



Appendix G – ABA’s Policy for use of confidential licensee and commercial-in-confidence financial information

At its meeting on 16 December 1999, the Australian Broadcasting Authority (ABA) approved the following policy for use of confidential licensee and commercial-in-confidence financial information:

In instances where confidential licensee and commercial-in-confidence financial information obtained by the Australian Broadcasting Tribunal (ABT) under section 123 of the *Broadcasting Act 1942* (former Act) is requested by the Minister for Communications, Information Technology and the Arts (the Minister) or the Department of Communications, Information Technology and the Arts (the Department), the ABA may make available that information to the officer in the Department who is a designated person under section 125(3) of the former Act to receive that information.

If the information is required for statistical analysis, the designated officer will be required to provide the ABA with a written undertaking that any working documents and raw data will be destroyed and not kept beyond the life of the project for which the information is given.

The ABA will not disclose information that was obtained by the ABT under section 123 of the former Act to consultants engaged to carry out any function associated with the administration of the *Broadcasting Services Act 1992* (the BSA).

In instances where confidential licensee and commercial-in-confidence information obtained by the ABA under section 205B of the BSA is requested by the Minister or the Department, the ABA may make available that information to an officer from the Department who is a staff member of the ABA for the duration when access to and use of that information is required.

If the information is required for statistical analysis, the officer from the Department who is seconded to the ABA for the duration of the exercise or a consultant engaged by the ABA will be required to provide a written undertaking that any working documents and raw data will be destroyed and not kept beyond the life of the project for which the information is given.

In instances where confidential licensee and commercial-in-confidence financial information obtained by the ABT under section 123 of the former Act and information obtained by the ABA

under section 205B of the BSA is requested by members or staff of the ABA, that information can be given.

Provided that any section 123 information obtained under the former Act or section 205B information obtained under the BSA, if used in a publicly released document, is to be in aggregate form and could not be used to identify individual licensees.