

**Senate Standing Committee on Environment and Communications**  
**Answers to Senate Estimates Questions on Notice**  
**Budget Estimates Hearings May 2012**  
**Broadband, Communications and the Digital Economy Portfolio**  
**Department of Broadband, Communications and the Digital Economy**

**Question No: 189**

**Program No. 1.2**

**Hansard Ref: Page 12 (24 /05/2012)**

**Topic: Live Odds**

**Senator Xenophon asked:**

**Senator XENOPHON:** Minister, the government is still committed to outlawing the broadcasting of live odds during games—is that right?

**Senator Conroy:** Absolutely.

**Senator XENOPHON:** Sure. That seems to be inconsistent with reports that have appeared in a number of News Limited papers this morning in relation to the potential liberalisation of online gambling, especially in-play gambling. In particular, the report by Patrick Lion makes reference to a briefing at an online gambling symposium between the government and a number of online gambling providers. Can you confirm whether that meeting took place?

**Senator Conroy:** I can take that on notice. I only saw the report this morning.

**Answer:**

The Department of Broadband, Communications and the Digital Economy did not attend the online gambling symposium referred to by Mr Lion in his article.

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**Question No: 190**

**Program No. 1.2**

**Hansard Ref: Page 13 (24/05/2012)**

**Topic: Stakeholder Consultation – Interim Paper**

**Senator Xenophon asked:**

**Senator XENOPHON:** But there have been discussions in relation to the interim paper with a number of online gambling providers?

**Senator Conroy:** As I said, I saw the report that that was the case. I cannot confirm that yet. I might be able to confirm for you in a moment.

**Senator XENOPHON:** Would that include Mr Packer's company?

**Mr Rizvi:** There have been consultations on the development of the review and issues associated with the review with a range of stakeholders over the last six months.

**Senator XENOPHON:** Could you provide a list of those stakeholders on notice?

**Mr Rizvi:** We can provide on notice a list of the stakeholders that we have consulted with.

**Answer:**

There has been extensive stakeholder consultation undertaken by the Department of Broadband, Communications and the Digital Economy (the Department) as part of the review of the *Interactive Gambling Act 2001*. In particular, consultation has occurred with the following groups:

- Broadcasters and content providers
- Financial industry
- Gambling industry
- Researchers
- Community/Counselling groups
- States/Territory's government officials
- Sporting bodies

Officers of the Department have not met with Mr Packer or representatives of Crown Limited in relation to the review of the *Interactive Gambling Act 2001*.

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**Question No: 191**

**Program No. 1.2**

**Hansard Ref: Page 35 (24/05/2012)**

**Topic: Stay Smart Online**

**Senator Bilyk asked:**

**Senator BILYK:** This is third time lucky for this question. I might actually have the right area. I am interested in the ways that Stay Smart Online will be promoting cybersafety and cybersecurity during Cyber Security Awareness Week in June this year. I am particularly interested in whether there are any particular messages that we might convey to senior Australians, bearing in mind that the Joint Select Committee on Cybersafety is currently undertaking an inquiry into cybersafety among senior Australians. I am not saying that the young and cybersafety is not an important issue. I am wondering if there is anything specific as well.

**Mr Windeyer:** Taking your second question first, yes, we develop for the purposes of awareness week a series of tips each year which, I suppose, are very short, pithy summary of some key steps people can take to help protect themselves online. They are appropriate both for the sorts of things older Australians do online as well as what others do online. We will pull them out for you and can make them available...

**Answer:**

Through the Stay Smart Online website, the department provides information and advice to all Australians on the simple steps they can take to protect themselves online. It is the Australian Government's key source of information for home users and small businesses on cyber security.

While the Department promotes messages to improve online behaviours of all age groups, it works closely with seniors groups in its education and awareness activities. These include the Department:

- partnering with the Australian Seniors Computers Clubs Association for the National Cyber Security Awareness Week.
- participating in a number of cyber security and safety activities specifically targeted at older Australians. For example, during Seniors' Weeks the department promoted messages to seniors on the Stay Smart Online website, produced articles, blogs, Facebook and Twitter messages and distributed promotional material at Seniors' Week events.
- providing funding to COTA, the peak body representing the interests and views of older Australians, to develop a training package for seniors so that they can educate other seniors about being secure and safe online. The training is to be delivered through COTA's peer education framework and will be integrated with the department's Digital Hubs program and the Internet Basics website.

