WA) | R21/T20 |
| 24/2/94 | Broome (WA) | R1/T14 |
| 17/12/94 | Bunbury (WA) | R21/T20 |
| 18/1/94 | Busselton (WA) | R21/T20 |
| 28/2/94 | Carnarvon (WA) | R1/T14 |
| 23/2/94 | Derby (WA) | R1/T14 |
| 21/2/94 | Esperance (WA) | R1/T22 |
| 1/3/94 | Exmouth (WA) | R1/T14 |
| 8/12/93 | Geraldton (WA) | R21/T21 |
| 22/2/94 | Kalgoorlie/ Boulder (WA) | R1/T22 |
| 3/3/94 | Karratha (WA) | R1/T14 |
| 21/2/94 | Kununurra (WA) | R1/T14 |
| 24/2/94 | Leonora (WA) | R1/T14 |
| 20/1/94 | Mandurah (WA) | R21/T20 |
| 19/1/94 | Margaret River (WA) | R21/T20 |
| 3/3/94 | Meekatharra (WA) | R1/T14 |
| 2/3/94 | Newman (WA) | R1/T14 |
| 26/12/93 | Northam (WA) | R21/T20 |
| 28/2/94 | Port Hedland (WA) | R1/T14 |
| 17/2/94 | Alice Springs (NT) | R1/T13 |
| 16/11/93 | Darwin (NT) | R23/T11/ T13 |
| 21/2/94 | Nhulunbuy (NT) | R1/T13 |
| 15/2/94 | Tennant Creek (NT) | R1/T13 |

* The public meeting in Weipa was cancelled because engine trouble in the commuter aeroplane from Thursday Island stranded the team there.

STAFFING NUMBERS SYDNEY

| Classification | Permanent | | | | Temporary | | | | TOTAL |
|----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| | Full-time | Full-time | Part-time | Part-time | Full-time | Full-time | Part-time | Part-time | |
| | Male | Female | Male | Female | Male | Female | Male | Female | |
| Members | 3 | | | | | | | | 3 |
| SES Band 2 | 1 | | | | | | | | 1 |
| SES Band 1 | | 3 | | | | | | | 3 |
| Legal 2 | 1 | | | | | | | | 1 |
| Legal 1 | 1 | 1 | | | | | | | 2 |
| SPAOG 2 | 1 | | | | | | | | 1 |
| PAOG 3 | | 1 | | | | | | | 1 |
| PAOG 2 | | | | | | | | | — |
| SPAO(E)G A | | | | | | | | | — |
| SPOG B | | | | | | | | | — |
| SPOG C | | 1 | | | | | | | 1 |
| PO 2 | | | | | | | | | — |
| PO 1 | | 1 | | | | | | | 1 |
| TO 4 | | | | | | | | | — |
| TO 3 | | | | | | | | | — |
| SOG A | 2 | | | | | | | | 2 |
| SOG B | 3 | 6 | | | | | | | 9 |
| SOG C | 4 | 6 | | 1 | | | | | 11 |
| ASO 6 | 9 | 11 | | 1 | | | | | 21 |
| ASO 5 | 1 | 2 | | | | | | | 3 |
| ASO 4 | 6 | 11 | | | | | | | 16 |
| ASO 3 | 3 | 8 | | | 2 | 1 | | | 14 |
| ASO 2 | 1 | 3 | | | 1 | 4 | | 1 | 10 |
| ASO 1 | | 1 | | | | | | | 1 |
| SITO B | 1 | | | | | | | | 1 |
| SITO C | 2 | | | | | | | | 2 |
| ITO 2 | | | | | | | | | — |
| TOTAL | 39 | 54 | | 2 | 3 | 5 | | 1 | 104 |

CANBERRA

| Classification | Permanent | | | | Temporary | | | | Total |
|----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | Full-time | Full-time | Part-time | Part-time | Full-time | Full-time | Part-time | Part-time | |
| | Male | Female | Male | Female | Male | Female | Male | Female | |
| Members | | | | | | | | | — |
| SES Band 2 | 1 | | | | | | | | 1 |
| SES Band 1 | 1 | | | | | | | | 1 |
| Legal 2 | | | | | | | | | — |
| Legal 1 | 1 | | | | | | | | 1 |
| SPAOG 2 | | | | | | | | | — |
| PAOG 3 | | | | | | | | | — |
| PAOG 2 | | | | | | | | | — |
| SPAO(E)G A | 1 | | | | | | | | 1 |
| SPOG B | 3 | | | | | | | | 3 |
| SPOG C | 6 | | | | | | | | 6 |
| PO 2 | 5 | | | | | | | | 5 |
| PO 1 | | 1 | | | | | | | 1 |
| TO 4 | 1 | | | | | | | | 1 |
| TO 3 | 2 | | | | | | | | 2 |
| SOG A | | | | | | | | | — |
| SOG B | 1 | | | | | | | | 1 |
| SOG C | 1 | 2 | | | | | | | 3 |
| ASO 6 | 3 | 1 | | | | | | | 4 |
| ASO 5 | | 2 | | | | | | | 2 |
| ASO 4 | 1 | 3 | | | | 1 | | | 5 |
| ASO 3 | 1 | 2 | | | | | | | 3 |
| ASO 2 | | 2 | | | | 3 | | | 5 |
| ASO 1 | | | | | | 3 | | | 3 |
| SITO B | | | | | | | | | — |
| SITO C | 1 | | | | | | | | 1 |
| ITO 2 | 1 | | | | | | | | 1 |
| TOTAL | 30 | 13 | | | | 7 | | | 50 |

| Classification | Permanent | | | | Temporary | | | | TOTAL |
|----------------------------|-------------------|---------------------|-------------------|---------------------|-------------------|---------------------|-------------------|---------------------|-------|
| | Full-time Male | Full-time Female | Part-time Male | Part-time Female | Full-time Male | Full-time Female | Part-time Male | Part-time Female | |
| TOTAL: (SYDNEY & CANBERRA) | 69 | 67 | | 2 | 3 | 12 | | 1 | 154 |
| TOTAL MALE | 72 | | | | | | | | |
| TOTAL FEMALE | 82 | | | | | | | | |

In December 1993 the Senior Executive Service profile changed from four Senior Executive Service Band 1 positions to three Senior Executive Service Band 1 positions and two Senior Executive Service Band 2 positions. Two of the five positions are occupied by women. The third female Senior Executive Service office noted in the table is an unattached officer who is currently on extended leave.

FREEDOM OF INFORMATION

Section 8 Statement

The *Freedom of Information Act 1982* (the FOI Act) requires Commonwealth Government agencies to make available information about their organisation, functions and operations, and about rules and practices which are used in making decisions which affect people.

Section 8 of the FOI Act requires each agency to publish detailed information about the way it is organised, its powers, the kinds of decisions made, arrangements for public involvement in the work of the agency, documents held by the agency and how these can be assessed by the public.

This statement is correct as at 30 June 1994.

Establishment

The Australian Broadcasting Authority was established by subsection 154(1) of the *Broadcasting Services Act 1992* (the Act), and began operations on 5 October 1992. The Authority took over the licensing, programming and ownership and control functions previously performed by the Australian Broadcasting Tribunal, as well as the function of planning the broadcasting spectrum previously carried out by the former Minister for Transport and Communications and his department.

