

# Submission on discussion document - AM/FM radio spectrum: 2031 expiry of licences and potential reassignment

## Your name and organisation

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## General questions

### Eligibility criteria for renewal

1

Should the Crown restrict eligibility to those with no outstanding fees? Should there be any exceptions to this?

We agree in principle that licence holders should be in good standing, including having no outstanding fees. However, for non-commercial and iwi broadcasters, exceptions should be considered on a case-by-case basis, especially where arrears may be due to structural underfunding or administrative barriers rather than unwillingness to pay.

### Moratorium prior to the rights expiry

2

Please provide any feedback you have on the proposed moratorium date. In what circumstances should an exception to the moratorium on modifications be allowed?

We support the proposal that iwi and community broadcasters be exempt from the 2026 moratorium. Exceptions should be allowed where modifications:

- Are needed to maintain continuity of service;
- Support te reo Māori revitalisation or community resilience;
- Respond to emergencies, technology upgrades, or signal improvement needs.

### Proposed policy objectives for the allocation process

3

What amendments, if any, would you make to the proposed objectives and criteria?

We recommend that a specific objective be added to recognise and protect taonga spectrum use, particularly for iwi and kaupapa Māori broadcasters. The criteria should explicitly reflect Te Tiriti o Waitangi and ensure Māori voices are equitably heard and represented.

4

Are there other objectives or criteria you would propose? If so, what are these?

Yes. We propose the inclusion of the following objectives:

- Uphold Te Tiriti o Waitangi commitments in spectrum management;
- Guarantee continued access for existing iwi radio services;
- Promote te reo Māori and mātauranga Māori as public goods;
- Remove commercial barriers to entry for new iwi or community-led broadcasters;
- National frequencies remaining unused should be allocated with priority accorded to tangata whenua.

### Approach to pricing commercial licences

5 Which is your preferred approach and why?

We are not commercial licence holders; however, any pricing approach must not spill over into non-commercial or reserved bands. Pricing mechanisms must be designed to avoid crowding out community or iwi stations and ensure affordability of spectrum access for kaupapa Māori use.

6 Is there another approach you would suggest? If yes, please explain how this approach would be implemented and how it would provide greater benefit against the policy objectives than the above approaches.

For non-commercial use, pricing should be non-market-based, ideally set at a minimal or symbolic rate to reflect the public benefit. Crown funding or subsidies could support this to ensure spectrum access is not a financial barrier for Māori broadcasters.

### Price formula

7 Do you agree with the assumptions outlined to calculate a price offer? Why? Why not?

We do not agree with applying market-based pricing assumptions to non-commercial spectrum. Iwi radio services provide cultural, educational and language revitalisation benefits that are not captured in commercial valuation frameworks.

### Duration of licences

8 Which of the two options do you prefer and why?

We support the option that offers greater certainty and longer-term tenure for non-commercial users. Stability in licensing is essential for planning, staffing and investment in kaupapa Māori media.

9 Is there another option that should be considered? What would this be and why?

	We recommend that iwi and community radio licences be issued on a rolling or renewable basis, conditional on continued use and alignment with public benefit objectives. This approach protects the service while allowing future review.
10	<p>What licence duration would make most sense for your company/organisation? Why?</p> <p>A minimum of 20 years would provide the certainty needed for iwi broadcasters to plan and deliver consistent, long-term programming aligned with cultural and educational outcomes.</p>
11	<p>What should be the difference in tenure for AM vs FM, if any?</p> <p>No difference is required from a cultural broadcasting perspective. Tenure should be based on use and service purpose, not platform type.</p>
12	<p>What duration of time of non-use would be appropriate for triggering the Crown's right to take back the licence?</p> <p>We suggest a period of two years of continuous non-use, with a review process to determine whether extenuating circumstances apply (e.g., funding loss, natural disaster, infrastructure damage).</p>

#### **RNZ and Schedule 7 provisions in the Radiocommunications Act**

13	<p>How do the sections of the Act advantage or disadvantage your business?</p> <p>The provisions advantage RNZ but do not currently extend the same level of protection to iwi broadcasters, who also perform public service functions. This creates inequity in how non-commercial broadcasters are treated.</p>
14	<p>How might the Crown provide fairness to all licence holders?</p> <p>By extending legislative or operational protections similar to those enjoyed by RNZ to iwi and community radio, particularly in relation to licence security, fee structures and access to reserved spectrum.</p>
15	<p>What options do you see for how the Crown might address its preference for 10-year licences, given this legislative barrier? Would you prefer the options developed are operational or legislative? Why?</p>

We recommend a legislative change that recognises the distinct category of iwi/public interest broadcasters, enabling longer or rolling licence terms where aligned with public good and Te Tiriti obligations.

