

## AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

### NOTICE OF APPLICATION FOR RENEWAL OF LICENCE UNDER SECTION 46(2) OF THE *BROADCASTING SERVICES ACT 1992*

In accordance with sub-section 46(2) of the *Broadcasting Services Act 1992* (the Act), the Australian Communications and Media Authority (ACMA) hereby notifies that the companies listed below have lodged applications for the renewal of the following broadcasting service licences:

<b>Commercial Radio Licensees</b>	<b>SL No</b>	<b>Service Area</b>	<b>State</b>
Maryborough Broadcasting Company Pty Ltd	1150057	BUNDABERG RA1	QLD
Prime Radio (Cairns) Pty Limited	1150014	CAIRNS RA1	QLD
FNQ Broadcasters Cairns Pty Limited	1150044	CAIRNS RA1	QLD
Prime Radio (Mackay) Pty Limited	1150018	MACKAY RA1	QLD
Whitsundays Broadcasters Pty Ltd	1150089	MACKAY RA1	QLD
Prime Radio (Townsville) Pty Limited	1150009	TOWNSVILLE RA1	QLD
Prime Radio (Barrier Reef) Pty Limited	1150091	TOWNSVILLE RA1	QLD
Gold Coast FM Pty Ltd	4173	GOLD COAST RA1	QLD
Pirate Broadcasters Pty Ltd	1150398	ALBANY S40	WA
<b>Commercial Television Licensees</b>	<b>SL No</b>	<b>Service Area</b>	<b>State</b>
Channel 9 South Australia Pty Ltd	121	ADELAIDE TV1	SA
Golden West Satellite Communications Pty Ltd	4747	WESTERN ZONE TV1	WA

The ACMA is required to renew these licences unless it decides that an applicant is no longer a suitable licensee. A company is a suitable licensee if the ACMA does not decide that sub-section 41(2) of the Act applies to the company.

The ACMA may decide that 41(2) of the Act applies to a licensee if it is satisfied that allowing the licensee to provide or continue to provide a commercial broadcasting service under a licence would lead to a significant risk of: (a) an offence against the Act or the regulations being committed; (b) or a breach of the conditions of the licence occurring.

In deciding whether the sub-section applies, the ACMA is required by sub-section 41(3) of the Act, to take into account: (a) the business record of the company; and (b) the company's record in situations requiring trust and candour; and (c) the business record of the chief executive and each director and secretary of the applicant; and (d) the record in situations requiring trust and candour of each such person; and (e) whether the company, or a person referred to in paragraph (c) or (d), has been convicted of an offence against this Act or the regulations.

The Act does not require the ACMA to hold an investigation or a hearing into whether a commercial licence (sub-section 47(3)) should be renewed.