

**Senate Standing Committee on Environment and Communications**  
**Answers to Senate Estimates Questions on Notice**  
**Supplementary Budget Estimates Hearings October 2012**  
**Broadband, Communications and the Digital Economy Portfolio**  
**Australian Communications and Media Authority**

**Question No: 209**

**Program No. ACMA**

**Hansard Ref: Page 83**

**Topic: Commercial Radio Licences**

**Senator Williams asked**

**Mr Chapman:** Again, Senator, you are talking about commercial radio, so it is not community.

**Senator WILLIAMS:** No. It is commercial. You know what it is like in the media these days. They have had to rationalise and use satellites out of city stations et cetera, through networks and so on. People come to me complaining that in various areas—not in one particular area—a station was out for hours and there was nothing on, sometimes overnight, all night, because there was no-one around to reset the computer or whatever. That is not a problem? That is acceptable, is it, under your standards?

**Ms McNeill:** I do not think it is a breach of one of the licence conditions in the schedule to the act, but I can double-check that for you.

**Answer:**

There are no legislative or similar obligations on commercial radio broadcasting licensees to broadcast continuously or to notify their listeners of planned maintenance or scheduled outages.

Subsection 8(2) (a) of the *Broadcasting Services Act 1992* specifies that:

‘A commercial radio broadcasting licence will provide a service or services that, when considered together with other broadcasting services available in the licence area of the licence... contributes to the provision of an adequate and comprehensive range of broadcasting services in that licence area’.

Intermittent service outages are unlikely to put a licensee in breach of this obligation.

Licensees are subject to various broadcast content quota obligations. For example, most regional commercial radio broadcasting licensees are subject to ‘local content’ obligations requiring them to broadcast minimum levels of material of local significance between 5.00 am and 8.00 pm on business days. Material of local significance is defined as material that is hosted in, produced in, relates to or has a direct and substantial relationship with a licensee’s licence area.

Intermittent service outages may compromise the ability of a licensee to meet such quota obligations.

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**Question No: 210**

**Program No. ACMA**

**Hansard Ref: Page 86**

**Topic: Cybersafety**

**Senator McKenzie asked:**

**Ms McNeill:** It is. We do not have precise statistics, but it is a very successful way of having that material removed. On the subject of other material which is not child sexual abuse material, it is different. It depends on the nature of the material. If it is illegal, it is referred to law enforcement authorities, and so on.

**Senator McKENZIE:** Given our time constraints, would you be able to just take that second part of the question, the non-child-sexual-abuse issues, and maybe flesh that out a bit more in terms of the processes you undergo and in which jurisdictions? That would be fantastic.

**Ms McNeill:** I am happy to do that on notice. Obviously, in the case of all that material, where we cannot have it taken down, it is referred to the family-friendly filters for end users, if families do not want to have access to that kind of material. What are the ACMA's processes for dealing with non-child sexual abuse material that is hosted outside Australia?

**Answer:**

Under Schedule 5 of the *Broadcasting Services Act 1992* and industry codes of practice, where the ACMA locates prohibited or potential prohibited online content that is found to be hosted outside Australia, the ACMA must notify the URL that provides access to the content to Internet Industry Association (IIA) accredited vendors of optional end-user (PC-based) Family Friendly Filter products.

In addition, if the content is sufficiently serious in nature, the ACMA notifies the content to the Australian Federal Police (AFP) – unless the content is child sexual abuse material hosted in a country with International Association of Internet Hotlines (INHOPE) membership, in which case the content is referred to the hotline in that country.

Content of a sufficiently serious nature is defined under a Memorandum of Understanding between the AFP and the ACMA, and includes potentially illegal content such as online child sexual abuse material, content that incites, instructs or promotes in a matter of crime or violence, or material that advocates the doing of a terrorist act.

During 2011/12, the ACMA investigated 2,004 items of overseas-hosted prohibited and potential prohibited content that were notified to IIA accredited filter vendors, of which 1,127 items of content were also deemed to be of a sufficiently serious nature and notified to the AFP and/or the relevant INHOPE member in the host country.

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**Question No: 211**

**Program No. ACMA**

**Hansard Ref: Page 88**

**Topic: Alan Jones program**

**Senator Cameron asked:**

Could you take on notice to advise me why the Alan Jones program is defined as news and current affairs?

**Answer:**

A 'current affairs program' is defined in both the *Commercial Radio Codes of Practice and Guidelines 2011* (the Commercial Radio Code) and the *Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2012* (the Standard).  
as follows:

**current affairs program** means a program a substantial purpose of which is to provide interviews, analysis, commentary or discussion, including open-line discussion with listeners, about current social, economic or political issues.

A substantial proportion of *The Alan Jones Breakfast Show* includes interviews, analysis, commentary or discussion (including open-line discussion or talkback) on current social, economic and political issues.

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**Question No: 212**

**Program No.**

**Hansard Ref: Page 88**

**Topic: Code**

**Senator Cameron asked:**

To be honest, I do not think there is anything in splendid isolation about the behaviour of some of these so-called radio broadcasters. Can you also take on notice then why the code would apply to entertainment programs, you said, but not to current affairs programs? Why is it appropriate that people not be treated badly in an entertainment program? Why may they not be demeaned or exploited on an entertainment program but may be subjected to that on a current affairs program? Can you explain that to me.

**Answer:**

Live hosted entertainment programs and current affairs programs are treated differently in the *Commercial Radio Australia Codes of Practice and Guidelines 2011* (the Code). While the Code is industry-developed, the ACMA is of the understanding that this difference of treatment in the Code reflects the different risks posed by different program genres.

Code 9 (Live Hosted Entertainment Programs) of the *Commercial Radio Australia Codes of Practice and Guidelines 2011* (the Code) was introduced into the Code in September 2011.

In essence, it prohibits the broadcast by commercial radio licensees of programs which treat participants in live hosted entertainment programs in a highly demeaning or highly exploitative manner or which treat children participating in live hosted entertainment programs in a demeaning or exploitative manner.

‘Demeaning’ is defined as ‘A depiction or description, sexual in nature, which is a serious debasement of the participant’.

‘Exploitative’ is defined as ‘Clearly appearing to purposefully debase or abuse the participant for the enjoyment of others, and lacking moral, artistic or other values’.

News and current affairs programs are expressly excluded from the definition of ‘Live hosted entertainment program’.

Code 9 was developed by the commercial radio industry and registered by the ACMA following an ACMA investigation into whether (then current) industry practice and regulatory arrangements provided adequate protections for participants in live hosted commercial radio programs (the Investigation). In its investigation, the ACMA found that there was community concern that people (especially minors) participating in live hosted programs were vulnerable to exploitation.

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The Code 9 protections respond to that concern and are adapted to the risks posed by the live hosted entertainment genre.

Code 2 applies only to news and current affairs programs. It contains protections for participants adapted to the risks posed by the genre – for example, protection against misrepresentation of viewpoints (clause 2.3(c)) and invasions of privacy protections (clause 2.3(d)).

Other, more general protections, apply across all program genres. For example, in Code 6, clause 6.1(a) prohibits the broadcast of the words of an identifiable person unless that person has been informed in advance of the broadcast, or a reasonable person would be aware that the words may be broadcast.

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**Question No: 213**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Digital Dividend Spectrum Reallocation**

**Senator Birmingham asked:**

1. Please provide an update on the process of allocating spectrum resulting from the digital TV switchover.
2. Has the ACMA finalised the allocation instruments and associated 'Applicant Information package'? What does this consist of?
3. What risks has the ACMA identified to meeting the April 2013 auction?

**Answer:**

1. The ACMA is on track to hold the digital dividend auction in April 2013. The auction will reallocate parts of the 700 MHz and 2.5 GHz bands as spectrum licences. These bands, which are currently in use, are being replanned to enable the spectrum to move to its highest value use. The digital dividend auction will be carried out using the process for reallocating encumbered spectrum set out in Part 3.6 of the *Radiocommunications Act 1992* (the Act).

The auction process formally commenced on 3 January 2013, when the ACMA advertised the auction and called for applications from prospective bidders. Applications close on 24 January 2013. The auction is scheduled to commence on 16 April 2013

A timeline for key steps in the auction process can be found on the ACMA's Engage website at <http://engage.acma.gov.au/digitaldividend/timetable-for-an-april-2013-auction/>.

2. The ACMA has finalised the 'allocation instruments' for the auction. The instruments consist of:
  - an allocation determination, made under section 60 of the Act, that sets the rules and procedures that apply to the auction
  - two marketing plans (one for each band), made under section 39A of the Act, that describe the spectrum products being offered.

Together, these instruments give legal effect to the auction process. The allocation instruments are accompanied by a set of technical instruments, made under section 145 and section 262 of the Act.

The ACMA has conducted ongoing consultation on its preparations for the digital dividend auction, including the development of the allocation instruments. The engagement and

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consultation that the ACMA has undertaken is summarised on the ACMA's Engage website<sup>1</sup>. Feedback from stakeholders was taken into account in finalising the instruments.

The ACMA published the Applicant Information Package (AIP) on 3 January 2013. The AIP provides comprehensive information about the auction process and the spectrum products on offer and includes:

- a plain-English covering document (auction guide)
- a series of attachments, including:
  - the auction instruments—i.e., the allocation instruments, technical instruments, reallocation declarations and competition limit directions
  - forms required to be submitted at various stages of the auction in accordance with the allocation determination
  - documentation of matters determined by the ACMA under the allocation determination prior to publication of the AIP—e.g., the appointment of the auction manager and setting of the application fee.

The AIP gives those people interested in participating in the auction the information they need to decide whether to participate—and, if they choose to participate, how to do so.

The AIP can be found on the ACMA's Engage website at <http://engage.acma.gov.au/digitaldividend/applicant-information-package/>

3. The ACMA is on track to deliver an auction in April 2013. As with any major project involving numerous interdependencies, there are a number of risks that, if they eventuated and were not adequately managed, could have an adverse impact on the timeline or conduct of the auction. This includes resourcing risks, and legislative framework risks (for example, the risk of a required process step not being completed). The ACMA is managing the project through a comprehensive program management framework, which includes a detailed risk-management strategy, budget controls and contingency plans.

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<sup>1</sup> See 'Stakeholder engagement and consultation' at <http://engage.acma.gov.au/digitaldividend/stakeholder-engagement-and-consultation/>

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**Question No: 214**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: 400 MHz waveband**

**Senator Birmingham asked:**

Has the ACMA made a decision on implementing an increase on the apparatus licence taxes? If so, please provide details.

**Answer:**

Yes. The ACMA implemented the first annual increase in apparatus licence taxes in high demand areas of the 400MHz band on 15 August 2012. The tax will increase by 15 per cent per annum to a new price of \$199/kHz which is based on opportunity cost (OC) pricing, unless the ACMA's monitoring determines that no further increases are required. The tax increases will only apply to areas of high demand (that is, Brisbane/Gold Coast, Melbourne/Geelong and Sydney/Wollongong) in the 400 MHz band. The OC price is based on analysis conducted by Plum Consulting.

Over the next four years the ACMA will conduct annual monitoring exercises to assess spectrum congestion and demand in the high density areas of the 400 MHz band before considering whether to continue to increase taxes towards the OC price.

