



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, 8 AUGUST 1985

Published by Authority

WELLINGTON: WEDNESDAY, 14 AUGUST 1985

Direction to Broadcasting Corporation of New Zealand in Connection with the Development in New Zealand of a Frequency Modulation (FM) Broadcasting Service

To the Broadcasting Corporation of New Zealand

WHEREAS a frequency modulation (FM) broadcasting service is being developed in New Zealand as an integral part of sound radio broadcasting in New Zealand; And whereas the general policy of the New Zealand Government in relation to that development is set out, in part, in a notice dated the 27th day of October 1981*, which was given to the Broadcasting Tribunal pursuant to section 68 (1) of the Broadcasting Act 1976, and, in part, in a notice dated the 23rd day of December 1982†, which was given to you pursuant to section 20 (1) of the Broadcasting Act 1976 (as enacted by section 4 of the Broadcasting Amendment Act 1982); And whereas those notices contained directions to the Broadcasting Tribunal and to you respectively; And whereas, pursuant to the directions given to you, you made certain applications to the Broadcasting Tribunal on the 20th day of April 1983; And whereas, by those applications, you applied to amend warrant AM-7 (2YC) and to amend warrant AM-6, 8, and 9 (1YC, 3YC, and 4YC); And whereas one of the amendments sought was the amendment of the conditions of the warrants to permit the broadcasting of advertising programmes; And whereas the Broadcasting Tribunal, by decision dated the 25th day of July 1984, approved, inter alia, the application to broadcast advertising programmes; And whereas the policy of the New Zealand Government in relation to advertising on the YC stations and in relation to other matters affecting the development in New Zealand of a frequency modulation (FM) broadcasting service and in relation to the consequences of the development in New Zealand of a frequency modulation (FM) broadcasting service has changed:

Now, therefore, pursuant to section 20 (1) of the Broadcasting Act 1976 (as enacted by section 4 of the Broadcasting Amendment Act 1982), I, Jonathan Lucas Hunt, the Minister of Broadcasting,—

(1) Give you notice that it is part of the general policy of the New Zealand Government in relation to broadcasting—

(a) That advertising programmes should not be broadcast in the Concert Programme; and

(b) That where—

(i) A YC-AM station by which the Concert Programme is broadcast is converted to FM; and

(ii) The primary coverage achieved by the FM transmission is not comparable with the coverage provided by the YC-AM station before the conversion,—
the deficiency in the coverage should be met by simulcasting for a period of up to two years after the date of the conversion; and

(c) That, during any period of simulcasting necessary to implement the policy set out in paragraph (b) of this clause, and after the expiration of any such period of simulcasting, you should continue to operate the stations known as the YC stations for the purposes of broadcasting, on AM frequencies,—

(i) The proceedings of Parliament as at present; and

(ii) Sports programmes as at present; and

(iii) Educational programmes (whether such programmes are broadcast by you or by you in association with other persons); and

(iv) Programmes to cater for the interests of cultural and ethnic minorities; and

(v) Other public interest programmes; and

(d) That, following the conversion of the Concert Programme to FM, the YC-AM stations should, except when they are broadcasting the proceedings of Parliament, be permitted to broadcast advertising programmes; and

(e) That the Young Adult Programme currently broadcast on the ZM-AM stations should be broadcast from FM stations in such a manner that the programme becomes available progressively throughout New Zealand in conjunction with the extension of the Concert Programme; and

(f) That, as funds permit, the existing YC-AM network should be extended to Waikato, Manawatu, and Hawkes Bay; and

(g) That, as funds permit, you should either establish broadcasting stations or provide transmission facilities for the holders of sound radio programme warrants to broadcast Maori programmes; and

(h) That it is no longer the policy of the Government that station 1ZM should operate as a non-commercial station; and

(2) In pursuance of the general policy set out in the said notice dated the 27th day of October 1981* to the Broadcasting Tribunal and in pursuance of the general policy set out in clause (1) of this notice, direct that you, the Broadcasting Corporation of New Zealand, shall make applications to the Broadcasting Tribunal for amendments of the terms and conditions of the sound-radio warrants that you hold in respect of the stations known, at the date of this notice, as the YC stations so that—

- (a) Advertising programmes may not be broadcast in the Concert Programme; and
- (b) You may, during any period of simulcasting necessary to implement the policy set out in paragraph 1 (b) of this notice, and after the expiration of any such period of simulcasting, continue to operate the stations known as the YC stations for the purposes of broadcasting, on AM frequencies,—
- (i) The proceedings of Parliament as at present; and
 - (ii) Sports programmes as at present; and
 - (iii) Educational programmes (whether such programmes are broadcast by you or by you in association with other persons); and
 - (iv) Programmes to cater for the interests of cultural and ethnic minorities; and
 - (v) Other public interest programmes; and

(3) In pursuance of the general policy set out in clause (1) of this notice direct that you, the Broadcasting Corporation of New Zealand, shall—

