

**VANUATU BROADCASTING AND
TELEVISION CORPORATION**

**BROADCAST LICENSING
GUIDELINES**

Under the Vanuatu Broadcasting and Television Act (Clause 42), the Minister responsible asked the Vanuatu Broadcasting and Television Corporation to set up an Advisory Committee to help the Corporation provide him with advice regarding the licensing of media broadcasts.

1. Why Broadcast Licensing Guidelines?

Media broadcasting in Vanuatu is evolving. Nowadays, there is more than just one newspaper or one radio and television station. Vanuatu boasts one national radio and television broadcaster, as well as local rebroadcasts, cable and satellite distribution of radio and television services from overseas. Wireless and online services are also available.

Given these developments, there is a need to develop Vanuatu's own media and give Vanuatu people a voice in order to support national development. The number of applications to set up new local FM services has also increased in recent years.

The Vanuatu Government is committed to ensure that the development of the media in the country does not divide people or encourages inter ethnic tensions (Broadcasting Act, Clause 10.2 (c)).

The purpose of these guidelines is to help members of the general public who wish to apply for a Broadcasting License. The Guidelines can help make the application process:

1. Clearer
2. Simpler
3. Transparent

The Guidelines explain clearly the process to be followed in order to apply for a broadcasting license or renew an existing license. The Guidelines explain the work of the Advisory Committee and how the Committee makes its recommendations to VBTC Board or the Minister responsible.

The Guidelines provide advice regarding the various types of licenses which can be issued by the Government and what are the requirements to obtain a license.

2. Types of Broadcasting Licenses

Several categories of individuals or organisations can apply for a broadcasting license: private entrepreneurs, church groups, NGO groups, local communities, local or provincial government authorities, etc... The objectives of these individuals or organisations vary: profit, community support, public service, religion, etc...

Broadcasting Licenses are granted for a period of five (5) years. Every five years, each license is reviewed before it can be renewed. The various types of Broadcasting Licenses can be listed as follows:

Public Broadcasts: According to Vanuatu's broadcasting Act, the Vanuatu Broadcasting and Television Corporation is the only broadcasting organisation entitled to provide Public Service Broadcasting. The Vanuatu Government authorises and funds VBTC to meet its obligations, while requiring the Corporation to generate complementary funding through additional commercial activities.

Overseas Broadcasts: Broadcasts emanating from foreign media and made available locally to Vanuatu audiences. These broadcasts come under separate guidelines and broadcast fee schedules.

Commercial Broadcasts: Broadcasts generated by commercial entities or companies for the purpose of earning revenue and making profit. Revenue can be earned through commercial advertising, commercial subscription, sale of airtime, private sponsorship, broadcast of events sponsored by private interests.

Community Broadcasts: Community groups who broadcast to serve the interests of their community. Their interest is 'non profit' by nature. These groups can include: village community, island community, church community, limited interest community (education, development, sport, agriculture, health, language group, music and culture, etc...).

Political parties or organisations may not apply for a broadcast license.

Community Broadcasting Licenses do not allow the licensee to earn commercial revenue or benefit from commercial sponsorship. However, the licensee can carry out public fundraising and obtain public or aid agency public funding support.

3. Types of Broadcasting Platforms

- 1) Radio
- 2) TV
- 3) Satellite
- 4) Cable or Pay TV
- 5) Online
- 6) Wireless

4. Application Process

REQUEST > VBTC>APPLICATION>MINISTER>ADVISORY COMMITTEE>VBTC
BOARD>MINISTER>DECISION

1. If you are interested in setting up a radio station or applying for a broadcasting license in Vanuatu you should first write to VBTC to indicate your interest. Ask for a copy of the Broadcast Licensing Guidelines and check whether your proposal fits in with the requirements of the Guidelines.
2. Fill in the Application Form and provide any information required that can support your application. Send your application to the Office of the Prime Minister (Minister responsible for the media) as well as to: VBTC Broadcast Licensing Advisory Committee, PMB 9049 Port-Vila.
3. The Broadcast Licensing Advisory Committee meets twice a year, or more often if the need arises to consider an application. The Committee provides advice to VBTC Board which, in turn, makes its recommendation to the Minister responsible for the media.
4. In the case of the Advisory Committee not supporting an application, it provides its reasons to the applicant.
5. The Minister is the authority making the final decision. VBTC prepares the details of the licence which is then signed by the licensee (private company or local community).
6. On a yearly basis, the Advisory Committee prepares a report in order to inform the public on:
 - a. The number of applications for a broadcasting license in the previous 12 months
 - b. The type of licenses for which an application was lodged
 - c. The number of applications the Advisory Committee supported
 - d. If need be, the reasons why certain applications were not supported (without mentioning the names and identities of applicants).

