



23 AUG 2018

File Ref: OIA 37840

[REDACTED]

Tēnā koe [REDACTED]

Official Information Act request

Thank you for your information request dated 21 August 2018 requesting “a copy of the 1991 Cabinet minute re Māori Broadcasting”.

The document requested and my decision with regard to the release of the information are set out in the table below:

Item	Date	Document description	Decision
1.	5 March 1991	Cabinet Minute CEG (91) M 8/9	Released in full

I trust my response satisfies your request.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that Te Puni Kōkiri publishes some of its OIA responses on its website, after the response is sent to the requester. The responses published are those that are considered to have a high level of public interest. We will not publish your name, address or contact details.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact Tia Choi, Senior Ministerial Advisor, Ministerial and Business Support via choit@tpk.govt.nz.

Ngā mihi

Rahera Ohia
Manahautū Tuarua Te Puni Hononga Kaupapa Here | Deputy Chief Executive, Policy Partnerships





CABINET

Appendix 10. *Comms/B*
26/13

COMMITTEE ON ENTERPRISE, GROWTH AND EMPLOYMENT

CEG (91) M 8/9
Copy No 23

This paper is the property of the New Zealand Government. As it includes material for Cabinet or Cabinet Committee purposes it must be handled with particular care, and in accordance with any security classification or other endorsement assigned to it. The information in it may be released only by persons having proper authority to do so, and strictly in terms of that authority.

15/2 MINUTES of a meeting of the Committee held on 5 March 1991 at 9.00am

PRESENT:
Hon J B Bolger (Chair)
Hon W F Birch
Hon Ruth Richardson
Hon Doug Kidd
Hon John Banks
Hon Maurice McTigue
Hon Rob Storey
Hon Wyatt Creech
Hon Roger Maxwell

4/15
1/13 **ALSO PRESENT:**
Hon Denis Marshall
Hon John Luxton
Hon Maurice Williamson

IN ATTENDANCE: Officials from Ministry of Commerce
PM&C

TRANSITIONAL ISSUES FOR NON-COMMERCIAL AND SHORT-TERM SOUND RADIO LICENCE HOLDERS

file Reference: CEG (91) 37

The Committee:

- a agreed that after 3 April 1991 short-term licences of up to three months' duration for the use of AM or FM frequencies in areas where frequencies have been reserved should continue to be issued to iwi organisations in respect of broadcasters promoting Maori language and culture;
- b agreed that licences of up to 20 years' duration for the use of AM or FM frequencies reserved for the use of Maori broadcasters should be issued on the following conditions:
 - i the licenceholder (or joint licenceholders) is an iwi organisation (or are iwi organisations);
 - ii the frequency or frequencies concerned are to be used for the purpose of promoting Maori language and culture, and programming on the radio station involved must be primarily directed at a Maori audience;

file

- iii such licences are not transferable;
- c agreed that long-term licences for the use of the AM frequencies which have been reserved for the use of Aotearoa Maori Radio in Auckland, Tauranga, Wellington and Christchurch should be issued on condition that:
 - i the frequencies concerned are to be used for the purpose of promoting Maori language and culture, and programming on Aotearoa Maori Radio must be primarily directed at a Maori audience;
 - ii the licences are not transferable;

Pacific Islands Frequency

- d agreed that short-term licences for the frequency reserved for the use of Auckland Pacific Island communities should be made available for up to three months at a time, provided that the programming of the broadcaster concerned is intended to meet the needs of all Pacific Island communities represented in Auckland;
- e agreed that a licence for use of the reserved frequency for up to 20 years should be made available to Pacific Island groups in Auckland, on the same basis as the 28 AM frequencies reserved for non-commercial use in centres of 10,000 population or more, outlined in (f) below, provided that the programming of the broadcaster concerned is intended to meet the needs of all Pacific Island communities represented in Auckland;

Frequencies Reserved for Non-commercial Use in Centres of Population of 10,000 or more

