

# **Appendix 3**

## **Draft anti-siphoning list**

**Commonwealth of Australia**

*Broadcasting Services Act 1992*

### **Broadcasting Services (Anti-siphoning events) Declaration (No. [insert]) 2012**

I, STEPHEN MICHAEL CONROY, Minister for Broadband, Communications and the Digital Economy, having formed the opinion that the events specified in the following Declaration should be available free to the general public, make the Declaration under subsections 145E(1) and 145E(2) of the *Broadcasting Services Act 1992*.

Dated [insert] 2012

**[DRAFT - NOT FOR SIGNATURE]**

STEPHEN MICHAEL CONROY

Minister for Broadband, Communications and the Digital Economy

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## 1. Name of Declaration

This Declaration is the Broadcasting Services (Anti-siphoning events) Declaration (No. [insert]) 2012.

## 2. Commencement

This Declaration commences immediately after the commencement of Part 2 of Schedule 1 to the *Broadcasting Services Amendment (Anti-siphoning) Act 2012*.

## 3. Interpretation

(1) In this Declaration:

*Act* means the *Broadcasting Services Act 1992*.

*AFL Premiership competition* means the multi-round competition known in the community as the Australian Football League Premiership or the AFL Premiership (including, if there is a change in the name by which that competition is known in the community, the competition known in the community by the changed name).

*NRL Premiership competition* means the multi-round competition known in the community as the National Rugby League Premiership or the NRL Premiership (including, if there is a change in the name by which that competition is known in the community, the competition known in the community by the changed name).

(2) Unless the contrary intention appears, a word or phrase in this Declaration has the same meaning as it has in the Act.

#### **4. Tier A anti-siphoning events**

Each event, and each event in a class of events, specified in Schedule 1 is declared to be a *Tier A anti-siphoning event* for the purposes of the Act.

#### **5. Tier B anti-siphoning events**

Each event, and each event in a class of events, specified in Schedule 2 is declared to be a *Tier B anti-siphoning event* for the purposes of the Act.

**SCHEDULE 1****TIER A ANTI-SIPHONING EVENTS****Olympic Games**

- 1.1 Each event held as part of the 2012 Summer Olympic Games, including the Opening Ceremony and the Closing Ceremony.

**Horse Racing**

- 2.1 *Each running of the Melbourne Cup organised by the Victoria Racing Club.*

**Australian Football**

- 3.1 *The Grand Final of the AFL Premiership competition.*

**Rugby League Football**

- 4.1 *The Grand Final of the NRL Premiership competition.*

**Rugby Union Football**

- 5.1 *The final of the Rugby World Cup tournament.*

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## Cricket

*6.1 Each "test" match involving the senior Australian representative team selected by Cricket Australia played in Australia.*

*6.2 Each "test" match between the senior Australian representative team selected by Cricket Australia and the senior English representative team played in the United Kingdom.*

*6.3 Each one-day cricket match involving the senior Australian representative team selected by Cricket Australia played in Australia.*

*6.4 Each Twenty20 cricket match involving the senior Australian representative team selected by Cricket Australia played in Australia.*

*6.5 Each match in the semi-finals and the final of the International Cricket Council One Day International World Cup.*

*6.6 Each match of the International Cricket Council One Day International World Cup involving the senior Australian representative team selected by Cricket Australia.*

*6.7 The final of the International Cricket Council Twenty20 World Cup.*

**6.8** *Each match of the International Cricket Council Twenty20 World Cup involving the senior Australian representative team selected by Cricket Australia.*

## **Soccer**

**7.1** *Each match of the Fédération Internationale de Football Association World Cup tournament involving the senior Australian representative team selected by the Football Federation Australia.*

**7.2** *Each match in the quarter-finals, semi-finals and the final of the Fédération Internationale de Football Association World Cup tournament.*

## **Tennis**

**8.1** *The men's singles final and the women's singles final of the Australian Open tennis tournament.*

**8.2** *Each match in a final round tie of the International Tennis Federation Davis Cup World Group tennis tournament involving an Australian representative team.*

## **Motor Sports**

- 9.1** *Each race in the Fédération Internationale de l'Automobile Formula 1 World Championship (Grand Prix) held in Australia.*
  
- 9.2** *Each race in the Fédération Internationale de Motocyclisme Moto GP held in Australia.*
  
- 9.3** *The Bathurst 1000 race in the V8 Supercar Championship Series.*

## SCHEDULE 2

### TIER B ANTI-SIPHONING EVENTS

#### Olympic Games

- 1.1 Each event held as part of the Summer Olympic Games, including the Opening Ceremony and the Closing Ceremony, *except any event* declared to be a Tier A anti-siphoning event for the purposes of the Act.
- 1.2 Each event held as part of the Winter Olympic Games, including the Opening Ceremony and the Closing Ceremony.

