

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

---

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

#### Your name and organisation

---

Name	Rodger Graham
Organisation	Kia Ora FM 89.8 (KFM) – Iwi Radio Station for Rangitāne o Manawatū

---

#### 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?

Yes, in principle, outstanding fees should be addressed; however, **exceptions should be made for iwi radio and community broadcasters** who may operate under limited funding and face structural inequities. These stations should be given time and support to resolve outstanding issues without penalisation that jeopardises their spectrum access.

##### 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?

A moratorium can provide clarity and consistency for planning; however, **exceptions should apply for iwi and community stations** who may require flexibility for growth, technical upgrades, or regional frequency reallocation to better serve Māori communities. These changes should be reviewed on a case-by-case basis.

## Proposed policy objectives for the allocation process

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

We suggest including a specific objective that **protects and uplifts Te Reo Māori, Tikanga Māori, and Māori broadcasting aspirations**, as part of upholding Te Tiriti o Waitangi commitments. The current objectives need clearer prioritisation of **non-commercial and indigenous broadcasters**.

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

Yes, include:

- Protection and development of **Māori language and culture through radio**.
- Guaranteed **access to spectrum for iwi stations as Treaty partners**.

Support for **community resilience, social cohesion, and local storytelling**.

## Approach to pricing commercial licences

5 Which is your preferred approach and why?

We support a **tiered pricing approach** that recognises the different mandates of commercial, iwi, and community broadcasters. Full commercial rates should not apply to iwi radio, which operates as a **public-good, non-profit service**.

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.

Yes. Develop a **Treaty-based pricing framework** that acknowledges the role of iwi radio and provides a **zero or minimal fee structure** for spectrum access, with consideration for funding needs, equity, and cultural contribution.

## Price formula

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

No. The assumptions are too commercially focused and **fail to account for public value or cultural preservation**. The formula must consider **social impact and Treaty obligations**, especially for iwi radio.

## Duration of licences

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

We prefer **Option 2 – longer duration (20 years)** for iwi radio licences. This ensures **long-term stability, planning, and investment in community outcomes**. Ten-year renewals are too short for iwi development goals.

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

Consider **perpetual or rolling licences for iwi radio** with regular review points, rather than arbitrary expiry. This secures Māori media presence while allowing for accountability.

10 What licence duration would make most sense for your company/organisation? Why?

A **20-year licence or longer** makes most sense for KFM, to support our **long-term vision for language revitalisation, community well-being, and broadcasting capability development**.

11 What should be the difference in tenure for AM vs FM, if any?

There may not need to be a difference in tenure—**both bands serve vital communication roles**. The focus should be on **retaining non-commercial use on both platforms** regardless of band.

12 What duration of time of non-use would be appropriate for triggering the Crown's right to take back the licence?

For commercial licences: 12–24 months.  
For iwi or community radio: a **longer grace period (up to 3 years)** with **support options offered** before revocation.

## RNZ and Schedule 7 provisions in the Radiocommunications Act

13 How do the sections of the Act advantage or disadvantage your business?

Current provisions **favour RNZ and commercial players** more clearly than iwi radio. KFM and similar stations are **underrepresented in law and need stronger recognition and protection**.

14 How might the Crown provide fairness to all licence holders?

By establishing **a distinct legal pathway and protection for iwi/community licences**, recognising **public good over commercial return**, and ensuring **equity-based pricing and renewal processes**.

15

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?

A **legislative solution is preferred**, to create **certainty and protection** for iwi broadcasters. Operational workarounds create ambiguity and risk. A clear legislative basis for **long-term or permanent access for iwi stations** is consistent with Treaty principles.

#### 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?

**Increase and strengthen spectrum reservations for iwi radio.** Iwi stations need **guaranteed, long-term, affordable access** to spectrum. Consider flexible use of underutilised blocks for iwi-led digital expansion.

#### 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, they should continue, but with **stronger and clearer rights for iwi radio**, including simplified processes for retention, growth, and technical support.

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?

**Non-commercial reassignment** to iwi or community radio would offer the **greatest public and cultural benefit**. Commercial reassignment should be **last priority** unless public-good use is impossible.

## 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?

20

Yes, but include **cultural and local impact** assessments, not just economic. Iwi radio stations should be part of **any process reviewing local FM use**, as they often serve the same communities.

21

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.

Maintain the **status quo with modifications**. Licences should include **community and cultural impact measures** and **retain affordable access** for smaller, kaupapa-driven stations.

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?

Use a **scaled pricing model** based on:

- Community benefit
- Revenue thresholds

Cultural contributions

This recognises that not all "commercial" stations operate at the same level of profit or purpose.

22

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

Only if iwi and community broadcasters receive **dedicated transition support**, funding, and **clear communication**. Otherwise, the transition risks creating barriers and disruption for kaupapa Māori media.

## Closing comments

Are there any other comments you wish to make?

Kia Ora FM supports a future where **iwi radio is protected, valued, and properly resourced**. Te Tiriti o Waitangi must be honoured through **guaranteed access to spectrum, equitable treatment, and legislative support**. KFM is more than a radio station – it is a vehicle for Te Reo Māori, whānau connection, and iwi development