- (a) Apply to the Broadcasting Tribunal for the revocation of the terms and conditions of the warrant for station 1ZM that relate to advertising, and for the substitution of provisions permitting the broadcasting of advertising programmes from that station; and
- (b) Apply to the Broadcasting Tribunal for a commercial FM warrant in substitution for the AM warrant at present held for station 1ZM; and
- (c) Whenever you are authorised to establish a commercial FM broadcasting station, seek to establish at that location, before its establishment or contemporaneously with its establishment, where practicable and where authorised by the Tribunal, a FM broadcasting station or a FM broadcasting relay station for the broadcasting of the Concert Programme; and

(4) Hereby revoke the notices dated the 14th day of April 1982† and the 23rd day of December 1982‡ given to you under section 20 (1) of the Broadcasting Act 1976 (as enacted by section 4 of the Broadcasting Amendment Act 1982).

Dated this 14th day of August 1985.

JONATHAN HUNT, Minister of Broadcasting.

**Gazette*, 1981, p. 2983

†*Gazette*, 1982, p. 1275

‡*Gazette*, 1982, p. 4486

Notice to Broadcasting Tribunal in Connection with the Development in New Zealand of a Frequency Modulation (FM) Broadcasting Service

To the Broadcasting Tribunal

WHEREAS a frequency modulation (FM) broadcasting service is being developed in New Zealand as an integral part of sound radio broadcasting in New Zealand: And whereas the general policy of the New Zealand Government in relation to that development is set out, in part, in a notice dated the 27th day of October 1981*, which was given to you pursuant to section 68 (1) of the Broadcasting Act 1976, and, in part, in a notice dated the 23rd day of December 1982†, which was given to the Broadcasting Corporation of New

Zealand pursuant to section 20 (1) of the Broadcasting Act 1976 (as enacted by section 4 of the Broadcasting Amendment Act 1982): And whereas the policy of the New Zealand Government in relation to the development in New Zealand of a frequency modulation (FM) broadcasting service and in relation to the consequences of the development in New Zealand of a frequency modulation (FM) broadcasting service has changed:

Now, therefore, pursuant to section 68 (1) of the Broadcasting Act 1976, I, Jonathan Lucas Hunt, the Minister of Broadcasting,—

(1) Give you notice that it is part of the general policy of the New Zealand Government in relation to broadcasting—

(a) That advertising programmes should not be broadcast in the Concert Programme; and

(b) That where—

(i) A YC-AM station by which the Concert Programme is broadcast is converted to FM; and

(ii) The primary coverage achieved by the FM transmission is not comparable with the coverage provided by the YC-AM station before the conversion,—the deficiency in the coverage should be met by simulcasting for a period of up to two years after the date of the conversion; and

(c) That, during any period of simulcasting necessary to implement the policy set out in paragraph (b) of this clause, and after the expiration of any such period of simulcasting, the Broadcasting Corporation of New Zealand should continue to operate the stations known as the YC stations for the purposes of broadcasting, on AM frequencies,—

(i) The proceedings of Parliament as at present; and

(ii) Sports programmes as at present; and

(iii) Educational programmes (whether such programmes are broadcast by the Broadcasting Corporation of New Zealand or by the Broadcasting Corporation of New Zealand in association with other persons); and

(iv) Programmes to cater for the interests of cultural and ethnic minorities; and

(v) Other public interest programmes; and

(d) That, following the conversion of the Concert Programme to FM, the YC-AM stations should, except when they are broadcasting the proceedings of Parliament, be permitted to broadcast advertising programmes; and

(e) That the Young Adult Programme currently broadcast on the ZM-AM stations should be broadcast from FM stations in such a manner that the programme becomes available progressively throughout New Zealand in conjunction with the extension of the Concert Programme; and

(f) That, as funds permit, the existing YC-AM network should be extended to Waikato, Manawatu, and Hawkes Bay; and

(g) That, as funds permit, the Broadcasting Corporation of New Zealand should either establish broadcasting stations or provide transmission facilities for the holders of sound radio programme warrants to broadcast Maori programmes; and

(h) That it is no longer the policy of the Government that station 1ZM should operate as a non-commercial station; and

(i) That, where the holder of a warrant in respect of an AM station proposes to convert that station to FM, the proposal should be facilitated if—

(i) The programmes broadcast from that station are best suited to the FM mode of transmission; and

(ii) There are ample FM frequencies available; and

(iii) The AM frequency is to be relinquished after a period of not more than 3 months; and

(2) Hereby revoke paragraph 2 (h) of the notice dated the 27th day of October 1981*, which was given to you under section 68 (1) of the Broadcasting Act 1976.

Dated this 14th day of August 1985.

JONATHAN HUNT, Minister of Broadcasting.

**Gazette*, 1981, p. 2983

†*Gazette*, 1982, p. 4486