The ACMA has published a response to submissions which sets out further details of the decision. The report is available at [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_410336](http://www.acma.gov.au/WEB/STANDARD/pc=PC_410336).

In addition to the increases discussed above, annual adjustments are made to apparatus licence taxes to account for inflation. Each year, at the start of April, apparatus licence taxes across all bands, including the 400 MHz band, increase by the rate of inflation.



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**Question No: 215**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Press intrusion**

**Senator Birmingham asked:**

1. How is ACMA proceeding with complaints made by the family of Molly Lord against media who intruded on their privacy in the wake of Molly's tragic death?
2. Have any other complaints been made since the privacy guidelines on media coverage of grief and death came into effect?
3. How does the ACMA define 'appropriate regard' when it comes to the feelings of relatives and viewers in such a situation?

**Answer:**

1. The ACMA has received no such complaints.
2. The ACMA's current Privacy Guidelines for Broadcasters were released in December 2011. The guidelines are intended to:
  - increase general awareness of the privacy obligations under the various broadcasting codes and
  - assist broadcasters to better understand their privacy obligations under these codes.They are not specific to 'media coverage of grief and death'.

Since releasing those guidelines, the ACMA has:

- received twelve contacts (including complaints) about compliance with broadcasting code privacy obligations, two of which also involved coverage of grief and death and
- commenced six investigations as a result of complaints about compliance with broadcasting code privacy obligations, one of which also involved coverage of grief and death. That investigation is yet to be finalised.

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3. Section 4 of the *Commercial Television Code of Practice 2010* relevantly provides

‘4.3 In broadcasting news and current affairs programs, licensees:

4.3.3 should have appropriate regard to the feelings of relatives and viewers when including images of dead or seriously wounded people. Images of that kind which may seriously distress or seriously offend a substantial number of viewers should be displayed only when there is an identifiable public interest reason for doing so;’

What amounts to ‘appropriate regard’ in any given case will depend on all the facts and circumstances. However, matters to which the ACMA would have regard in any given case include:

- any prior communications between relatives and the licensee
- the nature of the images broadcast - for example whether graphic images of an occurring accident or the resulting injuries are shown
- the time for which the images are broadcast (that is whether they are shown briefly or for a prolonged period)
- the apparent distance of the camera from the dead or wounded person
- the (objectively assessed) likely reaction of relatives and viewers to the images broadcast
- any public interest identified and the extent to which the images broadcast promote that public interest
- the consideration actually given by the broadcaster to the foregoing matters.

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**Question No: 216**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: ACMA Future Role**

**Senator Birmingham asked:**

What discussions has the ACMA had with the Government following the convergence review regarding its future structure and roles?

**Answer:**

The ACMA is working with the Government to implement reforms addressing the challenges of convergence including the ACMA's work of adapting and updating regulation to prepare for future communications and media services.

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**Question No: 217**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Complaints**

**Senator Birmingham asked:**

1. How many staff are involved in processing complaints against media content? How many hours would have been spent on such complaints in 2011/12? How much is this estimated to have cost 2011/12?
2. How many of the complaints received were upheld for substantive breaches of media content, as against breaches such as those relating to the handling of a complaint?
3. How many complaints has the ACMA received in the last year from one media organisation complaining against another media organisation?
4. Do the ACMA think the response of Media Watch aired on 1 October to your finding against it was in the spirit of the process and the finding?

**Answer:**

1. Approximately 18 ASL are involved in processing complaints against broadcast media content. Accordingly, approximately 32,850 hours would have been spent in this work at an estimated cost of \$2 million.
2. Please refer to the ACMA Annual Report for all broadcasting investigation statistics:  
[http://www.acma.gov.au/WEB/STANDARD..PC/pc=PC\\_600039](http://www.acma.gov.au/WEB/STANDARD..PC/pc=PC_600039)
3. One.
4. The ACMA welcomed Media Watch's on air:
  - acknowledgment of the ACMA's finding; and
  - discussion of the issues raised in the complaint.

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**Question No: 218**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Telecommunications pricing**

**Senator Birmingham asked:**

1. I refer to the ACMA's announcement of 11 July 2012 regarding telecommunications reforms. How has the ACMA determined that changes to how telecommunications companies market and bill customers will save consumers \$1.5billion?
2. What difference can consumers expect?
3. How is the ACMA 'beefing up' its consumer interests section?

**Answer:**

1. \$1.5 billion is the estimated annual cost to customers of the 'wrong contract' problem. The estimate assumes an under-use by Australian consumers of their monthly plan allowances similar to the under-use by UK consumers identified in research conducted by UK price comparison website Bill Monitor.

A copy of the ACMA's regulation impact statement in relation to the Telecommunications Consumer Protection Code C628:2012, explaining the relevant data and assumptions, can be found at <http://ris.finance.gov.au/2012/07/18/tcp-code-ris/>

2. The consumer benefits are outlined on the ACMA's website at <http://engage.acma.gov.au/reconnecting/fair-call-new-telco-code-to-benefit-consumers/>.
3. The Consumer Interests Section has been allocated resources to support an additional 2,025 work hours for the 2012-13 financial year to resource up and more effectively audit and oversee this important telecommunications consumer protection work.

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**Question No: 219**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Investigation**

**Senator Birmingham asked:**

What is the nature of matters currently under investigation? In what instances have matters been upheld?

**Answer:**

Information and statistics regarding the nature and number of matters which the ACMA currently has under investigation are available on the ACMA website at <http://engage.acma.gov.au/acmai/>

Where the ACMA has investigated a matter and found there to have been a breach, the ACMA will generally cause notice of that finding to be published on its web-site. The relevant pages of the web-site include:

- <http://engage.acma.gov.au/acmai/>
- [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_100407](http://www.acma.gov.au/WEB/STANDARD/pc=PC_100407)
- [http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_300384](http://www.acma.gov.au/WEB/STANDARD/pc=PC_300384)

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**Question No: 220**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Al Manar**

**Senator Birmingham asked:**

Is there any capacity for the ACMA to undertake random checks of broadcasts into Australia of satellite services like Al Manar or is the ACMA reliant upon viewers who watch and understand an Arabic broadcast making a complaint?

If not, what is to stop material encouraging terrorism from being broadcast indefinitely, until a complaint is received?

**Answer:**

The ACMA does not have the capacity or resources to randomly check or investigate broadcasts into Australia of satellite services like Al Manar.

In accordance with the framework of the *Broadcasting Services Act 1992* (the BSA), the ACMA monitors compliance with the Subscription/Open Narrowcasting Television Standards (including the anti-terrorism standards) and the Subscription/Open Narrowcast Television Codes by reference to complaints. This is the same approach that is adopted for all broadcasters and datacasters.

It is in the nature of complaints based systems that unlawful material is generally investigated only upon receipt of a complaint.

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**Question No: 221**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Cyber**

**Senator McKenzie asked:**

Could you please advise what progress has been made in relation to the recommendations from the Joint Select Committee on Cyber Safety's High Wire Act?

**Answer:**

An update on progress against recommendations 3, 15, 16, 17, 19, 24, 26, 29 is provided in the table attached.

Other recommendations relate to agencies other than the ACMA.



#	Recommendation	Status
3	That the Minister for Broadband, Communications and the Digital Economy and the Minister for School Education, Early Childhood and Youth work with the Ministerial Council for Education, Early Childhood Development and Youth and the Australian Communications and Media Authority to investigate the feasibility of developing and introducing a cyber-safety student mentoring program in Australian schools.	The ACMA is continuing to investigate the feasibility of a student mentoring program. It is preparing a scoping paper for internal consideration in early 2013. Depending on funding being available, this could be followed by testing of recommended options in selected schools in NSW and Victoria and preparation of a final report. A student mentoring program would complement a module that is being developed for the Cybersmart Professional Development program to help teachers develop student action teams. The new module will be rolled out nationally as part of a refreshed Professional Development for Educators program from Term 1 in 2013.
15	That the Minister for School Education, Early Childhood and Youth and the Minister for Broadband, Communications and the Digital Economy consider extending the Australian Communications and Media Authority's Connect-ED program and other training programs to non-administration staff in Australian schools including school librarians, chaplains and counsellors.	<p>The ACMA's online professional development program, <i>Connect.ed</i>, was designed in consultation with cybersafety experts, teachers and students, to specifically meet the needs of practising teachers. <i>Connect.ed</i> currently consists of four modules that guide teachers in how to integrate an effective cybersafety process and policy into their school.</p> <p>The <i>Connect.ed</i> program model could be expanded to economically deliver a fifth module to address the particular needs and roles of non-administrative staff. Likewise, other Outreach presentations could also be expanded to accommodate the needs of counsellors, librarians and other non-teaching staff through separate, tailored presentations.</p> <p>Expansion of the <i>Connect.ed</i> program is subject to additional funding. The ACMA is considering how to extend <i>Connect.ed</i> to other audiences such as school librarians.</p>
16	That the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and the Minister for Broadband, Communications and the Digital Economy work together to ensure that sufficient funding is available to ensure the Australian Communications and Media Authority can provide the necessary training for professional development of Australian teachers.	<p>The ACMA offers a range of programs to meet the professional development needs of Australian teachers including the Professional Development for Educators face-to-face workshops, online professional development program <i>Connect.ed</i> and internet safety presentations. The programs are available for all teachers across Australia and count towards professional development accreditation.</p> <p>By the end of October 2012, over 70,000 teachers in Australian schools had attended a professional development workshop or internet safety awareness presentation run by the ACMA and more than 1,800 teachers had completed the ACMA's <i>Connect.ed</i> online professional development program.</p>
17	That the Minister for Tertiary Education, Skills, Jobs and Workplace Relations and the Minister for Broadband, Communications and the Digital Economy encourage all Australian universities providing teacher training courses to ensure that cyber-safety material is incorporated in the core units in their curriculums.	The ACMA is already delivering a pre-service teacher training course across Australian universities on Cybersafety. Thirty-six of the forty-five universities with a dedicated faculty or school of education have registered or completed the ACMA's program since it was launched in June 2010 with many engaging in repeat sessions in subsequent years. By the end of October 2012, more than 9,200 pre-service teachers across Australia had participated in the Cybersmart Program for Pre-Service Teachers.
19	That the Minister for School	The ACMA's current <i>Connect.ed</i> program provides teachers with

