



AUSTRALIA

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Australians Need The ACCC's Digital Platforms Recommendations Implemented

Leading media industry organisation Free TV Australia today called on the Government to implement key recommendations from the ACCC's Digital Platforms Inquiry Final Report.

Free TV Chief Executive Officer, Bridget Fair, said: "Now is the time to act on the recommendations of the ACCC's world-leading report on the behaviour of digital platforms.

"We are experiencing unprecedented disruption within the broadcast media industry because of the growing dominance of the largely unregulated digital platforms such as Google and Facebook.

"While review processes around the world are revealing the problem, the Morrison Government has a chance to lead by implementing the solutions.

"Reform of media regulations is long overdue, particularly in areas such as Australian content quotas and advertising restrictions that penalise commercial Free TV broadcasters.

"Free TV Australia is actively engaging with relevant stakeholders to encourage a sensible but fast negotiation process for these vital reforms.

"Equally, consultation needs to start immediately on the creation of a Code of Conduct governing how digital platforms must negotiate with media businesses. This is vital to address the unequal bargaining position between media businesses and the digital platforms.

"The Digital Platforms Inquiry Final Report represents a golden opportunity for the Government to rein in these global monopolies, and at last create a truly level playing field for the benefit of all Australians," Ms Fair said.

For media enquiries, please contact:

Bridget Fair
Chief Executive Officer
M: 0417 260 478
E: bfair@freetv.com.au

Neil Shoebridge
Partner, SKMG
M: 0417 511 012
E: neil@skmediagroup.com.au

Andrew Knowles
Partner, SKMG
M: 0449 510 357
E: andrew@skmediagroup.com.au

The key comments in Free TV's submission on the recommendations of the ACCC's Final Report include:

Harmonising the regulatory framework

Commercial free-to-air television is the most heavily regulated of all media platforms, directly impacting our ability to meet the social and cultural objectives we are relied upon to deliver. Our implementation plan includes a process for finalising reforms to the Australian content quotas, harmonising content classification and advertising restrictions across platforms over time and better aligning the compliance and enforcement regimes.

Commercial negotiation Code of Conduct

The significant imbalance in the bargaining position between media businesses and the digital platforms precludes the normal commercial negotiations that would ordinarily take place in a competitive market. An enforceable Code of Conduct, administered by the ACCC, is necessary to prevent the platforms from restricting the reasonable and sustainable monetisation of Australian news and media content on their platforms and to enable appropriate data sharing by those who derive audience, data and financial benefit from the consumption of content on their platforms.

Mandatory Standard for the takedown of illegal material

The inadequacy of existing takedown practices by the platforms means that our brands, intellectual property and reputations are at risk. The creation of a mandatory code, supported by meaningful sanctions and penalties, can ensure the effective and timely removal of illegal content.

Proactive support for competition and the prevention of anti-competitive conduct

A new ACCC Digital Platforms Branch should undertake an inquiry into the opaque ad-tech market. The inquiry should report to Government on the appropriate form of regulation to apply to prevent self-preferencing by Google and Facebook that substantially lessens competition.

Broadening the regional and small publishers fund for news and journalistic content

We invest significantly in news and local journalistic content, producing high quality, accurate and impartial news services watched by 11 million Australians each week. We support the ACCC's recommended expansion of the regional and small publishers fund to support the production of regional and local news reporting.

Increasing the accountability of the digital platforms

Measures should be taken to increase the accountability of the digital platforms to address the proliferation of fake news. In addition, we support measures to improve the internal complaints handling mechanisms available and the creation of a role for a digital platforms ombudsman.

Data and Privacy

Ineffective enforcement of privacy laws against digital platforms has resulted in a lack of transparency of their data and privacy practices. This is impacting on consumers' ability to provide informed consent in relation to use of their data. The OAIC should be sufficiently well resourced to enforce existing privacy laws against the digital platforms.

About Free TV Australia

Free TV Australia is a leading media industry organisation. It represents all of Australia's commercial free-to-air television licensees through advocacy, innovation and strategic advice. The members of Free TV Australia are Seven West Media, Nine Entertainment Co, Network 10, Southern Cross Austereo, Prime Media Group, WIN Network and Imparja Television.