#### Commonwealth Games

- 2.1 Each event held as part of the Commonwealth Games, including the Opening Ceremony and the Closing Ceremony.

#### Australian Football

- 3.1 Each match of the AFL Premiership competition, including the Finals Series, that is played after 1 January 2017, *except any match* declared to be a Tier A anti-siphoning event for the purposes of the Act.

#### Rugby League Football

- 4.1 *Each match of the NRL Premiership competition, including the Finals Series, except any match* declared to be a Tier A anti-siphoning event for the purposes of the Act.

**4.2** *Each match in the National Rugby League State of Origin Series.*

**4.3** *Each international rugby league "test" match involving the senior Australian representative team, played in Australia, New Zealand or the United Kingdom.*

**4.4** *Each match of the Rugby League World Cup involving the senior Australian representative team.*

## **Rugby Union Football**

**5.1** *Each match in the quarter-finals and semi-finals of the Rugby World Cup tournament.*

**5.2** *Each match of the Rugby World Cup tournament involving the senior Australian representative team selected by the Australian Rugby Union, except any match declared to be a Tier A anti-siphoning event for the purposes of the Act.*

**5.3** *Each international "test" match involving the senior Australian representative team selected by the Australian Rugby Union, played in Australia, New Zealand or South Africa, or as part of the team's "Spring Tour".*

## *Tennis*

**6.1** *Each match in the Australian Open tennis tournament, except any match declared to be a Tier A anti-siphoning event for the purposes of the Act.*

- 6.2 *Each match in the men's and women's singles quarter-finals, semi-finals and finals of the Wimbledon (the Lawn Tennis Championships) tournament.*
- 6.3 *Each match in the men's and women's singles quarter-finals, semi-finals and finals of the United States Open tennis tournament.*
- 6.4 *Each match in each tie of the International Tennis Federation Davis Cup World Group tennis tournament involving an Australian representative team, except any match declared to be a Tier A anti-siphoning event for the purposes of the Act.*

## **Golf**

- 7.1 *Each round of the Australian Open tournament, played as part of the Professional Golfers Association Tour of Australasia.*
- 7.2 *Each round of the Australian Masters tournament, played as part of the Professional Golfers Association Tour of Australasia.*
- 7.3 *Each round of the United States Masters tournament, played as part of the Professional Golfers Association Tour.*

## **Netball**

- 8.1 *Each international netball match involving the senior Australian representative team selected by the All Australian Netball Association, played in Australia or New Zealand.*

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**8.2** *Each match in the semi-finals and finals of the International Federation of Netball Associations World Championships involving the senior Australian representative team selected by the All Australian Netball Association.*

*Soccer*

**9.1** *Each match of the Fédération Internationale de Football Association World Cup tournament, except any match declared to be a Tier A anti-siphoning event for the purposes of the Act.*

**9.2** *Each match in the Fédération Internationale de Football Association World Cup Qualification tournament involving the senior Australian representative team selected by the Football Federation Australia.*

**9.3** *The English Football Association Challenge Cup final.*

*Motor Sports*

**10.1** *Each race in the V8 Supercar Championship Series, except any race declared to be a Tier A anti-siphoning event for the purposes of the Act.*

## **Draft determination of Category B quota groups**

**Commonwealth of Australia**

*Broadcasting Services Act 1992*

### **Broadcasting Services (Category B quota groups) Determination (No. [insert]) 2012**

I, STEPHEN MICHAEL CONROY, Minister for Broadband, Communications and the Digital Economy, make the following Determination under subsection 145G(2) of the *Broadcasting Services Act 1992*.

Dated [insert] 2012

**[DRAFT - NOT FOR SIGNATURE]**

STEPHEN MICHAEL CONROY

Minister for Broadband, Communications and the Digital Economy

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## 1. Name of Determination

This Determination is the Broadcasting Services (Category B quota groups) Determination (No. [*insert*]) 2012.

## 2. Commencement

This Determination commences immediately after the commencement of Part 2 of Schedule 1 to the *Broadcasting Services Amendment (Anti-siphoning) Act 2012*.

## 3. Interpretation

- (1) In this Determination:

*Act* means the *Broadcasting Services Act 1992*.

*AFL Premiership competition* means the multi-round competition known in the community as the Australian Football League Premiership or the AFL Premiership (including, if there is a change in the name by which that competition is known in the community, the competition known in the community by the changed name).

*AFL Premiership quota group* means a *Category B quota group listed in column 2 at item 1 of the table in Schedule 1*.

