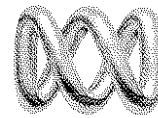


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The Secretary
Senate Standing Committee on the Environment,
Communications, Information Technology and the Arts
Parliament House
Canberra ACT 2600

Media Ownership Bills Inquiry

Dear Secretary

The ABC thanks the Committee for the opportunity to reply to comments made about the ABC in submissions to the inquiry made by the Australian Subscription Television and Radio Association (ASTRA) and the Premier Media Group.

The ABC believes that the criticisms contained in these submissions are unfounded.

ASTRA Submission

In Attachment B of Annexure C to its submission ASTRA points out that the ABC broadcast delayed coverage of two international Netball Tests between Australia and New Zealand in July 2006 (p.25). This is presented as an example of a free-to-air station "hoarding" anti-siphoning sport, which ASTRA characterises in the body of its submission as "long term abuse" of the anti-siphoning regime (p.8).

By contrast, the ABC regards the July Netball Tests as an example of exactly why it should be permitted to carry sporting events on the anti-siphoning list on its multichannels before they have been shown on its main channel.

The ABC is an active supporter of women's sports, particularly netball and basketball, which are underrepresented on other television services. For example, it should be noted that, far from "hoarding" the two Netball Tests in question, the ABC offered live coverage of the two-test series to the Premier Media Group's Fox Sports channel. They declined.

The Corporation notes that section 115 of the *Broadcasting Services Act 1992* ("BSA"), which sets out the anti-siphoning regime, does not make any stipulation about live coverage of events. Instead, the heart of the regime, as set out in subsection 115(1), is that the listed events should be "available free to the general public". That such events be broadcast live is highly desirable, but neither necessary within the regime nor always compatible with a broadcaster's need to keep faith with its audience.

The ABC did not broadcast the two matches live, as they would have disrupted established programs with long-term, committed audiences. One, on Saturday, 22 July, would have cut across *Doctor Who*, *Creature Comforts*, *News Updates*, *The Bill* and *The Last Detective*, while the other, on Tuesday, 25 July, would have cut across *Star Portraits with Rolf Harris*, *The Bill* and *Foreign Correspondent*. The ABC screened a delayed telecast of each of the Tests later in the evening.

If the ABC had been able to show the Tests live on ABC2, as well as a delayed telecast on the main channel, the benefit to audiences would have been maximised. The live coverage of the matches would have been available to the roughly 20% of Australian homes able to receive digital television free-to-air and the more than 20% of homes able to receive ABC2 through digital subscription television.

Premier Media Group Submission

The Premier Media Group alleges that the ABC shows a "continued disregard for the genre restrictions which currently apply to its multi-channels by broadcasting sport on ABC2" (p.6). The ABC rejects this assertion. It is confident that all of the programs in the ABC2 broadcast schedule fall within the permitted genres set out in clause 5A of Schedule 4 to the BSA.

The Corporation has been asked previously to respond in writing to complaints along similar lines to those in the Premier Media Group submission. On each occasion, the ABC has provided an explanation of the ways in which its programming on ABC2 is consistent with the list of permitted genres.

The Corporation has consistently interpreted the genres broadly in delivering ABC2 to maximise the variety of content offered to Australian audiences on digital television. This is consistent with the ABC's role in encouraging consumer adoption of digital television through the provision made in the BSA for the national broadcasters to provide multi-channel services.

One of the key drivers to new digital services is new content and to this end the Corporation has been mindful of the need to offer audiences program choices which are not available on commercial free-to-air networks. Thus, it has a strong commitment to the inclusion of regional matters in the ABC2 schedule and in particular regional matters not covered in the schedule of any commercial free-to-air television service, or indeed subscription television service.

Yours sincerely

A handwritten signature in black ink, appearing to read "Mark Scott".

Mark Scott
Managing Director