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**Question No: 192**

**Program No. 1.2**

**Hansard Ref: Page 36 (24/05/2012)**

**Topic: *Good Game***

**Senator Bilyk asked:**

**Senator BILYK:** Do you have any idea how many people actually viewed the show?

**Mr Windeyer:** View the *Good Game* show?

**Senator BILYK:** Yes.

**Mr Windeyer:** I do not, but I can take that on notice and see what we can find out.

**Answer:**

The initial broadcast for Good Game SP (Series 3) is on ABC3, Saturdays at 9.05am. In this timeslot, the series is achieving a 5 City average audience of 82,000 and Total TV Share of 5 per cent among all people, and Total TV Share of 24 per cent of children aged between 8-12.

*(Source: OzTAM 5 City Consolidated data)*

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**Question No: 193**

**Program No. 1.2**

**Hansard Ref: Page 41 (24/05/2012)**

**Topic: Independent Inquiry into the Media and Media Regulation**

**Senator Abetz asked:**

**Senator ABETZ:** Who takes the final responsibility, this group or the minister?

**Senator Conroy:** It was ticked off by the group.

**Senator ABETZ:** The nameless and faceless group.

**Senator Conroy:** If I am able to give you more details without breaching cabinet processes, I am happy to provide that information for you.

**Answer:**

The Cabinet Secretariat has advised that it is not appropriate to disclose details of which Ministers attended a particular Cabinet meeting.

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**Question No: 194**

**Program No. 1.2**

**Hansard Ref: Page 46 (24/05/2012)**

**Topic: Media Inquiry**

**Senator Abetz asked:**

**Senator ABETZ:** In program 1.3 we talk about issues such as media ownership and also transfer to digital and, of course, that was part of the terms of reference of the Finkelstein inquiry. Therefore, I inquire in relation to the Finkelstein inquiry as to how many names were considered for appointment.

**Senator Conroy:** I will take that on notice. I just do not have it off the top of my head.

**Senator ABETZ:** If you can tell us how many names—

**Answer:**

It is not appropriate to provide further details regarding appointments considered by Cabinet.

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**Question No: 195**

**Program No. 1.2**

**Hansard Ref: Page 49 (24/05/2012)**

**Topic: Convergence Review**

**Senator Birmingham asked:**

**Mr Windeyer:** Just bear with me and I will get the information. The Convergence Review committee members were paid \$3,000 per day and the total fee amounts between the individual members, because individual members made different claims for daily work, was \$237,600 to \$316,800.

**Senator BIRMINGHAM:** Perhaps you could table for us or provide on notice, Mr Harris, the individual breakdowns there as to—

**Mr Harris:** I would want to take advice on whether it is appropriate to identify the people. I have tried to give you the estimates or, quite clearly, the numbers. I think identifying the individual persons is potentially—it is one of those areas of privacy that I—

**Senator BIRMINGHAM:** Take it on notice and provide an appropriate response there.

**Mr Harris:** We will examine it, and if it is legitimate to do it I will provide it.

**Answer:**

The members of the Convergence Review Committee's payments ranged between \$237,600 and \$316,800 (GST inclusive).

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**Question No: 196**

**Program No. 1.2**

**Hansard Ref: Page 51 (24/05/2012)**

**Topic: Media Inquiry**

**Senator MacDonald asked:**

**Senator IAN MACDONALD:** How many days did he work?

**Senator Conroy:** And on an hourly rate we got him cheap.

**Senator IAN MACDONALD:** How many days did he—

**Senator Conroy:** I would have to take that on notice. The information is available and I am happy for it to be made available, but I could not tell you off the top of my head.

**Answer:**

The Minister answered this question on the day – 70 days. See Hansard Reference Page 51.



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**Question No: 197**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: NBN Community Hubs**

**Senator Birmingham asked:**

How many people have used the services of these hubs? How many people have taken up a NBN service as the result of visiting a hub? How many further hubs are planned? At what cost?

