

**To:** Treasure Laws Amendment  
**From:** John Scolaro  
**Date:** January 7, 2021

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## **I. Introduction**

Hello, my name is John. I think the "News Media and Digital Platforms Mandatory Bargaining Code" is currently in a terrible state for the every day Australian, and I'm going to try to put into words why I think that. For some background into where I'm coming from, I'm a 25 year old Australian software engineer working in the tech industry. I know how the internet works, and I like to think I'm somewhat representative of a young persons perspective on this Bill. While I'm no expert at law, I'd just like to throw my two cents into the ring and bring up two different points:

## **II. Google should not have to pay a company to display their website to consumers.**

On the internet, companies run public facing websites that allow people to read content on them. All news companies do this now. Google runs their own website which reads everything on the internet and uses the data they gather to make suggestions to users about what they may want to look at based on their search terms.<sup>1</sup> When traditional news companies put stories on the internet, they are making that page public and free for Google to tell people that it exists. News companies shouldn't be complaining about this, it's the publicity they want and need. Why should Google **pay** a traditional news company to freely advertise that companies website. If anything, it should be the other way around. When something is on the internet, anyone is free to look at it. Anyone is **FREE** to look at it. I think this should always be the case, and I think that imposing this bargaining agreement in this particular way goes against the fundamental way the internet works, and I think that the Australian government has already shown such a high degree of ineptitude around the internet that they should start taking advice from people who create and maintain websites, and not media moguls attempting to claw themselves one last decade of relevancy.

## **III. Google shouldn't have to share data it collects for free.**

Google doesn't make products.<sup>2</sup> They use really smart algorithms and machine learning to organise the worlds data, and predominantly make money by selling ads. The Bargaining Bill infringes upon this in two ways I think should not be allowed:

1. Google must notify news companies when they intend to change their search algorithm.
2. Google must provide data to news companies about the data they collect from uses on their pages.

For the first point: Google's search algorithm is Google's business. It's what made them Google in the first place. Fundamentally they shouldn't have to tell anyone when they change it. On top of this, the writers obviously have no idea about continuous development and integration techniques that would obviously be tightly rolled into Google's production pipeline, and other software development techniques used by large companies to deliver services reliably. I guarantee

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<sup>1</sup>Obviously I'm oversimplifying here.

<sup>2</sup>I mean, it does, it makes phones and plenty of other things, but that's not the primary part of their business.

Google's algorithm changes daily, and different people get different versions of their algorithm at any one time. Not only does the wording of the bill not even make sense, but Google would be forced to report changes literally every day. Worse comes to worst, this would hinder Google's ability to provide Australian's with an up-to-date algorithm, putting Australia even further behind the world in internet services.

On the second point here: Google collects data from users about how they interact with web-pages. It's one of the many different data collection methods they employ. News companies with public facing websites have the capability to collect this data themselves, and much more, since their computers are serving the code that the consumers computer is running. Yet, even though they possess the ability to collect it themselves, they want Google to provide it instead? It seems to me that news companies are lazy, and don't want to hire software developers to write code to do this, and instead want to introduce laws that require Google give this information to them for free. It doesn't seem like good business.

#### **IV. Conclusion**

In conclusion, I think this bill was drafted without enough consultation from people in the tech industry. Don't get me wrong, I think this bill is attempting to do the right thing, and I'm proud that we can come together and address issues like this, but I feel like this is going about it the wrong way. I feel that in it's current state, the bill is: allowing Google to be extorted for providing a service it already does for free, requiring Google to share private information with external and potentially competitive companies, drafted without any significant input from people who know how digital platforms operate, and a blatant power grab from a monolithic slow-moving industry, incapable of keeping up with new technology.

Thanks for reading,

John Scolaro