The Authority is an independent statutory authority responsible through the Minister for Communications and the Arts (the Minister) to the Parliament. It is required to prepare and furnish annually to the Minister a report on its operations during the preceding year for tabling in the Parliament. The Act provides for the appointment of a Chairperson, a Deputy Chairperson and at least one, but not more than five, other Members who may be full-time or part-time. The Members of the Authority are appointed by the Governor-General for periods of up to five years and are eligible for re-appointment on one occasion only. The Minister may appoint persons to be Associate Members of the Authority, either generally or for particular investigations or hearings.

Organisation

The Authority's present membership consists of a Chairperson, a Deputy Chairperson and one Member.

The Authority holds regular meetings to make administrative decisions and determine policy. Additional meetings are held as required including meetings to determine opinions as to which category of broadcasting services a proposed service falls into. A quorum for such meetings is constituted by three Members. Policy and Communications Branch, Program Services Branch and Corporate Services Branch are located in Sydney where its Members are located, and its Planning Branch is located in Canberra.

Functions

The primary functions of the Authority may be summarised as follows:

- (a) to provide advice to the Spectrum Management Agency in relation to the spectrum plan and frequency band plans under the *Radiocommunications Act 1992* and the designation of bands for broadcasting purposes;
- (b) to plan the availability of segments of the broadcasting services bands on an area basis;
- (c) to allocate, renew, suspend and cancel licences and to take other enforcement action under the Act;
- (d) to conduct investigations or hearings relating to the allocating of licences for community radio and community television services;
- (e) to design and administer price-based systems for the allocation of commercial television broadcasting licences and commercial radio broadcasting licences;
- (f) to collect any fees payable in respect of licences;
- (g) to conduct or commission research into community attitudes on issues relating to programs;
- (h) to assist broadcasting service providers to develop codes of practice that, as far as possible, are in accordance with community standards;
- (i) to monitor compliance with those codes of practice;
- (j) to develop program standards relating to broadcasting in Australia;
- (k) to monitor compliance with those standards;
- (l) to monitor and investigate complaints concerning broadcasting services (including national broadcasting services);
- (m) to inform itself and advise the Minister on technological advances and service trends in the broadcasting industry; and
- (n) to monitor, and to report to the Minister on, the operation of the Act.

In addition, the Authority has other functions under the Act and other legislation.

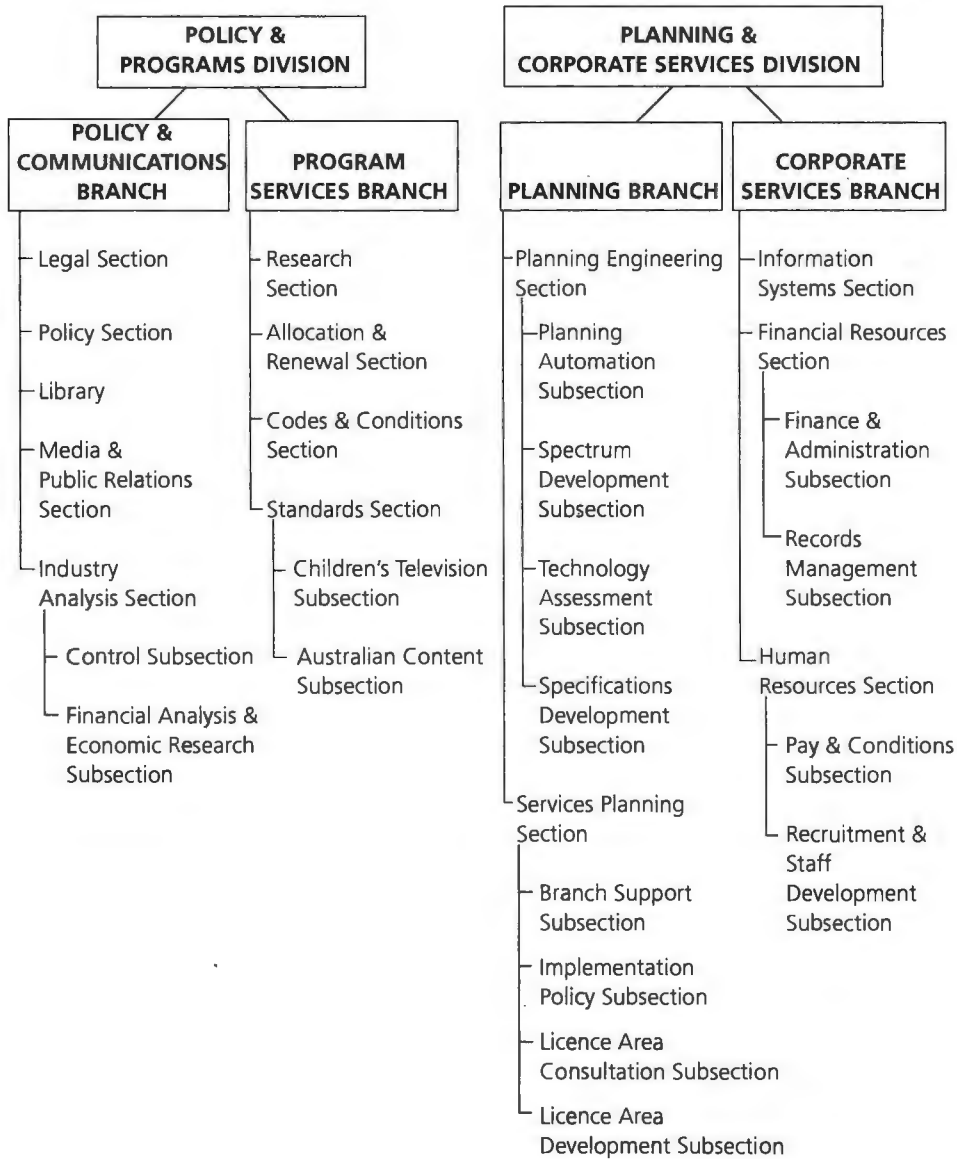
These include giving opinions concerning the category to which broadcasting services belong, and determining additional, or clarifying existing, criteria for those categories; giving opinions on whether a person is in a position to exercise control of a licence, company or newspaper; and administering aspects of the ownership and control rules applying to certain categories of licences.

For the purpose of exercising its powers and functions under the Act, the Authority is obliged to take account of:

- the objects of the Act and the regulatory policy set out in the Act;
- any general policies of the Government notified to the Authority by the Minister;
- any directions given to the Authority by the Minister; and
- Australia's obligations under any convention to which Australia is a party or any agreement between Australia and a foreign country.

Division Functions and Powers

The Authority consists of two divisions, the Policy and Programs Division and the Planning and Corporate Services Division. Within these divisions, the functions and powers are divided as follows:



Policy and Programs Division

1. Policy and Communications Branch

Policy and Communications Branch comprises Industry Analysis Section, Policy Section, Legal Section, Media and Public Relations Section and the Library.

