

Import Control Exemption Notice (No. 12) 1982

PURSUANT to regulation 17 of the Import Control Regulations 1973*, the Minister of Trade and Industry hereby gives notice as follows:

1. (a) This notice may be cited as the Import Control Exemption Notice (No. 12) 1982.
(b) This notice shall come into force on the 13th day of August 1982.
2. Goods of the classes specified and for the purposes of the Customs Tariff falling within the Tariff items in the First Schedule hereto, imported from and being the produce or manufacture of any country, are hereby exempted from the requirement of a licence under the said regulations.
3. The exemptions from the requirement of a licence under the said regulations in respect of the goods of the classes set forth in the Second Schedule hereto, included in the exempting notices shown in the Second Schedule, are hereby withdrawn.

FIRST SCHEDULE

EXEMPTIONS CREATED

Tariff Item	Classes of Goods
22.03.041	Beer made from malt, containing more than 4.35% alcohol vol.
22.03.049	
27.10.011 to	Motor spirits in bulk in ships' bottoms or in containers of a capacity of 5 litres or more.
27.10.028	

SECOND SCHEDULE

EXEMPTIONS WITHDRAWN

Tariff Item	Classes of Goods	Date of Exemption Notice
22.03.011	Beer made from malt, containing more than 4.35% vol.	16 June 1982 (<i>Gazette</i> of 25 June 1981)
22.03.019		
27.10.011 to	Motor spirits in bulk in ships' bottoms or in containers of a capacity of 5 litres or more	16 March 1978 (Supplement to the <i>Gazette</i> of 30 March 1978)
27.10.029		

Dated at Wellington this 10th day of August 1982.

HUGH TEMPLETON, Minister of Trade and Industry.

*S.R. 1973/86

Decision No. 12/82

BRO. 12/82

Before the Broadcasting Tribunal

IN THE MATTER of the Broadcasting Act 1976, and IN THE MATTER of an application by MASSEY UNIVERSITY STUDENTS ASSOCIATION INC. for a short-term broadcasting authorisation for a frequency modulation sound-radio broadcasting station:

B. H. Slane, Chairman; Lionel R. Sceats, Member, Murray J. Henshall, Deputy Member.

REASONS FOR DECISION

THE applicant applied to broadcast for a period starting on 24 April 1982 and finishing on 8 May 1982 for 6 hours daily from 7 p.m. to 1 a.m. and on weekends for 18 hours daily from 7 a.m. until 1 a.m. the following morning. (The applicant had already received an AM authorisation for the same period. The applicant wished to broadcast AM during weekdays and broadcast FM in the weekends and weekday evenings.) The proposed programme would be album oriented rock music, student news and information and the promotion of student activities. No advertising was proposed for the FM broadcasts.

The purpose of the broadcast was stated to be:

- (i) To promote Massey University capping 1982.
- (ii) To provide student orientated entertainment and information in the form of stereo music, and campus and student news.
- (iii) To provide a working broadcasting environment from which students can learn various aspects, including AM and FM of the broadcasting industry.
- (iv) To provide information on activities at Palmerston North Teachers College and Palmerston North Technical Institute.

It was expected that the advertising revenue from the AM broadcast would cover the cost of FM broadcasting. It was also said that the students had a desire for some FM broadcasting and a trial would be suited to Radio Massey.

The Registrar asked the applicant to explain the difference between the programme format for the FM broadcasting which had been stated to be entirely different. In response the applicant emphasised that the intention was to promote Massey University capping and to provide student news and information. These purposes were the same for AM and FM broadcasts. But they said that the AM format would consist of mainly album orientated rock, playing alternative music that appealed to mainly a young age group 14-34 years of age. For FM it was considered that they could not restrict their music to merely album oriented rock and they proposed to play an extremely wide variety of music to cater for all

different styles of people and their tastes. If their authorisation was approved they would see more than just the student population tuning in to FM, which would justify and warrant their wider selection of music.

The programme format would be comprised of 2-hour shows compared with the 3-hour AM shows and featuring such music as rock, jazz, classical blues, new wave, sca and reggae with additional shows featuring new releases and New Zealand bands. The other 20 percent of their air time would be devoted to the objectives stated above in conjunction with interviews with band members and other interesting and influential people from around the Manawatu, live tapes of local bands, talkback shows and local current events.

The Broadcasting Corporation took no objection to the application but made two observations: that no interference with television was anticipated, and that the 15-mile radius coverage was considered suspect although Palmerston North should receive coverage. The Corporation also asked about audio-limiters.

On 14 April the station manager for Manawatu Radio Co. Ltd. telephoned his objection and confirmed the details by letter.

The grounds for objection were:

- "1. The proposed FM broadcast is for 'an extremely wide variety of music' with 'more than just the student population tuning in'. In our view this goes well beyond the purposes for which short-term warrants have been granted for student radio stations up until now.
- "2. This company has given the Tribunal notice of its intention to be interested in an FM warrant application for this area at the appropriate time and to grant an FM application at this stage, in our view, pre-empting the situation.
- "3. Concern has already been expressed by our company that the short-term warrant applications by the Massey University Students Association this year have been longer in duration than required to cover orientation and capping. The earlier short-term warrant has been monitored and the broadcasts—especially the commercials—have gone well beyond the student-oriented activity. As a result, our company has decided to object to the extra short-term warrant sought by the Massey University Students Association and this late application for FM broadcasts has accelerated our views in this respect."

The company was prepared to be heard in support of its objection.

The Tribunal considered the application and the objections and the comments received and decided to waive the 2-month