**Answer:**

Digital Hub services have commenced progressively in seven communities from February through to May 2012. Based upon initial information provided by the Digital Hubs, there have been a total of 864 unique training participants to 31 May 2012.

Data is not available to identify how many people have taken up an NBN service as a result of visiting a Digital Hub.

There will be 33 more Digital Hubs established under the program.

The total of grant funding available for the Digital Hubs program is \$13.6 million over 3 years from 2011-12.

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**Question No: 198**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Internet Filtering**

**Senator Birmingham asked:**

- a. Following the release of the Australian Law Reform Commission's report Classification – Content Regulation and Convergent Media, what progress has been made on progressing the mandatory internet filter?
- b. How does the Government intend to progress this policy? What is the current timeline for implementation?

**Answer:**

- a. The Government is currently considering the recommendations of the Australian Law Reform Commission (ALRC) report and related classification recommendations in the Convergence Review report. The ALRC report recommended reforms to the 'Refused Classification' category, which if adopted would see a renaming and narrowing of the category to 'prohibited'.

There have been important developments since the ALRC commenced its review of the National Classification Scheme. Since July 2011 three ISPs – Telstra, Optus and CyberOne have been voluntarily blocking a list of child abuse material managed by Interpol under an arrangement with the Australian Federal Police.

The Interpol 'worst of' list is comprised of domain names which contain the most severe child sexual abuse material based on referrals from law enforcement agencies from around the world. Significantly, blocking of the Interpol list has had no noticeable impact on speeds.

It is encouraging to have two of Australia's largest ISPs now doing the right thing in co-operating with law enforcement and blocking this material. The AFP is discussing participation with other ISPs.

The Government encourages all ISPs to follow suit and voluntarily block the Interpol 'worst of' list. If industry is unwilling to step up to this, the Government will have to consider further action.

- b. See answer to (a) above.

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**Question No: 199**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Spectrum Sale**

**Senator Birmingham asked:**

- a. What progress is being made progressing the sale of spectrum known as the ‘digital dividend’?
- b. What price and budgetary assumptions have been made in relation to this sale?
- c. Are revenue predictions for the renewal of existing spectrum and for the 4G spectrum?
- d. How do these revenue projections compare to spectrum sales internationally?

**Answer:**

- a. On 19 June 2012 the Minister for Broadband, Communications and the Digital Economy announced that the combined auction of spectrum in the 700MHz and 2.5GHz bands (the ‘digital dividend auction’) will be held in April 2013. As the agency responsible for conducting the auction, the Australian Communications and Media Authority (ACMA) has published an indicative timetable for the auction available at <http://engage.acma.gov.au/digitaldividend/wp-content/uploads/2012/06/Auction-application-and-registration.pdf>

A number of digital TV services will need to be moved to new channels (or restacked) before the 700 MHz digital dividend spectrum can be made available to successful bidders. The Government committed \$143.2 million in the 2012-13 Budget to ensure that the spectrum is released in a timely fashion with minimal disruption for viewers.

The Government has appointed Broadcast Australia to develop an indicative nationwide restack timetable, in consultation with industry and the ACMA, by July 2012 with a more detailed timetable to be delivered in November. The ACMA is working towards completing Television Licence Area Plans, the legislative instruments giving effect to restack, consistent with these dates by the end of 2012.

The Government expects that restack will be completed by 31 December 2014.

Further information on progress towards the digital dividend auction is available on the ACMA ‘Engage’ website at <http://engage.acma.gov.au/digitaldividend/>

- b. to d. The digital dividend auction will be held in the 2012-13 financial year, and will contribute its revenues towards Budget outcomes. However the exact quantum will be a matter for bidders and determined through the auction process.

Questions relating to revenue projections in the context of the Budget should be directed to the Department of Finance and Deregulation.

In relation to the renewal of existing spectrum, a valuation of the spectrum was undertaken by independent experts based on recent international auction results and the unique characteristics of the Australian mobile market, including level of competition, deployment of technologies and projected growth.

