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Senate Standing Committees on Environment and Communications  
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Dear Sir/Madam

**Post-hearing responses - inquiry into the Broadcasting Legislation Amendment (2021 Measures No.1) Bill 2021**

On behalf of Foxtel and ASTRA, I thank the Committee for the opportunity to appear at the Canberra hearing of its inquiry into the Broadcasting Legislation Amendment (2021 Measures No.1) Bill 2021 (the **Bill**).

Please find below our responses to questions on notice taken during the hearing.

**Consultation timing (p.35)**

*Senator URQUHART: Were you consulted on the bill before the committee today?*

*Ms Ireland: We saw it at the same time as everybody else. We received a draft of it at the same time as everybody else.*

*Senator URQUHART: When was that? Did that come from the minister's office, the department?*

*Ms Ireland: I think it came from the minister's office, but I'd have to come back to the committee on the date.*

*Senator URQUHART: Okay, you can come back to us on that.*

We received a draft copy of the Bill from the Minister's office by email on 23 March 2021.

**Foxtel investment in Australian non-drama (p.36)**

*Senator HANSON-YOUNG: Thank you. That's good to know. You've given us a bit of a list there. Do you have a breakdown for us so we can understand how much you currently invest in those Australian shows that are non-drama?*

*Mr Delany: I'd have to take it on notice, depending on what you want. But I can tell you that, over the last five years, we have invested \$217 million in non-drama and \$165 million in drama.*

We confirm our above response that between FY16 and FY20, Foxtel invested \$217 million on a voluntary basis in commissions on local Australian factual, lifestyle and entertainment content.

We would also like to clarify that the \$165 million spend on drama referred to in Mr Delany's response is our investment in eligible content under the NEDE

scheme over the same five financial years (FY16 and FY20). For FY21 Foxtel has forecast a surplus of \$5 million more than required on eligible content under the NEDE scheme, that it was expecting to carry forward to FY22.

**Kayo Freebies (p.38)**

*Senator HANSON-YOUNG: How much of this \$40 million is going to kayo then?  
Mr Delany: It's all one service. We broadcast once across Foxtel and on kayo.  
But my point is that there is a free section of kayo. I would have to come back  
and tell you what sports we're doing. The free section only just started in  
February.*

On 8 March 2021 Foxtel announced that games from all sporting competitions supported by the Federal Government's women's, niche and other under-represented sports would be available free on Kayo.<sup>1</sup> This is subject to Foxtel holding free rights to those sports. To date these free broadcasts have included live and on-demand games from the W-League, surfing including the Women's Championship Tour, hockey, baseball, croquet, lawn bowls, ultimate frisbee and dragon boating.

Yours sincerely,

Lynette Ireland  
Chief General Counsel  
**Foxtel Group**  
*FOXTEL, Fox Sports, Foxtel Media, Kayo, BINGE*

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