Broadcasting Services Clarification Notice 2002

The AUSTRALIAN BROADCASTING AUTHORITY makes this Notice under paragraph 19 (1) (b) of the Broadcasting Services Act 1992.

Dated 22 August 2002

D Flint [Signed]
Chairperson

Australian Broadcasting Authority

1. **Name of Notice**
   This Notice is the Broadcasting Services Clarification Notice 2002.

2. **Commencement**
   This Notice commences on gazettal.

3. **Definition**
   In this Notice:
   
Section 4

4 Purpose of Notice

(1) For paragraph 19 (1) (b) of the Act, this Notice clarifies the criteria specified in section 18 of the Act as they apply to a broadcasting service:
   (a) provided as a radio service; and
   (b) provided using an AM or FM signal within the broadcasting services bands; and
   (c) that is not made available only on payment of subscription fees (whether periodical or otherwise).

(2) If a broadcasting service does not comply with a particular section of this Notice, the broadcasting service may still be an open narrowcasting service under section 18 of the Act because of its individual characteristics.

5 Services targeted on the basis of age of audience

(1) This section applies if the broadcasting service is targeted to persons of a particular age, or a particular range of ages.

Comment

If a broadcasting service is targeted at an audience described in terms such as *Generation X* or *baby boomers*, the broadcasting service is likely to be targeted to persons of a particular age or range of ages.

(2) If the broadcasting service is targeted to persons less than 10 years old, the broadcasting service is an open narrowcasting service.

(3) If subsection (2) does not apply, the broadcasting service is not an open narrowcasting service by reason only of being targeted to the persons.

6 Groups other than formal groups

(1) A group is able to be a special interest group for subparagraph 18 (1) (a) (i) of the Act whether or not the group is organised on a formal basis.

(2) Subsection (1) is not intended to affect the operation of section 5.