



Response to Question on Notice

Senate Environment and Communications Legislation Committee inquiry
on the Communications Legislation Amendment (Prominence and Anti-siphoning) Bill 2023

Question on notice

- On 23 February 2024 the Senate Environment and Communications Legislation Committee inquiry held a hearing on the Communications Legislation Amendment (Prominence and Anti-siphoning) Bill 2023.
- Senator Pocock asked:

My question to all of you is in three parts: do you collect data on the viewing habits of people under the age of 18? Do you build identifiable profiles on them? And do you in any way monetise those profiles?

Response

Answers to questions

1. Broadcasters collect data from people under 18 if they are the person in a household who registers for the broadcast video on demand (BVOD) service. However, registered users aged under 18 generally represent a very small proportion of the total number of registered users for BVOD services, with the vast majority being adults. Name, email, year of birth and gender are collected at registration and system records show which programs they then watch when logged in.
2. All registered users, including users aged under 18, have profiles in the systems used to run BVOD services. Information about year of birth contained in these profiles is used to ensure they do not receive certain categories of advertisements.
3. Registered users aged under 18 can be included in groups of people targeted with advertising – such as people in broad age groups like 16–39 year olds, which is an age demographic used across a range of marketing channels. In this way profile information is used to make advertising more relevant which makes it more effective. However, year of birth information is also used to limit monetisation by ensuring users aged under 18 are not targeted with alcohol and wagering advertisements.

Background

- Free TV members collect registration information from users to enhance and personalise audience experience. This includes so that content can be targeted appropriately, including towards minors, and can assist with regulatory compliance relating to record keeping and advertising restrictions.
- In general, broadcasters collect the following information from viewers: name, email, year of birth and gender. Some broadcasters collect additional information like viewers' favourite genre of programming (to assist with recommendations) and postcode (to provide local news and relevant advertising).
- Data-enabled viewing provides a better user experience—for example, allowing users to pick up a program where they left off, receive news relevant to their location and receive content recommendations. It also enables broadcasters to make advertising more relevant for audiences, which helps keep services free. Broadcasters must be able to use data to enhance advertising to compete effectively with others who provide digital services.
- Program classification information and consumer advice about the classifiable elements in a program (such as language, violence, adult themes) assist parents and carers to actively manage the programs that their children watch through broadcast video on demand (BVOD) services. Advertising restrictions related to the program classification apply.
- Free TV members take data security very seriously, have robust privacy policies in place, collect only the minimum personal information required, and comply with the Australian Privacy Principles.
- Terms of use and privacy policies for BVOD services set out registration requirements, including references to minimum ages, and recommendations relating to parental permission for certain content.
- Targeted advertising is delivered to groups of users with similar characteristics (like age or gender), rather than on an individual basis. Registered users under 18 years do not receive certain advertising (such as for alcohol and wagering). In some cases, users aged 16 and older may be included in a broad demographic covering 16–39 year olds to whom general advertising (other than, for example, advertising for alcohol and wagering) is provided. Inclusion in broad age group demographics, also known as cohorts, is common industry practice across platforms.