- f agreed that the Ministry of Commerce should consult interested broadcasters about the following proposals:
 - i that organisations be identified or established in each centre to hold the licences reserved for non-commercial broadcasting;
 - ii licences should contain the following principles, contractual in nature and agreed to between parties:

That the licences may not be transferred, or used for "for profit" services;

That the organisation holding the licences in each centre be required to reconsider at least every six months the allocation of time to interested broadcasters in that centre, and that the time allocation reflect the following matters:

- ▲ the need to cater for a variety of broadcasting interests, including new broadcasters;
- ▲ the entitlement of broadcasters making a larger contribution of costs to a greater proportion of the time available;
- ▲ the entitlement of broadcasters with larger audience shares to relatively more time, subject to the condition below;
- ▲ the ability of intending broadcasters to programme to fill the time allocated or sought;
- ▲ any matters drawn to its attention by the Secretary of Commerce;

any other matters it considers relevant;

- iii licences are to be available for up to a 20 year period;
- iv there would be no restrictions on advertising or sponsorship other than those already applying under the Broadcasting Act 1989;
- v administrative fees as set in the Radiocommunications (Fees) Regulations 1990 would be payable by non-commercial broadcasters but fees in respect of the commercial value of frequencies would not be payable;

g agreed that pending finalisation of arrangements for use of the frequencies reserved for non-commercial uses, such frequencies should be available for periods of up to three months at a time, subject to availability;

Frequencies reserved for Radio New Zealand's Concert and National Programmes

- h agreed that these frequencies be made available to Radio New Zealand or other parties able to provide extensions of services concerned on licences of up to 20 years' duration, on condition that:
 - i the licences are available exclusively for the purpose of providing these services;
 - ii if the services concerned cease to be provided on these frequencies, the licences revert to the Crown;
- i agreed that no short-term uses of these frequencies would be permitted except for the purpose for which they are reserved;

Frequencies reserved for community programme extensions

- j agreed that frequencies presently reserved for extensions of Radio New Zealand's community services should be available to any party willing to provide a primary radio signal to the remote communities involved, and that the licences involved would be available for up to 20 years on the condition that:
 - i the frequencies are used exclusively for the purposes of providing a community programme service;
 - ii if the service concerned ceases to be provided, the licences would revert to the Crown;

k agreed that short-term uses of up to three months be permitted only for the purpose for which the reservations were made;

l agreed that technical variations to licence rights for frequencies reserved for non-commercial uses should be allowed, provided that the service concerned is to remain non-profit making in character, and the variation is possible without encroaching on any other licence rights;

Frequencies reserved for temporary broadcasting

m agreed that the five AM frequencies reserved for temporary usage should be available to both commercial and non-commercial broadcasters, for up to three months' duration, on condition that:

- i a six months' stand-down applies after the three months' use, to ensure that use of the licence is for temporary purposes only;
- ii the three month period of use may nevertheless be extended with the approval of the Minister of Communications provided that such use is for a one-off, finite event;
- iii normal radio frequency management fees are payable;
- n agreed that use of the frequencies for commercial purposes would incur fees of \$1000 a month for frequencies used in Auckland or Wellington, and \$250 per month for frequencies used elsewhere in New Zealand;
- o agreed that if other frequencies are available for temporary use these should be made available on the same conditions outlined in recommendation (n) above, except that the fees payable by FM frequency users would be \$1000 per month;
- p agreed that the above reservations be reviewed after April 1993 with a view to releasing them for other purposes if it appears that no use is ever likely to be made of the frequency for the purpose for which it was reserved;
- q noted that the Ministry of Commerce may not be able to process at short notice requests for frequencies to be available during the period of transition until April 1991.



Hugh Hanna
Secretary

COPIES TO:

Cabinet Committee on Enterprise, Growth and Employment
Minister of Maori Affairs
Chief Executive, Manatu Maori
Minister of Communications
Secretary of Commerce
Chief Executive, Ministry of Pacific Island Affairs
Secretary to the Treasury
Chief Executive, PM&C

