

P.O. Box 1417,
Wellington.

Dated at Wellington this 26th day of November 1990.

D. MARSHALL, Associate Minister of Agriculture.
go13345

Commerce

Radiocommunications Act 1989

Statement of Government Policy and Directions to Secretary of Commerce

To the Secretary of Commerce

I, Maurice Donald Williamson, Minister of Communications, acting pursuant to section 112 of the Radiocommunications Act 1989 ("the Act"), hereby give you notice that it is part of the policy of the Government in relation to your functions, duties and powers under section 111 of the Act and your functions, duties and powers under the Radio Regulations 1987—

(a) That the coverage of the television services known as TV1, TV2, and TV3 should be maintained and should be extended to communities that would otherwise not receive a commercially viable service; and

(b) That non-commercial television services should be facilitated on a short-term basis, and existing services should be maintained on the UHF range of frequencies; and

(c) That television and sound radio broadcasting services of short term duration that have as their primary objective the promotion of Maori language and culture should be facilitated; and

(d) That new sound radio broadcasting services (other than services for which you are required by section 95 of the Broadcasting Act 1989 to grant radio apparatus licences) should be provided for on a short-term basis only; and

(e) That, in respect of the frequencies specified in the Fifth and Sixth Schedules to the Act and the ranges of frequencies 494.00 MHz to 518.00 MHz and 2.396 GHz to 2.690 GHz, no radio apparatus licences should be granted for categories of radio services that have not previously been the subject of radio apparatus licences in New Zealand; and

(f) That there should be competition in telecommunications markets and that the granting of radio apparatus licences should promote such competition.

Pursuant to the above policies I hereby direct you as follows:

Television Broadcasting

(a) You shall not grant new radio apparatus licences for VHF television broadcasting services except in relation to frequencies in the ranges 44.00 MHz to 51.00 MHz, 54.00 MHz to 68.00 MHz and 174.00 MHz to 230.00 MHz where the granting of such licences is necessary for the purpose of—

- (i) Maintaining the coverage of the services known as TV1, TV2 or TV3; or
- (ii) Extending the coverage of the services known as TV1, TV2, or TV3 to communities that would otherwise not receive a commercially viable service; or
- (iii) Giving effect to any decision of the Broadcasting Tribunal relating to the assignment of frequencies between the services known as TV1, TV2 or TV3; or
- (iv) Implementing any technical modifications in the transmission of any of the services known as TV1, TV2 or TV3; or
- (v) The implementation of new television broadcasting services undertaken otherwise than for profit where transmissions of such services are licenced for no more

than 3 months, provided that such licences may be renewed for subsequent periods not exceeding 3 months until such time as a record of management rights in relation to that frequency is recorded under the Act.

(b) You shall not grant new radio apparatus licences for UHF television broadcasting services except where the granting of such licences is necessary for the purposes of—

- (i) Maintaining the services provided by existing licensees in relation to those frequencies; or
- (ii) The implementation of new television broadcasting services, the primary objective of which is the promotion of Maori language and culture, where transmissions of such services are licensed for no more than 3 months, provided that such licences may be renewed for subsequent periods not exceeding 3 months until such time as a record of management rights in relation to that frequency is recorded under the Act; or
- (iii) The implementation of new television broadcasting services undertaken otherwise than for profit, where transmissions of such services are licensed for no more than 3 months, provided that such licences may be renewed for subsequent periods not exceeding 3 months until such time as a record of management rights in relation to that frequency is recorded under the Act; or
- (iv) Establishing translators for the service known as TV3 at Paeroa Range, Ngarara, Porirua, and Towai.

Sound Radio Broadcasting

(c) You shall not grant new radio apparatus licences for sound radio broadcasting except in the following cases:

- (i) In relation to New Zealand originated short wave sound radio broadcasting services in the range of frequencies 2300 kHz to 26100 kHz in frequency bands allocated for such broadcasting in the International Radio Regulations where the broadcasting or transmission of those services is not inconsistent with the foreign policies of the Government of New Zealand; and
- (ii) In relation to frequencies within the ranges of frequencies specified in the Fourth Schedule to the Act for the purposes of:
 - (A) Broadcasting by any body or organisation specified in the Seventh Schedule of the Act being transmissions on the frequency and from the location specified in that Schedule in relation to that body or organisation; or
 - (B) Implementation of new sound radio broadcasting services the primary objective of which is the promotion of Maori language and culture, and where transmissions of such services are licensed for no more than 3 months, provided that such licences may be renewed for subsequent periods not exceeding 3 months until such time as a record of management rights in relation to that frequency is recorded under the Act; or
- (iii) Other transmissions, where frequencies are available:
 - (A) For short term sound radio broadcasting services covering special events of national or local interest or to further charitable purposes, where transmission of any such service is licensed for no more than 3 months, provided that such licences may be renewed for subsequent periods not exceeding 3 months until such time as a record of management rights in relation to that frequency is recorded under the Act; or
 - (B) Short term sound radio broadcasts relating to any other purpose, where transmissions of such services are licensed for no more than 3 months, provided that such licences may be renewed for subsequent periods not exceeding 3 months until such time as a record of management rights in relation to that frequency is recorded under the Act.