The Branch is responsible for:

- preparing opinions on whether a person is in a position to control a licence, a newspaper or a company;
- assessing applications for prior approval of temporary breaches of the control provisions of the Act;
- maintaining registers of notifications of directorship and changes in control, associated newspapers, large circulation newspapers, temporary (approved) breaches, extensions of time granted and notices to persons in breach;
- monitoring compliance with the control limits;
- conducting investigations/hearings into licensees' compliance with the control provisions of the Act and notifying persons to remedy breaches;
- issuing notices relating to breaches of the control provisions of the Act;
- assisting in the identification and exploration of forward policy issues to be addressed by the Authority;
- co-ordinating the formulation of emerging policy issues throughout the Authority;
- providing secretariat support to the Authority including organising its regular meetings, preparing formal minutes and maintaining the records of decisions of the Authority;
- co-ordinating all tasks carried out under the *Freedom of Information Act 1982* (the FOI Act); and advice to the Minister about matters related to the FOI Act and the *Privacy Act 1988*;
- providing legal and policy advice on issues arising from the Authority's powers and functions;
- referring matters to the Director of Public Prosecutions;
- producing and marketing publications and informing the public of the functions, activities and decisions of the Authority;
- maintaining a full library service for members and staff of the Authority; and
- collecting information and conducting investigations or hearings for the purposes of the performance or exercise of any of the Authority's functions or powers.

2. Program Services Branch

Program Services Branch comprises Research Section, Standards Section, Codes and Conditions Section and Allocation and Renewal Section.

The Branch is responsible for:

- conducting and commissioning attitudinal research and monitoring service trends;
- developing standards for commercial and community television broadcasting licensees relating to programs for children, for determination by the Authority;
- developing standards for commercial television broadcasting licensees relating to the Australian content of programs, for determination by the Authority;
- monitoring compliance with program standards;

- liaising with industry concerning the program classification system and content obligations of subscription television broadcasting licensees;
- consulting with the industry and the community on the development of codes of practice;
- maintaining a register of codes of practice, and monitoring compliance with those codes;
- investigating complaints alleging offences against the Act or breaches of licence conditions or codes of practice, and complaints relating to national broadcasting services;
- varying, revoking or imposing conditions on commercial, community and subscription television broadcasting licences and on class licences;
- designing and administering price-based systems for the allocation of commercial radio and television broadcasting licences;
- assessing suitability of an applicant for a subscription television broadcasting licence prior to allocation of the licence;
- allocating commercial broadcasting licences in accordance with a price-based system;
- allocating community broadcasting licences;
- renewing commercial and community broadcasting licences;
- suspending and cancelling licences as appropriate, or taking other enforcement action;
- preparing opinions as to which category of broadcasting services a service falls into;
- issuing notices concerning the provision of broadcasting services without a licence to provide the service;
- developing additional criteria and clarifying existing criteria for the purpose of distinguishing between categories of broadcasting services, for determination by the Authority; and
- collecting information and conducting investigations or hearings for the purposes of the performance or exercise of any of the Authority's functions or powers.

Planning and Corporate Services Division

1. Planning Branch

Planning Branch comprises Planning Engineering Section and Services Planning Section. The Branch plans all broadcasting services using radiofrequency spectrum used for AM and FM radio and VHF and UHF television by:

- developing planning priorities for determination by the Authority and preparing variations to those priorities for the Authority's approval;
- preparing frequency allotment plans, and variations to those plans, for the Authority's consideration;
- preparing licence area plans, and variations to those plans, for the Authority's consideration;
- specifying licence areas, frequencies, siting and power levels for transmitters used for broadcasting;
- designating and varying licence areas;

Appendices

- developing technical planning guidelines for broadcasting services using frequencies within the broadcasting services bands;
- monitoring new technology and service trends;
- issuing apparatus licences to authorise the operation of transmitters for commercial, community and national services; for services provided under class licences; and for the temporary transmission or re-transmission of programs;
- making broadcasting services bands spectrum available for alternative uses for a specified period;
- determining licence area populations;
- allocating callsigns for broadcasting services; and
- collecting information and conducting investigations or hearings for the purposes of the performance or exercise of any of its functions or powers.

2. Corporate Services Branch

This Branch comprises Human Resources Section, Financial Resources Section and Information Systems Section.

The functions carried out within this Branch include:

- attending to all matters related to personnel, training and staff development, accommodation and office services;
- liaising with Commonwealth Departments, the Public Service Commission and the Australian National Audit Office on financial, personnel, staff development and general administrative matters including EEO, ID and OH&S;
- co-ordinating the Authority's budget, and preparing financial statements, estimates and related material;
- maintaining the Authority's records management system;
- maintaining the Authority's accounting system, purchasing and asset control, and internal audit and review;
- collecting fees payable in respect of commercial broadcasting licences on behalf of the Minister; and
- promoting the use of information technology to enhance the efficiency and effectiveness of the Authority's operations.

Arrangements for Outside Participation

Section 168 of the Act empowers the Authority to inform itself on any matter relevant to its functions. This may be done by consulting with such persons, bodies and groups as the Authority thinks fit, and forming consultative committees for that purpose; by conducting investigations and holding hearings and considering written submissions from the public; and in any other manner it thinks fit. To this end, Authority officers participate in a range of organisations reflecting the broad range of the Authority's functions.

The Authority has an ongoing involvement in the following organisations:

Media and Communications Council (MACC)

The Media and Communications Council is an informal body comprising representatives of public interest groups, trade unions and consumer organisations with an interest in broadcasting issues. It seeks to promote information flow to the public and public

participation in the decision making processes affecting broadcasting. Present membership of the MACC includes the Communications Law Centre; the Media, Entertainment and Arts Alliance; the Australian Caption Centre; the Australian Consumers Association; the Musicians' Union; the Ethnic Communities Council; the Consumers' Telecommunications Network; the Australian Writers' Guild and the Australian Council for Children's Films and Television. The Authority meets with MACC every three to four months.

Australian Preparatory Groups

Australian Preparatory Groups consist of representatives from Commonwealth departments and authorities, industry organisations and special interest groups. They prepare Australian proposals for the World Administrative Radio Conferences and other major conferences of the International Telecommunication Union. The principal function of these conferences is to seek agreement between member nations on radiocommunications regulations and spectrum allocations. Individual conferences cover specialised aspects of broadcasting, mobile communications, satellite broadcasting, the use of particular frequency bands and the guaranteeing of equitable access to the geostationary satellite orbit for all countries.

Australian Study Groups (ASGs) of the Radiocommunications and Telecommunications Bureaux of the International Telecommunication Union

The Authority participates in the following ASGs, which are concerned with studying principles and reporting on questions relating to their particular subject areas:

- ITU-R Group 10: Broadcasting Service (sound).
- ITU-R Group 11: Broadcasting Service (television).
- ITU-R Group 12: Inter-service Sharing and Compatibility.
- ITU-T Group 9: Joint Committee on Transmission of Radio and Television on Telecommunications Networks.

Standards Australia Boards and Specialist Committees

The Authority is represented on the following:

- TE3 Electromagnetic Interference.
- RC5 Radiocommunications Standards.

Digital Terrestrial Television Broadcasting (DTTB) Specialist Group

This is a specialist group established by the Authority to examine options for a DTTB system to best suit Australia's consumer and broadcasting needs into the next century. The chairman of the specialist group is the Authority's General Manager, Planning and Corporate, and the Authority is also represented in the associated working parties.

Department of Communications and the Arts' Digital Audio Broadcasting (DAB) Committee as well as the associated Policy and Technical Sub-committees

The committees are investigating options for the introduction of DAB in Australia.

Broadband Services Expert Group

The group was established by the Government in December 1993, with the Chairman of the Authority as its chairman, to examine the technical, economic and commercial preconditions for the widespread delivery of broadband services to homes, businesses and schools in Australia. It is due to submit its report before the end of 1994.

Broadcasting Industry Advisory Council (BIAC)

BIAC was established by the Minister for Transport and Communications in late 1992 to provide advice to him about high level broadcasting policy matters. BIAC is chaired by the Minister and its members include the Authority's Chairman and representatives of FARB, FACTS, CBAA, the Australian Broadcasting Corporation, the Special Broadcasting Service and the Australian Council of Trade Unions.