5. Conditions of a Broadcasting License

- The Broadcasting License is granted for a period of five (5) years
- The License is valid from the day it is approved by the Minister
- The License Fee applies from this date and the starting fee needs to be paid immediately
- Should the conditions of the license not be met, the Minister has the right to suspend it. For example, in the following instances:
 - The power of the transmitter exceeds that authorised
 - Coverage exceeds that authorised
 - The station carries commercial sponsorship although it was granted a community broadcasting license
 - Content does not follow the guidelines (local/overseas content ratio)
 - Financial situation of the company or community is not sound
 - There is internal disagreement in the management of the station
 - Provisions of the Broadcasting Act have been contravened (Clause 48.1)
 - Broadcasting does not start within six months of the license being granted
- Should you wish to amend the type of broadcasting license you operate (from community to commercial for example) you need to reapply.

Technical Information	<ol style="list-style-type: none"> 1. Type and power of transmitter: 2. Antenna: 3. Reach (km radius) 4. Broadcast equipment specifications: 5. Online website: 6. WiFi system: 	
Resources	<ol style="list-style-type: none"> 1. Owner of the station/business: <ul style="list-style-type: none"> Vanuatu citizen: YES/NO Foreigner: (if applicable) 2. Community Management Committee or Board Members: 3. Staff number: <ul style="list-style-type: none"> Local: Foreigner: 4. If applying for a commercial broadcasting licence, provide proof of adequate financial resources such as bank statement and Business Plan 5. If applying for a Community Broadcasting Licence, provide financial and maintenance plan. 	

Planned starting date			
References and Permits	1. TRR advice re frequency	YES	NO
	2. Support of local community	YES	NO
	3. Support from the Province	YES	NO
	4. Local Council	YES	NO
	5. Support from Council of Churches	YES	NO
	6. Landowner of transmitter site	YES	NO
	7. Agreement from local Chief	YES	NO
	8. Business Licence	YES	NO
	9. VIPA approval	YES	NO
	10. Other support	YES	NO

Please send filled in application with applicable reference letters and permits to: VBTC Broadcast Licensing Advisory Committee, PMB 9049 Port-Vila Vanuatu. Should you wish to discuss first, contact the General Manager, VBTC.

COMMERCIAL LICENCE

CRITERIA	EXPLANATION	PROOF or DOCUMENTATION	RATING 1-10
1. Technical Know-how	Knowledge about setting up, operating and maintaining the station's equipment	Training or technical support	
2. Financial management and resources	<ul style="list-style-type: none"> . Financial management experience. . Adequate funds to operate for the first six months. . List of owners or shareholders (at least 70% Vanuatu citizens) 	<ul style="list-style-type: none"> . Business references. . Bank statement at the time of application. . Bank statement after first six months. . Business Plan for years 1-3. 	
3. Professional know-how	<ul style="list-style-type: none"> . Knowledge about the media, broadcasting, producing programs, managing a media company. . Local staff only can manage and operate the station/business. 	<ul style="list-style-type: none"> . Experience/ qualifications. . References 	
4. Content	<ul style="list-style-type: none"> . Programs comply with the Broadcasting Act (Clause 10.2 (c). . Radio and Free to Air TV: 80% minimum Vanuatu content (music or spoken word). . Use of the three national languages or local languages only. 	<ul style="list-style-type: none"> . Program Schedule . Samples of programs or music 	
5. Power and specifications of transmitter	<p>Television or FM Radio</p> <ul style="list-style-type: none"> - Transmission power: <500 watts - Signal reach: 10 km radius - No interference with other signals 	<ul style="list-style-type: none"> . List & specifications of planned equipment. . Telecom frequency advice. . Endorsement by Civil Aviation and landowner 	

