

NEWS

Convergence Review

On 19 September 2011, the Convergence Review Committee released five detailed discussion papers to address a range of issues and options for consideration by the committee and stakeholders. Submissions close 28 October 2011. Further details about the review are available on the Department of Broadband, Communications and the Digital Economy (DBCDE) website: http://www.dbcde.gov.au/digital_economy/convergence_review

Independent Media Inquiry

On 12 September 2011, the Minister for Broadband, Communications and the Digital Economy announced an independent inquiry into the Australian media. Former Justice of the Federal Court of Australia, Ray Finkelstein QC, will lead the inquiry with the assistance of Dr Matthew Ricketson, a former journalist and current Professor of Journalism at Canberra University.

The Inquiry will hold public hearings in Melbourne in the week beginning 7 November 2011 and in Sydney in the week beginning 14 November 2011. The inquiry must provide its report by 28 February 2012. Further information is available on the DBCDE website: http://www.dbcde.gov.au/digital_economy/independent_media_inquiry

Amendments to the Tax Law Provisions Related to the Film Tax Offsets

Legislation to implement the Australian Government's 2011/12 Budget announcement regarding the Producer, Location and PDV Offsets was introduced into the House of Representatives on 21 September 2011. The provisions are to legislate the Budget changes to the Producer Offset, including lowering the Qualifying Australian Production Expenditure (QAPE) threshold for feature films to \$500,000 and numerous other changes to make QAPE easier to calculate for applicants. The amendments will apply to projects which receive Screen Australia investment confirmation on or after 1 July 2011 and do not have Screen Australia investment and that commence pre-production on or after 1 July 2011.

The Department of the Treasury received four submissions in response to the consultation on the amendments. The submissions are available at: <http://www.treasury.gov.au/contentitem.asp?NavId=002&ContentID=2167>

Copyright enforcement

A coalition of US film and television companies has written to every member of the US Senate, urging them to pass online piracy measures contained in the PROTECT IP Act (short for Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011). If passed, the PROTECT IP Act would give the US Justice Department the authority to shut down websites "dedicated to" copyright or trademark infringement: <http://www.advanced-television.com/index.php/2011/09/21/film-tv-groups-urge-senate-to-pass-anti-piracy-bill/>

ACMA Self-regulation “tool kit”

On 22 September 2011, the Australian Communications and Media Authority (ACMA) released an updated tool kit to test the effectiveness of media and communications self-regulation. The tool kit provides a structured test to analyse the effectiveness of different self and co-regulatory arrangements in the media and communications environment. Further information is available on the ACMA website: http://www.acma.gov.au/WEB/STANDARD/pc=PC_410165

Digital Switchover

- On 22 September 2011, the Minister for Broadband, Communications and the Digital Economy announced the commercial release of talking set-top boxes to help people who are vision impaired make the switch to digital-only terrestrial television. Talking set-top boxes are designed to help the blind or vision impaired to navigate electronic program guides, onscreen menus and settings of their television:
http://www.minister.dbcde.gov.au/media/media_releases/2011/258
- On 23 September 2011, Free TV Australia launched an information campaign regarding parental lock functions on terrestrial digital television reception devices. Further information is available here: http://www.freetv.com.au/content_common/pg-parentallock.seo

INDUSTRY BRIEFINGS

Live public sphere consultation on digital culture – 6 October 2011

Members of the digital arts, digital industries and cultural institutions are invited to share their ideas on Australia's national cultural policy through an online consultation, and a live forum to be held at the NSW Teachers Federation in Sydney on October 6. The Digital Culture Public Sphere consultation is to be chaired by Senator Kate Lundy, and is supported by Google Australia, Screen Australia and iGEA. For more information about the Digital Culture Public Sphere see <http://www.katelundy.com.au> or contact the Public Sphere Coordinator, Pia Waugh on 0400 966 453 or pia.waugh@aph.gov.au. For more information about the National Cultural Policy visit: <http://culture.arts.gov.au/discussion-paper>

Network Insight: Australian Content in New and Old Media: But How? – 24 October 2011

This seminar is about the far-reaching options in the new Convergence Review discussion paper on Australian content. Speakers include: Adrian Lawrence, Partner, Baker & McKenzie; Rob Nicholls, GM, Comms Group, ACCC; Bob Peters, Director, Global Media Analysis; and Brian Rosen, Producer, & President SPAA. Further information, including registration details, is available at: http://www.networkinsight.org/events/24_oct_oz_cont.html

ACMA Digital Dividend Auction Spectrum Tune-Up 2011 – 4 November 2011

The ACMA is hosting the Digital Dividend Auction Spectrum Tune-Up on Friday 4 November 2011 at Etihad Stadium in Melbourne. The digital dividend is due to be auctioned together with spectrum in the 2.5 GHz band, in a single process in late 2012. The Tune-Up will have a focus on

auction rule development, and will include speakers from DBCDE, the Australian Competition and Consumer Commission and the ACMA.

Tickets to the Tune-Up will be on sale until 28 October 2011, unless sold out prior, through the ACMA's third party ticket provider at <http://wired.ivvy.com/event/F94AFW>. Enquires should be directed to majorspectrumallocations@acma.gov.au.