The Minister's Telecommunications Advisory Panel

The Minister will chair the group which will be formed to advise him on the issues which arise during the Government's review of post-1997 telecommunications policy and regulation in Australia. The review will commence early in the 1994-95 year.

Other External Participants

In addition, the Authority consults and meets with various interested parties, including the Federation of Australian Radio Broadcasters (FARB), the Federation of Australian Commercial Television Stations (FACTS), the National Transmission Agency (NTA), the Community Broadcasting Association of Australia (CBAA), the Community Broadcasting Foundation (CBF), the Federation of Australian Narrowcasting and Subscription Services Inc. (FANSS), the Progressive Radio Association, the Australian Association of National Advertisers (AANA), the Advertising Federation of Australia (AFA), the Radiocommunications Consultative Committee and the Confederation of Australian Subscription Television (CAST).

Public Participation

In performing its functions in relation to the planning of the broadcasting services bands, particularly the determination of planning priorities, the preparation of frequency allotment plans, and the preparation of licence area plans, the Authority is required to consult widely with the public. The Authority places advertisements in newspapers announcing the commencement of its consideration of issues relating to particular planning matters; conducts seminars explaining various aspects of the planning process; and maintains files containing documents relevant to this process, for public inspection.

The public is also able to contribute to other decisions made by the Authority through surveys of public opinion conducted or commissioned by the Authority, and through participation in any investigations or hearings conducted by the Authority into particular broadcasting matters.

Categories of Documents

Records are maintained by the Authority in various physical forms including paper files, card indexes, microfiche and computer media. Certain documents, such as the advice received and assumptions made by the Authority in performing its planning functions, are required to be publicly available. Certain other information dealing with ownership and control matters and the codes of practice, are required to be maintained in public registers.

Files

Files are maintained by the Sydney and Canberra offices on a range of topics related to the Authority's functions. The Records Management Subsection of Corporate Services Branch maintains details of the files used by the Authority.

Card indexes

Card indexes are generally used for minor record keeping and indexing reference material.

Computer databases

Computer databases are maintained for bulk record keeping.

Microfiche

Submissions resulting from the Authority's planning process are available on microfiche in most State and regional libraries as well as the Authority's library. Copies of the microfiche are available for purchase by any member of the public at \$30 per set. The reports of inquiries conducted by the former Australian Broadcasting Tribunal are also available on microfiche in the Authority's library.

Registers

The Authority is required to maintain Registers of Codes of Practice; Notifications of Controllers, Directors, and Changes in Control; Associated Newspapers; Large Circulation Newspapers; Prior Approvals of Temporary Breaches; Extensions of Time for Temporary Breaches; Notices to Persons in Breach of the Act; Extensions of Time for Compliance with Notices and Approvals of Breaches of Television Ownership Limits in Small Markets. Persons wishing to inspect any of these Registers should contact the Sydney office of the Authority.

Classes of Records

Records are maintained by the Authority in one or more physical forms on the following topics:

Policy and Communications Branch

Registers of notifications of directorship and changes in control, associated newspapers, temporary (approved) breaches, extensions of time granted and notices to persons in breach; registers of financial results of commercial radio and television services; reports on grant of licences under the *Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992*; reports of inquiries conducted by the former Australian Broadcasting Tribunal; records, reports and information papers on Australian and overseas broadcasting; agenda papers and minutes of Authority meetings; Authority publications, including research monographs, news releases and pamphlets; and a register of Authority forms.

Program Services Branch

Industry self-regulatory codes of practice; program and advertising standards; Australian content of programs, children's programs, complaints and comments from the public about broadcasting programs and advertising; sponsorship announcements on community radio stations; details, including reports, of research undertaken or commissioned, and evaluations of research undertaken by other organisations; service licences for all commercial and community stations; price-based licence allocation system; suitability of applicants for subscription television broadcasting licences; and opinions on which category of broadcasting services a service falls into.

Appendices

Planning Branch

Technical specifications of national, commercial and community broadcasting services; frequency planning; narrowcasting services; reception of broadcasting services; satellite broadcasting; planning priorities; frequency allotment plans; licence area plans; Minister's reservations; Minister's directions; technical guidelines; new broadcasting technology; population figures; and licence areas.

Corporate Services Branch

Personnel and staffing; finance; purchasing; furniture and fittings; equipment and accommodation; appointment of members; and records of notifications to licensees in relation to licence fees and payments of those fees.

Information Products

Information products available to the public include:

Pamphlets (all free)

An Introduction to the Australian Broadcasting Authority

Complaints about Programs

Planning and the Australian Broadcasting Authority

Fact Sheets (all free)

A Summary of the Control Provisions of the Broadcasting Services Act 1992

Notification Obligations of Commercial Licensees and Controllers

Requests for Authority Opinions concerning Control of Licences

Community Radio Broadcasters and Sponsorship Announcements

Class Licences

Callsigns

Information Guides/Discussion Papers (all free)

Guide for Service Providers Under Class Licences

Guide to Subscription Television Broadcasting Services

Guidelines for the Implementation of Pay TV 'New Australian Drama' Licence Condition

Frequency Allotment Plan for Broadcasting Services Bands - Second Exposure Draft,

December 1993

Narrowcasting for Radio Discussion Paper, April 1994.

Digital Terrestrial Television Broadcasting in Australia - Issues and Options, November

1993.

Publications

ABA Update (12 issues per annum)—\$36 per annum

Classification Issues - Monograph 1—\$9.95

Living With Television - Monograph 2—\$9.95

The People We See on TV - Monograph 3—\$9.95

From The Dark Side - Supplement to Monograph 3—\$5

Current State of Radio and Television Planning, vols 1-6—\$20 each or \$100 set

Technical Planning Parameters and Methods for Terrestrial Broadcasting—\$30

Radio and Television Broadcasting Stations 1993—\$25 a copy or \$60 per data disk

(radio, television)

Broadcasting Financial Results 1992-93—\$60 book, \$40 disk

Trends and Issues—\$5 each

1. *Audiences and Programs in 1992 (The Year in Australian Radio and Television)*—\$5

2. *Australian Content on Television 1990-1992*—\$5

3. *Viewing Australia (Audience Views about Australian Programs and Film in 1992)*
—\$5

Annual Report 1992-93—Free

Planning Priorities, September 1993—Free

Estimated Coverage Areas of UHF Television Transmitters - Tasmania, February 1994—
Free

Pay TV 'Siphoning' Investigation - Report to the Minister for Communications and the
Arts, May 1994—Free

Facilities for Access

The Authority maintains library facilities in the Sydney office where documents available under the Act, or documents for which access is granted under the FOI Act, can be examined. Documents may also be examined in the Canberra office by prior arrangement.

The Authority's offices are at:

Level 15, Darling Park
201 Sussex Street
SYDNEY NSW 2000
PO Box Q500
QUEEN VICTORIA BUILDING NSW 2000

Tel: (02) 334 7700
Fax: (02) 334 7799
DX 13012 Market Street, Sydney

Blue Building
Benjamin Offices
Chan Street
BELCONNEN ACT 2617
PO Box 34
BELCONNEN ACT 2616

Tel: (06) 256 2800
Fax: (06) 253 3277

Microfiche of submissions received in relation to the Authority's planning process are also available in most State and regional libraries.