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**Question No: 200**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Reviews**

**Senator Birmingham asked:**

- a. When will the Government respond to the Finkelstein Review?
- b. When will the Government respond to the Convergence Review?
- c. Will the Government respond to the Finkelstein and Convergence Reviews at the same time or separately?
- d. Are there any recommendations of the Finkelstein Review that the Government rules out implementing?
- e. Are there any recommendations of the Convergence Review that the Government rules out implementing?

**Answer:**

a – e. The Government is currently considering the findings of the Convergence Review and the Independent Inquiry into the Media and Media Regulation, and will respond to these reports in due course.

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**Question No: 201**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Online Safety**

**Senator Williams asked:**

Is the government committed to exploring new ideas and technologies to protect children and young people in the online environment?

**Answer:**

The Government continues to work with the Consultative Working Group on Cybersafety, the Youth Advisory Group, and the Teachers and Parents Group on approaches to protect children online.

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**Question No: 202**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Online Safety**

**Senator Williams asked:**

Is the government actively trialling and testing new systems and technologies for security online?

**Answer:**

Private sector vendors are continually trialling and testing new systems and technologies for security online.

The Government's role is to raise community awareness of the importance of being safe and secure online. This is done via a variety of methods including development of online resources that are continually reviewed, updated and enhanced to take account of changing technologies and communities' needs. The resources include:

- The Stay Smart Online website ([www.staysmartonline.gov.au](http://www.staysmartonline.gov.au)) which is the Australian Government's key source of information about cyber security and safety issues. The website is continually updated to better inform the Australian community.
- A free subscriber based Alert service, which provides advice and information on the latest online risks and threats and how to address them. The Alert service has recently been enhanced to provide information through a range of channels (email, RSS, Facebook and Twitter) on a broad range of topics such as software vulnerabilities, data breaches and scams.
- The Cybersafety Help Button ([www.dbcde.gov.au/helpbutton](http://www.dbcde.gov.au/helpbutton)) is a free online resource which provides internet users, particularly children and young people, with easy 24 hour access to cybersafety advice and information;
- A free interactive educational package, called Budd:e, for primary and secondary school students to help students adopts safe and secure online practices;
- The Easy Guide to Socialising Online is a new tool, available online and as a print publication, which provides practical information to support users to safely use social networking and other sites.
- Social media tools such as Facebook pages and a blog have been developed to better engage with the Australian community on cybersafety and cybersecurity.

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**Question No: 203**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Online Safety**

**Senator Williams asked:**

Is the government aware that a program has been developed that allows children and young people to chat online but in a completely safe environment?

**Answer:**

The Government is aware that technologies and services aimed at providing a safer environment for children and young people to engage online continue to evolve.

New products and services to protect children online continue to be developed by many private sector companies and are being taken up by parents and carers.



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**Question No: 204**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Online Safety**

**Senator Williams asked:**

If an Australian inventor has developed a system where children could use the same online instant messaging systems as adults in a safe environment, where agency would be best to approach to assist this person in further development and commercialisation of the program?

**Answer:**

The most relevant agency to consider any request for assistance in the development or commercialisation of a product is the Department of Industry, Innovation, Science, Research and Tertiary Education.

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**Question No: 205**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Interactive Gambling Act**

**Senator Xenophon asked:**

I refer to the 2011 review of the Interactive Gambling Act – interim report.

- a. Why was the decision made to enable social media services, mobile content providers, console providers and online game developers to self-monitor the impact of their user policies regarding the provision of online gambling services, as per Recommendation 29?
- b. What representations, if any, did the Department receive from social media services, mobile content providers, console providers and online game developers prior to making this recommendation?

**Answer:**

- a. The interim report of the review of the Interactive Gambling Act has not yet been considered by Government and hence no decisions on its Recommendations have been made.
- b. The issues discussed in chapter 9 of the interim report of the Review of the Interactive Gambling Act 2001, were subject to extensive consultation with members of the Consultative Working Group on Cybersafety whose membership comprises industry, community groups and key government agencies. Members include Facebook, Google, Microsoft, Telstra, the Interactive Games and Entertainment Association, and the Internet Industry Association.

The Youth Advisory Group on Cybersafety has also been consulted with respect to online gambling issues and continues to be engaged in this matter.

