

POLICY UPDATE

AUGUST 2014



ASTRA ACTIVITY

- **Australian Communications and Media Authority: Review of the Restricted Access Systems Declaration 2007**

On 8 July 2014, ASTRA made a submission to the Australian Communications and Media Authority (ACMA) review of the Restricted Access Systems Declaration 2007 (RAS Declaration).

The RAS Declaration, made under Schedule 7 of the *Broadcasting Services Act 1992* (Cth) (BSA), specifies the minimum requirements of an access-control system for online MA15+ content that is provided on a commercial basis, and online R18+ content.

ASTRA submitted that content providers should continue to have flexibility to determine appropriate age verification mechanisms, and that a number of the compliance requirements under the RAS Declaration could be simplified, particularly with regards to record-keeping and quality assurance requirements.

For further information on the review see the ACMA website at:

<http://www.acma.gov.au/Industry/Internet/Internet-content/Internet-content-complaints/acma-reviewing-access-restrictions-to-certain-online-content-1>

- **Screen Australia: Draft Documentary Funding Guidelines**

On 18 July 2014, ASTRA made a submission in response to Screen Australia's draft Documentary Funding Guidelines. ASTRA welcomes a number of the proposed reforms to Screen Australia's approach to documentary funding, including: funding decisions based primarily on the principles of quality, diversity and innovation; discontinuing the notional broadcaster funding split; removing the requirement for minimum broadcaster licence fees in relation to the proposed 'Vision and Voice' and 'Meaning and Market' funding programs; and the potential for extending the use of grants rather than recoupable investments.

However, ASTRA is disappointed that minimum licence fee thresholds are proposed to apply to the 'Premium Documentary Program', particularly given this program is intended to fund 'high-end', commercially risky projects. ASTRA also notes some concern with prescriptive funding decision criteria that could lead to undue editorial focus on projects by Screen Australia.

For further information on Screen Australia's documentary funding consultation, see:

http://www.screenaustralia.gov.au/about_us/new_directions/Documentary-funding/documentary_funding.aspx

- **Captioning compliance and reporting obligations**

ASTRA is working with the ACMA and the Department of Communications (DOC) on measures to reduce captioning compliance reporting requirements, and other issues of continuing concern regarding the current regime of captioning obligations on STV.

Information on current captioning obligations for STV is available on the ACMA website at:

<http://www.acma.gov.au/Citizen/Consumer-info/Rights-and-safeguards/Captioning/captioning-1>



▪ **Department of Communications Spectrum Review**

ASTRA and representatives of the STV industry met with the DOC on 23 July 2014 to discuss the Government's Spectrum Review and ASTRA's position on spectrum management.

Further information on the Spectrum Review on the DOC website at:

http://www.communications.gov.au/consultation_and_submissions/spectrum_review

Publicly available ASTRA submissions are on the ASTRA website at:

<http://www.astra.org.au/Menu/Policy/Overview/Submissions>

NEWS

Screen Australia – review of programs and operations

On 24 July 2014, Screen Australia announced changes resulting from a review of programs and operations. *Taking Stock 2014/15* outlines the direction for the agency and provides context for these changes. Some changes of note include:

- All funding up to \$500,000 (except P&A loans) will be a grant, providing more equity for the producer as well as simplifying the contracting process (previously the grant threshold was \$200,000, and limited to documentary and some other programs);
- Screen Australia will also relinquish copyright in favour of the producer for all projects up to \$500,000, retaining a 1 per cent share only in projects for which it provides recoupable investment;
- Streamlining of funding management processes:
 - Turnaround times shortened wherever possible;
 - Applications to be submitted in two stages where possible, requiring fewer initial application materials to limit the burden on applicants;
 - An online application system to be introduced to make it easier for applicants as well as improve the efficiency of application processing.

See full details of the changes to Screen Australia's programs and operations at:

http://www.screenaustralia.gov.au/about_us/Corporate-TakingStock-CEO.aspx

Australian content transmission quotas – metropolitan commercial broadcasting television services

On 25 July 2014, the ACMA published figures that reported all metropolitan commercial television broadcasting licensees meeting main channel (55 per cent) and multi-channel (730 hours) transmission quotas for Australian content in 2013:

- The Seven Network provided an average of 69% local programming between the hours of 6am and midnight, Nine Network an average of 65% and Network Ten an average of 59%;
- Recent amendments to the BSA provided licensees with flexibility to meet quota requirements in the Australian Content Standard and Children's Television Standards on multi-channels from 2013 – all broadcasters utilised this flexibility by providing a variety of Australian drama, documentary and children's programs on multi-channels;
- Under the Australia and New Zealand Closer Economic Relations Trade Agreement, New Zealand television programs may be claimed as local content for the purposes of meeting Australian commercial television content obligations – in 2013, fifty one per cent of the first release Australian drama provided by the Nine Network's metropolitan licensees was from New Zealand, compared with 7 per cent for Seven Network and 4 per cent for Network Ten.

2013 marked the first year of the new transmission quota for broadcasters' secondary channels – the quota has increased to 1095 hours for 2014. There are no requirements for new content or sub-

quotas for drama, children's programming or documentaries on commercial FTA broadcasters' secondary channels.

For further information see the ACMA website at:

<http://www.acma.gov.au/Industry/Broadcast/Television/Australian-content/metropolitan-commercial-television-licensees-met-australian-content-transmission-quotas-in-2013>

DISCUSSION PAPERS/REQUESTS FOR COMMENT

ACMA: Licence fee arrangements for professional wireless mic users

The ACMA is consulting on a proposal to set lower fees for wireless audio users who choose to operate under apparatus licence arrangements in the 520–694 MHz band at major venues. The proposal requires setting a new apparatus licence tax and cost recovery charge to facilitate the licensing of wireless audio transmitters at such locations.

Further information, including a consultation paper, is available on the ACMA website at:

<http://www.acma.gov.au/Industry/Suppliers/A-Type-of-equipment/WirelessMicrophones/licence-fee-arrangements-for-professional-wireless-mic-users>. Submissions to the consultation close **20**

August 2014.

ACMA: Review of the telecommunications equipment regulatory arrangements

The ACMA is seeking public comment on a proposal to remake the Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001 (the TLN) made under section 407 of the *Telecommunications Act 1997* and 16 telecommunications technical standards made under section 376 of the Act (ACMA standards). The ACMA proposes to remake the TLN and a number of the ACMA standards prior to their respective sunset dates so that their ongoing effect is preserved.

While there are substantial structural changes to the proposed TLN, there is no increase in regulatory burden arising from these changes. The structural changes aim to make the TLN a less complex, more easily understood instrument that clearly outlines the responsibilities of people subject to the telecommunications regulatory arrangements for customer equipment and customer cabling.

Further information, including a consultation paper and draft 2014 TLN, is available on the ACMA website at: <http://www.acma.gov.au/theACMA/Consultations/Consultations/Current/changes-to-tln-and-telecomms-technical-standards>. Submissions close Friday **19 September 2014.**