#	Recommendation	Status
	<p>Education, Early Childhood and Youth and the Minister for Broadband, Communications and the Digital Economy investigate funding a national, online training program for teachers and students that addresses bullying and cyber-bullying, and is validated by national accreditation.</p>	<p>information and guidance on a broad range of cybersafety issues, such as cyberbullying, sexting, privacy, digital reputation, and offers effective strategies and resources to assist in keeping students safe when they go online. <i>Connect.ed</i> is accredited or endorsed by State and Territory Education Departments and counts towards continuing professional development for teachers.</p> <p>Expansion of the <i>Connect.ed</i> program is subject to additional funding. <i>Connect.ed</i> is currently meeting the needs of teachers (including remote and casual teachers) with over 2,500 commencements and more than 1,800 completions of the program by the end of October 2012. The ACMA is exploring other innovative ways to extend the scope of the Outreach program. This includes delivery of presentations using Education Department virtual classrooms. In 2012, the ACMA trialed this delivery method on Safer Internet Day 2012 and the National Day of Action Against Bullying.</p>
24	<p>That the Australian Communications and Media Authority facilitate the development of and promote online self assessment tools to enable young people, parents/carers and teachers to assess their level of awareness and understanding of cyber-safety issues.</p>	<p>The ACMA's Cybersmart program provides a number of self-assessment tools developed for parents, teachers and students. These include the students' technology audit for schools and the "How Cybersmart am I" and "Comic Book Caper" quizzes on Cybersmart kids and teens pages. The ACMA has also developed a new online game for young internet users, which will enable children and parents to work together to improve their awareness of cybersafety risks and measures, and is available in web and mobile versions.</p>
26	<p>That the Minister for Broadband, Communications and the Digital Economy negotiate with mobile phone companies to increase affordable access to crisis help lines, with a view to ensuring greater accessibility by young people seeking assistance.</p>	<p>Telstra is launching the Telstra National Crisis Line Initiative, which will make calls from Telstra mobile services to eligible personal crisis lines with an 1800 number free of charge.</p> <p>The ACMA has noted that industry is responding with initiatives to assist consumers to manage call costs, including several mobile phone plans which include unlimited calls to freephone and local numbers in the monthly charge. Some mobile providers also offer their customers free access to specific critical service numbers.</p> <p>On 18 June 2012, the ACMA published the <i>Response to submissions on freephone and local rate numbers</i> which sets out the feedback received on the ACMA's proposals and outlines other options which arose during the consultation.</p> <p>The ACMA has indicated it intends to undertake public consultation on an amendment to the <i>Telecommunications Numbering Plan 1997</i> that would see the proposals for freephone and local rate numbers that it proposed in October 2011 coming into force with a deferred commencement date of 1 January 2015. Statutory consultation on an amendment to the <i>Telecommunications Numbering Plan 1997</i> is expected to occur later in 2012. However, throughout the process the ACMA has indicated that it remains open to consideration of alternative, market-based solutions to this issue.</p>
29	<p>That the Minister for Broadband, Communications and the Digital Economy facilitate a cooperative approach to ensure all material provided on cyber-safety programs</p>	<p>The ACMA's Cybersmart website is a key source of cybersafety advice and information for teachers, parents, librarians and students of all ages, from kindergarten through to university.</p> <p>As well as its own substantial body of resources, this web portal</p>

#	Recommendation	Status
	<p>is accessible through a central portal, and that a national education campaign be designed and implemented to publicise this portal, especially to young people.</p>	<p>links to other cybersafety program providers such as ThinkUKnow, Stay Smart Online, the Cybersafety Help Button, and state school cybersafety websites and resources. It also links to the Kids Helpline for online counselling advice. The portal has seen large volumes of traffic with more than 2,200,000 visits to date.</p> <p>The ACMA also notes that existing initiatives, particularly the Cybersafety Help Button, address this recommendation.</p>

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**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Cyber**

**Senator McKenzie asked:**

1. What advice have you provided to the Minister about the ability to take action including legal action against social media outlets for carrying defamatory material, illegally using a carriage service to menace, harass or cause offence or hosting material that may be considered illegal?
2. Can action including legal action be taken against social media outlets for defamation, illegally using a carriage service to menace, harass or cause offence or any other illegal act?
3. Are there practical impediments to taking such action?
4. What advice have you provided to the Minister about the impediments if any of pursuing social media outlets which are hosted overseas, for defamation, criminal acts and other breaches of the law? Under what circumstances can these sites, as distinct to the content creators, be pursued under Australian law?

**Answer:**

1. The ACMA has not provided any specific advice to the Minister of this nature.
2. Under Schedules 5 and 7 to the *Broadcasting Services Act 1992*, action can be taken by the ACMA in respect of prohibited or potential prohibited online content. If content posted on a social media site is assessed as prohibited or potential prohibited, the ACMA must take the following action:
  - If prohibited content is hosted in Australia, the ACMA must direct the relevant content host to take down the content. If the content is potential prohibited, the ACMA applies to the Classification Board for formal classification of the content and issues an interim take-down notice to the content host.
  - If prohibited or potential prohibited content is hosted outside Australia, the ACMA notifies the content to providers of industry accredited optional end-user (PC-based) filters, in accordance with industry codes of practice.

Irrespective of where the content is hosted, if it is deemed to be sufficiently serious – that is, potentially illegal – including child sexual abuse material, content that promotes, incites or instructs in matters of crimes or violence, or promotes paedophile activity, or advocates the doing of a terrorist act, the ACMA notifies the content to Australian law enforcement or, if the content is hosted in a country with membership of the International Association of Internet Hotlines (INHOPE), to the INHOPE member hotline in the host country.

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Action can also be taken by the ACMA in respect of carriers and service providers who fail to do their best to prevent telecommunications networks and facilities from being used in the commission of offences against the laws of the Commonwealth or the States and Territories, as required by section 313, Schedule 1 Part 1 and Schedule 2 Part 1 of the *Telecommunications Act 1997* (Cth). Whether the failure amounts to a breach of a licence condition or a breach of a service provider rule, the ACMA may accept an enforceable undertaking, give a formal warning, give a remedial direction or commence Court proceedings seeking injunctions and / or pecuniary penalties.

Otherwise, questions as to the operation of defamation and criminal laws are best directed to the Attorney General's Department.

3 No.

4 The ACMA has not provided any specific advice to the Minister of this nature.

Otherwise, questions as to the operation of defamation and criminal laws are best directed to the Attorney General's Department.

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**Question No: 223**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Cyber**

**Senator McKenzie asked:**

1. What is the ACMA's understanding of the answer to the following question: If content on social media sites is defamatory or in breach of the law, who is liable? The social media outlet, or the individual account holder or both?
2. How many complaints have been received about material relating to the RC or X18+, R18+ and MA15+ categories?
3. If you were to break it down, which category received the most complaints?

**Answer:**

1. Questions as to legal liability and the operation of defamation laws are best directed to the Attorney General's Department.
2. During 2011/12, the ACMA received 5,026 complaints about online content and investigated 2,011 items of prohibited or potential prohibited content that were found to fall, or to be likely to fall, within the following classification categories:
  - **RC**: 1,294 items, of which 1,131 were also deemed to be potentially illegal and notified to law enforcement;
  - **X 18+**: 527 items;
  - **R 18+** (not subject to a restricted access system): 190 items; and
  - **MA 15+** (commercially provided audiovisual material, not subject to a restricted access system): 0 items.

The ACMA is unable to provide statistical information about the number of complaints received about each classification category, as this data is not collected.

3. The ACMA does not collect information from complainants about the classification category into which they believe the content complained of falls.

However, during 2011/12, complainants most commonly indicated that content complained of contained :

- child sexual abuse / child abuse material' (approximately 46% of all complaints received) or
- 'sexually explicit material' (approximately 31% of all complaints received).

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**Question No: 224**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Local Content**

**Senator McKenzie asked:**

1. Why was the BSA amended to reduce the operation of the local content obligation from 52 weeks to 47 weeks per year?
2. Has ACMA received feedback that regional radio stations are struggling to meet content requirements?
3. The Television Licence Area Plans will come into effect after the end of simulcast, will these plans have any impact on the broadcast of regional television content?
4. How many temporary community broadcasting licences were given to applicants in regional Victoria?

**Answer:**

1. This is not a question for the ACMA. It is a matter of policy and legislative change and should be directed to the Department of Broadband, Communications and the Digital Economy.
2. The ACMA has not received feedback that licensees are experiencing difficulties meeting their local content obligations.
3. No. Television licence area plans specify and allot television channels to commercial, national, community or other television broadcasting services and determine the transmission characteristics of the television services that use the allotted channels. Television licence area plans do not regulate the content of broadcasting services.
4. In 2011-12, the ACMA allocated six temporary community broadcasting licences to applicants in regional Victoria.

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**Question No: 225**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Cybersafety**

**Senator McKenzie asked:**

1. Recent consultation around ACMA's Cybersmart Outreach program indicated strong endorsement. How many people were initially surveyed and how many have since been surveyed?
2. Has there been a review of how long resources have been in circulation?
3. Has there been any dialogue with state education departments about cybersafety and the implementation of such programs? If so, what has their feedback been about the effectiveness of the programs?
4. Has there been any dialogue with the legal profession about the implementation of such programs? If so, what has been the feedback so far?

**Answer:**

1. The Cybersmart Outreach program was launched in 2009 and has been delivered to over 645,000 participants. The program offers a number of key services to schools, most importantly the Professional Development (PD) for Educators program and the Internet Safety Awareness Presentations (ISAPs) for students, teachers and parents/carers. A Pre-Service Teacher (PST) training program is also available to universities. Each participant in an Outreach workshop or presentation is invited to provide feedback on its content and delivery. Cybersmart Outreach workshops and presentations are consistently in high demand, and 99.5% of participants have rated the program as 'very good' or 'excellent'.

In 2010 the ACMA commissioned the Griffith Institute for Educational Research (GIER) to undertake an external evaluation of the Cybersmart Outreach program. In particular, the PD workshops and ISAP presentations were examined to determine how effective they had been in promoting positive behavioural change in relation to cybersafety.

The research design utilised a mixed methodology. For the ISAPs, qualitative data was collected through case study visits to ten participating schools in March and April 2010 and included focus group discussions with participants (students, teachers, and parents/carers). The participating schools were a cross-section of primary and secondary schools, in regional and metropolitan areas from five States, and across Government and Catholic sectors. Information was also gathered via:



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- school-developed cybersafety and anti-bullying materials
- responses that parents provided to the school about the ISAP and school cybersafety initiatives
- follow-up phone interviews with participants
- free text data from pilot quantitative surveys.

For the PD program, teachers who attended workshops during the survey period were invited to participate via an online survey. A total of 66 teachers undertook the surveys onsite at the conclusion of the PD workshop, with 60 completing them in full.

2. The Cybersmart Outreach program was launched in January 2009. The ACMA receives continual feedback on the relevance and usefulness of the Outreach programs from the participants at presentations and also via independent evaluation processes.

All Cybersmart resources are subject to continual review, to ensure that they reflect the current environment. This review can take form of informal feedback from users through to formal evaluation of resources such as those undertaken for Cybersmart Detectives and the Cybersmart Outreach program. Resource updates also reflect the findings of research such as ACMA's 2009 study 'Click and Connect: Young Australians use of social media', and the follow up study conducted in 2011-2012 (yet to be published).

Outreach workshops and presentations are regularly updated to reflect developments in technology and emerging issues. Updates occur on an annual basis at a minimum. The PD program has recently undergone a total revision to ensure content is cutting edge and also to give schools the flexibility to tailor training to best fit their specific needs. The revised PD program is currently being piloted and will be rolled out nationally from Term 1 in 2013.

3. The ACMA works closely with State and Territory education departments across Australia. This included direct consultation during the early stages of the Outreach program's development. Work is underway with some states to explore broadening the reach of the program by utilising virtual classrooms to deliver Outreach presentations.

The ACMA's Cybersmart Outreach program is recognised by each State and Territory teacher registration body as a provider of professional development training. All State education departments feature the Cybersmart program, including the Outreach program, on their websites.

