

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

Instructions

This is the submission template for the discussion document *AM /FM radio spectrum: 2031 expiry of licences and potential reassignment*.

The Ministry of Business, Innovation and Employment (**MBIE**) seeks written submissions on the issues raised in the discussion document by **5pm on 4 July 2025**. Please make your submission as follows:

1. Fill out your name and organisation (if applicable) in the table, “Your name and organisation”.
2. Fill out your responses to the questions in the template. Your submission may respond to any or all of the questions from the discussion document. Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples.
3. When sending your submission:
 - a. Delete the first page of instructions.
 - b. Include your email address and telephone number in the email or cover letter accompanying your submission – we may contact submitters directly if we require clarification of any matters in submissions.
 - c. If your submission contains any confidential information:
 - Please state this in the cover letter or email accompanying your submission and set out clearly which parts you consider should be withheld, together with the reasons for withholding the information. MBIE will take such objections into account and will consult with submitters when proactively releasing submissions or responding to requests under the Official Information Act 1982.
 - Indicate this on the front of your submission (e.g. the first page header may state “In Confidence”). Any confidential information should be clearly marked within the text of your submission (preferably as Microsoft Word comments).
 - Please provide a separate version of your submission excluding the relevant information for publication on our website (unless you wish your submission to remain unpublished). If you do not wish your submission to be published, please clearly indicate this in the cover letter or email accompanying your submission.
 - Note that submissions are subject to the Official Information Act 1982.
4. Send your submission:
 - as a Microsoft Word document or PDF to Radio.Spectrum@mbie.govt.nz subject line: ‘AM /FM radio spectrum: 2031 expiry of licences and potential reassignment’ (preferred).
 - by mailing your submission to:
Radio Spectrum Management Policy and Planning

Building, Resources and Markets
Ministry of Business, Innovation & Employment
PO Box 1473
Wellington 6140
New Zealand

Please direct any questions that you have in relation to the submission process to Radio.Spectrum@mbie.govt.nz.

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

Your name and organisation

Name	Amy Delahunty
Organisation	Wellington Access Radio

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?

Wellington Access Radio believes that while the Crown should be able to expect that fees are to be paid regularly and on time, the financial differences and challenges for community stations compared to commercial stations should be taken into consideration.

Access stations across the country operate as non-profits and rely on funding from NZ on Air, as well as fundraising, grants, and programme fees. The funding amounts allocated have not increased, despite increased costs of transmission, insurance, and daily costs. Wellington Access Radio is concerned that any blanket rule here may exclude those stations who are struggling financially, yet still produce unique and important content that is in the public interest.

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?

This question applies to commercial licenses only.

Proposed policy objectives for the allocation process

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

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

Approach to pricing commercial licences

5 Which is your preferred approach and why?

This question applies to commercial licenses only.

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.

Price formula

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

Duration of licences

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

Wellington Access Radio strongly prefers the extended licence period option (20+ years) due to the fact that Access Radios operate on long-term programming and financial investments in items such as studio infrastructure and transmission. We would be concerned that short-term licenses would create less security, more stress, and more administrative work, something which we do not have a lot of space for.

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

Wellington Access Radio supports the Community Access Media Alliance (CAMA) in their recommendation to explore a hybrid approach - i.e. a 10-year license with a conditional automatic renewal cause for non-commercial broadcasters that demonstrate a consistent track record of delivering public value.

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

A 20-year licence is preferred for Wellington Access Radio, as this fits better with what we need to invest in in terms of infrastructure, and would provide security when future planning. This timeframe also reflects the nature of community radio programmes and their relationships with their audiences, which are built over time. This time-frame would also be less of an administrative burden, which, with small teams, makes a huge amount of difference.

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

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

Wellington Access Radio suggests three years of continuous non-use, allowing for the effect of issues such as funding withdrawals or equipment issues. As CAMA says, a shorter period could unfairly penalise Access stations operating in high-risk or low-resourced environments, particularly those affected by climate events, pandemics, or natural disasters.

RNZ and Schedule 7 provisions in the Radiocommunications Act

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

While Wellington Access Radio supports RNZ being recognised under Schedule 7 of the Radiocommunications Act, we also feel that other non-commercial stations with similar public service mandates should also be recognised for their public interest status. Some community & iwi stations are under Schedule 7 and some are not. This inconsistency creates an uneven playing field.

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

We support CAMA's suggestion to develop a 'public interest broadcaster' category that includes RNZ, CAMA members, iwi radio, student radio and other relevant non-commercial entities.

1 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?

We would prefer a legislative change, as it is more consistent across governments and policies.

Non-commercial use of AM/FM radio broadcasting spectrum

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

Wellington AccessRadio supports the ongoing spectrum reservation for non-commercial services such as Access Radio, iwi radio, student radio, and RNZ.

Currently reserved blocks

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

The reservations for these blocks should remain, with the following updates:

- Block 17 (Youth) and 19 (National Māori) should be reactivated.
- Any temporary commercial use should not replace the original public mandate.
- Media organisations facing signal or tower limitations should be prioritised for access.

1 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?

Wellington Access Radio would support assigning them to non-commercial use, particularly disability, migrant and youth-focused broadcasters.

Local Commercial FM licences

1 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?

These relate to commercial licences only.

2 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.

2 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?

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

Closing comments

Are there any other comments you wish to make?

