



# **Inquiry into the Broadcasting Services Amendment (Improved Access to Television Services) Bill 2012 [Provisions]**

Submission by the Australian Communications Consumer Action Network to the Senate Environment and Communications Legislation Committee



21 June 2012



## **About ACCAN**

The Australian Communications Consumer Action Network (ACCAN) is the peak body that represents all consumers on communications issues including telecommunications, broadband and emerging new services. ACCAN provides a strong unified voice to industry and government as consumers work towards availability, accessibility and affordability of communications services for all Australians.

Consumers need ACCAN to promote better consumer protection outcomes ensuring speedy responses to complaints and issues. ACCAN aims to empower consumers so that they are well informed and can make good choices about products and services. As a peak body, ACCAN will activate its broad and diverse membership base to campaign to get a better deal for all communications consumers.

### **Contact:**

Wayne Hawkins  
Disability Policy Adviser

Suite 402, Level 4  
55 Mountain Street  
Ultimo NSW, 2007  
Email: [wayne.hawkins@accan.org.au](mailto:wayne.hawkins@accan.org.au)  
Phone: (02) 9288 4000  
Fax: (02) 9288 4019  
TTY: (02) 9281 5322

# Key Points

---

The Australian Communications Consumer Action Network (ACCAN) thanks the Senate Environment and Communications Legislation Committee for the opportunity to comment on the Broadcasting Services Amendment (Improved Access to Television Services) Bill 2012 [Provisions].

- **Bill is welcome**

ACCAN is of the view that this Bill, as written, provides significant improvements in access to Australian television services for consumers who are Deaf, hearing-impaired or who rely on closed-captions.

As stated in our [earlier submission](#) on the Exposure Draft, ACCAN supports the passage of the bill as written, with only our two suggestions below.

- **No amendments should be made to water down captioning requirements or create further exemptions**

Any proposed amendments which do not increase the required quota of closed-captioning or which exempt certain programs from complying with the new requirements will only have a detrimental impact on viewers, and we would oppose any such amendments to the Bill.

# Comments on the Bill

---

## **Division 2 – Captioning obligations of commercial television broadcasting licensees and national broadcasters**

ACCAN is pleased with the important improvements that this part of the Bill will provide for a large number of Australians. Our own research reports that over 30 percent of Australians use closed-captions at least some of the time when viewing television<sup>1</sup>.

While this is a positive first step, there is still more work to be done, in particular in improving closed-caption requirements for free-to-air multi-channels.

Given that the 2010 Report *Content and Access: The future of program standards and captioning requirements on digital television multi-channels* recommended that there be a review of access services on free-to-air multi-channels by the end of 2012, ACCAN's expectation is for that review to resolve the issue relating to multi-channel requirements.

---

<sup>1</sup> See ACCAN, 2011, Analysis of ACCAN Captioning Survey conducted in October 2010, available at <http://accan.org.au/files/Reports/ACCAN%20captioning%20results%20analysis%20FINAL.pdf>



#### **Division 4 – Captioning standards – implementation date**

Inclusion of 'quality' standards in this Bill is a significant and welcome development. Closed-caption users have long been advocating for quality standards to ensure captions are readable and comprehensible. However, we are concerned that the implementation date of these quality standards is not clear. ACCAN recommends that the implementation of these standards occur as soon as practicable upon passage of the Bill.

#### **Division 6 – Reports and record keeping – annual reporting insufficient**

The reporting requirements on broadcasters will be important to ensure compliance. ACCAN believes that annual reporting does not provide sufficiently strong consumer safeguards. We recommend that *clause 130ZZC - Annual compliance reports* be changed to require quarterly reporting by all broadcasters.

## **Conclusion**

---

ACCAN supports the passage of the Bill as written – bearing in mind our recommendations for strengthening Division 4 and 6. For too long there has been an expectation that the market would address the issues of access and equity. People who are Deaf or hearing-impaired, and viewers who rely on closed-captions, have routinely been disadvantaged while waiting for this market response. The Bill addresses this market failure. ACCAN commends the Parliament as it moves to make the entertainment, informational and educational benefits of television available to all Australians.