FOI Procedures and Initial Contact Point

Requests for access under the FOI Act must be in writing and addressed to 'The FOI Co-ordinator' and be accompanied by an application fee (currently \$30). The FOI Act provides for a reduction of the charges or non-imposition of the charges in certain circumstances. In many cases however, it may not be necessary to use FOI as the information sought may be readily available. The Manager, Media and Public Relations, in the Sydney office should be contacted in the first instance.

Correspondence on FOI matters should be addressed to the FOI Co-ordinator at the Authority's Sydney office at the address given above.

Under the procedures operating in the Authority for the handling of FOI requests, in some instances the FOI Co-ordinator may need to consult applicants for access to documents under the FOI Act. Specific instances are as follows:

- (a) to assist the applicant to more specifically identify documents that have been requested;
- (b) to give the applicant a reasonable opportunity for consultation before refusing a request on grounds of insufficient information (subsection 15(2) of the FOI Act) or if the request requires a substantial and unreasonable diversion of resources (subsection 24(1) of the FOI Act); or
- (c) to notify the applicant of the charges and the deposit that is payable, or to discuss a request that the charges be reduced or not imposed.

As at 30 June 1994, as well as the Members, the General Manager of each Division, the Branch Directors and most of the Section heads are authorised, under section 23 of the FOI Act, to make primary decisions on applications for access to documents held by their area. Generally, access is provided in the form of copies of documents.

In addition to the Members, the General Managers and the Branch Directors are also authorised to make decisions on applications for internal review of primary FOI decisions made by the Authority.

SPEECHES GIVEN BY MEMBERS AND STAFF DURING 1993-94

The following members and staff gave speeches, papers or addresses, as listed:

Brian Johns, Chairman

'Captioning in a New Environment' at Australian Caption Centre's Ten Years Celebration, July 1993

'Regulating the Converging Industries' IIC Annual Conference, Mexico (*in absentia*), September 1993

Radio Notes - FARB Convention, Gold Coast, October 1993

'Australian Content - New Direction?' The Centre for Media & Telecommunications Law & Policy at the University of Melbourne, Melbourne, October 1993

First National Book Summit, Hotel Windsor, Melbourne, November 1993

IIC Australian Chapter Christmas Luncheon, Sydney, December 1993

'Convergence and Culture' ATUG Annual Conference, Melbourne, May 1994

Peter Webb, Deputy Chairman

'How do we Manufacture a Marketplace of Ideas', How to be Australian Forum, Sydney, February 1994

Government Policy on Specialised and Community Broadcasting Services', National Conference of the Radio for the Print Handicapped, Melbourne, April 1994

Tim O'Keefe, Member

'Australia's Pay TV Regulatory Environment', Pan Asia Satellite and Cable Television Conference and Exhibition, Hong Kong, March 1994

Colin Knowles, General Manager, Planning and Corporate Services Branch

'Digital Broadcasting - Prospects for the Asia-Pacific Region', IIR Conference Broadcasttech Asia 1993, Singapore, September 1993

'Planning Broadcasting Services and Future Demands for Spectrum' IIR Conference, 1993 Broadcasting Summit, Sydney, November 1993

Giles Tanner, Director, Planning Branch

'Allocation and Broadcasting Services Spectrum Planning', IIR Conference, 1993 Broadcasting Summit, Sydney, November 1993

Debra Richards, Director, Program Services Branch

'Codes of Practice for Broadcasters' 2nd National Conference on Violence, Canberra, July 1993

'Codes/Classification/Censorship and Consumer Issues'. IIR Conference, July 1993

'Role of the Regulator in Cultural Policy' at From Fossils to Films, Sydney, September 1993

'Australian Content Standard - How has it fared', Centre for Media and Telecommunications Law and Policy, University of Melbourne, October 1993

'Australian Content - The Audience and the Broadcaster', IIR Conference, 1993 Broadcasting Summit, Sydney, November 1993

'National Media Forum', Federal Justice Office, Sydney, February 1994

'The Producer, the Market, the Audience', AFTRS forum, Sydney, February 1994

'Keep up with the Changes' Young Media Australia, Adelaide, April 1994

Appendices

Pat Manser, Director, Policy and Communications Branch

'Future Strategies for Regulation' IIR Conference - 1993 Broadcasting Summit, Sydney, November 1993

'Overview of Broadcasting Regulation' ATUG Annual Conference, Melbourne, May 1994

Nick Herd, Program Services Branch

Australian Communications Association - Annual Conference, July 1993

Lesley Osborne, Program Services Branch

Australian Christian Media Association, October 1993

Media Awareness Project (WA), September 1993

Linda Sheldon, Program Services Branch

'Broadcasting Research and Policy Issues' to Master of Arts students, University of New South Wales, May 1994

Bob Greeney, Planning Branch

IREE Society Melbourne, April 1994

Paul Myers, Policy and Communications Branch

'Survey of the Commercial Broadcasting Industry', paper at Bureau of Transport and Communications Economics, Communication Research Forum, August 1993

John Corker, Policy and Communications Branch

'Telecommunications '94: Regulation of the Information Superhighway and Multimedia Law', University of Sydney Law School, June 1994

Research Section, Program Services Branch

- presented three research papers to the Australian Communication Association National Conference in July 1993. The papers were: 'Living with Television', 'Viewing Australia', 'Slimey or spooky? Kids and classification issues'

Children's Television Subsection, Program Services Branch

- invited to speak at a two day pre-production meeting for the series 'Totally Wild' at the Seven network in Brisbane.

Australian Content Subsection, Program Services Branch

- conducted a seminar on Australian Content at the Australian Film Television and Radio School, February 1994.

Planning Branch

- conducted meetings in regional areas in Planning Group I on the development of licence area plans.

Conferences

The Authority was represented at the following conferences and meetings during 1993-1994:

Communications Planning for the Sydney 2000 Olympics

'Communication and Identity: Local, Regional, Global', 1993 Australian Communications Association National Conference, Victoria University of Technology, Melbourne July 1993

National Forum on the Portrayal of Women in the Media, National Maritime Museum, Sydney, July 1993

Second National Conference on Violence, July 1993

'Media Development in Asia: Implications for Australia', conducted by the Australian Cultural Development Office and the Audio-visual Taskforce (Department of Industry, Technology and Regional Development) August 1993

'From Fossils to Film: A National Forum on Cultural Policy in Australia', conducted by the Evatt Foundation, August 1993

Media Awareness Project, September 1993

IIR Conference Broadcastech 93, Singapore, September 1993

Interim meeting of the Radiocommunications Bureau of the International Telecommunication Union (ITU), Geneva, October 1993

'The Filmmaker and Multimedia Conference', conducted by Australian Film Television and Radio School, October 1993

'Australian Content: New Rules & Policies?', conducted by the Centre for Media & Telecommunications Law & Policy, October 1993

FARB Annual Convention, October 1993

OFLC Censorship Conference, October 1993

1993 Broadcasting Summit, IIR Conference, Sydney, November 1993

Annual General Conference of the Community Broadcasting Association, Sydney, November 1993

Screen Producers Association of Australia 8th Annual Conference, November 1993

'The Documentary Conference', conducted by the SPAA (Screen Producers Association of Australia) and Australian Film Commission (AFC), December 1993

National Media Forum, Federal Justice Office, February 1994

'The Producer, the Market, the Audience', AFTRS, February 1994

'Doing Business with New Zealand', conducted by the SPAA and AFC, March 1994

Pan Asia Satellite and Cable Television Conference and Exhibition, Hong Kong, March 1994

Consumer Perspectives on New Media, Communications Law Centre, March 1994

Technical and Management Meeting of International Telecommunications Union Study Groups 10 and 11 (radio and television), Geneva, March 1994

Towards 2000 Digital Audio Broadcasting Conference, Toronto, Canada, April 1994

National Association of Broadcasters Conference in Las Vegas, US, April 1994

'Keeping Up With the Changes', YMA, April 1994

Cable TV Conference, New Orleans, US, June 1994

Appendices

Participation in Working Groups

The Authority participated in the following committees and working groups:

Standards Australia;

Radiocommunications Consultative Committee;

RADCOM Steering Committee;

International Telecommunications Union activities, particularly the National Study Groups (NSGs) relating to sound and television broadcasting, providing Chairs and Secretariat functions. The NSGs involve experts from government and the broadcasting industry.

