

However the tribunal decided that it could not legally link the 2 obligations and thus has been prepared to consider the matter free of the corporation's failure to provide a fine music programme on FM for the Auckland and Dunedin audiences.

Decision

The tribunal has determined that it will grant the application for a total of 24 weeks, the periods to be determined by the corporation but to include an element of both winter *Sports Roundup* and summer *Sports Roundup*. The tribunal expects the corporation to conduct some research to justify any application for extensions to the service.

We are prepared to receive submissions from the corporation on the appropriate periods.

The tribunal considers the new programme format would ideally be tried out for a reasonably sustained period.

The tribunal has however been considerably concerned about the implications for the relays through National Programme transmitters. These stations are clearly non-commercial and during *Sports Roundup* would be carrying programmes of a commercial kind. Generally the listeners would not have an opportunity to tune to an alternative non-commercial service.

On the other hand we accept that for many of those listeners the intrusion of the *Sports Roundup* is a signal to switch off the radio. Those who would enjoy the music and talk of the National Programme could either decline to listen to the radical change to cricket and other sport or would be inclined to accept the commercial content of that sports coverage.

While we accept that there will be cricket purists who still consider that a cricket commentary cannot possibly have commercial references in it, we believe the climate has changed sufficiently to experiment with some commercial content. In particular the commercialisation of sport generally and cricket on television has clearly been accepted by the community and there is scarcely a sports event today that is not sponsored.

References are made to the names of these sponsors in both commercial and non-commercial broadcasts and on commercial radio. As an example, there seems to be little justification for refusing to allow an oil company to broadcast some advertisements in the cricket series coverage when the oil company's name is used over the air in the name of the series.

However, the tribunal is open to a reaction for the public and would welcome reaction when the broadcasts actually take place.

The tribunal also accepts that the availability of the service is a service to advertisers, a factor of which the tribunal should take some account.

The tribunal is concerned about the occasions on which, through the broadcast of Parliament on 1YC and 4YC, there might be extended commercial *Sports Roundup* coverage on 1YA and 4YA transmitters. There would then be no non-commercial music programme available in Auckland and Dunedin. This could be overcome by the provision of FM transmitters for the relay of the *Concert Programme*.

However, the tribunal prefers to see what actually occurs and how a number of these matters are dealt with in practice.

We emphasise that a good deal of the success or otherwise of these broadcasts will depend on how the commercial content is handled. Care should be taken to ensure that it is compatible with the type of sports coverage that is being given.

The tribunal is anxious that this programme should not be changed into something more comparable with the commercial sports formats to be found on commercial stations.

The corporation should therefore bear in mind that the tribunal's future attitude to these broadcasts could be considerably influenced if it appears that an overly commercial style or advertiser-driven programme should appear.

The tribunal considers the programme proposals desirable in the public interest, providing additional services to fill the needs of some parts of the audience, providing additional services to some parts of New Zealand, and to advertisers.

The economic effect will not be significant in relation to other radio stations, particularly since it is likely some of the revenue will come from budgets not presently allocated to radio advertising.

We do not consider the volume of advertising will be unreasonable but should it appear desirable a condition limiting the amount of advertising could be imposed.

The issue of advertising on non-commercial services is an important one but is confined to this specialised programme. We believe it is best to see how a trial period works out and to allow there to be some public response.

The application will be granted; the periods to be fixed on request by the corporation but not exceeding periods of 24 weeks in all.

Dated the 18th day of March 1987.

Signed for the Tribunal:

B. H. SLANE, Chairman.

Ministry of Works and Development—Revised Schedule of Civil Engineering and Building Contracts of \$100,000 or More in Value

Name of Works	Successful Tenderer	Amount of Tender Accepted \$
<i>Civil Engineering—</i>		
SH6: Toms Creek Shape Correction	Fulton Hogan Central Ltd., 3 tenders (\$190,726-\$224,743)	190,726.90
SH6: Northern Outlet Nelson: Maitai Bridge and Approaches	Thelin Construction Ltd., 6 tenders (\$1,163,987-\$1,661,349)	1,163,987.30
<i>Building—</i>		
RNZAF Base Woodbourne—Hangar 4: Decentralised Heating Scheme, Stage IIIA	David Browne Contractors Ltd., 5 tenders (\$104,976-\$216,524)	\$104,976.00
Power Project Housing—Arapuni Village: Two Units Design and Build	Budget Homes NZ Ltd., 8 tenders (\$122,500-\$157,015)	\$135,948.00
Dept. of Justice: Mount Eden Prison: Administration Building and Bulkstore Upgrade	R. W. Thrupp Ltd., 3 tenders (\$254,496-\$273,347)	\$254,496.00
GOAB: Woburn House: Fitting out of Ground, First and Third Floors	Maycroft Construction Ltd., 8 tenders (\$469,777-\$631,169)	\$469,777.00
Northland Polytechnic: Library	Kerr Construction Whangarei Ltd., 10 tenders (\$559,000-\$638,790)	\$559,000.00
South Canterbury Community College, Timaru: Technical Block Remodelling	R. J. Curr Ltd., 6 tenders (\$888,269-\$1,029,786)	\$888,269.00
Ministry of Energy: Electricity Division Tongariro Group Garage: Workshop and Store	Amtech Construction Ltd., 10 tenders (\$992,480-\$1,258,610)	\$992,480.00
Carrington Technical Institute: Library Block	Management & Construction Development Ltd., 11 tenders (\$1,992,858-\$2,186,009)	2,002,200.00
Carrington Technical Institute: Teaching Block A: Stage One	R. W. Thrupp Ltd., 4 tenders \$3,759,000-\$4,290,530)	3,759,000.00
Manukau Technical Institute: Four Storey Teaching Block	Millier Construction Ltd., 7 tenders (\$5,051,857-\$5,739,700)	5,155,362.00

T. G. SHADWELL, Commissioner of Works.