



## MUSIC POLICY

Drafted by:	John Poole	Approved by Management Committee on:	17 Mar 18
Responsible person:	Vice President	Scheduled review date:	March 2019

### INTRODUCTION AND PURPOSE

1. Community broadcasters are there partly to support new, local, independent and particularly, Australian music. Many musicians have had their first airplay and interviews on community stations. And because they have fewer commercial pressures, community broadcasters are also able to engage with and play a broad range of musical styles. This support of the music industry and diverse music played is one of the two key reasons people listen to community radio the other being to listen to specialist music or information programs.
2. The purpose of this policy is to ensure that Cairns FM 89.1:
  - Continues to play a diverse range of music throughout all of its programming;
  - Supports local musicians; and
  - Complies with the 25% Australian music requirement of the community radio codes of practice by aiming for 30% Australian music across all general programming, to allow for specialist programs (music and/or talks based) which may not be able to meet the 25% quota.

### POLICY

3. Presenters are encouraged to provide a wide range of musical styles while taking into account the station's and the individual program's aims and objectives. They are encouraged to promote events where local musicians are featured.
4. All programs will ensure that of the total music played throughout a program, at least 30% is Australian unless this requirement has been modified or the program exempted by the programming sub-committee.
5. In considering whether to modify or grant an exemption, the programming sub-committee may take into account:
  - That the programs aim is to focus on music or culture other than Australian, and
  - That the musical style of a program is of a nature that does not have a high instance of Australian recordings.

Presenters are not to depart from the 30% policy without prior approval from the programming sub-committee.

6. In addition:
  - All Australian recordings which will be identified as Australian,
  - All presenters are required to complete and hand in a music log sheet after each program, and
  - An audit of Australian music content will be conducted on a monthly basis,
7. Presenters must not make representations to record companies or other music suppliers on behalf of Cairns FM 89.1 unless prior consent has been given by the Program sub-committee.
8. Cairns FM 89.1 will not accept any form of payment in cash or in-kind, in return for providing airplay or promotion of music, except under standard sponsorship arrangements.
9. Music that is broadcast is to reflect the diversity of the listening audience, and is not to contain lyrical content that would cause offence to either the entire community or groups within the community.

## **COPYRIGHT**

10. Copyright arises when new work is created and in simple terms whoever creates the work 'owns' it and nobody else is allowed to use it without the owner's permission or unless the owner is compensated. 'Using' includes playing the music on air it and copying music without permission, even for private use, is typically illegal.
11. Presenters are not to breach copyright and are affected in two ways:
  - The writing and broadcasting of original work by and for the Station; and
  - The use of records and other material already subject to copyright – only legally sourced music is to be used.
12. Although the Station owns the copyright in its transmission, it does not have the copyright in any music played. It therefore obtains the licences necessary to enable presenters to play recorded music on-air. The licence fees cover copyright payments to the writers, performers and record companies.
13. The Station will not pay any copyright fee to volunteer members for material it transmits. However, if the Station wishes to sell the material to another organisation, or make copies of it for distribution, the question of copyright will be discussed with the volunteers concerned
14. Individuals may make off-air copies of transmissions for their private use, provided that copy does not include any music.
15. None of the above means that as a radio station we cannot use music recordings as part of the pre-recording of a program. But all copies of such recordings must be destroyed within twelve months, and only we can broadcast the recording.
16. Under no circumstances is music to be copied. This is a breach of copyright law and anyone found to be doing this will be immediately suspended and required to appear before the Management Committee. Only music that is legally sourced is to be used.

## **PROCEDURAL MATTERS**

17. The Station Manager makes sure the Cairns FM 89.1 music policy is applied on a day to day basis and helps presenters work their way through any issues. But the Manager is also authorised to take action against any presenter who fails to comply.
18. The Cairns FM 89.1 Internal Conflicts and Complaints Policy sets out how such matters should be addressed in a fair and reasonable manner. For example, an inadvertent or minor breach of policy would only result in warning or counselling in the first instance although repeated failures could result in suspension as a volunteer or even expulsion as a member.
19. The Internal Conflicts and Complaints Policy also sets out the rights that volunteers have if they believe action by the Station Manager or anyone else is unreasonable.

## **AUTHORISATION**

John Poole  
Secretary  
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