COMMUNITY BROADCASTING LICENCE

CRITERIA	EXPLANATION	PROOF OR DOCUMENTATION	RATING 1-10
1. Technical know-how	The community applying for a licence can operate and maintain the equipment	<ul style="list-style-type: none"> - Training - Technical support 	
2. Financial management and resources	<ul style="list-style-type: none"> . Some financial management experience . Plan to support the station for the first three months . List community management group members . List of sources of funding: support given by the local community and/or confirmed donor support 	<ul style="list-style-type: none"> . References . List of management group members . Work plan to maintain the station . Proof of community support . Province and/or Local Area Council aware of the project 	
3. Professional Know-how	<ul style="list-style-type: none"> . Commitment to serve the community . Knowledge about producing programs . Some training has already taken place . Staff from local community only 	<ul style="list-style-type: none"> - Some experience - Some training 	
4. Content	<ul style="list-style-type: none"> . Programs comply with the Broadcasting Act (Clause 10.2 (c)) . 80% local content production (music or spoken word) . Development, educational or cultural programs . Bislama or local target languages only . Free access to VBTC news, weather, shipping and community messages 	<ul style="list-style-type: none"> - Program Plan - Sample of program or music 	
5. Power and specifications of transmitter	<p>Television or FM</p> <ul style="list-style-type: none"> - Transmission power: <200 watts in the islands; <50 watts in urban areas - Signal reach: 10 km radius; 5 km in urban areas - No interference with other signals 	<ul style="list-style-type: none"> . List & specifications of planned equipment. . Telecom frequency advice. . Endorsement by Civil Aviation and landowner 	

6. Broadcast Licence Fees

COMMERCIAL LICENCES

TELEVISION		Yearly cost
Transmitter power: <500 watts	Starting fee: 1,000,000 vatu Monthly fee: 200,000 vatu	Vt 3,200,000
RADIO		
Transmitter power: <500 watts	Starting fee: 500,000 vatu Monthly fee: 100,000 vatu	Vt 1,600,000

COMMUNITY LICENCES

TELEVISION		Yearly cost
Transmitter power: <500 watts	If benefiting from overseas support	Vt 600,000
	Local support only	Vt 200,000
RADIO		
Transmitter power: <500 watts	If benefiting from overseas support	Vt 300,000
	Local support only	Vt 30–100,000*

*The limited annual fee of Vt100,000 applies to Community Broadcast Licences only. It includes in-kind partnership support provided by Radio Vanuatu, Vanuatu's national radio service. Radio Vanuatu can provide support in the following areas:

- Technical advice and training support
- The right to relay free of charge Radio Vanuatu programming 20% to 80% of your airtime
- The right to share your own news with Radio Vanuatu
- A radio receiver to be able to hear and relay Radio Vanuatu

In the case your community or your association is not in a position to pay the yearly Vt100,000 upfront, VBTC can help in the following way:

- Should your station wish to start with to relay Radio Vanuatu programs such as news, weather, shipping, community messages or other programs for 80% of your airtime, the annual broadcast licence fee is only Vt30,000
- Should your station wish to relay Radio Vanuatu programs for 50% of your airtime, the annual broadcast licence fee is only Vt50,000
- Should your station wish to relay Radio Vanuatu programs for 30% of your airtime, the annual broadcast licence fee is only Vt70,000

VBTC BROADCAST LICENSING

ADVISORY COMMITTEE

Role

The Committee is charged with considering all applications lodged and review existing licences. Following its recommendation on each application/licence to the VBTC Board, the Board decides whether to endorse or reject each recommendation. The Committee is tasked with providing supporting comments for its recommendations.

If required (in the case of a complaint or abuse of licence provisions for instance), the Committee can meet at short notice to look at relevant issues and make a recommendation to VBTC Board.

Independence and Public Interest

The role of the Advisory Committee is to look after the interests of Vanuatu listeners and viewers, as well as the development of local media in Vanuatu. It is hoped new radio and television services can start and present new programs, music, etc...to local audiences. It is also important to preserve the interests of the Vanuatu public through the development of the local media.

Committee Members

The Advisory Committee considers every aspect of each application: technical, financial, professional, as well as program standards and respect for Vanuatu cultural values.

For these reasons, the Committee is made up of members who can make decisions. Members are appointed by VBTC on a yearly basis. The Committee meets every six months to consider applications, review existing licences, or whenever the need may arise. It is made up of 3- 4 members, including at least one woman.

Chair: VBTC General Manager

Representative of the business community (Chamber of Commerce, etc...)

Representative of the community (NGO, Church, Women's organisations)