

We consider there is a tendency to associate this policy with some assumption that the Corporation should not have an AM and FM operation in the same area. This is not the case.

In fact, for private stations it is made perfectly clear in the regulations that the restrictions on the number of warrants do not prevent the same warrant holder having an AM and FM station serving the same area.

*Conclusion*

The 2XS FM application was not opposed. The Corporation did oppose Manawatu Radio Co. being permitted 3 years AM operation. The opposition in that respect has not been upheld, although the Tribunal considers the applicant may well consider a short intensive period of dual operation.

The Manawatu Radio Co. Ltd. application is granted on the following conditions:

1. That the warrant will lapse if not issued within 18 months or such further time as the Tribunal may approve.
2. That a supplementary warrant for the existing AM operation be issued for a term of 3 years from the date of the issue of the FM warrant on the same conditions as the existing warrant. Some of the conditions will be slightly changed to bring them into line with the form of conditions imposed recently in warrants.
3. The usual condition as to the compliance with technical rules.
4. That the present conditions relating to 2XS networking will be continued plus permission to network news with the AM station.
5. The coverage area will be as defined in the plan attached to the application.
6. The conditions otherwise will be in substance the existing conditions of the 2XS warrant redrafted in line with conditions imposed recently in warrants.

The application of the BCNZ was opposed by Manawatu Radio Co. Ltd. but the Tribunal has decided to grant the application on conditions.

The conditions are:

1. The warrant will expire if not taken up within 2 years or such later time as the Tribunal shall approve.
2. Without the consent of the Tribunal broadcasting shall commence not earlier than:
  - (a) Six months after the date on which broadcasting commences under the FM warrant granted to the Manawatu Radio Co. Ltd.
  - (b) FM broadcasting of the Concert Programme commences from Mt Wharite.
3. Advertising shall not exceed a maximum of 6 minutes per hour without the consent of the Tribunal.
4. The period of local origination from the Manawatu studios shall not exceed 4 hours daily without the consent of the Tribunal.
5. Notwithstanding 4, encapsulated local information and advertisements may be inserted in the programme outside the hours of local origination.
6. The warrant holder shall not substantially depart from the basic format and intent of its programmes or the type or extent of the services proposed without the prior consent of the Tribunal and subject to any conditions the Tribunal may impose in the public interest when granting such consent.

Dated this 30th day of July 1985.

Signed for the Tribunal:

B. H. SLANE, Chairman.

*Notice Under the Regulations Act 1936*

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Authority for Enactment	Title or Subject-matter	Serial Number	Date of Enactment	Cash Price	Postage and Packaging
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Criminal Justice Act 1985	Criminal Justice Regulations 1985	1985/232	16/9/85	\$1.30	\$1.80
Education Act 1964	Education (Private Foreign Students) Regulations 1984, Amendment No. 1	1985/233	16/9/85	\$0.50	\$0.80
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Area Health Boards Act 1983	Nelson Area Health District Order 1985	1985/236	16/9/85	\$0.50	\$0.80
Health Act 1956	Health Districts Order 1982, Amendment No. 2	1985/237	16/9/85	\$0.50	\$0.80
Hospitals Act 1957	Hospital Boards Representation Order 1983, Amendment No. 1	1985/238	16/9/85	\$0.50	\$0.80
Nurses Act 1977	Nurses Regulations 1979, Amendment No. 7	1985/239	16/9/85	\$0.80	\$1.30
National Parks Act 1980	Tongariro National Park Bylaws 1981, Amendment No. 2	1985/240	9/9/85	\$0.50	\$0.80
Fisheries Act 1983	Fisheries (Vessel, Gear, and Method) Notice 1985, Amendment No. 1	1985/241	12/9/85	\$0.65	\$1.15

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