The effectiveness of the Cybersmart Outreach program was gauged as part of an independent evaluation conducted in 2010. Teachers reported that they had learned significant new information as a result of attending a presentation. Students reported being more careful and attentive on the internet and taking a number of self-protective actions on the basis of the information received. Some teachers reported that they had utilised ACMA Cybersmart resources following their attendance at an ISAP or PD workshop, for example by integrating them directly into existing lessons, or their school's pastoral care or anti-bullying programs.

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4. There has been no specific discussion with the legal profession about the implementation of the Cybersmart range of programs. However, the ACMA has provided cybersafety information and education to various members of the legal profession and law enforcement agencies. Staff of the Industrial Relations Court have attended ISAPs and police officers and law enforcement staff have completed the PD workshops. Cybersmart Trainers have participated in a range of Principal Forums that are organised by police for their local school communities. Cybersmart Outreach staff have also presented at a number of conferences attended by members of the legal profession. While no specific comments have been collated from members of the legal profession, informal feedback has been positive.

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**Question No: 226**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: ACMA licensing regulation**

**Senator Williams asked:**

1. In some regional radio stations throughout Australia, there is no on-site management nor technical staff, and there are instances where there is a break in programs being relayed from larger capital stations. Because there is no oversight at a local level, stations are often off-air for considerable time. Is this a breach of any ACMA licencing regulation?
2. If a complainant raised this matter with ACMA, what would be your response?

If it is not a breach of any ACMA regulation, which body has regulatory oversight of this area?

**Answer:**

1. Some regional commercial radio broadcasting licences which have been subject to a trigger event (change in control) are subject to a condition that requires the level of local presence which existed before the trigger event occurred to be maintained. 'Local presence' refers to average monthly staffing levels and local production facilities and studios.

Otherwise, please see the response to Question on Notice 209.

2. The precise terms of the ACMA's response would depend on the facts and circumstances of the inquiry or complaint and the nature of the broadcasting service about which concern had been expressed. However, any response might:
  - a. Explain the regulatory position and requirements referred to in response to Question on Notice 209
  - b. Explain of the 'local presence' requirements referred to at part 1 of Question on Notice 220
  - c. Advise on the application of these or other requirements in the particular circumstances
  - d. Advise on other avenues through which the complainant's concerns might be pursued.

The ACMA has the 'regulatory the oversight' referred to in the responses to Question on Notice 209 and part 1 of Question on Notice 226.

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**Question No: 227**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Staffing**

**Senator Birmingham asked:**

1. How many ongoing staff have been recruited this financial year to date and what classification are these staff?
2. How many non-ongoing positions exist or have been created this financial year to date and what classification are these staff?
3. This financial year to date, how many employees have been employed on contract and what is the average length of their employment period?
4. How many ongoing staff left the department/agency in the year 2011-12 and what classification were these staff?
5. How many non-ongoing staff left the department/agency in the year 2011-12 and what classification were these staff?
6. How many contract staff left the department/agency in the year 2011-12 and what classification were these staff?
7. How many ongoing staff were recruited in the year 2011-12 and what classification were these staff?
8. How many non-ongoing staff were recruited in the year 2011-12 and what classification were these staff?
9. How many contract staff were recruited in the year 2011-12 and what classification were these staff? What is the average length of their employment period?
10. Are there any plans for staff reduction? If so, please provide details including if there is a reduction target, how this will be achieved, and if any services/programs will be cut.
11. If there are plans for staff reductions, please give the reason why these are happening

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**Answer:**

1. There were three ongoing staff recruited in the financial year to 30 September 2012. Their classifications were:

Classification	No. of staff
APS4	1
APS5	-
APS6	-
EL1	-
EL2	2

2. 11 non-ongoing positions were created in the financial year to 30 September 2012 with 53 non-ongoing positions existing at 30 September 2012. Their classifications were:

Classification	No. of non-ongoing positions created 1/7/12 – 30/9/12	No. of non-ongoing positions @ 30/9/12
APS1	-	-
APS2	-	3
APS3	1	1
APS4	1	6
APS5	-	7
APS6	3	17
EL1	5	12
EL2	-	5
SES1	1	2
SES2	-	-

3. The ACMA had 28 employees on contract in the financial year to 30 September 2012. The average length of their non-ongoing contracts was 6 months.
4. 88 ongoing staff left the agency in 2011-12. Their classifications were:

Classification	No. of staff
APS4	2
APS5	12
APS6	26
EL1	35
EL2	11
SES1	1
SES2	1

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5. 24 non-ongoing staff left the agency in 2011-12. Their classifications were:

Classification	No. of staff
APS1	2
APS2	2
APS4	2
APS5	10
APS6	1
EL1	4
EL2	3
SES1	-
SES2	-

6. 51 contract staff left the agency in 2011/12. Classifications for ACMA contractors generally range from APS3 to Executive Level1.

7. There were 30 ongoing staff recruited in the year 2011-12. Their classifications were:

Classification	No. of staff
APS4	2
APS5	2
APS6	12
EL1	14
EL2	-

8. There were 42 non-ongoing staff recruited in the year 2011-12. Their classifications were:

Classification	No. of staff
APS1	3
APS2	1
APS4	4
APS5	8
APS6	15
EL1	8
EL2	3

9. The ACMA employed 64 contract staff in the year 2011-12 ranging from ACMA3 to EL1. The average length of contracts was 4.4 months.

10. The ACMA will be reducing staff numbers in alignment with the reduction in new policy proposal funding as highlighted in the Portfolio Budget Statements. Reductions will be achieved from the cessation of non-ongoing employee contracts and natural attrition relating to the areas experiencing the reduction in new policy funding.

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11. Staff reductions are due to the reduction of new policy proposal funding.

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**Question No: 228**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Forward Estimates Efficiencies**

**Senator Birmingham asked:**

1. Please detail how the department/agency will achieve savings over the forward estimates through pursuing further efficiencies in the way the public service operates (with reference to the media release issued by the Minister for Finance and Deregulation and the Special Minister of State on 25 September 2012:  
[http://www.financeminister.gov.au/media/2012/mr\\_1982012.html](http://www.financeminister.gov.au/media/2012/mr_1982012.html)).

In addition, please provide the following detail:

2. How will reductions in air travel spending be achieved? What is the estimated savings for each year over the forward estimates?
3. What restrictions will be implemented for business flights? What are the estimated savings for each year over the forward estimates?
4. How will the use of external consultants and contractors be reduced? How will this impact on the department/agency? What are the estimated savings for each year over the forward estimates?
5. How will printing costs be reduced? Please explain if and how the department/agency will reduce its printing costs by five per cent or, if it will not, why not? How will it be determined what documents will no longer be printed? What are the estimated savings for each year over the forward estimates?

**Answer:**

1. By achieving efficiencies through reduced travel, consultants, contractors, advertising and printing costs, technology improvements and prioritising ACMA's activities.
2. By reviewing and prioritising travel requirements and greater utilisation of video conferencing facilities. The estimated savings cannot be quantified at this stage.
3. Reviewing requirements for business class flights. The estimated savings cannot be quantified at this stage.



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4. By prioritising the use of contractors and consultants across ACMA's activities. The impact will be offset by the greater utilisation of employee expertise. The estimated savings cannot be quantified at this stage.
  
5. Printing costs will reduce as a result of the development of the ACMA's digital publishing initiatives which includes a number of publications being made available on-line and increasing the use of online video and other rich media products. The estimated savings cannot be quantified at this stage.

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**Question No: 229**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Recruitment Advertising**

**Senator Birmingham asked:**

1. How will the department/agency manage moving recruitment advertising online? Will all future recruitment advertisement be online only? If not, please explain why. What are the estimated savings for each year over the forward estimates?
2. How much was spent on recruitment advertising in 2011-12? How much of this was spent online and how much of this was spent on print advertising?
3. Please list where recruitment advertising was listed online and in print media?
4. How much has been spent on recruitment advertising this financial year to date? How much of this was spent online and how much of this was spent on print advertising?
5. Please list where recruitment advertising was placed online and in print media

**Answer:**

1. Currently, all recruitment advertising is conducted online and will remain online only. The estimated savings per year is approximately \$22,000.
2. A total of \$32, 677.60 was spent on recruitment advertising in 2011-12. \$8,838.01 of this was spent on online advertising and \$23,839.59 was spent on print advertising.
3. Recruitment advertising online:
  - Job search engines, such as, Seek and My career
  - APS jobsRecruitment advertising print:
  - Canberra Times
  - Australian Financial Review
  - The Australian
  - Sydney Morning Herald
  - Melbourne Age
4. Nil
5. Nil

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**Question No: 230**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Printing Costs**

**Senator Birmingham asked:**

1. How much was spent on printing 2011-12? Of this amount, how much was for printing documents?
2. How many documents (please include the amount of copies) were printed in 2011-12? How many of these printed documents were also published online?
3. Of the documents that were printed in 2011-12, where were they delivered and what was the cost?
4. How much has been spent on printing this financial year to date? Of this amount, how much was for printing documents?
5. How many documents (include the amount of copies) have been printed this financial year to date? How many of these printed documents were also published online?

**Answer:**

1. \$0.528m.
2. To attempt to provide itemised details would involve an unreasonable diversion of agency resources.
3. To attempt to provide itemised details would involve an unreasonable diversion of agency resources.
4. \$0.036m.
5. To attempt to provide itemised details would involve an unreasonable diversion of agency resources.

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**Question No: 231**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Graduate Recruitment**

**Senator Birmingham asked:**

1. How much has been spent on 2013 graduate recruitment? Please itemise and detail costs.
2. Has any travel been incurred for 2013 graduate recruitment? Please itemise and detail costs

**Answer:**

1. Nil
2. No

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**Question No: 232**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Graduate Training**

**Senator Birmingham asked:**

1. How much is estimated to be spent on 2013 graduate training? Please provide details of what training is to be provided, why and the estimated cost for each.

**Answer:**

1. Nil

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**Question No: 233**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Government Advertising**

**Senator Birmingham asked:**

1. What was the total cost of all advertising for the financial year to date?
2. Is the advertising campaign or non-campaign advertising? Provide details of each advertising, including the program the advertising was for, the total spend and the business that provided the advertising services.
3. Has the Department of Finance and Deregulation provided any advice about the advertising? Please provide details of each advertising item.
4. Has the Peer Review Group (PRG) and/or Independent Communications Committee (ICC) provided any advice about the advertising? Please provide details of each advertising item.
5. Did the advertising comply with the Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies? Please provide the details for each advertising item.
6. Please provide details for any other communications program, including details of the program, the total spend and the business that provided the communication services.
7. What advertising – Campaign and Non-Campaign – and other communications programs is the department/agency undertaking and/or planning to undertake?

**Answer:**

1 and 2.

		<b>Campaign</b>	<b>Non-Campaign</b>
AGS	Gazette and Public notices		\$0.004m
Adcorp	Public notices and general advertising		\$0.019m
Other			\$0.002m
			\$0.025m
			\$0.025m

3. No.

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4. No.
5. Not applicable.
6. Nil.
7. Gazette, public notices, and general advertising.