Future Directions Conference

The Authority's Future Directions conference, held in January 1994, was designed to highlight the major issues facing the Authority, broadcasting regulation and the industry.

The conference was attended by Authority members and senior staff. Presenters at the conference came from within the Authority, government and the broadcasting industry.

Sponsorship

The Authority is providing support and sponsorship for 'Children and Advertising: A Fair Game?', a Young Media Australia conference to be held in Sydney in July 1994.

The Authority is providing sponsorship for 'Making the Connection', the Screen Producers Association of Australia Ninth Annual conference to be held in Melbourne in November 1994.

The Authority is supporting a 'Producers' Forum' as part of the Children's Television Festival in March 1995.

The Authority is supporting the 'World Summit on Television and Children', an international summit organised by the Australian Children's Television Foundation, to be held in Melbourne in March 1995.

Internal Seminars

Legal Section, Policy and Communications Branch

- gave a Legal Awareness Seminar, on the implications of the Pearce Report.

Media and Public Relations Section, Policy and Communications Branch

- organised and gave four internal seminars on working with and responding to the media, and preparing material for publication.

Children's Television Subsection, Program Services Branch

- organised two internal seminars, 'Stereotyping in the Media' and 'Scripts and Script Writing'.

COMPLAINTS RECEIVED IN 1993-94

Classified by category of complaint

Commercial Television

| | |
|------------------------------------|-------------|
| Taste, morality decency | 416 |
| Program scheduling arrangements | 206 |
| Unsuitable for children | 120 |
| Misc. television | 95 |
| Violence | 67 |
| G classification | 50 |
| Other | 588 |
| Total Commercial Television | 1542 |

Commercial Radio

| | |
|-------------------------------|------------|
| Taste morality decency | 79 |
| Misc. radio | 49 |
| Discriminatory broadcasts | 32 |
| Language | 29 |
| Other | 88 |
| Total Commercial Radio | 277 |

ABC Television

| | |
|------------------------------------|------------|
| Taste morality decency | 124 |
| Misc. television | 26 |
| Program scheduling arrangements | 26 |
| Accuracy/fair-News/current affairs | 25 |
| Sex/sexuality | 14 |
| Other | 55 |
| Total ABC Television | 270 |

Other

| | |
|-----------------------|------------|
| SBS TV | 38 |
| SBS radio | 1 |
| ABC radio | 74 |
| Community radio | 129 |
| Community television | 2 |
| Open narrowcast radio | 13 |
| Subscription radio | 2 |
| Total | 259 |

| | |
|-------------------------|-------------|
| COMPLAINTS TOTAL | 2348 |
|-------------------------|-------------|

COMPLIANCE INDEX

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FINANCIAL STATEMENTS



AUSTRALIAN NATIONAL AUDIT OFFICE

Level 7
130 Elizabeth Street
Sydney New South Wales 2000

our ref:

21 September 1994

Mr Brian Johns
Chairman
Australian Broadcasting Authority
PO Box Q500
Queen Victoria Building
SYDNEY NSW 2000

Dear Mr Johns

FINANCIAL STATEMENTS 30 JUNE 1994
AUDIT REPORT

The audit of the above financial statements prepared in accordance with section 63(M) of the Audit Act 1901 has been completed.

Attached is a copy of the report together with a copy of the financial statements.

Yours sincerely

David C McKean
Executive Director

Appendices

AUSTRALIAN BROADCASTING AUTHORITY INDEPENDENT AUDIT REPORT

To the Minister for Communications and the Arts

Scope

I have audited the financial statements of the Australian Broadcasting Authority for the year ended 30 June 1994.

The statements comprise:

- . Operating Statement
- . Statement of Financial Position
- . Statement of Cash Flows
- . Notes to and forming part of the Financial Statements, and
- . Statement by Members

The Members of the Authority are responsible for the preparation and presentation of the financial statements and the information contained therein. I have conducted an independent audit of the financial statements in order to express an opinion on them to the Minister for Communications and the Arts.

The audit has been conducted in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards, to provide reasonable assurance as to whether the financial statements are free of material misstatement. Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial statements are presented fairly in accordance with Australian Accounting Concepts and Standards and statutory requirements so as to present a view which is consistent with my understanding of the Authority's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Audit opinion

In accordance with sub-section 63M(2) of the Audit Act 1901, I now report that the financial statements are in agreement with the accounts and records of the Authority, and in my opinion:

the statements are based on proper accounts and records

the statements show fairly in accordance with the Statements of Accounting Concepts and applicable Accounting Standards the financial transactions and cash flows for the year ended 30 June 1994 and the state of affairs of the Authority as at that date

the receipt and expenditure of moneys, and the acquisition and disposal of assets, by the Authority during the period have been in accordance with the Broadcasting Services Act 1992

the statements are in accordance with the Guidelines for Financial Statements of Public Authorities and Commercial Activities.



David C. McKean
Executive Director

Sydney

21 September

Appendices

AUSTRALIAN BROADCASTING AUTHORITY
FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 1994

MEMBERS' STATEMENT

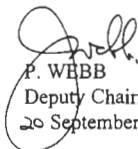
In our opinion the financial statements, including the accompanying notes, have been properly drawn up so as to show fairly the Australian Broadcasting Authority's:

- operating result for the year ended 30 June 1994;
- financial position as at 30 June 1994; and
- cash flows during the year ended 30 June 1994.

These statements have been made out in accordance with applicable Accounting Concepts and Standards and the Guidelines for Financial Statements of Public Authorities and Commercial Activities issued by the Minister for Finance.



