

28 May 2021

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

By email: ec.sen@aph.gov.au

Dear Secretary

Broadcasting Legislation Amendment (2021 Measures) Bill No.1 2021

We refer to the legislation above and welcome the opportunity to make a submission to the Committee's inquiry into the Bill. Our comments are restricted to Schedule 1 of the Bill, relating to the New Eligible Drama Expenditure (NEDE) Scheme for subscription television.

Our newly established production company, General Strike, is based in Fitzroy in the electorate of Melbourne. Our company recently produced FREEMAN for the ABC, the most watched documentary of 2020. We believe that telling Australian stories in both factual and dramatic genres is vital for the cultural health of this nation. Drama is not only a fantastic way of reaching domestic audiences, it also acts to build our reputation internationally, boosting our profile both as a nation as well as an industry on the world stage. Enabling streaming services to reduce their tiny investment in Australian drama will have real financial impacts - even a small company like our's helps keep multiple creatives afloat - ranging from scriptwriters and researchers to composers, sound designers and many screen technicians. Importantly drama provides an important form of employment for creatives such as actors, musicians and support crews whose livelihoods have been heavily impacted by the Covid pandemic due to the closure of theatres, live performances etc. General Strike does not support Schedule 1 of the Bill and the halving of Foxtel's relatively modest requirement to invest in Australian drama.

The halving of the obligation to spend 10% of drama channels' program budgets on Australian drama will cause substantial harm to Foxtel customer's access to Australian stories and will damage the local independent production sector.

The scheme has generated such notable and award-winning titles as Top of the Lake, Hacksaw Ridge, Lion, Love My Way, Wentworth, Devil's Playground, Deadline Gallipoli, Fight Season, Mr Inbetween, Picnic at Hanging Rock, Secret City and Tangle.

We are very concerned that a reduction in the obligation will almost certainly result in less investment in Australian drama, a reduction in local employment and reduced cultural outcomes for Australian viewers of subscription television.

We note that the Government is currently considering measures to ensure popular new streaming services make a proportionate contribution to Australian content through its Media Reform Green Paper process. This is a critical decision for the future of Australian screen culture and the comparative balancing of regulation across different platforms.

We submit that if the NEDE scheme is to be reviewed, its future should be determined with reference to the final decision of the Green Paper process regarding streaming platform regulation. At that time the scheme should be subject to a thorough review that considers whether it should be extended to cover other genres of Australian programming which are vulnerable to market failure.

We are also concerned that the Bill proposes to cancel the existing requirement to make-up any shortfall in expenditure that occurred before 1 July 2021. Given the generous deregulation included in the Bill, this seems excessive and all previous regulatory obligations should be required to be honoured.

Thank you again for the opportunity to provide a submission.

Yours sincerely,

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