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**Question No: 234**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Government Advertising**

**Senator Birmingham asked:**

1. What was the total cost of all advertising for 2011-12?
2. Is the advertising campaign or non-campaign advertising? Please provide details of each advertising, including the program the advertising was for, the total spend and the business that provided the advertising services.
3. Has the Department of Finance and Deregulation provided any advice about the advertising? Please provide details of each advertising item.
4. Has the Peer Review Group (PRG) and/or Independent Communications Committee (ICC) provided any advice about the advertising? Please provide details of each advertising item.
5. Did the advertising comply with the Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies? Please provide the details for each advertising item.
6. Please provide details for any other communications program, including details of the program, the total spend and the business that provided the communication services, that was undertaken in 2011-2012.

**Answer:**

1. \$0.324m
2. All advertising was non-campaign. Please refer to the ACMA annual report page 237 for further details.
3. No.
4. No.
5. Not applicable.
6. Nil.



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**Question No: 235**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Hospitality and Entertainment**

**Senator Birmingham asked:**

1. What is the department/agency's hospitality spend for this financial year to date? Please detail date, location, purpose and cost of all events. What is the department/agency's entertainment spend for this financial year to date? Please detail date, location, purpose and cost of all events.
2. What hospitality spend is the department/agency planning? Please detail date, location, purpose and cost of all events.
3. What entertainment spend is the department/agency planning? Please detail date, location, purpose and cost of all events.
4. Is the department/agency planning on reducing any of its spending on these items? If so, how will reductions be achieved and what are the estimated savings over each year of the forward estimates?

**Answer:**

1. Hospitality spend year to date is \$0.004m. Please refer to table 1 below for details.  
Entertainment spend is Nil.

**Table 1**

<i>Hospitality from 1 July 2012 to 30 September 2012</i>			
<b>Date</b>	<b>Location</b>	<b>Purpose</b>	<b>Cost</b>
18/07/2012	Canberra	Authority Members Dinner	976
25/07/2012	Sydney	External Audit Committee Members Dinner	602
7/09/2012	Sydney	Stakeholder meeting	1,464
11/10/2012	Sydney	Offsite Authority meeting	863
<b>Total</b>			<b>3,905</b>

2. Estimate is less than \$0.020m. Specific details are unknown at this stage.
3. Estimate is less than \$0.005m. Specific details are unknown at this stage.
4. The ACMA continually reviews all areas of expenditure for savings throughout the year, including hospitality and entertainment.

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**Question No: 236**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Hospitality and Entertainment**

**Senator Birmingham asked:**

1. What is the department/agency's hospitality spend for 2011-12? Please detail date, location, purpose and cost of all events.
2. What is the department/agency's entertainment spend for 2011-12? Please detail date, location, purpose and cost of all events.

**Answer:**

1. \$0.018m. Please refer to table 1 below for details.

**Table 1**

<i>Hospitality from July 2011 to 30 June 2012</i>			
<b>Date</b>	<b>Location</b>	<b>Purpose</b>	<b>Cost</b>
6/07/2011	Sydney	Stakeholder meeting	1,740
7/07/2011	Sydney	Stakeholder meeting	1,300
25/07/2011	Sydney	Stakeholder meeting	1,751
22/08/2011	Sydney	Luncheon for Official Thai Visitor	150
31/08/2011	Melbourne	Cybersmart Access Launch	461
5/09/2011	Sydney	Stakeholder meeting	1,558
29/09/2011	Sydney	Stakeholder meeting	1,974
4/11/2011	Sandy Bay	Cybersmart Networking Launch	1,021
25/11/2011	Sydney	Stakeholder meeting	1,960
23/11/2011	Sydney	Deputy Chair and external stakeholder lunch	100
20/12/2011	Sydney	Stakeholder meeting	1,019
26/01/2012	Adelaide	World Radio Communications Delegates Dinner	843
27/01/2012	Adelaide	World Radio Communications Delegates Dinner	278
1/02/2012	Adelaide	World Radio Communications Delegates Dinner	314
31/05/2012	Canberra	Chairman's Young Spectrum Leaders & World Radio Communications Dinner	2,252
8/06/2012	Melbourne	Stakeholder meeting	319
6/06/2012	Melbourne	NASA Guest - Radio Communications Dinner	307
22/03/2012	Sydney	Stakeholder meeting	236
24/02/2012	Sydney	Stakeholder meeting	158
5/06/2012	Sydney	Stakeholder meeting	135
14/03/2012	Sydney	Stakeholder meeting	130
<b>Total</b>			<b>18,006</b>

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2. \$0.002m. Please refer to table 2 below for details.

**Table 2**

<i>Entertainment from July 2011 to 30 June 2012</i>			
<b>Date</b>	<b>Location</b>	<b>Purpose</b>	<b>Cost</b>
<b>31/07/2011</b>	Sydney	Farewell dinner for part-time Members with external stakeholders	1,771

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**Question No: 237**

**Program No. ACMA**

**Hansard Ref: In writing**

**Topic: Freedom of Information**

**Senator Birmingham asked:**

1. Has the department/agency received any updated advice on how to respond to FOI requests?
2. What is the total cost to the department/agency to process FOI requests for 2011-12?
3. How many FOI requests did the department/agency receive in 2011-12?
4. How many requests were denied and how many were granted?
5. Did the department/agency fail to meet the processing times outlined in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?
6. What is the total cost to the department/agency to process FOI requests for this financial year to date? How many FOI requests has the department/agency received for this financial year to date? How many requests have been denied and how many have been granted? Has the department/agency failed to meet the processing times outlined in the FOI Act for any requests? If so, how many and why? Do any of these requests remain outstanding? If so, how many and why?

**Answer:**

1. No.
2. As reported in the Office of the Information Commissioner's 2011-2012 annual report, the total cost to the ACMA to process FOI requests in 2011-2012 was \$144,475.
3. Between 1 July 2011 and 30 June 2012, the ACMA received 27 valid FOI requests.
4. Of the 27 requests received:
  - 13 resulted in access being granted in full or in part;
  - 9 were withdrawn;
  - 2 were refused; and
  - 3 were ongoing as at 30 June 2012.
5. The Agency met the statutory processing times of all requests in 2011-12.

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6. In response to question 6:

- The ACMA does not have this information readily available, as the data has not been compiled ahead of the regular annual reporting cycle.
- As at 30 September 2012, the ACMA had received three requests during this financial year, including one request for internal review.
- Of these requests, one has been granted in part, one decision was upheld on internal review and one is ongoing.
- The Agency has met the statutory processing times of all requests received since 1 July 2012.
- The ongoing request is still being processed under the FOI Act.

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**Question No: 238**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Consultancies**

**Senator Birmingham asked:**

1. How many consultancies have been undertaken this financial year to date? Please identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (i.e. open tender, direct source, etc). Also include total value for all consultancies.
2. How many consultancies are planned for this calendar year? Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not why not? In each case please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.
3. How many consultancies were undertaken in 2011-12? Please identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (i.e. open tender, direct source, etc). Also include total value for all consultancies.

**Answer:**

1. There have been 16 consultancies undertaken this financial year to date. Please refer to Austender for details.
2. There are no known consultancies planned for the remainder of this calendar year.
3. There were 68 consultancies undertaken in 2011-12. Please refer to Austender for details.

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**Question No: 239**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Media Monitoring**

**Senator Birmingham asked:**

1. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etc provided to the department/agency for this financial year to date?
  - a. Which agency or agencies provided these services?
  - b. What is the estimated budget to provide these services for the year 2012-13?
  - c. What has been spent providing these services this financial year to date?

**Answer:**

1.
  - a. Meltwater News and Media Monitors
  - b. \$0.025m
  - c. \$0.006m

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**Question No: 240**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Media Monitoring**

**Senator Birmingham asked:**

1. What was the actual total cost of media monitoring services, including press clippings, electronic media transcripts etc provided to the department/agency for 2011-12?
  - a. Which agency or agencies provided these services?
  - b. What was the estimated budget to provide these services for the year 2011-12?

**Answer:**

1. \$0.038m
  - a. Media Monitors  
Meltwater News
  - b. \$0.050m



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**Question No: 241**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Media Monitoring**

**Senator Birmingham asked:**

1. Have there been any changes since May 2012 Budget Estimates to department/agency social media or protocols about staff access and usage of YouTube, online social media such as Facebook, MySpace and Twitter and access to online discussion forums and blogs? If yes, please explain and provide copies of any advice that has been issued.
2. Does the department/agency monitor usage of social media?
  - a) If yes, provide details of the usage (for example, details could include average hours per employee, hours when usage peaks)
  - b) If no, will the department/agency monitor usage in the future?
3. Does social media impact on employee productivity? Please provide details (details could include increased internet usage in general or increased internet usage in standard business hours).

**Answer:**

1. No.
2.
  - a) The ACMA has the ability to monitor internet traffic – however this is primarily limited to what sites are being browsed and thus it is impossible to accurately determine the length of time sites are browsed for and hence the hours of usage for employees.
  - b) NA
3. No, in fact the ACMA believes that social media has had a positive impact; for example, allowing ACMA staff to improve their work/life balance, the assumption being that the improved balance has led to a more productive workplace.

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**Question No: 242**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Internet**

**Senator Birmingham asked:**

Has the department/agency experienced any internet problems, such as but not limited to slow internet or internet blackouts? If yes, what was the reason for this? Did it impact on the Minister's office?

**Answer:**

From time to time the ACMA experiences outages from our upstream internet provider, however these are very rare. The ACMA does not provide any services to the Minister's office so they do not impact in any way.

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**Question No: 243**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Staff Amenities**

**Senator Birmingham asked:**

What amenities are provided to staff? Please provide a list.

**Answer:**

The ACMA provides a range of amenities to staff inclusive of restrooms, breakout areas, kitchen facilities and 'end of journey' facilities.

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**Question No: 244**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Coffee Machines**

**Senator Birmingham asked:**

1. Has the department/agency purchased coffee machines for staff usage? If yes, please provide a list that includes the type of coffee machine, the cost, the amount and any ongoing costs such as purchase of coffee or coffee pods and when the machine was purchased.
2. Why were coffee machines purchased?
3. Where did the funding for the coffee machines come from?
4. Who is responsible for the maintenance of the coffee machines? How much was spent on maintenance in 2011-12 and how much this financial year to date? Please include a list of what maintenance has been undertaken. Where does the funding for maintenance come from?

**Answer:**

1. No.
2. NA.
3. NA.
4. NA.

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**Question No: 245**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Contractors**

**Senator Birmingham asked:**

1. For this financial year to date:
  - a. Has the department/agency ever employed Hawker Britton in any capacity or is it considering employing Hawker Britton? If yes, provide details (including the work undertaken and the cost).
  - b. Has the department/agency ever employed Shannon's Way in any capacity or is it considering employing Shannon's Way? If yes, provide details (including the work undertaken and the cost).
  - c. Has the department/agency ever employed John Utting & UMR Research Group in any capacity or is it considering employing John Utting & UMR Research Group? If yes, provide details (including the work undertaken and the cost).
  - d. Has the department/agency ever employed McCann-Erickson in any capacity or is it considering employing McCann-Erickson? If yes, provide details (including the work undertaken and the cost).
  - e. Has the department/agency ever employed Cutting Edge in any capacity or is it considering employing Cutting Edge? If yes, provide details (including the work undertaken and the cost).
  - f. Has the department/agency ever employed Ikon Communications in any capacity or is it considering employing Ikon Communications? If yes, provide details (including the work undertaken and the cost).
  - g. Has the department/agency ever employed CMAX Communications in any capacity or is it considering employing CMAX Communications? If yes, provide details (including the work undertaken and the cost).
  - h. Has the department/agency ever employed Boston Consulting Group in any capacity or is it considering employing Boston Consulting Group? If yes, provide details (including the work undertaken and the cost).
  - i. Has the department/agency ever employed McKinsey & Company in any capacity or is it considering employing McKinsey & Company? If yes, provide details.
  - j. What contractors have been employed by the department/agency? If yes, provide details (including the work undertaken and the cost).

