

Senate Environment and Communications Legislation Committee

Inquiry into the package of media reform bills

ANSWER TO QUESTION ON NOTICE

Australian Competition and Consumer Commission

19 March 2013

Senator McKENZIE asked:

I am particularly interested in the ACCC's role in protecting competition and diversity within the media environment and how you see PIMA enhancing or assisting. Is there a duality of crossover in terms of what you are looking at?

Answer:

The ACCC's role under the general competition provisions of the *Competition and Consumer Act 2010* (CCA) includes the mergers test in section 50 of the CCA which prohibits acquisitions that would, or would be likely to, substantially lessening competition in a market. While in some cases the enforcement of section 50 may have the effect of increasing media diversity in a particular market, its purpose is quite separate and distinct from a specific media diversity test. It is noted that the Public Interest Media Advocate Bill provides that the ACCC may assist the PIMA in performing its functions. The ACCC is unable to comment on whether PIMA will enhance or assist diversity.