



12 January 2018

**Christine McDonald**

Committee Secretary  
Senate Standing Committees on Environment and Communications  
PO Box 6100  
Parliament House  
Canberra ACT 2600

**RE: Inquiry into the Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017**

Dear Christine,

Thank you for giving us the opportunity to provide feedback on the Communications Legislation Amendment (Online Content Services and Other Measures) Bill 2017.

Communications Alliance (CA) previously made a submission during the limited and confidential consultation process late last year in relation to this. We also held a discussion with ASTRA on this consultation and the views of CA members were consistent with those of ASTRA.

Regarding this latest submission on the Bill, we would again seek to endorse the views made by ASTRA in their submission, noting these are still consistent with the views of our members

However, CA members would highlight the concerns that the Record Keeping Rules (RKR's) impose an additional compliance burden on both broadcasters and online content service providers, the scope of which is unfettered by the current drafting. The RKR's do not reflect and go well beyond record keeping requirements in the existing Code of Practice and the recent draft update of the Code. The costs and time involved in establishing, maintaining and administering the RKR's could potentially be significant. We believe that any requirement for RKR's should be made by the ACMA on an exceptions basis only (i.e. where the broadcasters or online content service providers own records would not suffice) and in consultation with industry.

We look forward to further engaging with the committee on the Bill if required. Please contact Craig Purdon or myself if you have further questions or would like to discuss.

Yours sincerely,

John Stanton  
**Chief Executive Officer**