



## NOTICE OF APPLICATION FOR RENEWAL OF LICENCE UNDER SECTION 90(2) OF THE *BROADCASTING SERVICES ACT 1992*

In accordance with sub-section 90(2) of the *Broadcasting Services Act 1992* (the Act), the Australian Communications and Media Authority (the ACMA) hereby notifies that the companies listed below have lodged applications for the renewal of the following broadcasting service licences:

Community Radio Licensees	SL No	Service Area	State
Bacchus Marsh Community Radio Inc	1150675	BACCHUS MARSH RA1	VIC
WYN FM Community Radio Inc	1150681	WERRIBEE RA1	VIC

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 83(2) of the Act applies to the company. The ACMA may decide that sub-section 83(2) of the Act applies to a licensee if it is satisfied that allowing the licensee to provide or continue to provide either a commercial or a community 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 these sub-sections apply, the ACMA is required by sub-section 83(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) (commercial) the business record of each person who is, or would be, if a licence were allocated to the applicant, in a position to control the licence; or (community) 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.

Under sub-section 91(2A) of the Act, the ACMA may also refuse to renew a community broadcasting licence if, having regard to matters in paragraphs 84(2)(a) to (f), it considers that it would not allocate such a licence if it were deciding whether to allocate the licence to the licensee.

The Act does not require the ACMA to hold an investigation or a hearing into whether a community licence should be renewed (sub-section 91(3)).