

§ 73.3540. A transfer of control takes place when an individual or group in privacy, gains or loses affirmative or negative (50%) control. See instructions on FCC Form 323 (Ownership Report). Each permittee or licensee of a commercial AM, FM or TV Broadcast station shall file an Ownership Report on FCC Form 323 within 30 days of consummating authorized assignments or transfers of permits and licenses. The Ownership Report of the permittee or licensee shall give the information required by the applicable portions of paragraph (a) of this section.

(d) Each licensee of a noncommercial educational AM, FM or TV broadcast station shall file an Ownership Report on FCC Form 323-E when filing the station's license renewal application and every two years thereafter on the anniversary of the date that its renewal application is required to be filed. Licensees owning more than one noncommercial educational AM, FM or TV broadcast station with different anniversary dates need file only one Report every two years on the anniversary of their choice, provided that their Reports are not more than two years apart. A licensee with a current and unamended Report on file at the Commission may certify that it has reviewed its current Report and that it is accurate, in lieu of filing a new Report. Ownership reports shall give the following information as of a date not more than 60 days prior to the filing of the Ownership Report:

(1) The following information as to all officers, members of governing board, and holders of 1% or more ownership interest (if any): Name, residence, office held, citizenship, principal profession or occupation, and by whom appointed or elected.

(2) Full information with respect to the interest and identity of any individual, organization, corporation, association, or any other entity which has direct or indirect control over the licensee or permittee.

(3) A list of all contracts still in effect required by § 73.3613 to be filed with the FCC, showing the date of execution and expiration of each contract.

(4) Any interest which the licensee or permittee or any of its officers, members of the governing board, and hold-

ers of 1% or more ownership interest (if any) held in any other broadcast station.

(e) Each permittee of a noncommercial educational AM, FM or TV broadcast station shall file an Ownership Report on FCC Form 323-E:

(1) Within 30 days of the date of grant by the FCC of an application for original construction permit and;

(2) On the date that it applies for a station license. The Ownership Report of the permittee shall give the information required by the applicable form. A permittee with a current and unamended Report on file at the Commission may certify that it has reviewed its current Report and it is accurate, in lieu of filing a new Report.

(f) Each permittee or licensee of a noncommercial educational AM, FM or TV Broadcast station shall file an Ownership Report on FCC Form 323-E within 30 days of consummating authorized assignments or transfers of permits and licenses. The Ownership Report of the noncommercial educational permittee or licensee shall give the information required by the applicable form.

(g) A copy of all ownership and supplemental ownership reports and related material filed pursuant to this section shall be maintained and made available for public inspection locally as required by §§ 73.3526 and 73.3527.

[44 FR 38513, July 2, 1979, as amended at 49 FR 19498, May 8, 1984; 50 FR 27450, July 3, 1985; 50 FR 40016, Oct. 1, 1985; 53 FR 2499, Jan. 28, 1988; 53 FR 5684, Feb. 25, 1988; 63 FR 70050, Dec. 18, 1998]

§ 73.3617 Broadcast information available on the Internet.

The Mass Media Bureau and each of its Divisions provide information on the Internet regarding broadcast rules and policies, pending and completed rulemakings, and pending applications. These sites also include copies of public notices and texts of recent decisions. The Mass Media Bureau's address is <http://www.fcc.gov/mmb/>; the Audio Services Division address is <http://www.fcc.gov/mmb/asd/>; the Video Services Division is located at <http://www.fcc.gov/mmb/vsd/>; and the Policy

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and Rules Division's address is <http://www.fcc.gov/mmb/prd/>.

[65 FR 7648, Feb. 15, 2000]

§ 73.3999 Enforcement of 18 U.S.C. 1464 (restrictions on the transmission of obscene and indecent material).

(a) No licensee of a radio or television broadcast station shall broadcast any material which is obscene.

(b) No licensee of a radio or television broadcast station shall broadcast on any day between 6 a.m. and 10 p.m. any material which is indecent.

[60 FR 44439, Aug. 28, 1995]

§ 73.4000 Listing of FCC policies.

The following sections list, solely for the purpose of reference and convenience, certain Policies of the FCC. The present listing of FCC policies and citations thereto should not be relied upon as an all-inclusive list, and the failure to include a policy in this list does not affect its validity. Each section bears the title of one Policy and the citations which will direct the user to the specific document(s) pertaining to that Policy.

[44 FR 36387, June 22, 1979]

§ 73.4005 Advertising—refusal to sell.

See 412 U.S. 94 (Supreme Court, 1973).

[44 FR 36388, June 22, 1979]

§ 73.4015 Applications for AM and FM construction permits, incomplete or defective.

See Public Notice, FCC 84-366, dated August 2, 1984, 49 FR 47331, December 3, 1984.

[49 FR 50048, Dec. 26, 1984]

§ 73.4017 Application processing: Commercial FM stations.

See Report and Order, MM Docket 84-750, FCC 85-125, adopted March 4, 1985, 50 FR 19936, May 13, 1985.

[59 FR 52086, Oct. 14, 1994]

§ 73.4045 Barter agreements.

See Order, FCC 72-167, adopted February 16, 1972, 33 FCC 2d 653; 37 FR 4009, February 25, 1972.

[44 FR 36388, June 22, 1979]

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§ 73.4050 Children's TV programs.

(a) See Report and Policy Statement, Docket 19142, FCC 74-1174, adopted October 24, 1974, 50 FCC 2d 1; 39 FR 39396, November 6, 1974.

(b) See Report and Order; Policy Statement, Docket 19142, FCC 83-609, adopted December 22, 1983, 96 FCC 2d 634; 49 FR 1704, January 13, 1984.

(c) See Report and Order, MM Dockets 90-570 and 83-670, FCC 91-113, adopted April 9, 1991, 6 FCC Rcd 2111; 56 FR 19611, April 19, 1991; Memorandum Opinion and Order, MM Dockets 90-570 and 83-670, FCC 91-248, adopted August 1, 1991, 6 FCC Rcd 5093; 56 FR 42707, August 29, 1991.

[49 FR 14509, Apr. 12, 1984, as amended at 59 FR 52086, Oct. 14, 1994]

§ 73.4055 Cigarette advertising.

See 15 U.S.C. 1335.

[44 FR 36388, June 22, 1979]

§ 73.4060 Citizens agreements.

(a) See Report and Order, Docket 20495, FCC 75-1359, adopted December 10, 1975, 57 F.C.C. 2d 42; 40 F.R. 49730, December 30, 1975.

(b) See Memorandum Opinion and Order, FCC 78-875, adopted December 21, 1978, 70 F.C.C. 2d 1672.

[44 FR 58720, Oct. 11, 1979]

§ 73.4075 Commercials, loud.

See Memorandum Opinion and Order, BC Docket 79-168, FCC 84-300, adopted June 27, 1984, 49 FR 28077, July 10, 1984.

[49 FR 38132, Sept. 27, 1984]

§ 73.4082 Comparative broadcast hearings—specialized programming formats.

(a) See Memorandum Opinion and Order, FCC 80-33, adopted January 30, 1980, 75 FCC 2d 721.

(b) See Report and Order, Docket 79-137, FCC 79-331, adopted June 1, 1979, 72 FCC 2d 202.

(c) See Memorandum Opinion and Order, FCC 79-206, adopted March 30, 1979, 71 FCC 2d 460.

[47 FR 3792, Jan. 27, 1982]