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**Question No: 206**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: QoN Additional Estimates**

**Senator Xenophon asked:**

I refer to the responses to my Questions on Notice from February 2012. The response stated a number of television networks breached their licensing conditions by advertising interactive gambling services:

- a. How many television networks breached the licensing conditions?
- b. How many separate breaches were there?
- c. Given there were breaches, why was there no prosecution by the AFP and no fines issued?

**Answer:**

- a. On 11 November 2010 the Australian Communications and Media Authority (the ACMA) found a number of Nine Network and Ten Networks' licensees broadcast interactive gambling service advertisements in Australia, and as a consequence, breached the condition of their commercial television licences set out at sub-section 61 FD(1) of the Interactive Gambling Act 2001 (the IGA).
- b. There were separate breaches by the Nine Network (for six licensees) and the Ten Network (for five licensees).
- c. In response to the breaches, both networks agreed to measures to increase awareness of the IGA (including staff training and education) and provided periodic reports of this training to the ACMA. In accordance with the ACMA's graduated approach to compliance and enforcement, the ACMA took into account that these were the first investigations about broadcast of prohibited advertisements under the IGA.

The potential breaches were also considered under the criminal offence provisions of section 61 DA of the IGA and referred to the AFP for further investigation. The AFP did not proceed with an investigation into these matters. Further queries regarding the assessment of these complaints should be directed to the AFP.

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**Question No: 207**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Joint Select Committee on Cybersafety: Interim Report High Wire Act**

**Senator McKenzie asked:**

Can the department please detail any actions taken further to consultation with the Consultative Working Group (CWG) and Youth Advisory Group (YAG) on Cybersafety, in relation to recommendation 27?

**Answer:**

The Consultative Working Group on Cybersafety (CWG) has considered a range of possible actions for the promotion of cybersafety resources, including community service announcements on commercial television, additional measures to promote the Cybersafety Help Button, having the Help Button pre-loaded on devices at the point-of-sale and having promotional material available at the point-of-sale of smartphones and computers. CWG continues to consider possible actions in this area.

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**Question No: 208**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Joint Select Committee on Cybersafety: Interim Report High Wire Act**

**Senator McKenzie asked:**

In the current financial year, how much money has been allocated and expended on targeted media campaigns with a cybersafety message? Allocation for 2012-13?

**Answer:**

No money has been allocated or expended on targeted media campaigns with a cybersafety message in the current financial year. None has been allocated for the 2012-13 financial year at this time.

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**Question No: 209**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Joint Select Committee on Cybersafety: Interim Report High Wire Act**

**Senator McKenzie asked:**

How many police officers in each state/territory have under taken cybersafety training as a result of recommendation 21? What were the costs of developing and delivering this training and what percentage of this was borne federally?

**Answer:**

This issue falls within the portfolio of the Attorney-General and should be referred to the Attorney-General's Department.

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**Question No: 210**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Joint Select Committee on Cybersafety: Interim Report High Wire Act**

**Senator McKenzie asked:**

As per recommendation 23 – that the Attorney General, in conjunction with the National Working Group on Cybercrime undertake a review of legislation in Australian jurisdictions relating to cybersafety crimes - has a review commenced and what is the due date for reporting?

**Answer:**

This issue falls within the portfolio of the Attorney-General and should be referred to the Attorney-General's Department.

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**Question No: 211**

**Program No. 1.2**

**Hansard Ref: In Writing**

**Topic: Joint Select Committee on Cybersafety: Interim Report High Wire Act**

**Senator McKenzie asked:**

In response to recommendation 25 – that the consultative working group on cybersafety investigate possible improvements to the information provided to parents at the point of sale of computers and mobile phones - the Dept advised that the Australian Mobile Telecommunications Association (AMTA) agreed to investigate the possibility of pre-loading the cybersafety help button on smartphones via carriers and manufacturers. What action has the department taken to support this investigation and the CWG’s exploration of “other means” of improving provision of cybersafety information to parents?

**Answer:**

The Government is pursuing this matter through discussions with the AMTA and the Consultative Working Group on Cybersafety.