

## NEWS

### **Anti-siphoning**

- Legislation to implement the Government's proposed changes to the anti-siphoning scheme was not introduced into Parliament during the Autumn Parliamentary Sittings. Parliament next sits during the period 10 May-7 July 2011.
- On 23-24 March 2011, the Government amended the current anti-siphoning list to remove Friday night AFL games up to and including Round 14, as well two Thursday night games, to enable these games to be premiered on free-to-air broadcaster multi-channels:  
<http://www.comlaw.gov.au/Details/F2011L00484>
- Details on the Government's proposed changes to the anti-siphoning scheme are available on the DBCDE website at:  
[http://www.dbcde.gov.au/television/antisiphoning\\_and\\_antihoarding/sport\\_on\\_television\\_review\\_of\\_the\\_antisiphoning\\_scheme](http://www.dbcde.gov.au/television/antisiphoning_and_antihoarding/sport_on_television_review_of_the_antisiphoning_scheme)

### **Review of censorship and classification**

On 24 March 2011, Attorney-General Robert McClelland referred the National Classification Scheme to the Australian Law Reform Commission (ALRC). The review will consider issues including:

- existing Commonwealth, State and Territory classification laws
- the current classification categories contained in the Classification Act, Code and Guidelines
- the rapid pace of technological change
- the need to improve classification information available to the community
- the effect of media on children and
- the desirability of a strong content and distribution industry in Australia.

The ALRC has been asked to provide its final report by 30 January 2012. The full Terms of Reference are available on the ALRC website:

<http://www.alrc.gov.au/inquiries/classification/terms-reference>

### **Copyright**

On 24 March 2011, the Australian Federation Against Copyright Theft (AFACT) announced that copyright owners will seek leave to appeal to the High Court against the Full Federal Court decision of 24 February 2011 in their action against iiNet. Copyright owners argue that iiNet failed to take steps to prevent known repeat copyright infringement by its users on its network. The AFACT media release is available here:

<http://www.afact.org.au/pressreleases/2011/24-3-2011.html>.

The judgement of the Full Federal Court is available here:

<http://www.austlii.edu.au/au/cases/cth/FCAFC/2011/23.html>

### **Convergence Review**

On 2 March 2011 the Minister for Broadband, Communications and the Digital Economy, Senator Stephen Conroy, the final Terms of Reference for the Convergence Review. The Terms of Reference are available here:

[http://www.dbcde.gov.au/digital\\_economy/convergence\\_review](http://www.dbcde.gov.au/digital_economy/convergence_review)

The Minister also announced that Mr Glen Boreham would chair the Convergence Review Committee, which will include Mr Malcolm Long. Mr Boreham is a former Managing Director of IBM Australia, and served as the inaugural Chair of the Screen Australia Board since June 2008 and as a member of the Government's Information Technology Industry Innovation Council since 2009.

### **Digital Dividend Bill**

The Broadcasting Legislation Amendment (Digital Dividend and Other Measures) Bill 2011, introduced on 24 February 2011, has yet to be passed by Parliament. The Bill would introduce amendments to streamline the ACMA's broadcast spectrum planning powers for the re-stack of digital television channels to achieve a digital dividend, and other amendments to digital television regulatory framework including changes to the conditional access scheme for the VAST satellite service. The Bill is available on the [Parliament House website](#).

