



Ads go on as date debate rages

THE Gillard government will go ahead with taxpayer-funded advertising programs ahead of the September 14 election despite conflicting views on whether the official election campaign has begun under broadcasting laws.

While TV and radio stations are acting on advice that the election period is under way, the Finance Department insists government advertising will continue as usual until the writs are issued on August 12.

At stake are millions of dollars in advertisements for Labor policies including the national broadband network, the schoolkids bonus and new measures intended for the May budget, which may be exposed to challenge.

Finance Department secretary David Tune said he was awaiting legal advice in the next few days on when the election rules needed to be implemented.

Mr Tune said that in the meantime the government advertising would continue as usual until the writs were issued, despite a finding by FreeTV Australia that the election period had already started.

"That's their view. We have a different view. We will maintain that view," Mr Tune said.

The statement came in response to questions from Victorian Liberal senator Scott Ryan over the advertising, which last year totalled \$139.7 million.

Communications Minister Stephen Conroy insisted the election period would not begin until August 12, even though

Julia Gillard announced the date on January 30.

His department revealed yesterday that it had received advice from the Australian Government Solicitor last week that the election period had not begun under the media law.

The Broadcasting Services Act states that the "election period" starts on either the day on which the proposed polling day is announced or the day on which the writs for the election are issued, whichever happens first.

TV and radio stations are then obliged to give political parties a "reasonable opportunity" to air election material.

The Australian Communications and Media Authority yesterday backed Senator Conroy, posting a four-paragraph statement on its website saying that the election period was not under way.

But ACMA also admitted it had reached a "preliminary" view to the opposite effect in the days after the Prime Minister's announcement.

The Weekend Australian revealed the legal concerns on February 1. A day or two later, ACMA offered an early view to industry that the election period was under way.

"I believe that we initially indicated a preliminary assessment that the election period may have commenced under the Broadcasting Services Act, but it wasn't a definitive view," Mr Chapman told the Senate estimates hearing.

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