B. JOHNS
Chairman
20 September 1994



P. WEBB
Deputy Chairman
20 September 1994

AUSTRALIAN BROADCASTING AUTHORITY
OPERATING STATEMENT
FOR THE YEAR ENDED 30 JUNE 1994

| | Note | 5-10-92 to 30-6-93 | |
|---|------|--------------------|-------------------|
| | | 1993-94 | 1992-93 |
| | | \$ | \$ |
| COST OF SERVICES | | | |
| Operating expenses before abnormal items | | | |
| Salaries & allowances | 3,4 | 8 512 044 | 7 365 825 |
| Administrative expenses | 5 | 3 975 863 | 2 527 101 |
| Loss on disposal of non-current assets | | 208 447 | 727 |
| Office rental & hire of venues | | 2 109 370 | 1 136 188 |
| Legal fees & associated costs | | 444 670 | 75 938 |
| Depreciation | 1(c) | 532 192 | 543 248 |
| Employee provisions | | 566 355 | 706 551 |
| Total operating expenses before abnormal items | | 16 348 941 | 12 355 578 |
| Operating revenues from independent sources before abnormal items | | | |
| Sale of publications | | 45 772 | 41 179 |
| Interest | | 87 936 | 20 575 |
| Recovery of legal costs | | 182 624 | 3 200 |
| Miscellaneous revenue | | 354 498 | 86 353 |
| Total operating revenue from independent sources before abnormal items | | 670 830 | 151 307 |
| Net cost of services before abnormal items | | 15 678 111 | 12 204 271 |
| Abnormal items | 16 | (658 186) | 672 557 |
| Net cost of services | | 15 019 925 | 12 876 828 |
| REVENUE FROM GOVERNMENT | | | |
| Parliamentary appropriations received | 2 | 15 292 000 | 11 182 000 |
| Liabilities assumed by government | 9 | 917 535 | 1 024 062 |
| Total revenue from government | | 16 209 535 | 12 206 062 |
| Operating Result | | 1 189 610 | (670 767) |
| Gain on extraordinary item | | - | 11 829 |
| Operating result and extraordinary items | | 1 189 610 | (658 938) |
| Accumulated results of operations at beginning of year | | (658 938) | - |
| Accumulated results of operations at end of year | | 530 672 | (658 938) |

The accompanying notes form an integral part of these financial statements.

AUSTRALIAN BROADCASTING AUTHORITY
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 1994

| | Note | 5-10-92 to 30-6-93 | |
|-----------------------------------|------|--------------------|------------------|
| | | 1993-94 | 1992-93 |
| | | \$ | \$ |
| Current Assets | | | |
| Cash | | 789 122 | 613 367 |
| Receivables | | 48 154 | 8 947 |
| Prepayments | | 542 596 | 211 172 |
| Accrued interest | | 7 113 | 2 586 |
| Total Current Assets | | 1 386 985 | 836 072 |
| Non-Current Assets | | | |
| Plant property & equipment | 6 | 1 155 123 | 1 766 434 |
| Total non-current assets | | 1 155 123 | 1 766 434 |
| Total Assets | | 2 542 108 | 2 602 506 |
| Current Liabilities | | | |
| Creditors | | 110 558 | 275 496 |
| Provisions | 7 | 878 286 | 1 449 997 |
| Leases | 8 | - | 30 109 |
| Other | | 50 417 | 335 730 |
| Total current liabilities | | 1 039 261 | 2 091 332 |
| Non-Current Liabilities | | | |
| Leases | 8 | - | 8 191 |
| Provisions | 7 | 972 176 | 1 161 921 |
| Total non-current liabilities | | 972 176 | 1 170 112 |
| Total Liabilities | | 2 011 437 | 3 261 444 |
| Net Assets | | 530 672 | (658 938) |
| Equity | | | |
| Accumulated results of operations | | 530 672 | (658 938) |
| Total Equity | | 530 672 | (658 938) |

The accompanying notes form an integral part of these financial statements.

AUSTRALIAN BROADCASTING AUTHORITY
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 1994

| | Note | 5-10-92 to 30-6-93 | |
|---|-----------|--------------------|------------------|
| | | 1993-94 | 1992-93 |
| | | \$ | \$ |
| Cash Flows From Operating Activities | | | |
| Inflows: | | | |
| Parliamentary Appropriations | | 15 292 000 | 11 182 000 |
| Bank Interest | | 83 409 | 31 915 |
| Receipts from User Charges | | 336 535 | 129 056 |
| Outflows: | | | |
| Payments to suppliers and employees | | (15 422 968) | (10 681 467) |
| Net cash provided by operating activities | 19 | 288 976 | 661 504 |
| Cash Flows From Investing Activities | | | |
| Inflows: | | | |
| Proceeds from sale of property, plant & equipment | | 343 675 | - |
| Lease Incentive Received | | 658 186 | |
| Outflows: | | | |
| Purchase of property, plant & equipment | | (456 896) | (364 296) |
| Net cash used by investing activities | | (113 221) | (364 296) |
| Net increase in cash held | | 175 755 | 297 208 |
| Cash at beginning of year | | 613 367 | 316 159 |
| Cash at end of year | | 789 122 | 613 367 |

The accompanying notes form an integral part of these financial statements.

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 1994

1. Summary of significant accounting policies

(a) Basis of accounting

The financial statements have been prepared on an accrual basis and adopt the historical cost convention. They have been prepared in accordance with the Guidelines for Financial Statements of Public Authorities and Commercial Activities issued by the Minister for Finance. The accounting practices adopted by the ABA are consistent with Australian Accounting Standards and Statements of Accounting Concepts.

(b) Non-current assets

Property, plant and equipment are shown at cost less accumulated depreciation. Items purchased for less than \$2 000 are expensed in the year of procurement.

(c) Depreciation and amortisation

Assets are depreciated using a straight line method over the estimated useful life of the asset.

Gains and losses upon disposal of assets arising in the ordinary course of business are taken into account in determining the operating result for the period.

Leasehold improvements are capitalised and amortised over the unexpired period of the lease.

Non-current assets purchased during the period have been depreciated from the date of purchase.

(d) Leases

Operating lease payments, where the lessor effectively retains substantially all of the risks and benefits of the leased items, are charged to expense in equal instalments over the lease term.

Where rent-free periods are provided as an operating lease incentive, total leases over the life of the lease are calculated and charged as rental expenses in equal amounts over the life of the lease.

(e) Provision for employee provisions

Provision is made for the ABA's estimated liability for long service leave entitlements of its members and employees. The payment 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.

Provision is made for the ABA's estimated liability for the recreation and leave bonus entitlements of its members and employees. The provision has been calculated in accordance with the conditions laid out in Public Service Board Determination 10 of 1983

for Public Service Act staff and Remuneration Tribunal Determination 20 of 1991 for members of the ABA.

(f) Trade debtors

Bad debts are expensed as they become known. The ABA considers all debts to be recoverable and deems that provision for doubtful debts is not necessary.

(g) Cash

Cash comprises cash at bank and cash on hand.

(h) Comparative figures

Where necessary, comparative figures have been restated to conform with the current years presentation.

(i) Rounding

Figures have been rounded to the nearest dollar.

2. Items of revenue

The following were the major sources of revenue:

| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
|--|---------------------|-------------------------------|
| Parliamentary appropriation: | | |
| Appropriation Act No. 1 | 14 809 000 | 10 157 000 |
| Running Cost Borrowings - Approp Act No. 1 | 470 000 | - |
| Appropriation Act No. 3 | 13 000 | - |
| Appropriation Act No. 5 | - | 1 025 000 |
| Total | \$15 292 000 | \$11 182 000 |

3. Remuneration of executives

The ABA had the following number of executives whose remuneration was in excess of \$100 000:

| Band of income | Number of executives | |
|---------------------|----------------------|-------------------------------|
| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
| \$100 000-\$109 999 | 3 | - |

4. Remuneration of members

(a) The ABA had the following number of members whose total remuneration was within the following bands:

| Band of income | Number of members | |
|---------------------|-------------------|-------------------------------|
| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
| \$60 000-\$69 999 | | 1 |
| \$70 000-\$79 999 | | 1 |
| \$120 000-\$129 999 | 1 | 1 |
| \$140 000-\$149 999 | 1 | |
| \$210 000-\$219 999 | 1 | |