### **Digital Switchover**

On 4 March 2011, the Government released the digital tracker survey results for digital take-up in Q4 2010, which showed that 81 per cent of households in regional Victoria had converted to digital TV during the quarter compared to 45 per cent in early 2009. Across Australia, 77 per cent of households had converted to digital TV during the quarter. Darwin and Tasmania had a conversion rate of 88 per cent by the end of 2010. Perth and Adelaide reported 81 per cent of households converted; Melbourne 79 per cent, Brisbane 78 per cent, and Sydney 66 per cent. Full details on the Digital Ready website at:

[http://www.minister.dbcde.gov.au/media/media\\_releases/2011/140](http://www.minister.dbcde.gov.au/media/media_releases/2011/140)

### **Open Narrowcasting**

On 22 March 2011, a trial community television broadcaster in Perth, WTV, was found by the ACMA to have breached classification and complaints handling requirements under the *ASTRA Open Narrowcast Television Codes of Practice 2007* (trial community TV services are regulated as open narrowcast services). Full details are on the ACMA website at:

[http://www.acma.gov.au/webwr/assets/main/lib312032/wtv\\_report\\_2542.pdf](http://www.acma.gov.au/webwr/assets/main/lib312032/wtv_report_2542.pdf)

## INDUSTRY BRIEFINGS

### **Australian Communications and Media Authority – Co-regulatory Captioning Committee**

The ACMA held the third closed captioning quality meeting in Sydney on 21 March 2011. The committee is tasked with developing indicators to enable the ACMA to determine whether broadcasters have met their obligations relating to captioning quality.

## ASTRA ACTIVITY

- **Senate Inquiry into the National Classification Scheme** – On 4 March 2011, ASTRA made a submission to the Senate Inquiry, available [here](#). ASTRA is expected to appear before the Committee during its public hearings in April. Further information on the Inquiry is available on the [Committee website](#).
- **Report of the Independent Screen Production Sector Review** – On 15 March 2011, ASTRA made a submission to the Australian Government's request for comment on the Report of the 2010 Independent Screen Production Sector Review. The submission is available [here](#).
- **Review of the Telecommunications Industry Ombudsman's Scheme** – On 31 March 2011, ASTRA made a submission to the TIO Review being conducted by the Department of Broadband, Communications and the Digital Economy, available [here](#).
- **Screen Australia draft funding guidelines** – ASTRA made a submission in response to Screen Australia's draft guidelines for funding Australian content on 'small screens', available [here](#). The draft funding guidelines are on the Screen Australia website at: [http://www.screenaustralia.gov.au/news\\_and\\_events/2011/mr\\_110310\\_draftglines.aspx](http://www.screenaustralia.gov.au/news_and_events/2011/mr_110310_draftglines.aspx)
- **ACMA 'Clearing the Digital Dividend' Discussion Paper** – On 4 April 2011, ASTRA made a submission to the ACMA discussion paper on planning approaches for the restack of digital television channels, available [here](#). The discussion paper is available on the ACMA website at: [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_312464](http://www.acma.gov.au/WEB/STANDARD/pc=PC_312464).
- **ASTRA Codes Review** – the process of reviewing and updating the ASTRA Codes continues with the Australian Communications and Media Authority.
- **Closed captioning** – Legislation to implement captioning levels and quality standards under broadcasting legislation is expected to be introduced during the Winter session of Parliament (May-July 2011).
- **Representations** – On 3 March 2011, ASTRA met with officials from the Department of Broadband, Communications and the Digital Economy to discuss upcoming legislation for anti-siphoning, captioning and digital channel re-stack.

The Policy Calendar on the ASTRA website has been updated and is available here: <http://astra.org.au/pages/policy-calendar>

## DISCUSSION PAPERS/REQUESTS FOR COMMENT

### **ACMA Five Year Spectrum Outlook 2011-2015**

On 3 March 2011, the ACMA released its Five Year Spectrum Outlook for 2011-2015. Key tasks identified by the ACMA include assisting the government to achieve digital switchover, delivering key projects to address ongoing spectrum demand, and planning for new services. The ACMA is interested to receive submissions on the spectrum demand analysis and work plan set out in the 2011-2015 Outlook. For submissions to be considered for next edition of the Outlook, which is scheduled for release in early 2012, submissions must be lodged with the ACMA by 31 August 2011. Further information is available on the ACMA website at:

[http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_312466](http://www.acma.gov.au/WEB/STANDARD/pc=PC_312466)