

NEWS

Anti-siphoning

- On 22 February 2011, DBCDE indicated in Senate Additional Estimates hearings that legislation to amend the anti-siphoning scheme is “still on track” to be introduced in the current Parliamentary sittings (by 24 March). The Government is also developing a mechanism to enable AFL matches to be shown on free-to-air multi-channels this season if the legislation has not passed.

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

- On 17 February 2011, the European Court of Justice ruled that the UK Government does have the right to reserve for free-to-air TV major international football games including all group matches of the World Cup. FIFA and UEFA claimed such Government decisions interfere with property rights. Further details available here: <http://www.bloomberg.com/news/2011-02-17/fifa-uefa-lose-eu-court-bid-over-exclusive-pay-tv-rights-to-major-games.html>

Copyright

On 24 February 2011, the Full Federal Court dismissed the appeal of copyright owners in *Roadshow Films Pty Limited v iiNet Limited* [2011] FCAFC 23. The full judgement is available here: <http://www.austlii.edu.au/au/cases/cth/FCAFC/2011/23.html>

On 25 February 2011 in a speech to the *Blue Sky Conference on Future Directions in Copyright Law* the Federal Attorney-General indicated several reviews relating to copyright to be undertaken this year:

- The Australian Law Reform Commission will be provided a reference on copyright. Terms of reference are expected to be provided later this year.
- A review of the definition of ‘carriage service provider’ for the purposes of the ISP safe harbour scheme – a consultation paper outlining proposals is expected to be released soon.
- A review examining an additional exemption to allow circumvention of technological protection measures for certain education purposes.

The Attorney-General’s speech is available [here](#).

Digital Dividend Bill

The Broadcasting Legislation Amendment (Digital Dividend and Other Measures) Bill 2011 was introduced into Parliament on 24 February 2011. 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](#).

3D TV Trials

On 18 February 2011, the Australian Communications and Media Authority announced it had concluded its review of 3D TV trials and will continue to consider authorising trials of emerging technologies using the currently unassigned digital television channels until the end of 2011.

Further information is available on the ACMA website:

http://www.acma.gov.au/WEB/STANDARD/pc=PC_312131

Review of the *Defamation Act 2005* (NSW)

The NSW Attorney-General is undertaking a review of the NSW Defamation Act. ASTRA is a member of the Right to Know Coalition and endorses the Coalition's submission to the review.

Ads on subscription television

On 17 February 2011 the UK House of Lords Communications Committee recommended that all channels, including subscription television channels, be restricted to seven minutes of ads per hour. The Satellite and Cable Broadcasting Group (the industry association for subscription television in the UK) forecast that the move would cost £80m a year in advertising revenue and could force the closure of some smaller channels.

Digital Television Switchover

On 4 February 2011, the Minister for Broadband, Communications and the Digital Economy announced that the Government's Household Assistance Scheme had assisted 25,000 people to convert to free-to-air digital television. The Minister's press release is available here:

http://www.minister.dbcde.gov.au/media/media_releases/2011/129

INDUSTRY BRIEFINGS

ASTRA Spotlight event: Policy Briefing – 14 March 2011

At the next ASTRA Spotlight event, to be held on 14 March 2011, subscription television's policy experts will look at the agenda for 2011. How do government decisions and regulation affect the success of our industry? Some of the key topics to be addressed include funding for Australian production, sports anti-siphoning legislation and the media convergence review. Events are open to all ASTRA member channels and platforms.

Australian Communications and Media Authority – Co-regulatory Captioning Committee

The ACMA held the second Co-regulatory Captioning Committee meeting in Sydney on 9 February 2011. The committee is tasked with developing indicators to enable the ACMA to

determine whether broadcasters have met their obligations relating to captioning quality. The next meeting is scheduled for 21 March 2011.

Digital Switchover Industry Advisory Group and Supply Chain Working Group meetings – February 2011

ASTRA was present at the Digital Switchover Industry Advisory Group meeting on 17 February 2011 and at the Digital Switchover Supply Chain Working Group meeting on 24 February 2011.

ASTRA ACTIVITY

- **Narrowcasting Anti-Terrorism Standards** – On 14 February 2011 ASTRA made a submission to the public consultation on the draft revised Narrowcasting Anti-Terrorism Standards, available [here](#). Further information is available on the ACMA website: http://www.acma.gov.au/WEB/STANDARD/pc=PC_100311
- **ASTRA Codes Review** – the process of reviewing and updating the ASTRA Codes continues with the Australian Communications and Media Authority.
- **Closed captioning** - ASTRA is continuing its discussions with the Department of Broadband, Communications and the Digital Economy in relation to its Media Access Report. Legislation to implement captioning levels and quality standards under broadcasting legislation is expected to be introduced during the Winter session of Parliament (May-June 2011).

DISCUSSION PAPERS/REQUESTS FOR COMMENT

Inquiry into the Australian film and literature classification scheme

The Senate Legal and Constitutional Affairs References Committee is undertaking an inquiry of the National Classification Scheme, including the interaction between the Scheme and the role of the ACMA in supervising broadcast standards for television and Internet content. ASTRA is preparing a submission to this inquiry. Submissions close 4 March 2011. Further information is available on the Committee website at:

http://www.aph.gov.au/senate/committee/legcon_ctte/classification_board/index.htm

Review of the Independent Screen Production Sector

On 17 February 2011, the Minister for the Arts, the Hon Simon Crean MP, released the report of the Australian Government's 2010 Review of the Australian Independent Screen Production Sector, which can be viewed at: http://www.arts.gov.au/public_consultation/submissions-closed/review_aus_ind_screen_sector

The Government has invited responses to the review report by Friday 11 March 2011. The responses will inform the implementation plan being developed in response to the review.

Screen Australia – Draft Funding Guidelines

Following release of the Funding Australian content on 'small screens':

A draft blueprint and subsequent comments from interested stakeholders, Screen Australia anticipates releasing draft program guidelines in March 2011 for further industry comment. ASTRA expects to make a submission in relation to the draft program guidelines. Final guidelines are expected to be released in May to take effect from 1 July 2011.