

NEWS

Optus TV Now

On 1 February 2012, the Australian Football League, the National Rugby League and Telstra lost their case in the Federal Court against Optus over its TV Now service. The decision had been appealed with hearings set for 14-15 March 2012. The full judgment is available here:

<http://www.austlii.edu.au/au/cases/cth/FCA/2012/34.html>

ALRC Copyright Review

On 8 February 2012, the Government announced that Professor Jill McKeough would head the Australian Law Reform Commission (ALRC) Review of Copyright. Draft Terms of Reference are expected to be released shortly. Further information is available on the ALRC website at:

<http://www.alrc.gov.au/inquiries/copyright>

Convergence Review

Submissions in response to the Convergence Review Committee's Interim Report closed on 10 February 2012, and are available on the DBCDE website at:

http://www.dbcde.gov.au/digital_economy/convergence_review/submissions_received_on_the_convergence_review_interim_report. The Committee is due to present its final report to the Government by the end of March.

Minister's speech to the Australian Broadcasting Summit

The Minister for Broadband, Communications and the Digital Economy, Senator Stephen Conroy, (the Minister) discussed a range of issues in his speech to the Australian Broadcasting Summit on 23 February 2012, including digital switchover and re-stack, commercial television broadcaster licence fees, ENG spectrum, anti-siphoning and captioning legislation. The speech is available at: http://www.minister.dbcde.gov.au/media/speeches/2012_-_minister_speeches/003

Satellite services for NBN in remote areas

On 8 February 2012, the Government and NBN Co announced the selection of Space Systems/Loral to build two next-generation Ka-band satellites to provide high-speed broadband coverage to the three per cent of premises outside the reach of the NBN's fibre optic and fixed-wireless services. The NBN Co media release is available here:

<http://www.nbnco.com.au/news-and-events/news/lts-com-satellite-deal.html>

Digital dividend competition limits

On 9 February 2012, the Minister announced his decision to direct the Australian Communications and Media Authority (ACMA) to determine procedures to impose competition limits on the sale of spectrum in the upcoming digital dividend auction. As a result of the Minister's directions, a competition limit of 2x20 MHz will apply to spectrum in the 700 MHz band and a limit of 2x40 MHz to spectrum in the 2.5 GHz band. No person will be permitted to purchase more than the limit for each band. Further detail is available on the DBCDE website at: http://www.minister.dbcde.gov.au/media/media_releases/2012/013

Digital Switchover date in Northern NSW

The Minister has made 27 November 2012 the digital switchover date for Northern NSW, except for the areas that overlap with the Brisbane TV1 licence area (which will switch with Brisbane on 30 June 2013) and the Sydney TV1 licence area (which will switch with Sydney on 31 December 2013). For further information see the Minister's Determination made on 21 February 2012 and Explanatory Statement: <http://www.comlaw.gov.au/Details/F2012L00342>

Audio description trial on ABC

On 22 February 2012, the Minister announced a trial of audio description technology by the ABC would commence by the middle of 2012. Further information on the DBCDE website at: http://www.minister.dbcde.gov.au/media/media_releases/2012/020

Anti-Counterfeiting Trade Agreement (ACTA)

The European Commission has asked the European Court of Justice for a legal opinion to clarify that "the ACTA agreement and its implementation must be fully compatible with freedom of expression and freedom of the Internet." (The ACTA is a multinational treaty for the purpose of establishing international standards for intellectual property rights enforcement. The Agreement has 31 signatories (including Australia and the United States) but has yet to be ratified). For further information see: <http://advanced-television.com/index.php/2012/02/22/eu-refers-anti-piracy-pact-to-court/>

ALRC Classification Review

The ALRC is due to deliver the Final Report of its inquiry into the National Classification Scheme today (28 February 2012). For further information see the ALRC website at: <http://www.alrc.gov.au/inquiries/national-classification-review>

CONFERENCES & EVENTS

9 March 2012: the 3rd Australian Conference on Children and the Media presented by the Australian Council on Children and the Media in association with the Children and Families Research Centre Macquarie University. Further information available at: http://www.childrenandmedia.org.au/mediachildren/03_15_seminar_melb312.htm

22 March 2012: the ASTRA 2012 Conference will be held at the Sydney Convention and Exhibition Centre. Speakers include: John Porter (CEO, AUSTAR), Richard Freudenstein (CEO, FOXTEL), Mike Quigley (CEO, NBN Co) and Jeff Shell (President, NBCUniversal International). Further information is available on the ASTRA Conference website at: <http://www.astraconference2012.com.au>

ASTRA ACTIVITY

- **Convergence Review** – On 10 February 2012, ASTRA made a submission in response to the Interim Report of the Convergence Review Committee, available at: <http://www.astra.org.au/ArticleDocuments/137/Convergence%20Review%20Interim%20Report%20-%20ASTRA%20Response%20-%20Final.pdf.aspx?Embed=Y>
- **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 TV outside broadcast activities.
- **Live odds in sports broadcasts** – ASTRA is in ongoing discussions with DBCDE regarding measures to address live odds promotion 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 Minister has indicated that an exposure draft will be released shortly, with legislation expected to be introduced in the first half of 2012.
- **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.

DISCUSSION PAPERS/REQUESTS FOR COMMENT

Beyond switchover: the future technical evolution of digital terrestrial television in Australia

The ACMA is seeking comment on possible paths for the technical evolution of digital terrestrial television broadcasting (DTTB) in the post-switchover, post-restack environment. The ACMA seeks industry and community comment on the post-switchover, post-restack technical evolution of digital terrestrial television broadcasting (DTTB). The ACMA seeks input on the drivers for change, the paths for implementing change and whether intervention by the regulator is necessary. Submissions close **30 March 2012**. Further information available on the ACMA website at: http://www.acma.gov.au/WEB/STANDARD/pc=PC_410282