

NOTES TO DETERMINATION OF CLASS LICENCES

THESE NOTES DO NOT FORM PART OF THE SECTION 117 DETERMINATION OF CLASS LICENCES. THEY ARE PROVIDED FOR THE INFORMATION OF PROVIDERS OR POTENTIAL PROVIDERS OF SERVICES UNDER CLASS LICENCES

1. Section 16 of the Act defines *subscription broadcasting services* as broadcasting services that:
 - a) provide programs that, when considered in the context of the service being provided, appear to be intended to appeal to the general public; and
 - b) are made available to the general public but only on payment of subscription fees (whether periodical or otherwise); and
 - c) comply with any determinations or clarifications under section 19 in relation to subscription broadcasting services.
2. Section 17 of the Act defines *subscription narrowcasting services* as broadcasting services:
 - a) whose reception is limited:
 - i. by being targeted to special interest groups; or
 - ii. by being intended only for limited locations, for example, arenas or business premises; or
 - iii. by being provided during a limited period to cover a special event; or
 - iv. because they provide programs of limited appeal; or
 - v. for some other reason; and
 - b) that are made available only on payment of subscription fees (whether periodical or otherwise); and
 - c) that comply with any determinations or clarifications under section 19 in relation to subscription narrowcasting services.
3. Section 18 of the Act defines *open narrowcasting services* as broadcasting services:

- a) whose reception is limited:
 - i. by being targeted to special interest groups; or
 - ii. by being intended only for limited locations, for example, arenas or business premises; or
 - iii. by being provided during a limited period to cover a special event; or
 - iv. because they provide programs of limited appeal; or
 - v. for some other reason; and
- b) that comply with any determinations or clarifications under section 19 in relation to open narrowcasting services.

Determination of additional criteria or clarification of existing criteria

- 4. Section 19 of the Act allows the ABA, by notice in the Gazette, to determine additional criteria or clarify existing criteria for the purposes of distinguishing between categories of broadcasting services.

Conditions on class licences

- 5. Service providers must comply with conditions which are applicable to broadcasting services provided under class licences. These conditions are outlined at Schedule 2, Part 7 of the Act. The ABA may also specify conditions under section 118 of the Act and is able to vary or revoke conditions or specify additional conditions in accordance with section 120 of the Act.

Guide for service providers of class licences

- 6. The ABA has prepared a guide for service providers of class licences, including details of conditions and other relevant information, which is available from the ABA offices listed below. Further advice and explanation of all aspects of the class licence regime can be obtained from the ABA's offices in North Sydney and Canberra.

Australian Broadcasting Authority
76 Berry Street
NORTH SYDNEY NSW 2060

Contact: Sharonne Moore
Telephone: (02) 959 7811
Facsimile: (02) 954 4328

Australian Broadcasting Authority
Level 5
Blue Building
Benjamin Offices
BELCONNEN CANBERRA 2616

Contact: Colin Knowles
Telephone: (06) 256 2800
Facsimile: (06) 253 3277