



AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Broadcasting Services (Applications for Renewal of Licence under Subsection 46(2) of the Broadcasting Services Act 1992) Notice – 17 April 2023

In accordance with subsection 46(2) of the *Broadcasting Services Act 1992* (the Act), the Australian Communications and Media Authority (ACMA) gives notice that the companies listed below have lodged applications for the renewal of the following commercial broadcasting service licences:

Commercial Broadcasting Licensees	SL No	Service Area	State
Radio 4BC Brisbane Pty Ltd	4161	BRISBANE RA1	QLD
Maryborough Broadcasting Company Pty Ltd	1150057	BUNDABERG RA1	QLD
FNQ Broadcasters Cairns Pty Limited	1150044	CAIRNS RA1	QLD
Whitsundays Broadcasters Pty Ltd	1150089	MACKAY RA1	QLD
Gold Coast FM Pty Ltd	4173	GOLD COAST RA1	QLD
Prime Radio (Cairns) Pty Limited	1150014	CAIRNS RA1	QLD
Prime Radio (Mackay) Pty Limited	1150018	MACKAY RA1	QLD
Prime Radio (Townsville) Pty Limited	1150009	TOWNSVILLE RA1	QLD
Prime Radio (Barrier Reef) Pty Limited	1150091	TOWNSVILLE RA1	QLD

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 has not decided that subsection 41(2) of the Act applies to the company.

The ACMA may decide that subsection 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:

- an offence against the Act or the regulations being committed;
- a breach of a civil penalty provision occurring; or

- a breach of the conditions of the licence occurring.

In deciding whether subsection 41(2) of the Act applies, the ACMA is required by subsection 41(3) to take into account: (a) the business record of the company; (b) the company's record in situations requiring trust and candour; (c) 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; (d) the record in situations requiring trust and candour of each such person; (e) whether the company, or a person referred to in paragraph (c) or (d), has been convicted of an offence against the Act or the regulations; and (f) whether a civil penalty order has been made against the company or a person referred to in paragraph (c) or (d).

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