Network Insight: Communications Policy & Research Forum 2011 – 7-8 November 2011

The 2011 Communications Policy & Research Forum is being held at the Federation Conference Centre, 37 Reservoir Street, Surry Hills (near Central Station, Sydney) on 7-8 November 2011. Further information is available on the Network Insight website at: <http://www.networkinsight.org/events/cprf2011.html>

ASTRA ACTIVITY

- **Long term arrangements for Electronic News Gathering (ENG) in alternative bands to the 2.5 GHz band** – ASTRA has been in active consultation with the ACMA regarding its ongoing process for determining long term arrangements for alternative spectrum bands for ENG and other TV outside broadcast activities.
- **Live odds in sports broadcasts** – ASTRA is currently in discussions with DBCDE in relation to the Government's policy to curb live odds in sports broadcasts.
- **Captioning legislation** – ASTRA has been in continuing consultations with DBCDE regarding the detail of proposed legislation for captioning requirements on subscription television. The legislation is expected to be introduced in the Spring sittings.
- **Captioning Quality** – ASTRA is involved in continuing consultations with the ACMA regarding captioning quality indicators. Captioning quality requirements are expected to be included in the upcoming captioning legislation.
- **ASTRA Codes Review** – the process of reviewing and updating the ASTRA Codes continues with the ACMA. Draft amended subscription narrowcast television and radio codes are currently being finalised before the ASTRA codes are released for public consultation later in 2011.

The Policy Calendar on the ASTRA website is available at: <http://astra.org.au/pages/policy-calendar>

DISCUSSION PAPERS/REQUESTS FOR COMMENT

ACMA Review of the privacy guidelines for broadcasters

The Privacy Guidelines for Broadcasters 2005 were made by the ACMA in August 2005 to assist broadcasters to better understand their obligations relating to privacy as set out in the various broadcasting industry codes of practice. This is the first review of the guidelines since their commencement. Submissions close **7 October 2011**. Further information on the ACMA website at: http://www.acma.gov.au/WEB/STANDARD/pc=PC_410123

ACMA Earth station siting paper

The ACMA has commenced consultation on the development of a long-term strategy for the sustainable siting of Earth stations. Submissions in response to the paper close **21 October 2011**. Further information is available on the ACMA website at:

http://www.acma.gov.au/WEB/STANDARD/pc=PC_410111

Review of the *Interactive Gambling Act 2001*

On 19 August 2011, the Minister for Broadband, Communications and the Digital Economy announced a review of the IGA. Submissions close **21 October 2011**. Further information available on the DBCDE website at:

http://www.dbcde.gov.au/broadband/online_gambling/2011_review_of_the_interactive_gambling_act_2001

National cultural policy

On Thursday 11 August 2011 the Minister for the Arts, the Hon Simon Crean MP, released a discussion paper on the National Cultural Policy. Submissions close **21 October 2011**. Further information is available at: <http://culture.arts.gov.au/>

ACMA draft Television Licence Area Plans for regional South Australia and Broken Hill

The ACMA is seeking public comment on draft Television Licence Area Plans (TLAPs) for Regional South Australia and Broken Hill. The draft TLAPs are being made to allot channels and identify time frames for the clearance of the digital dividend spectrum. Submissions close **24 October 2011**. Further information is available on the ACMA website at:

http://www.acma.gov.au/WEB/STANDARD/pc=PC_410173

Convergence Review

As discussed above, the Convergence Review Committee released five detailed discussion papers on 19 September 2011. Submissions close **28 October 2011**. Further information on the DBCDE website at: http://www.dbcde.gov.au/digital_economy/convergence_review

Independent Media Inquiry Issues Paper

On 28 September 2011 the Independent Media Inquiry released a short Issues Paper which sets out some of the more important matters to be considered. Submissions close **31 October 2011**. For further information see:

http://www.dbcde.gov.au/digital_economy/independent_media_inquiry

Issues Paper on serious invasions of privacy

On 23 September 2011 the Minister for Privacy and Freedom of Information, Brendan O'Connor, released an Issues Paper discussing the Australian Law Reform Commission's (ALRC) proposal for legislation to allow Australians to take civil legal action if their privacy has been seriously invaded. Submissions close on **Friday, 4 November 2011**. Further details on how to

make a submission and copies of the Issues Paper are available on the website of the Department of Prime Minister and Cabinet at <http://www.dpmc.gov.au/privacy/causeofaction/>

ALRC National Classification Scheme Review Discussion Paper

On 30 September, the ALRC released its detailed discussion paper for its review of classification. Submissions close **18 November 2011**. Further information, including the discussion paper, is available on the ALRC website at:

<http://www.alrc.gov.au/inquiries/classification/respond-discussion-paper>

ACMA future licensing for Earth receive stations

The ACMA has commenced consultation on options for responding to non-compliance with licensing requirements for satellite Earth receive stations. Licensing for Earth receive stations invites comment on both the nature and extent of this non-compliance and presents three possible options. The ACMA also seeks submissions about whether there are any other possible options that it should consider. Submissions close **25 November 2011**. Further information is available on the ACMA website at: http://www.acma.gov.au/WEB/STANDARD/pc=PC_410178

ACMA Amendment to the Customer Cabling Arrangements

The ACMA is seeking public comment on proposed changes to customer cabling regulatory arrangements. The purpose of these proposed changes is to ensure that the current competency requirements for the registration of cabling providers are appropriate to ensure that providers are competent to perform cabling work for the current and future customer cabling environment including in relation to the installation of optical fibre and structured cabling. The aim is also to simplify the existing regulatory instruments to provide a regulatory environment that is easier to understand. Submissions close **30 November 2011**. Further information is available on the ACMA website at:

http://www.acma.gov.au/WEB/STANDARD/pc=PC_410177