



**Supplementary Submission to the Environment and
Communications Legislation Committee**

Supplementary Response to Inquiry into Communications Legislation Amendment (Prominence and Anti- siphoning) Bill 2023

February 2024

IGEA acknowledges and pays respect to the past and present Traditional Custodians and Elders of this land and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples. We would like to extend our acknowledgments to the indigenous people from countries overseas and recognise their strength, wisdom and creativity.

Exposure draft of the *Broadcasting Services (Minimum Prominence Requirements) Regulations 2024* (Cth)

Further to our previous submission to the Environment and Communications Legislation Committee's inquiry into the Communications Legislation Amendment (Prominence and Anti-siphoning) Bill 2023, the Interactive Games & Entertainment Association (IGEA) welcomes the opportunity to provide a supplementary submission to this inquiry, in response to the Australian Government's release of the exposure draft of the *Broadcasting Services (Minimum Prominence Requirements) Regulations 2024* (Cth) on 6 February 2024.

Released ahead of this inquiry, we understand that these draft regulations for the proposed prominence framework prescribe the minimum prominence requirements for connected television devices.

Upon reviewing the exposure draft regulations, we do not consider that it addresses our specific concerns regarding video games services, especially consoles, that may be captured under both the prominence and anti-siphoning schemes in the Bill. Specifically, we have sought for video game consoles to be excluded or exempted from both these schemes, as raised in our previous submission to this inquiry.¹

As a matter of good regulatory practice, the exposure draft regulations should properly take into account relevant stakeholder feedback provided to this inquiry, including addressing our specific concerns. Given the timing of the release of these regulations, we envisage that there was unlikely to be adequate time allocated for the Government to have regard to these relevant considerations.

We would welcome direction from the Government as to whether this is the case.

Thank you for providing IGEA with an opportunity to contribute to the Committee's inquiry into the Bill.

For more information on any issues raised in this submission, please contact IGEA's Director of Public Policy & Government Relations, Charles Hoang, at

¹ IGEA submission, <https://www.apf.gov.au/DocumentStore.ashx?id=5c60d039-6bfe-41e0-90d6-587bbbfcce75&subId=751871>