

MANOFMANY

Man of Many

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Senate Standing Committees on Economics

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RE: Treasury Laws Amendment (News Media and Digital Platforms Mandatory Bargaining Code) Bill 2020

13 January 2021

Dear Senate Committee,

I am writing to you to express our concerns that the proposed ACCC Media Bargaining Code will have serious ramifications for Australian audiences and materially disadvantage the majority of smaller independent publishers to the detriment of media diversity within Australia.

As Australia's largest men's lifestyle site and a growing independent digital publication in Australia, Man of Many is concerned that the proposed Code will further entrench the larger traditional media companies and destroy an efficient and competitive media market in the process as well as limit new entrants.

While we acknowledge that the proposed Code is seeking to deal with a complex issue, as it stands, it simply does not adequately account for the full extent of the value exchange between news publishers and platforms such as Facebook, Google, etc. The reality is that news publishers (Man of Many being one of them) derive material benefits from having their content distributed amongst these platforms, due to the valuable referral traffic received. The Code, if it is to achieve a fair value exchange and not inhibit market development and innovation, needs to fully account for this referral value alongside any small value derived by the platforms from displaying such news content.

This is particularly critical to any fair bargaining, as news publishers have voluntarily chosen to allow their content to appear on Facebook, Google, etc platforms. The large traditional news print publishers have themselves chosen not to remove their news websites from Google and Facebook search and content indexes – a simple technical operation for them to do so. One



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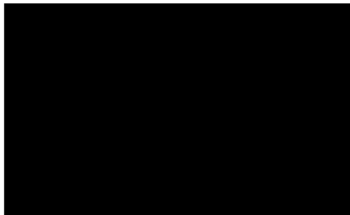
can only assume that they have chosen not to block and remove their content given the benefits they receive from the broad distribution of their content on such platforms. This is certainly the reason that Man of Many, as a news publisher, has chosen not to block our articles from displaying on these platforms.

Unless the determination of the value exchange is fair and equitable in terms of the two way flow of benefits, the large traditional news publishers will derive an unfair competitive advantage over smaller independent publishers such as ourselves. Additionally, the proposed requirement in the draft Code that the large new publishers be informed in advance of any algorithm changes by the platforms would also provide these news publishers with a further competitive advantage over smaller independent publishers, given we would not have access to such information and hence would be unable to compete on a level playing field.

Consequently, as a small independent and innovative publisher, our concern is that the proposed Code, as it stands, will simply further entrench the market power of Australia's large media organizations. In doing so, the proposed Code goes against its own goals of creating greater equality in the Australian media landscape, promoting a more open and competitive media market, and supporting a diversity of voices and opinion in Australian.

I'd be happy to further discuss in detail and expand on the issue above over the phone or in person.

Kind Regards,



Scott Purcell
Co-Founder, Man of MAny