Appendices

(b) The following persons were members or associate members of the ABA during the 1993-4 reporting period:

| | | |
|------------|-----------------|---|
| B. Johns | Chairman | Appointed 5 October 1992 for 5 years |
| P. Webb | Deputy Chairman | Appointed 1 February 1993 to 4 October 1997 |
| T. O'Keefe | Member | Appointed 5 October 1992 for 5 years |

5. Administrative expenses

These consist of the following major items:

| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
|--------------------------|--------------------|---------------------------------------|
| Consultancy fees | 639 049 | 399 675 |
| Computer services | 422 250 | 104 432 |
| Travel | 811 995 | 585 478 |
| Office requisites | 479 980 | 488 272 |
| Postage, telephones etc. | 219 320 | 219 319 |
| Repairs & maintenance | 299 715 | 41 000 |
| Incidentals | 804 166 | 504 504 |
| Minor assets | 299 388 | 184 421 |
| Total | \$3 975 863 | \$2 527 101 |

6. Property, plant & equipment

Non-current assets consist of the following:

| | Cost | Accumulated Depreciation | Net book value |
|---------------------------------|--------------------|-------------------------------------|---------------------------|
| 1993-94 | | | |
| Computer equipment | 1 215 911 | 759 050 | 456 861 |
| Software | 170 908 | 39 929 | 130 979 |
| Furniture and fittings | 28 550 | 20 143 | 8 407 |
| Office machines and equipment | 156 789 | 62 226 | 94 563 |
| Monitoring and allied equipment | 207 161 | 120 742 | 86 419 |
| Vehicles | 19 199 | 9 234 | 9 965 |
| Workshop equipment | 468 064 | 100 135 | 367 929 |
| Total | \$2 266 582 | \$1 111 459 | \$1 155 123 |

5-10-92 to 30-6-93

1992-93

| | | | |
|---------------------------------|--------------------|--------------------|--------------------|
| Computer equipment | 1 526 980 | 808 874 | 718 106 |
| Furniture and fittings | 83 605 | 67 373 | 16 232 |
| Office machines and equipment | 192 843 | 52 691 | 140 152 |
| Monitoring and allied equipment | 318 133 | 98 498 | 219 635 |
| Vehicles | 19 199 | 5 598 | 13 601 |
| Leased equipment | 73 274 | 54 076 | 19 198 |
| Workshop equipment | 715 359 | 75 849 | 639 510 |
| Total | \$2 929 393 | \$1 162 959 | \$1 766 434 |

7. Provisions

| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
|----------------------------------|------------------|---------------------------------------|
| Current | | |
| Provision for long service leave | 108 020 | 416 185 |
| Provision for recreation leave | 770 266 | 1 033 812 |
| Total Current | \$878 286 | \$1 449 997 |

| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
|----------------------------------|----------------|---------------------------------------|
| Non-current | | |
| Provision for long service leave | \$ 972 176 | \$1 161 921 |

8. Leases

| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
|-----------------------------|----------------|---------------------------------------|
| Current lease liability | - | 30 109 |
| Non-current lease liability | - | 8 191 |
| Total | - | \$38 300 |

9. Superannuation

(a) ABA members and employees contribute to either the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme, which provide pension, lump sum and other benefits. Under both schemes an employer component exists, for which liability is assumed by the government. The liability was \$917 535 (1992-93, \$1 024 062), which was based on a composite rate of 19.1%, as advised by Department of Finance.

(b) Members and employees of the ABA are also covered by the provisions of the Superannuation Benefit Act 1988 which provides for additional superannuation benefits known as the productivity benefit. Contributions are funded by the ABA and are paid to the Retirement Benefits Office which is liable for payment of the productivity benefit. The benefits averaged 3% of salary and amounted to \$172 255 for the period.

10. Lease commitments

Operating lease commitments:

| | 1993-94 | 5-10-92 to 30-6-93 1992-93 |
|---|---------------------|---------------------------------------|
| Not later than 1 year | 1 812 246 | 1 848 629 |
| Later than 1 year and not later than 2 years | 1 762 498 | 1 380 473 |
| Later than 2 years and not later than 5 years | 4 378 012 | 3 793 803 |
| Later than 5 years | 5 223 242 | 5 920 050 |
| Total | \$13 175 998 | \$12 942 955 |

11. Auditors' remuneration

External audit services were provided by the Australian National Audit Office. The audit fee for the 1993-94 financial statements is \$45 000 (1992-93 \$48 000). No amounts were paid or due to ANAO for other services provided to the ABA during the financial year.

12. Resources received free of charge

During the year the ABA was provided with services free of charge by the Department of Finance for salaries payments. The estimated value of these services is \$3 200.

13. Contingent liabilities

No contingent liabilities are known to exist as at 30 June 1994.

14. Licence Fees

Moneys received by the ABA in respect of broadcasting and television licence fees are not reflected in the operating statements because the ABA acts only as an agent for the Minister for Communications and the Arts in so far as the collection of licence fees is concerned. Payments received by the ABA are forwarded to the Department of Communications and the Arts.

The ABA received \$129 479 584 (1992-93, \$94 209 134) in licence fees for the 1993-94 collection year, which is comprised of \$121 195 403 (1992-93, \$87 539 985) in television licence fees and \$8 284 181 (1992-93, \$6 669 149) in radio licence fees.

The ABA allowed aggregation rebates of \$16 397 350 (1992-93, \$14 037 020) to licensees under the Television Licence Fees Regulations.

Details of other fees received are as follows:

In 1993-94 the ABA introduced Price Based Allocations for licences. Licence fees received from the Price Based Allocations was \$622 000.

The FM Access Fee applies to all non metropolitan commercial radio grants, including supplementary licence grants and to existing non metropolitan radio services conversions from AM to FM transmission. Access Fees totalling \$535 146 (1992-93, \$891 649) were received.

15. Insurance

Consistent with Commonwealth Government policy the ABA acts as its own insurer. Losses are expensed as incurred.

16. Abnormal item

The ABA received \$658 186 in cash payments as part of a lease incentive from its property lessor. This amount was fully expended during the financial year.

17. Economic dependency

The normal activities of the ABA are dependent upon the appropriation of monies by Parliament.

18. Segmental reporting

The ABA is responsible for regulating commercial television and commercial and public radio in Australia. It is therefore considered that for reporting purposes the ABA operates within the one industry and within one geographical segment.

19. Cash flow information

| | 1993-94 | 5-10-92 to 30-6-93 |
|---|------------------|---------------------------|
| | 1992-93 | |
| Operating result | 1 189 610 | (658 938) |
| Increase in receivables | (26 810) | 9 665 |
| Increase in prepayments | (138 494) | (19 688) |
| Increase in accrued interest | (4 527) | - |
| Decrease in creditors | (178 314) | 41 466 |
| Decrease in lease commitments | (19 102) | (18 595) |
| Decrease in employee entitlements | (761 456) | 110 337 |
| Decrease on other current liabilities | (285 313) | - |
| Depreciation and amortisation | 532 192 | 543 248 |
| Loss on disposal of plant | 274 440 | - |
| Profit on disposal of plant | (65 993) | - |
| Profit on disposal of minor assets | (207 504) | - |
| Decrease in provision for doubtful debts | - | (6 719) |
| Abnormal item | - | 672 557 |
| Adjustments to assets | (19 753) | - |
| Extra-ordinary item | - | (11 829) |
| Net cash generated by operating activities | \$288 976 | \$661 504 |

For the purposes of the statement of cash flows, cash comprises cash at bank and cash on hand.

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