Application for non-broadcasting services bands commercial radio broadcasting licence

Section 40 of the *Broadcasting Services Act 1992*

**Instructions for completion**

* Please print clearly. Forms which are illegible, unclear or incomplete details may be returned for clarification.

***Where to send this form***

* Completed application form with the appropriate payment should be sent to:

Licence Issue and Allocation Section Manager

Australian Communications and Media Authority

PO Box 78

Belconnen ACT 2616

* Enquiries and forms can be forwarded to Licence Issue and Allocation Section, phone: 1300 850 115, fax: 02 6219 5347 or email: info@acma.gov.au.

**Explanatory notes**

***Please read the explanatory notes before completing the application form.***

***Complete this form if you wish to submit an application for a non-broadcasting services bands commercial radio broadcasting licence. If you wish to apply for a non-broadcasting services bands commercial television broadcasting licence, you will need to complete ACMA Form B20T.***

Subsection 40(1) of the *Broadcasting Services Act 1992* (the Act), provides that, the Australian Communications and Media Authority (ACMA) may allocate a commercial radio broadcasting licence that is not a licence referred to in subsection 36(1).

The licences referred to in subsection 36(1) are, relevantly, commercial radio broadcasting licences that are broadcasting services bands licences.

***Section 40 licences***

A section 40 licence authorises the holder to provide a commercial broadcasting service as defined in section 14 of the Act. A section 40 licence does not entitle the licence holder to access to any means of transmitting or disseminating the service to an audience. The holder of a section 40 licence needs to obtain separately a means of delivering the service.

***The broadcasting services bands***

The broadcasting services bands are the designated parts of the radiofrequency spectrum which have been referred to the ACMA for planning under section 31 of the *Radiocommunications Act 1992*. The broadcasting services bands are:

* 526.5–1606.5 kHz;
* 45–52 MHz and 56-70 MHz (Band I);
* 85–108 MHz (Band II);
* 137–144 MHz (channel 5A);
* 174–230 MHz (Band III);
* 520–694 MHz (Bands IV and V).

***Application fee***

Each application is subject to an application fee (paragraph 40(3)(b)). Fees are reviewed from time to time. Please contact the ACMA for the current fee and ensure that a cheque or money order for the appropriate amount accompanies your application.

***Licence conditions***

The conditions set out in Parts 2 and 4 of Schedule 2 of the Act apply. A current compilation of the Act is available via [www.comlaw.gov.au](file:///%5C%5Cacact01srvp1%5Cnlab%24%5CLicensing%20Allocations%20%26%20Information%20Section%5CLicensing%20-%20Forms%20%26%20Proformas%5COnline%20forms%5CBroadcasting%20Forms%5Cwww.comlaw.gov.au).

***Licence area***

Before allocating a licence under subsection 40(1), the ACMA must designate a particular area in Australia as the licence area of the licence. Please indicate as clearly as possible your preferred licence area, preferably in terms of areas defined by the Australian Bureau of Statistics at the most recent census. Please also provide a map showing the preferred licence area. Please note that the licence area designated by the ACMA may differ from that proposed in your application.

***Gazettal of allocation of licence***

Subsection 40(4) requires the ACMA to publish the name of the successful applicant in the Government Notices Gazette.

***Confidentiality***

The information on this form will be treated as confidential except where necessary for the ACMA to fulfil its statutory duties in relation to the allocation of the licence, or as otherwise required or authorised by law.

**SECTION 1: Applicant details**

Company name

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Trading name (if applicable)

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|  |

ACN

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Paragraph 37(1)(a) of the *Broadcasting Services Act 1992* states that a licence is not to be allocated to an applicant if the applicant is not a company that is formed in Australia or in an external territory and that has a share capital. **PLEASE PROVIDE A COPY OF THE CERTIFICATE OF INCORPORATION WITH YOUR APPLICATION.**

Company address / registered office

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| --- |
|  |
|  |
| POSTCODE |

Contact person

|  |
| --- |
| SURNAME |
| GIVEN NAME |
| WORK ( ) |
| MOBILE |
| FACSIMILE |

Postal address of contact

|  |
| --- |
|  |
|  |
| POSTCODE |

**SECTION 2: Service, means of delivery and licence area**

1. Please provide the (proposed) name and a brief description of the service.

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| NAME |
| DESCRIPTION |

2. What is the proposed technical means of delivery of the service?

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3. What is the proposed geographical area of reception of the service?

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4. Please describe the proposed licence area of the service, if possible in terms of Australian Bureau of Statistics areas.

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**Please provide a map showing the proposed licence area.**

**SECTION 3: Applicant’s declaration**

I/We \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Name), an authorised officer/agent\* of the applicant, hereby acknowledge that:

1. The application fee determined by the ACMA accompanies each application.
2. In making this application, the applicant has not relied on any representation made by the ACMA, its officers, employees or agents.
3. The information provided on this form and any attachments is correct and complete.
4. Any attachment required by this application form constitutes part of this application form.
5. The provision of false and misleading information is a serious offence. This includes information that may be misleading due to omission.

*\*Strike out whichever is inapplicable.*

|  |  |
| --- | --- |
| SIGNATURE | DATE |
| DATES THIS (DAY) OF (MONTH) (YEAR) |

|  |  |
| --- | --- |
| NAME | ROLE |
| COMPANY |

|  |  |
| --- | --- |
| TELEPHONE | FAX NUMBER |
| POSTAL ADDRESS |