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**Answer:**

1.

- a. No
- b. No
- c. No
- d. No
- e. No
- f. No
- g. No
- h. No
- i. No
- j. Contractors are employed to provide a range of internal audit, information technology, media and administrative services for the ACMA. The cost of contractors for this financial year to date is \$1.044m.

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**Question No: 246**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Contractors**

**Senator Birmingham asked:**

1. For 2011-12:
  - a. Has the department/agency ever employed Hawker Britton in any capacity or is it considering employing Hawker Britton? If yes, provide details (including the work undertaken and the cost).
  - b. Has the department/agency ever employed Shannon's Way in any capacity or is it considering employing Shannon's Way? If yes, provide details (including the work undertaken and the cost).
  - c. Has the department/agency ever employed John Utting & UMR Research Group in any capacity or is it considering employing John Utting & UMR Research Group? If yes, provide details (including the work undertaken and the cost).
  - d. Has the department/agency ever employed McCann-Erickson in any capacity or is it considering employing McCann-Erickson? If yes, provide details (including the work undertaken and the cost).
  - e. Has the department/agency ever employed Cutting Edge in any capacity or is it considering employing Cutting Edge? If yes, provide details (including the work undertaken and the cost).
  - f. Has the department/agency ever employed Ikon Communications in any capacity or is it considering employing Ikon Communications? If yes, provide details (including the work undertaken and the cost).
  - g. Has the department/agency ever employed CMAX Communications in any capacity or is it considering employing CMAX Communications? If yes, provide details (including the work undertaken and the cost).
  - h. Has the department/agency ever employed Boston Consulting Group in any capacity or is it considering employing Boston Consulting Group? If yes, provide details (including the work undertaken and the cost).
  - i. Has the department/agency ever employed McKinsey & Company in any capacity or is it considering employing McKinsey & Company? If yes, provide details.

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- j. What contractors have been employed by the department/agency? If yes, provide details (including the work undertaken and the cost).

**Answer:**

- a. No
- b. No
- c. No
- d. No
- e. No
- f. No
- g. No
- h. No
- i. No
- j. Contractors were employed to provide a range of Internal Audit, Information Technology, media and administrative services for the agency. The cost of contractors for FY 2011-12 was \$4.831m.



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**Question No: 247**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Grants**

**Senator Birmingham asked:**

1. Please provide a list of all grants, including ad hoc and one-off grants for this financial year to date. Please provide details of the recipients, the amount, the intended use of the grants and what locations have benefited from the grants.
2. Have all grant agreement details been published on the department/agency's websites within the required timeframe? If not, please provide details.
3. Please provide a list of all grants, including ad hoc and one-off grants for 2011-12. Please provide details of the recipients, the amount, the intended use of the grants and what locations have benefited from the grants.
4. Where all grant agreement details published on the department/agency's website within the required timeframe? In not please explain.

**Answer:**

Not applicable.

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**Question No: 248**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Government Payment of Accounts for this financial year to date**

**Senator Birmingham asked:**

1. For this financial year to date, has the department/agency paid its accounts to contractors/consultants etc in accordance with Government policy in terms of time for payment (i.e. within 30 days)?
  - a. If not, why not? Please provide details, including what has been the timeframe for payment of accounts? Please provide a breakdown, average statistics etc as appropriate to give insight into how this issue is being approached.
  - b. For accounts not paid within 30 days, is interest being paid on overdue amounts and, if so, how much has been paid by the department/agency for the current financial year and the previous financial year?
  - c. Where interest is being paid, what rate of interest is being paid and how is this rate determined?

**Answer:**

1. 100% of payments have been made within 30 days of receiving a correctly rendered invoice in relation to the Government Policy.
  - a. NA.
  - b. NA.
  - c. NA.

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**Question No: 249**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Government Payment of Accounts for 2011-12**

**Senator Birmingham asked:**

1. For 2011-12, did the department/agency pay its accounts to contractors/consultants etc in accordance with Government policy in terms of time for payment (i.e. within 30 days)?
  - a. If not, why not? Please provide details, including what has been the timeframe for payment of accounts? Please provide a breakdown, average statistics etc as appropriate to give insight into how this issue is being approached.
  - b. For accounts not paid within 30 days, is/was interest being paid on overdue amounts and, if so, how much has been paid by the department/agency for the current financial year and the previous financial year?
  - c. Where interest is being paid, what rate of interest is being paid and how is this rate determined?
  - d. Have all accounts from 2011-12 been paid? If not, why not?

**Answer:**

1. 100% of payments were made within 30 days of receiving a correctly rendered invoice in relation to the Government Policy.
  - a. NA.
  - b. NA.
  - c. NA.
  - d. Yes.

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**Question No: 250**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Stationery requirements**

**Senator Birmingham asked:**

1. What are the department/agency's stationery costs for the financial year to date?
2. What are the department/agency's stationery costs for 2011-12

**Answer:**

1. \$0.041m
2. \$0.133m

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**Question No: 251**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Media Subscriptions**

**Senator Birmingham asked:**

1. Has there been any change since the 2012-13 Budget Estimates (May 2012) to your pay TV subscription?
  - a. If yes, please provide the reason why, the cost and what channels.
  - b. What is the cost for this financial year to date?
  
2. Has there been any change since the 2012-13 Budget Estimates (May 2012) to your newspaper subscriptions?
  - a. If yes, please provide the reason why, the cost and what newspapers.
  - b. What is the cost for this financial year to date?
  
3. Has there been any change since the 2012-13 Budget Estimates (May 2012) to your magazine subscriptions?
  - a. If yes, please provide the reason why, the cost and what magazines.
  - b. What is the cost for this financial year to date?
  
4. What was the 2011-12 cost for:
  - a. TV subscriptions
  - b. Newspaper subscriptions
  - c. Magazine subscriptions

**Answer:**

1. Yes.
  - a. The ACMA changed to a more cost effective package, with an annual charge of \$0.015m. The channels included in this package are business, news, sports, documentaries and other miscellaneous channels.
  - b. \$0.004m
  
2. No.
  - a. Not applicable
  - b. \$0.003m
  
3. No.
  - a. Not applicable.
  - b. \$0.003m
  
4. a. \$0.030m  
b. \$0.017m  
c. \$0.006m



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Lounge memberships are provided to optimise business requirements and are part of the ACMA's Enterprise Agreement 2011-2014. Total cost year to date is \$0.010m.

4. No.

5. Total travel expenditure for the 2011-2012 financial was \$3.345m.

To attempt to provide itemised details of all travel would involve an unreasonable diversion of agency resources.

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**Question No: 253**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Legal Costs**

**Senator Birmingham asked:**

1. What sum did each portfolio department and agency spend on legal services for 2011-12? Please provide a list of each service and costs.
2. What sum did each portfolio department and agency spend on legal services for 2011-12 from the Australian Government Solicitor? Please provide a list of each service and costs.
3. What sum did each portfolio department and agency spend on legal services for 2011-12 from private firms? Please provide a list of each service and costs.
4. What sum did each portfolio department and agency spend on legal services for 2011-12 from other sources? Please provide a list of each service and costs.
5. What sum did each portfolio department and agency spend on legal services for this financial year to date within the department/agency? Please provide a list of each service and costs.
6. What sum did each portfolio department and agency spend on legal services this financial year to date from the Australian Government Solicitor? Please provide a list of each service and costs.
7. What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.
8. What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.

**Answer:**

1. The agency expenditure on legal services for the financial year ending 30/06/12 for external and internal expenditure was \$4,501,782.
2. The agency expenditure on legal services for the financial year ending 30/6/12 from the Australian Government Solicitor was \$253,566, for a range of litigation matters and other miscellaneous advice and assistance.
3. The agency expenditure on legal services for the financial year ending 30/6/12 from private firms was \$231,797, for legal advice and assistance



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4. The agency expenditure on legal services for the financial year ending 30/6/12 from other sources was \$80,677, for briefs to Counsel for litigation services and for miscellaneous legal advice and assistance, and for services from the Office of Legislative Drafting and Publishing.
5. The agency expenditure on legal services for this financial year to 30/09/12 within the agency was \$1,078,589.
6. The agency expenditure on legal services for this financial year to 30/09/12 from the Australian Government Solicitor was \$95,004, for a range of litigation matters and other miscellaneous advice and assistance.
7. The agency expenditure on legal services for this financial year to 30/09/12 from private firms was \$95,232, for legal advice and assistance.
8. The agency expenditure on legal services for this financial year to 30/09/12 from other sources was \$5,500, for briefs to Counsel for litigation services and for miscellaneous legal advice and assistance.

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**Question No: 254**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Education Expenses**

**Senator Birmingham asked:**

1. Has there been a change since the 2012-13 Budget Estimates (May 2012) to the department/agency's guidelines on study? If yes, please provide details.
2. For this financial year to date, please detail all education expenses (i.e. in-house courses and tertiary studies) for each portfolio department and agency. Please include what type of course, the total cost, cost per participant, the employment classification of each participant, how many participants and the amount of study leave granted to each participant (provide a breakdown for each employment classification). Please also include the reason for the study and how it is beneficial for the department/agency.
3. For 2011-12, please detail all education expenses (i.e. in-house courses and tertiary studies) for each portfolio department and agency. Please include what type of course, the total cost, cost per participant, the employment classification of each participant, how many participants and the amount of study leave granted to each participant (provide a breakdown for each employment classification). Please also include the reason for the study and how it is beneficial for the department/agency.

**Answer:**

1. No
2. The ACMA conducted 5 in-house training programs for the period 1 July 2012 to 30 September 2012 broadly covering recruitment and job application. These courses cost a total of \$15,828.85 (GST exclusive). A total of 42 staff attended these internal programs, some attending more than one session. This comprised 2 ACMA4, 3 ACMA5, 27 ACMA 6, 17 EL1 and 1 EL2. The total cost per participant was approximately \$376.  
The ACMA has 22 employees participating in tertiary studies through the ACMA's studies assistance program with approval of up to 675 hours study leave from 1 July 2012 to 30 September 2012. Employees studying through the ACMA's studies assistance program study a broad range of courses, such as legal, management and engineering degrees, which contribute to their professional and ongoing development.

The total expenditure for the period 1 July 2012 – 30 September 2012 relating to staff training (both internal and external) and studies assistance was \$180,840 (GST exclusive).

