

Definition of a Non-Commercial Broadcaster (ARCHIVED)

Please Note: This document no longer reflects Ministry policy, and is on this site for historical interest only.

Communications Division
Ministry of Commerce
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To ensure a consistent approach is taken to all applications for the use of frequencies reserved for non-commercial radio and television broadcast services, the following criteria have been approved by the Minister of Communications for defining non-commercial broadcasters.

- The applicant does not hold the licence rights to another frequency which could be used for the purpose.
- The constitution or articles of association of the applicant or funding organisation show it to be clearly non-profit in nature.
- The applicant can demonstrate it does not intend to operate its service at a profit and can identify a permanent fundraising mechanism to cover its costs.
- The format the applicant proposes is not operated by other stations on a "for profit" basis.
- The applicant is not primarily intending to raise funds for charitable purposes.
- The applicant is not paying higher than market rates for salaries or other services. Such rates of payment would be taken to indicate a de facto commercial service, where the proprietors received financial benefits for their services.
- Advertising (or decoder revenue) is not planned to be more than 50% of revenue. Taken as a general guideline, this would demonstrate the good faith of the organisation in respect of its intentions to operate on a non-profit basis.

These criteria are intended as guidelines only and will, on occasion, require some flexibility in their application. It is not intended that the Ministry should become involved in extensive financial analysis of an applicant's proposal when assessing whether it is non-commercial.

Enquiries should be referred to:

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