

SUPER RADIO NETWORK

Broadcasting Live to approx. 90% of New South Wales and Southern Queensland
Project Manager – Review of the Commercial Radio Standards

Broadcasting Standards Section
Australian Communications and Media Authority
PO Box Q500
Queen Victoria Building NSW 1230

Dear Sir

Re: Review of Commercial Radio Standards

The Super Network welcomes the opportunity to contribute, to the review relating to the Commercial Radio Standards.

The Super Network, is the holder of 35 regional radio commercial licences and three metropolitan radio commercial licences, two of which are digital licences. In addition to the comments provided below, the Super Network strongly supports the submission, on the same issue, that has been lodged by Commercial Radio Australia.

It is very important that the ACMA take the comments provided by the industry into account when reviewing and amending these legislative provisions. This will ensure that all of Australia's regional and metropolitan commercial radio stations are able to operate as efficiently and competitively as possible.

Whilst the following comments are also, in essence, those of Commercial Radio Australia they strongly represent the Super Network's views on this issue.

1. Section 4 of the Broadcasting Services Act 1992 obliges the ACMA to address public interest considerations "*in a way that does not impose unnecessary financial and administrative burdens on providers of broadcasting services*". The SuperNetwork submits that the Standards are now outdated and unnecessarily prescriptive. The issues they address could be met by more flexible and less burdensome regulation.
2. The Productivity Commission's Review of the Regulatory Burdens on Business 2009 recommended that the Disclosure Standard should be revised to make it less prescriptive, and that it should be incorporated into the Commercial Radio Codes of Practice. The Super Network supports the Commission's findings and urges the ACMA to take them into account when conducting the Review.

SYDNEY □ 2SM	GOLD COAST □ 104.1 FM	KYOGLE □ 104.3 FM	DALBY □ 95.9 FM	WELLINGTON □ 96.1 FM	MUDGE □ 2MG AM REAL FM	WALCHA □ 89.3 FM	FORSTER □ 100.3 FM MAX FM	MOREE □ 2VM AM NOW FM	WALGETT □ 105.1 FM 106.7 FM	WARIALDA □ 102.9 FM
NEWCASTLE □ 2HD AM □ NEW FM	BRUNSWICK HDS MULLUMBIMBY □ 103.5 FM	TOOWOOMBA □ 4AK 1242 AM 4WK 1359 AM	GYMPIE □ 4GY AM	COBAR □ 972 AM 103.7 FM	KANDOS □ 97.9 FM	GUNNEDAH □ 2MO AM GGG FM	GRAFTON □ 2GF AM 104.7 FM	GOONDIWINDI □ 88.7 FM 89.5 FM	MUNGINDI □ 2VM FM NOW FM	ORANGE □ RADIO 1089 AM
PORT STEPHENS □ 97.5 FM	LISMORE □ 2LM AM 2ZZZ FM	STANTHORPE □ 91.5 FM 99.5 FM	NOOSA □ 107.1 FM	PARKES □ 2PK AM ROK FM	TAMWORTH □ 2TM AM 92.9 FM	TAREE □ 2RE AM MAX FM	MACLEAN □ 103.9 FM	LIGHTNING RIDGE □ 92.9 FM 91.3 FM	INVERELL □ 2NZ AM 95.1 FM	COFFS HARBOUR □ RADIO 639 AM
TWEED HEADS MURWILLUMBAH □ RADIO 97 AM		WARWICK □ 4WK 963 AM	DUBBO □ 2DU AM ZOO FM 91.1 FM	CONDOBOLIN □ 90.5 FM	ARMIDALE □ 2AD AM 100.3 FM	GLOUCESTER □ 2RE 100.1 FM		COLLARENEBRI □ 101.9 FM 103.5 FM	GLEN INNES □ GEM FM	PORT MACQUARIE KEMPSEY □ RADIO 531 AM 93.5 FM

3. The Super Network understands that industry-wide there have been only 9 complaints made in relation to the Standards in the past 10 years, and only 5 of those were found by the ACMA to be breaches. This indicates that a high level of compliance has been achieved, and it is time to consider a more flexible regulatory approach.
4. The environment in which the regulation is now operating is very different to that into which it was introduced. Any regulation now needs only to ensure continuing compliance in an industry that is already showing high levels of compliance. It no longer needs to impose a prescriptive regime to rectify significant problems.
5. The ACMA is entitled to impose a Standard where there is no code of practice or there is convincing evidence that an industry code is not providing appropriate community safeguards. The Super Network submits that after 10 years of relying on the Standards, with a high level of compliance and few complaints from the public, it is now appropriate for ACMA to incorporate the Standards into the Codes.
6. The Standards were introduced to address concerns arising following the “cash for comment” incidents in 2000. The incidents involved a small number of broadcasters yet resulted in prescriptive legislation imposed on the entire industry. Continuation of this regime would not reflect an appropriate risk management approach to regulating the industry.
7. The commercial radio industry is the only industry that is subject to such prescriptive disclosure and compliance requirements. Those imposed on the television industry are far less prescriptive and are contained in the television codes of practice. The requirements relating to radio should be aligned with those applicable to other media platforms.

Should you have any questions in relation to this matter please contact Ms Joanne Bower on 07 55244497 in the first instance.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Bill G Caralis', written in a cursive style.

BILL G CARALIS

MANAGING DIRECTOR