3. Information on the ACMA's education expenses during 2011-12 are contained in the *ACMA's 2011-12 Annual Report* (page 147; people and capability development)

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**Question No: 255**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Executive Coaching and Leadership Training financial year to date**

**Senator Birmingham asked:**

1. In relation to executive coaching and/or other leadership training services purchased by each department/agency, please provide the following information for this financial year to date:
  - a. Total spending on these services
  - b. The number of employees offered these services and their employment classification
  - c. The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted (provide a breakdown for each employment classification)
  - d. The names of all service providers engaged
  
2. For each service purchased from a provider listed under (1d), please provide:
  - a. The name and nature of the service purchased
  - b. Whether the service is one-on-one or group based
  - c. The number of employees who received the service and their employment classification
  - d. The total number of hours involved for all employees (please provide a breakdown for each employment classification)
  - e. The total amount spent on the service
  - f. A description of the fees charged (i.e. per hour, complete package)
  
3. Where a service was provided at any location other than the agency's own premises, please provide:
  - a. The location used
  - b. The number of employees who took part on each occasion (provide a breakdown for each employment classification)
  - c. The total number of hours involved for all employees who took part (provide a breakdown for each employment classification)
  - d. Any costs the department or agency's incurred to use the location

**Answer:**

1

- a. Nil
- b. Nil
- c. n/a
- d. n/a

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**Question No: 256**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Executive Coaching and Leadership Training 2011-12**

**Senator Birmingham asked:**

1. In relation to executive coaching and/or other leadership training services purchased by each department/agency, please provide the following information for 2011-12:
  - a. Total spending on these services
  - b. The number of employees offered these services and their employment classification
  - c. The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted (provide a breakdown for each employment classification)
  - d. The names of all service providers engaged
  
2. For each service purchased from a provider listed under (1d), please provide:
  - a. The name and nature of the service purchased
  - b. Whether the service is one-on-one or group based
  - c. The number of employees who received the service and their employment classification
  - d. The total number of hours involved for all employees (please provide a breakdown for each employment classification)
  - e. The total amount spent on the service
  - f. A description of the fees charged (i.e. per hour, complete package)
  
3. Where a service was provided at any location other than the agency's own premises, please provide:
  - a. The location used
  - b. The number of employees who took part on each occasion (provide a breakdown for each employment classification)
  - c. The total number of hours involved for all employees who took part (provide a breakdown for each employment classification)
  - d. Any costs the department or agency's incurred to use the location

**Answer:**

1

- a. Total expenditure for 2011-12 was \$548,500 (excl GST).
- b. 56 employees comprising 3 Statutory Office Holders, 6 SES2 and 47 EL2.
- c. 55 employees comprising 2 Statutory Office Holders, 6 SES2 and 47 EL2.
- d. Mt Eliza Executive Education, Melbourne Business School.

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**Question No: 257**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Media Training for this financial year**

**Senator Birmingham asked:**

1. In relation to media training services purchased by each department/agency, please provide the following information for this financial year to date:
  - a. Total spending on these services
  - b. The number of employees offered these services and their employment classification
  - c. The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted (provide a breakdown for each employment classification)
  - d. The names of all service providers engaged
2. For each service purchased from a provider listed under (1d), please provide:
  - a. The name and nature of the service purchased
  - b. Whether the service is one-on-one or group based
  - c. The number of employees who received the service and their employment classification (provide a breakdown for each employment classification)
  - d. The total number of hours involved for all employees (provide a breakdown for each employment classification)
  - e. The total amount spent on the service
  - f. A description of the fees charged (i.e. per hour, complete package)
3. Where a service was provided at any location other than the department or agency's own premises, please provide:
  - a. The location used
  - b. The number of employees who took part on each occasion
  - c. The total number of hours involved for all employees who took part (provide a breakdown for each employment classification)
  - d. Any costs the agency incurred to use the location

**Answer:**

1.
  - a. Total expenditure was \$3,096.02 (excl GST) for the financial year to 30/9/12.
  - b. 4 employees comprising 3 SOH, 1 SESB2.
  - c. 4 employees comprising 3 SOH, 1 SESB2.
  - d. Feneley & Co Pty Ltd.

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2.
  - a. Media training.
  - b. Group based.
  - c. Refer 1c above.
  - d. 4 hours each.
  - e. Refer 1a above.
  - f. Complete package.
  
3. n/a

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**Question No: 258**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Media Training for 2011-12**

**Senator Birmingham asked:**

1. In relation to media training services purchased by each department/agency, please provide the following information for 2011-12:
  - a. Total spending on these services
  - b. The number of employees offered these services and their employment classification
  - c. The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted (provide a breakdown for each employment classification)
  - d. The names of all service providers engaged
2. For each service purchased from a provider listed under (1d), please provide:
  - a. The name and nature of the service purchased
  - b. Whether the service is one-on-one or group based
  - c. The number of employees who received the service and their employment classification (provide a breakdown for each employment classification)
  - d. The total number of hours involved for all employees (provide a breakdown for each employment classification)
  - e. The total amount spent on the service
  - f. A description of the fees charged (i.e. per hour, complete package)
3. Where a service was provided at any location other than the department or agency's own premises, please provide:
  - a. The location used
  - b. The number of employees who took part on each occasion
  - c. The total number of hours involved for all employees who took part (provide a breakdown for each employment classification)
  - d. Any costs the agency incurred to use the location

**Answer:**

1

- a. Total expenditure was \$11,300.00 (excl GST) in 2011-12.
- b. 14 employees comprising 1 SESB1, 4 EL2, 5 EL1, 3 APS6 and 1 APS5.
- c. 14 employees comprising 1 SESB1, 4 EL2, 5 EL1, 3 APS6 and 1 APS5.
- d. Clarity Business Solutions.

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2

- a. Media training.
- b. Group based.
- c. Refer 1c above.
- d. 94.5 hours.
- e. Refer 1a above.
- f. Complete package.

3. n/a



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**Question No: 259**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Paid Parental Leave**

**Senator Birmingham asked:**

1. Please list how many staff in each portfolio department and agency are eligible to receive payments under the Government's Paid Parental Leave scheme?
2. For this financial year to date please list which department/agency is providing its employees with payments under the Government's Paid Parental Leave scheme? Please list how many staff and their classification are in receipt of these payments.
3. For 2011-12 to date which department/agency is providing its employees with payments under the Government's Paid Parental Leave scheme? Please list how many staff and their classification are in receipt of these payments.

**Answer:**

1. All employees with more than 12 months service who earn less than \$150,000 per annum and are the primary care giver of the child are eligible to receive payment under the government's Paid Parental Leave Scheme. As eligibility is based on primary caring responsibility, the number of eligible staff cannot be identified. The ACMA registered to participate in the scheme and was prepared to receive and make payments from 1 January 2011.
2. At 30 September 2012 there were 9 staff in receipt of these payments and their classifications are APS 6 (2), EL1 (6) EL2 (1).
3. At 30 June 2012 there were 6 staff in receipt of these payments and their classifications are APS4 (2), APS 6 (1), EL1 (2) EL2 (1).

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**Question No: 260**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Corporate Cars**

**Senator Birmingham asked:**

1. Please update if there have been any changes since Budget Estimates 2012-13 (May 2012):
  - a. How cars are owned by each department/agency?
  - b. Where is the car/s located?
  - c. What is the car/s used for?
  - d. What is the cost of each car for this financial year to date?
  - e. How far did each car travel this financial year to date?
  
2. For 2011-12:
  - a. How cars are owned by each department/agency?
  - b. Where is the car/s located?
  - c. What is the car/s used for?
  - d. What was the cost of each car?
  - e. How far did each car travel?

**Answer:**

1.
  - a. No change
  - b. No change
  - c. No change
  - d. \$0.001m and \$0.003m
  - e. 4,948kms and 2,115kms
  
2.
  - a. a. No change
  - b. b. No change
  - c. c. No change
  - d. d. \$0.004m and \$0.012m
  - e. e. 14,859 km's and 33,432

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Question No: 261

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Taxi Costs**

**Senator Birmingham asked:**

1. How much did each department/agency spend on taxis this financial year to date? Please provide a breakdown of each business group in each department/agency.
2. What are the reasons for taxi costs?
3. How much did each department/agency spend on taxis in 2011-12? Provide a breakdown of each business group in each department/agency?
4. What are the reasons for taxi costs?

**Answer:**

1.

<i><b>FY 2012/13</b></i>	<i><b>1143 Taxi</b></i>
<i><b>1 Jul - 30 Sep</b></i>	<i><b>Costs</b></i>
<i>Authority</i>	<i>\$0.012m</i>
<i>Communications Infrastructure</i>	<i>\$0.024m</i>
<i>Content, Consumer &amp; Citizen</i>	<i>\$0.009m</i>
<i>Digital Economy</i>	<i>\$0.014m</i>
<i>Digital Transition</i>	<i>\$0.018m</i>
<i>Legal Services</i>	<i>\$0.002m</i>
<i>Corporate Services &amp; Coordination</i>	<i>\$0.017m</i>
<i>Centrally Controlled &amp; Projects</i>	<i>\$0m</i>
<b>TOTAL</b>	<b>\$0.094m</b>

2. Taxi expenditure is incurred to support business requirements.

3.

<i><b>FY 2011/12</b></i>	<i><b>1143 Taxi</b></i>
<i><b></b></i>	<i><b>Costs</b></i>
<i>Authority</i>	<i>\$0.041m</i>
<i>Communications Infrastructure</i>	<i>\$0.087m</i>
<i>Content, Consumer &amp; Citizen</i>	<i>\$0.036m</i>
<i>Digital Economy</i>	<i>\$0.048m</i>
<i>Digital Transition</i>	<i>\$0.06m</i>
<i>Legal Services</i>	<i>\$0.011m</i>
<i>Corporate Services &amp; Coordination</i>	<i>\$0.066m</i>
<i>Centrally Controlled &amp; Projects</i>	<i>\$0.003m</i>
<b>TOTAL</b>	<b>\$0.352m</b>

4. Taxi expenditure is incurred to support business requirements.

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**Question No: 262**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Credit Cards**

**Senator Birmingham asked:**

1. Please provide a breakdown for each employment classification that has a corporate credit card.
2. Please update if there have been any changes since Budget Estimates 2012-13 (May 2012):
  - a. What action is taken if the corporate credit card is misused?
  - b. How is corporate credit card use monitored?
  - c. What happens if misuse of a corporate credit card is discovered?
  - d. Have any instances of corporate credit card misuse have been discovered? Please list staff classification and what the misuse was, and the action taken.
  - e. What action is taken to prevent corporate credit card misuse?
3. For 2011-12 how many instances of corporate credit card misuse were there? Please list staff classification and what the misuse was, and the action taken.

**Answer:**

1. Number of staff and classification in the ACMA holding corporate credit cards are as follows:

APS 3	1
APS 4	15
APS 5	17
APS 6	23
EL 1	17
EL 2	25
SES 1	9
SES 2	6
Executive	3
<b>Grand Total</b>	<b>116</b>

2.
  - a. No change.
  - b. No change.
  - c. No change.
  - d. No change.
  - e. No change.
3. There was no deliberate misuse of credit cards in 2011/12.

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**Question No: 263**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Provision of Equipment**

**Senator Birmingham asked:**

1. Is electronic equipment (such as iPad, laptop, wireless card, vasco token, BlackBerry, mobile phone (list type if relevant), thumb drive) provided to department/agency staff for this financial year? If yes, please provide details of what is provided, the purchase cost, the ongoing cost and a breakdown of what staff and staff classification receives it.
2. If electronic equipment (such as iPad, laptop, wireless card, vasco token, BlackBerry, mobile phone (list type if relevant), thumb drive) was provided to department/agency staff for 2011-12, please provide details of what was provided, the purchase cost, the ongoing cost and a breakdown of what staff and staff classification receives it.

