



24 May, 2021

Broadcasting Legislation Amendment (2021 Measures No. 1) Bill 2021 [Provisions]

Our company operates the Remote and Regional Commercial Radio License SL010147 known as 8SAT or Flow FM. We have an interest in various aspects of these amendments which are detailed below.

- **remove the requirement that all frequency channels allotted or reserved in a digital radio channel plan be within the same frequency band;**

We submit that making more channel capacity available for DRM+ (plus) in band 2 would be beneficial particularly given the current ABC trial on 95.9 and what appears to be a much more compatible technology for regional areas. We would not oppose bands 1 and 3 also being made available to DRM+. With this in mind, it is incumbent on the Government to negotiate with stakeholders including commercial, community, indigenous, SBS, ABC, the automotive industry, software and receiver hardware makers about the opportunities that DRM+ presents for regional and remote Australian communities.

- **provide that a regional commercial radio broadcasting licensee does not breach a licence condition if it is only as a result of the Australian Communications and Media Authority (ACMA) making a new licence area population determination;**

We would oppose changes to overlapped collection districts being exempted from legislation created to protect the integrity of the original license boundaries and local content requirements when they were independently owned previously, as at a future date any group of owned licenses could be broken up when the folly of government decisions on agglomeration of the media is measured. We would question the ACMA assessment of collection district allocation on license boundaries in general terms that the integrity of the original license be maintained unless a LAP variation to extend a license goes through consultation with ACMA and where necessary the public process.

- **extend the timeframe for the ACMA to make grants under the Regional and Small Publishers Innovation Fund beyond 30 June 2021**

The time frame for ACMA to disperse monies in this fund along with original allocation process should be investigated in light of revelations that the fund was allocated with a consultative committee that did not include a cross section of media representatives. Ultimately, most of the three rounds of this fund ended up with online news organisations and corporate media companies not located in regional areas and not employing or building digital infrastructure in a regional area. Senators should oppose the changing or extending of dates relating to the fund until the validity and fairness of recipients to the fund is investigated. Additionally, this fund if it

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has any remaining resources not taken up by original recipients, that these funds be added to a second Innovation 2 fund for smaller regional media organisations to be able to apply in order to balance back the playing field for many companies that were unfairly overlooked under the original RSPI three rounds. We note that while this legislative matter relates to RSPI, it is worth noting that Public Interest News Gathering grants (PING) should also be subject to rigorous Senate Estimates investigation based on the fact that they were unfairly distributed by company turnover rather than the number of people served, giving rise to the larger turnover of metropolitan corporate companies, obtaining monies designed for regional media businesses (many of them small businesses), who in some cases obtained just 10% per person served due to trading in remote, drought and fire effected areas. This appears to be an instance of 'pork barrelling'.

We welcome further contact regarding this submission.

Wayne Phillips, Managing Director

Date 24 May, 2021