



44 Avenue Road  
Mosman NSW  
Australia 2088

T : 61 2 8968 7100  
F : 61 2 9969 3520  
W : [freetv.com.au](http://freetv.com.au)

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By email: [clais@acma.gov.au](mailto:clais@acma.gov.au)

Dear Sir/Madam

## **PROPOSED AMENDMENTS TO THE COMMERCIAL TELEVISION CONVERSION SCHEME**

Free TV Australia welcomes the opportunity to comment on the proposed amendments to the Commercial Television Conversion Scheme, as set out in the draft Commercial Television Conversion Scheme Variation 2009 (No. 1).

Free TV notes the proposed amendments are consequential to the passage of the *Broadcasting Legislation Amendment (Digital Television Switch-over) Act 2008*. That Act introduced new powers for the Minister for Broadband, Communications and the Digital Economy to determine discrete regions within licence areas ('local market areas') and to set the switch-over timetable for those regions and licence areas (thereby creating 'digital only local market areas').

Free TV notes that this has necessitated changes to the Commercial Television Conversion Scheme, which was predicated on switchover occurring on a licence area-by-licence area basis. Free TV notes that the proposed changes to the Commercial Television Conversion Scheme seek to incorporate the new concepts of 'local market area' and 'digital-only local market area'.

To the extent that the changes achieve this objective and do not introduce any new processes, policy objectives or other substantive changes to the switchover framework set out in the Scheme, Free TV has no comment on the draft Commercial Television Conversion Scheme Variation 2009 (No. 1).

However, Free TV would like to note the unusually short period of time provided for consultation on the draft variations, which has necessarily limited broadcasters' ability to fully consider the day to day impacts of the proposed changes. We note ACMA's advice that, in this instance, the regulatory framework has restricted ACMA's ability to conduct a more lengthy consultation process. However, the switchover process is now entering a more intensive phase and it is vital that adequate consultation is undertaken with regards to any changes to the regulatory framework for the switchover process.

Yours sincerely

A handwritten signature in purple ink, appearing to read "Julie Flynn".

Julie Flynn  
**Chief Executive Officer**

Free TV Australia Limited  
ABN 76 101 842 184  
ACN 101 842 184