**Answer:**

1. The ACMA provides the following equipment to staff:
  - All staff have a PC at an average cost of \$2700-2800
  - All staff have a desk telephone at a cost of approximately \$250
  - Laptops are available to staff from a loan pool at an average cost of \$1800-2200
  - Staff at an EL2 level and above have a smartphone (currently an Apple iPhone) at an average cost of \$900. Some staff below EL2 levels have a phone for operational requirements.
  - Some staff have been issued iPads at an average cost of \$800-900 for operational use.
2. See response to question 1.

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**Question No: 264**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Electricity Purchasing**

**Senator Birmingham asked:**

1. Provide details of any update of the department/agency electricity purchasing agreement if there has been a change since Budget Estimates 2011-12 (May 2012)
2. What were the department/agency's actual electricity costs for 2011-12, and what are the budgeted costs for 2012-13?
3. What are the department/agency electricity costs for this financial year to date?

**Answer:**

1. No changes.
2. 2011-12 expense was \$0.298m  
2012-13 budget is \$0.367m
3. 2012-13 YTD expense is \$0.054m

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**Question No: 265**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Briefings for the Australian Greens and Independents**

**Senator Birmingham asked:**

1. Have any briefings been provided to the Australian Greens this Financial Year? If yes, please include:
  - a. How are briefings requests commissioned?
  - b. What briefings have been undertaken? Provide details and a copy of each briefing.
  - c. Have any briefings requests been unable to proceed? If yes, provided details details of what the briefings were and why it could not proceed.
  - d. How long is spent undertaking briefings for the Australian Greens? How many staff are involved and how many hours? Please provide a breakdown for each employment classification.
2. Have any briefings been provided to Independents this Financial Year? If yes, please include:
  - a. How are briefings requests commissioned?
  - b. What briefings have been undertaken? Provide details and a copy of each briefing.
  - c. Have any briefings requests been unable to proceed? If yes, provided details details of what the briefings were and why it could not proceed.
  - d. How long is spent undertaken briefings for the Australian Greens? How many staff are involved and how many hours? Provide a breakdown for each employment classification.
3. Were any briefings been provided to the Australian Greens in 2011-12? If yes, please include:
  - a. How are briefings requests commissioned?
  - b. What briefings have been undertaken? Provide details and a copy of each briefing.
  - c. Have any briefings requests been unable to proceed? If yes, provided details of what the briefings were and why it could not proceed.
  - d. How long is spent undertaking briefings for the Australian Greens? How many staff are involved and how many hours? Provide a breakdown for each employment classification.
4. Were any briefings been provided to Independents in 2011-12? If yes, please include:
  - a. How are briefings requests commissioned?
  - b. What briefings have been undertaken? Provide details and a copy of each briefing.
  - c. Have any briefings requests been unable to proceed? If yes, provided details of what the briefings were and why it could not proceed.

**Answer:**

1. The ACMA has not provided any briefings to the Australian Greens this financial year.
2. The ACMA has not provided any briefings to the Independents this financial year.

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3. The ACMA did not provide any briefings to the Australian Greens in the 2011-12 financial year.
4. A Division within the ACMA provided information to the Hon Bob Katter MP in the 2011-12 financial year.
  - a. Mr Katter contacted the Chairman of the ACMA, Mr Chris Chapman, directly on 10 May 2012. During the conversation, Mr Katter requested information about the localism obligations that apply to regional commercial radio and television broadcasters.
  - b. On 22 May 2012, the requested information was provided to Mr Katter (see attached). Subsequently, Mr Chapman (Chairman), Ms Jennifer McNeill (General Manager, Content, Consumer and Citizen Division) and a representative from the Minister's Office met with Mr Katter in Canberra on 30 May 2012.

On 21 June 2012, the ACMA provided Mr Katter with requested additional information regarding:

    - compliance with localism obligations that apply to regional commercial radio and television broadcasters; and
    - community broadcasting services;

in the electorate of Kennedy (see attached).
  - c. No.
  - d. The ACMA estimates that a total of 8 staff hours have been spent on work related to Mr Katter's request, including:
    - SES2 2 hours;
    - EL2 4 hours; and
    - EL1 2 hours.



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**Question No: 266**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Shredders**

**Senator Birmingham asked:**

Did the department/agency purchase any shredders in 2011-12? If yes, provide details of how many shredders were purchased, the cost of each shredder, why each new shredder was needed and the purpose for which the shredder is to be used.

Has the department/agency purchased any shredders since Budget Estimates 2011-12 (May 2012)? If yes, please provide details of how many were purchased, the cost of each shredder, why each new shredder was needed and the purpose for which the shredder is to be used.

**Answer:**

1. One shredder was purchased in 2011-12.  
The cost of the shredder was \$0.003m.  
The shredder was purchased for business requirements and to replace a unit that had surpassed its useful life.
2. No.

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**Question No: 267**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Protective Security Policy Framework**

**Senator Birmingham asked:**

Please provide an update for your department/agency, including what is your current compliance level, what are you doing to manage the risk, what is being done to comply with the mandatory requirements and details of any department/specific policies and procedures.

**Answer:**

The ACMA is transitioning to the Protective Security Policy Framework within the implementation timeframes. The security risk management methodology outlined in the framework has been adopted by the ACMA, whilst policies and procedures are in place or being developed to meet the security requirements.

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**Question No: 268**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Office Locations**

**Senator Birmingham asked:**

1. Please provide a list of all office locations for all departments and agencies within the portfolio by:
  - a. Department/Agency;
  - b. Location;
  - c. Leased or Owned;
  - d. Size;
  - e. Number of Staff at each location and classification;
  - f. If rented, the amount and breakdown of rent per square metre;
  - g. If owned, the value of the building;
  - h. Depreciation of buildings that are owned;
  - i. Type of functions and work undertaken.

**Answer:**

1.
  - a. Australian Communications and Media Authority
  - b. There are five offices located in Sydney, Melbourne, Canberra, Brisbane and Parramatta and one manned monitoring site located at Quion Ridge, Tasmania.
  - c. 

Sydney	Leased
Melbourne	Leased
Canberra	Leased
Brisbane	Leased
Parramatta	Leased
Quion Ridge	Owned
  - d. 

Sydney	3,289 sqm
Melbourne	4,668 sqm
Canberra	5,774 sqm
Brisbane	355 sqm
Parramatta	146 sqm
Quion Ridge	366 sqm

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e. Canberra	245
Melbourne	232
Sydney	163
Brisbane	11
Parramatta	9
Quoin Ridge	2

The classifications of staff at the above locations range from an ACMA level 2 to Statutory office holders.

f. The rental charges as at the 30 June 2012 on a per annum basis, and the breakdown of rent per square metre is as follows:

<b>Office</b>	<b>Annual Cost</b>	<b>Cost PSM</b>
Sydney	\$1,744,485	\$ 530
Melbourne	\$ 2,427,360	\$ 520
Canberra	\$ 1,902,104	\$ 329
Brisbane	\$ 129,220	\$ 364
Parramatta	\$ 51,626	\$ 354

g. Quion Ridge, Tasmania      Asset Cost: \$0.191m

h. Quion Ridge, Tasmania      Accumulated depreciation: \$0.019m

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**Question No: 269**

**Program No: ACMA**

**Hansard Ref: In Writing**

**Topic: Media/Comms Staff**

**Senator Birmingham asked:**

1. For all departments and agencies, please provide – in relation to all public relations, communications and media staff – the following, by department or agency:
  - a. How many ongoing staff, the classification, the type of work they undertake and their location.
  - b. How many non-ongoing staff, their classification, type of work they undertake and their location
  - c. How many contractors, their classification, type of work they undertake and their location

**Answer:**

1.
  - a. There is a total of 15 ongoing staff employed in the agency in positions relating to public relations, communications and media.

<b>Classification</b>	<b>Location</b>	<b>Type of work</b>
EL2	Sydney	Publishing
EL2	Melbourne	Editorial Services
EL2	Sydney	Stakeholder Engagement
EL1	Melbourne	Digital Technology
EL1	Melbourne	Editorial Services
EL1	Sydney	Stakeholder Engagement
EL1	Sydney	Stakeholder Engagement
ACMA6	Canberra	Producer
ACMA6	Melbourne	Producer
ACMA6	Melbourne	Writer and Editor
ACMA6	Sydney	Producer
ACMA6	Melbourne	Producer
ACMA6	Sydney	Social Media Producer
ACMA6	Sydney	Media Liaison
ACMA 4	Melbourne	Administration

- b. There is a total of 3 non-ongoing staff employed in the agency in positions relating to public relations, communications and media.

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<b>Classification</b>	<b>Location</b>	<b>Type of work</b>
SES1	Sydney	Manager Media and Communications
ACMA 6	Sydney	Producer
ACMA 6	Sydney	Communications Advisor

c. There is a total of 3 contractors employed in the agency in positions relating to public relations, communications and media.

<b>Classification</b>	<b>Location</b>	<b>Type of work</b>
EL1	Sydney	Media Officer
EL2	Sydney	Project Manager
ACMA 6	Melbourne	Editor

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**Question No: 270**

**Program No. ACMA**

**Hansard Ref: In Writing**

**Topic: Grants Pause**

**Senator Birmingham asked:**

1. To date, how much of the 2012-13 budget appropriations has your department/agency received?
2. For 2012-13 please list each grant program your department/agency administers, and the total funding of each program.
3. Please list each grant program that has not been paused as part of the Government- wide grants pause.
4. Please provide the total cash value of each program that has not been paused?
5. Please list each grant program that has been "paused" as part of the Government-wide grants pause.
6. Please provide the total cash value of each program that has been paused, and the total value of all grants paused?
7. On what date did your department/agency receive advice from the government to pause certain grants programs?
  - a) How was the instruction received, and from whom was it received?
8. Please list the dates on which the Minister for Finance met with senior department/agency officials to discuss the grants pause and on which the Minister overseeing your department/agency met with senior department officials
9. From what date was your department/agency told to implement the grants pause?
  - a) When did it do so?
10. Has your department/agency been provided with information regarding when the grants pause would end?
  - a) If so, what was the date?
  - b) Was your department/agency advised if it could communicate when the grants pause would end to grant applicants?
11. Please provide the advice your department/agency gave to Department of Finance regarding which programs should be included in the grants pause.

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12. Did your department/agency receive advice/instruction from the Department of Finance regarding how best to communicate the grants pause to grant applicants, the media and other external stakeholders?
13. What information has been provided to grant applicants regarding the grants pause? Please provide scripts if these have been given to call centres, or any other information sheets which have been used internally for discussing the grants pause with applicants.
14. Has your department/agency been advised by the Department of Finance of further grants pauses in the future? If so
  - a) When did you receive notification of future grants pauses?
  - b) What is the date of future grants to be paused?
  - c) Which grants programs will be paused?
  - d) What is total value of pauses in future grants programs?
  - e) When will notification of these future grants pauses be made public?
15. How many staff are employed to administer grant programs within the department?
16. During the Grants Pause, with what activities have these staff been involved?
  - a) Have staff been moved to other divisions during the grants pause?
17. During the Grants Pause, were decisions on grants being made, but applicants not alerted?

**Answer:**

Not applicable.