*licence area* has the same meaning as in Part 10A of the Act.

- (2) In this Determination, an anti-siphoning event is *included in the set* in relation to a licence area if, for the purposes of each of the following provisions of the

Act, the event is included in the set of anti-siphoning events described in the provisions:

- (a) subsection 145ZN(3);
  - (b) subsection 145ZO(3).
- (3) In this Determination, a match is taken to be played in the *evening* on a day if the match commences at or after 6:00pm AEST/AEDT on the day.
- (4) Unless the contrary intention appears, a word or phrase in this Determination has the same meaning as it has in the Act.

#### **4. Category B quota groups**

Each group of Tier B anti-siphoning events specified in column 2 of the table in Schedule 1 is determined to be a *Category B quota group* for the purposes of the Act, in relation to the licence area or licence areas specified in column 3 at the same item of the table in Schedule 1.

#### **5. Quota numbers**

The *quota number* for each Category B quota group listed in column 2 of the table in Schedule 1 is determined to be the number specified in column 4 at the same item of the table in Schedule 1, in relation to the licence area or licence areas specified in column 3 at the same item of the table in Schedule 1.

#### **6. Associated set conditions**

The *associated set conditions* for each AFL Premiership quota group, in relation to the licence area or licence areas specified in Schedule 2, are determined to be the conditions specified in Schedule 2.

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**SCHEDULE 1**

**CATEGORY B QUOTA GROUPS, LICENCE AREAS AND QUOTA NUMBERS**

<b>Column 1 1 (Item)</b>	<b>Column 2 (Category B quota group)</b>	<b>Column 3 (Licence area)</b>	<b>Column 4 (Quota number)</b>
<i>1</i>	<i>Each group of matches that makes up a round of the AFL Premiership competition, played after 1 January 2017, excluding the Finals Series</i>	<i>Each licence area in Australia</i>	<i>4</i>

**SCHEDULE 2****ASSOCIATED SET CONDITIONS FOR EACH AFL PREMIERSHIP QUOTA GROUP****General Conditions**

- 1.1 If the quota group includes one or more matches that are played on a Friday evening, then at least one of those matches must be included in the set in relation to each licence area in Australia.*
- 1.2 If the quota group includes one or more matches that are played on a Saturday evening, then at least one of those matches must be included in the set in relation to each licence area in Australia.*

*Specific Conditions*

- 2.1 If the team known as the West Coast Eagles is playing in a match in the quota group, then the match must be included in the set in relation to each of the following licence areas:*
- (a) Perth TV1;*
  - (b) Geraldton TV1;*
  - (c) Kalgoorlie TV1;*
  - (d) Remote and Regional WA TV1;*
  - (e) South West and Great Southern TV1;*
  - (f) Western Zone TV1.*
- 2.2 If the team known as the Fremantle Dockers is playing in a match in the quota group, then the match must be included in the set in relation to each of the following licence areas:*

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- (a) *Perth TV1;*
  - (b) *Geraldton TV1;*
  - (c) *Kalgoorlie TV1;*
  - (d) *Remote and Regional WA TV1;*
  - (e) *South West and Great Southern TV1;*
  - (f) *Western Zone TV1.*

**2.3** *If the team known as the Adelaide Crows is playing in a match in the quota group, then the match must be included in the set in relation to each of the following licence areas:*

- (a) *Adelaide TV1;*
- (b) *Mount Gambier/South East TV1;*
- (c) *Riverland TV1;*
- (d) *Spencer Gulf TV1.*

**2.4** *If the team known as the Port Adelaide Power is playing in a match in the quota group, then the match must be included in the set in relation to each of the following licence areas:*

- (a) *Adelaide TV1;*
- (b) *Mount Gambier/South East TV1;*
- (c) *Riverland TV1;*
- (d) *Spencer Gulf TV1.*

**2.5** *If the quota group includes one or more matches that are played in Melbourne on April 25 (ANZAC Day), then at least one of those matches must be included in the set in relation to each of the following licence areas:*

- (a) *Melbourne TV1;*
- (b) *Eastern Victoria TV1;*
- (c) *Mildura/Sunraysia TV1;*

- (d) *Regional Victoria TV1;*
- (e) *Western Victoria TV1.*

**2.6** *If the quota group includes one or more matches that are played in Melbourne on the second Monday in June (the Queen's birthday public holiday), then at least one of those matches must be included in the set in relation to each of the following licence areas:*

- (a) *Melbourne TV1;*
- (b) *Eastern Victoria TV1;*
- (c) *Mildura/Sunraysia TV1;*
- (d) *Regional Victoria TV1;*
- (e) *Western Victoria TV1.*