

ACMA B20T

Application for non-broadcasting services bands commercial television broadcasting licence



Section 40 of the *Broadcasting Services Act 1992*

Instructions for completion

> Please print clearly. Illegible, unclear or incomplete application forms may delay processing.

Where to send this form

> The completed application form with the appropriate payment should be sent to:
Radiocommunications Licensing & Telecommunications Deployment Section Manager
Australian Communications and Media Authority
PO Box 78
Belconnen ACT 2616

Explanatory notes

Please read the explanatory notes before completing the application form.

Complete this form if you wish to submit an application for a non-broadcasting services bands commercial television broadcasting licence. If you wish to apply for a non-broadcasting services bands commercial radio broadcasting licence, you will need to complete ACMA Form B20.

Subsection 40(1) of the *Broadcasting Services Act 1992* (the Act), provides that the Australian Communications and Media Authority (ACMA) may allocate a commercial television broadcasting licence that is not a licence referred to in subsection 36(1).

The licences referred to in subsection 36(1) are, relevantly, commercial television broadcasting licences that are broadcasting services bands licences.

Section 40 licences

A section 40 licence authorises the holder to provide a commercial broadcasting service as defined in section 14 of the Act. A section 40 licence does not entitle the licence holder to access to any means of transmitting or disseminating the service to an audience. The holder of a section 40 licence needs to obtain separately a means of delivering the service.

Subsection 40(5) of the Act provides that the ACMA must refer applications for commercial television broadcasting licences to the Minister for consideration, before it can make any decisions relating to the allocation of the licences.

The broadcasting services bands

The broadcasting services bands are the designated parts of the radiofrequency spectrum which have been referred to the ACMA for planning under section 31 of the *Radiocommunications Act 1992*.

The broadcasting services bands are:

- > 526.5–1606.5 kHz
- > 45–52 MHz and 56–70 MHz (Band I)
- > 85–108 MHz (Band II)
- > 137–144 MHz (channel 5A)
- > 174–230 MHz (Band III)
- > 520–820 MHz (Bands IV and V).

Multiple applications

This form may be used to make multiple section 40 licence applications. Only one section 40 licence may be allocated per application, and each application will be considered separately.

IT IS IMPORTANT TO NOTE THAT EACH SECTION 40 LICENCE AUTHORISES THE PROVISION OF ONLY ONE COMMERCIAL TELEVISION BROADCASTING SERVICE.

Application fee

Each application is subject to an application fee (paragraph 40(3)(b)). Where this form is used to make multiple section 40 licence applications, a separate application fee will apply to each application. Fees are reviewed from time to time. Please contact the ACMA for the current fee and ensure that a cheque or money order for the appropriate amount accompanies your application.

Licence conditions

The conditions set out in Parts 2 and 3 of Schedule 2 of the Act apply. A current compilation of the Act is available via www.comlaw.gov.au.

Licence area

Before allocating a licence under subsection 40(1), the ACMA must designate a particular area in Australia as the licence area of the licence. Please indicate as clearly as possible your preferred licence area, preferably in terms of areas defined by the Australian Bureau of Statistics at the most recent census. Please also provide a map showing the preferred licence area. Please note that the licence area designated by the ACMA may differ from that proposed in your application.

Gazettal of allocation of licence

Subsection 40(4) requires the ACMA to publish the name of the successful applicant in the Government Notices Gazette.

Confidentiality

The information on this form will be treated as confidential except where necessary for the ACMA to fulfil its statutory duties in relation to the allocation of the licence, or as otherwise required or authorised by law.

SECTION 1: Applicant details

Company name

Trading name (if applicable)

ACN

Paragraph 37(1)(a) of the *Broadcasting Services Act 1992* states that a licence is not to be allocated to an applicant if the applicant is not a company that is formed in Australia or in an external territory and that has a share capital.

PLEASE PROVIDE A COPY OF THE CERTIFICATE OF INCORPORATION WITH YOUR APPLICATION.

Company address / registered office

<input type="text"/>
<input type="text"/>
<input type="text"/>
POSTCODE

Contact person

SURNAME
GIVEN NAME
WORK ()
MOBILE
FACSIMILE

Postal address of contact

<input type="text"/>
<input type="text"/>
<input type="text"/>
POSTCODE

SECTION 2: Number of applications

1. If you are using this form to submit more than one section 40 licence application, please state the number of applications you are making.

Where this form is used to make multiple section 40 applications, please provide (through an attachment) a separate response to the questions in **Section 3**, for EACH application.

SECTION 3: Service, means of delivery and licence area

1. Please provide the (proposed) name and a brief description of the service.

NAME
DESCRIPTION

2. What is the proposed technical means of delivery of the service?

<input type="text"/>
<input type="text"/>
<input type="text"/>

3. What is the proposed geographical area of reception of the service?

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

4. Please describe the proposed licence area of the service, if possible in terms of Australian Bureau of Statistics areas.

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Please provide a map showing the proposed licence area.

SECTION 4: Applicant s declaration

I/We _____(Name), an authorised officer/agent* of the applicant, hereby acknowledge that:

- 1. The application fee determined by the ACMA accompanies each application.
- 2. In making this application, the applicant has not relied on any representation made by the ACMA, its officers, employees or agents.
- 3. The information provided on this form and any attachments is correct and complete.
- 4. Any attachment required by this application form constitutes part of this application form.
- 5. The provision of false and misleading information is a serious offence. This includes information that may be misleading due to omission.

**Strike out whichever is inapplicable.*

SIGNATURE			
DATED THIS	(DAY) OF	(MONTH)	(YEAR)

NAME	ROLE
COMPANY	

TELEPHONE		FAX NUMBER
POSTAL ADDRESS		