## Non-commercial use of AM/FM radio broadcasting spectrum

16

What changes, if any, should be made to the reservation of spectrum for iwi radio, community radio and RNZ?

We recommend:

- Strengthening and expanding spectrum reservations for iwi radio;
- Ensuring new iwi stations have access without needing to compete in commercial markets;
- Creating dedicated blocks within each region for kaupapa Māori broadcasting, reviewed in partnership with Māori.

## Currently reserved blocks

17

Should the reservations in block 16 – 19 continue into the new right in their current form? What changes would you make, if any?

Yes, the reservations should continue. However, the Crown should work with Māori to:

- Assess current and future demand for Māori broadcasting;
- Expand or reallocate underused reserved blocks to iwi where demand exists;
- Review the block allocation process in partnership with iwi to better reflect regional needs and population changes.

18

If unused spectrum was to be released, what would bring greater benefits: reassigning these licences to commercial or other non-commercial use? If non-commercial, to whom? If commercial, how should it be made available to market?

Unused spectrum should be prioritised for non-commercial use, especially for iwi, hapū, and kaupapa Māori broadcasting entities. This aligns with Te Tiriti obligations and supports national goals around te reo Māori revitalisation, cultural identity, and community cohesion.

If commercial use is considered, it should only occur after a transparent process to confirm that no unmet non-commercial demand exists in the region. Any commercial allocation should:

- Be regionally balanced;
- Require proof of community engagement or benefit;
- Be priced fairly and not drive up costs across adjacent bands.

### Local Commercial FM licences

19

Do you agree with comparing the original intent of LCFM with the proposals in this document to determine their continuation? If not, how would you prefer they were assessed?

Yes, it is reasonable to compare the original intent of LCFM licences with the current proposals. However, it is also important to assess:

- Whether these licences are still fulfilling their community purpose;
- If they are effectively differentiating themselves from full commercial licences;
- The opportunity cost of maintaining LCFM licences when other non-commercial or iwi groups may be seeking access.

A broader impact assessment should accompany this comparison, including cultural, social and regional equity considerations.

20

Which option do you prefer: the proposal outlined or maintaining the status quo (Local Commercial licences remain, with strict conditions and are charged at a lesser price than commercial licences)? Please explain why you prefer this option.

We prefer a revised version of the status quo, where LCFM licences continue to exist but with strengthened accountability to their local and public service obligations. If stations are meeting community-focused content requirements, then a differentiated pricing model is fair and justified. However, if they are operating as de facto commercial stations, the licence conditions and pricing should be adjusted accordingly.

21

If maintaining the status quo, how should the price be calculated to account for the retention of strict content provisions in the licence agreement while acknowledging that these are commercial licences with revenue potential?

A tiered pricing model could be introduced that:

- Sets a base rate reflecting reduced revenue potential due to public service content obligations;
- Applies a discount based on the percentage of community or non-commercial content delivered;
- Requires annual reporting or auditing to ensure compliance with public value expectations.

This model incentivises genuine local and cultural content, while reflecting any commercial gain.

22

If the proposal outlined is to progress, will there be enough time to transition by April 2031? If not, why not?

Yes, provided the process begins in earnest from 2025–2026 with clear guidance, expectations and support for affected broadcasters. For iwi and non-commercial stations, the transition will also require:

- Dedicated advisory support;
- Continuity of service assurance;
- Access to alternative reserved spectrum if displaced.

If these supports are not in place early, transition risks increase—especially for smaller or under-resourced broadcasters.

## Closing comments

Are there any other comments you wish to make?

Iwi radio stations are taonga that uphold the mana of our reo, our people and our identity. Their protection must be central to any future AM/FM spectrum framework.

We urge the Crown to:

- Embed Te Tiriti o Waitangi principles into radio spectrum management;
- Ensure iwi broadcasting access is not compromised by commercial interests;
- Partner with Māori to co-design future licensing policies that reflect tikanga, equity and kaitiakitanga of this vital communications infrastructure.

The expiry of licences in 2031 presents an opportunity not just to reallocate spectrum—but to realign with Aotearoa’s commitments to Māori advancement, cultural protection, and media equity.

