

Department of Broadband, Communications and the Digital Economy response to Questions on Notice from Senate Environment and Communications Legislation Committee – 19 March 2013

Senator Cameron

1. Can you describe PIMA's role in ensuring media diversity?

The Public Interest Media Advocate is a new independent statutory office which will assess changes of control of significant news media voices—i.e. those with the largest audience or subscriber base. The public interest test to be applied by the PIMA is:

- whether the change of control will not result in a substantial lessening of diversity of control of registered news media voices; or
- whether the change of control is likely to result in a benefit to the public, and that benefit outweighs the detriment to the public constituted by any lessening of diversity of control of registered news media voices.

The legislation and explanatory materials provide additional information on the matters of which the Advocate must have regard in assessing transactions under the public interest test.

Senator McKenzie

2. Would two regional publications be subject to the provisions of the News Media Self-regulation Bill 2013?

Under the proposal a *news media organisation* will not be eligible for the conditional exemption from the Privacy Act unless it is a member of a news media self-regulation body.

A *news media organisation* is defined under section 4 of the News Media (Self-regulation) Bill 2013 and News or current affairs activities, in turn, are defined at section 5 of the Bill. The Bill also includes a range of exemptions, for example, small businesses and those providing publications to a special interest audience.

It will depend on the particulars of a organisation as to whether it would be a *news media organisation*.

3. Does the Minister have the power to sack the Public Interest Media Advocate?

The Public Interest Media Advocate Bill 2013 provides for the Minister to terminate the appointment of the Advocate at section 16 of the Bill.

4. What are the safeguards for local content including news?

Section 43A of the *Broadcasting Services Act 1992* already requires the ACMA to ensure that there is a licence condition in force requiring regional broadcasters to broadcast to local areas a minimum level of material of local significance. The actual amount of material of local significance is determined by a complex points system set by ACMA which equates to; approximately 45 minutes of local news (or 90 minutes of other material of local significance) per week; and approximately 360 minutes of local news (or 720 minutes of other material or local significance) per 6 week period.

None of the media reform Bills introduced into the Parliament on Thursday 14 March 2013 amend Section 43A of the BSA.