

deferred for the maximum period of 3 years. *Radio Hauraki* commented that until the FM stations had broadcast the *IZM's* situation was resolved, they were unable to gauge the effect *Radio Rhema* would have on the Auckland market. They were concerned about the allocation of frequencies and asked the Tribunal to consider a reallocation of frequencies coinciding with the application of *Radio Rhema*.

The Broadcasting Corporation considered the application should be deferred because 2 Auckland commercial FM stations would be established in Auckland. That would lead to adjustments in format of some of the existing stations and changes in listening patterns. The Corporation considered that if the application were to proceed now it would be difficult, if not impossible, to give adequate consideration to some of the matters referred to in section 80. The information as to listening habits and audience preferences available to the Tribunal and other parties would be based on the existing services provided by 7 stations which would not be a valid basis to assess the situation which would exist if ten stations were broadcasting.

The Corporation considered the application should be deferred until February 1984 so that at least 2 audience surveys conducted after both FM stations had commenced broadcasting would be available.

Consideration of the establishment of relay stations in Tauranga and Hamilton would be inappropriate until it were known whether FM stations would be established to serve those areas.

In the past the Tribunal has been obliged to deal with applications for AM warrants as they have arisen and without regard to any factor other than the filing of the application and a reasonable period for other applicants to apply for warrants in the same area. This "demand" approach has led to an unpredictable and even unstable situation for existing operators, particularly the Corporation. It has inhibited planning development of future services.

This approach became inappropriate when it was decided that the introduction of FM stations should be planned and known in advance.

With the adoption of the Tribunal's recommendations contained in its report on FM broadcasting, Regulation 7B Broadcasting Rules 1977 was promulgated enabling the Tribunal to defer AM or FM applications for up to 3 years.

There are a number of factors which the Tribunal considers it should take into account in such applications. The importance to be given to each of these will vary in the individual circumstances. Broadly they will relate to frequency allocation, the development of radio services in a planned pattern, available resources and the urgency and importance of the service proposed and the relationship between the service proposed and other services nationally or locally. There will also be other considerations such as Government policy in relation to development of FM broadcasting.

It is understandable that the applicant has set its own goals and, as the Tribunal has commented previously, these are sometimes ahead of its absorption of its existing broadcasting rights. However at present the only project uncompleted for the applicant is the establishment of the relay station in the Nelson area.

The fact however that this society has, since 1978, been able to provide AM services to the second and third largest cities in New Zealand and to a provincial city, indicates that the Tribunal has not been standing in the way of its applications.

However the situation in Auckland is different. The first aspect is the availability of the frequency 603 kHz. This frequency is the last one which will be available in Auckland for an AM station of full power. Furthermore it is a frequency which would be much sought after by any broadcaster because of its coverage beyond the Auckland metropolitan area. It would normally in the past, have been considered for a regional station such as *IYA* or *IYC*.

It has been planned with synchronous transmission in Rotorua which appears to be derived from an original intention to serve Maori audience in the northern half of the North Island from 2 transmitters based in areas with large Maori populations. But whether or not it was intended to be used for a Polynesian station it is clear that once used, there will be no room for expansion of AM services in Auckland in that direction or in any other way.

There is however room for expansion of FM services. While it is not for the Tribunal to decide what is the most appropriate medium for any particular applicant, the trend shown in our report was for greater flexibility and availability of frequencies in the FM mode.

The Tribunal therefore starts from the position that it should not hasten to a hearing which might dispose of the last available AM frequency to serve the Auckland metropolitan area and region.

While it may seem urgent to the applicant to make this application for an available frequency and have it heard, in 1983 there may well be other uses in the future which would be denied to the listening public. A proper time interval and a warning to other parties should be given that this application is being made and could have these consequences.

The second and much more important point relates to the state of the Auckland radio industry.

There are 7 warranted AM stations in Auckland, most of which have been operating for many years but one, *Radio Pacific*, has been operating only since 1979.

On 1 June 1983, *IZM* will become a non-commercial station with the exception of some sponsorship. In April a new commercial FM station commenced broadcasting and the second station is to commence in May.

The introduction of 2 new commercial FM music stations and the decommericalisation of *IZM* will cause a number of disruptions to listening patterns in Auckland and will produce a period of uncertainty about ratings which will affect advertising revenue. It is not known at this stage exactly what the remaining commercial listenership will be.

It is not correct to say, as *Radio Rhema* has put it, that the introduction of a non-commercial station has no effect on commercial stations. If it takes any share of the audience it does affect the cost per thousand listeners for advertisers. It could have a depressing effect on rate cards. It is likely that the audiences will become more fragmented or segmented and that stations will seek out particular audiences.

It will be a critical year for Auckland radio. The Tribunal considers that the present situation in Auckland without any other factors at all is a justification for the deferring of the application by *Radio Rhema*.

First, the market needs time to settle down before the possible introduction of another station. Secondly, it will be impossible to truly assess the listening needs in Auckland in the light of actual listening habits until at least 2 surveys have taken place after the introduction of the second FM station and the decommericalisation of *IZM*.

The applicant while earlier anticipating high audience levels, has now accepted that it will command only a small proportion of the audience as it has in Christchurch where the average audience has been about 3 percent (although it is accepted that the cumulative audience is higher). This hardly gives it the air of urgency or the degree or importance which might override other considerations.

The Tribunal accepts the arguments put forward by the B.C.N.Z.

The Tribunal has therefore decided to defer the application until February/March 1984. The Registrar is directed to advertise the application in October and, when parties are known, to make a fixture for February or March 1984. The actual date will be fixed in November.

Dated the 11th day of May 1983.

Signed for the Tribunal:

B. H. SLANE, Chairman.

North Island Raspberry Marketing Committee Elections
(No. 3013)

PURSUANT to regulation 15(4) of the Raspberry Marketing Regulations 1979, notice is hereby given that the roll of those persons qualified to vote for the election of 4 producers' representatives to the North Island Raspberry Marketing Committee will be open for inspection during ordinary office hours at the following places, viz.

Ministry of Agriculture and Fisheries:

Head Office Wellington, Auckland, Hamilton, Te Kuiti, Tauranga, Whakatane, Te Awamutu, Matamata, Hastings, Masterton, New Plymouth, Hawera, Stratford, Palmerston North, Levin, Wanganui.

The roll will be available for public inspection for a period of 7 days from 26 May 1983, during which period any person may lodge with the Returning Officer an objection in writing under his hand to any entry on the roll.

Nomination forms may be obtained on application to any of the above offices or from the Returning Officer, Ministry of Agriculture and Fisheries, Palmerston North, and nominations close not later than 12 noon on the 13th day of July 1983.

Dated at Palmerston North this 2nd day of May 1983.

E. P. CUNDY, Returning Officer.

Nelson Raspberry Marketing Committee Elections
(No. 3014, Ag. 61338)

PURSUANT to regulation 15(4) of the Raspberry Marketing Regulations 1979, notice is hereby given that the roll of those persons qualified to vote for the election of 4 producers' representatives to the Nelson Raspberry Marketing Committee will be open for inspection during ordinary office hours at the following post offices,