

Coalition Senators' Additional Comments

1.1 Coalition Senators are generally supportive of the proposals contained in this Bill and the majority report of this Committee.

1.2 However, we believe there were some valid concerns raised during the Committee's inquiry that should be given further consideration by the Government.

1.3 The Coalition in Government was strongly supportive of digital TV and laid much of the groundwork for its implementation.

1.4 However, the Coalition was always concerned about take-up rates and the importance of ensuring high viewer take-up before the end of the simulcast period. The Coalition remains concerned about the Government's commitment to ensuring Australians who currently have access to free-to-air television, will continue to have that same access after the switch-off of the analog signal.

1.5 There is a lack of detail from the Government about how it will ensure adequate take-up in advance of the analog switch-off. There is also no detail on whether the Government has identified transmission black spots that would prevent current analog viewers having access to a digital signal.

1.6 And whilst broadly supportive of the Bill given it provides the Government with the mechanism to meet its switchover timeline, Coalition Senators believe the evidence presented to the Committee by Free TV Australia in relation to minimum readiness criteria has merit and should be further considered.

1.7 Free TV's submission to the inquiry states:

Whilst Free TV supports these provisions in so far as they invest decision-making power in the Minister, we note that the Minister's time-table setting powers are not linked to switch-over readiness criteria. There should also be a formal requirement for public reporting of a market's progress towards switch-off in the lead up to the switchover date, to ensure greater transparency.¹

¹ *Submission 3*, p. 3.

1.8 Further, during the Committee's public hearing into the Bill, Ms Julie Flynn, CEO of Free TV, stated:

As far as we are concerned, and nobody has told us that it is not the parliament's intent, digital switch-over is to ensure that everyone who gets an analog free-to-air picture now gets a digital free-to-air picture. We think to enable that to happen you have got to have two things working: you have to have technical readiness and you have to have consumer readiness. We see this process primarily as a safety check mechanism, if you like, and also a transparency process.²

1.9 The Government has not provided any information to the public on what it considers as consumer or technical readiness. Nor has it detailed how it will ensure that viewers are not adversely affected by switchover. In light of this lack of public detail, the Coalition believes amendments to the Bill would give certainty to viewers about the switchover timetable.

1.10 Overall, the Coalition believes the Government should publicly detail benchmark criteria that will show that each region is ready for switchover before the end of the simulcast period.

1.11 To do this, the Government should make publicly available data on identifying and rectifying transmission benchmarks and detailing take-up rates and the methodology used to determine these rates.

1.12 In relation to Schedule 1 of the Bill, while the Coalition supports the policy intent of the two reviews as currently exist under the *Broadcasting Services Act 1992*, and notes this Bill changes the timeframes for these reviews in line with the Government's switchover deadline, the Coalition notes the concerns raised by Free TV about the practical application of the timing of content and captioning review. The Coalition encourages the Government to avoid the application of different regulatory requirements in different regions as a result of this change and ensure an unnecessary cost burden does not flow to regional broadcasters.

² Ms Julie Flynn, Free TV Australia, *Committee Hansard*, 12 November 2008, p. 2.

Recommendation

1.13 That the Bill be amended to require the Government to establish public criteria defining readiness for switchover and that each region's readiness be publicly assessed against this criteria in advance of the designated switchover period.

**Senator Simon Birmingham (Deputy Chair)
LP, South Australia**

**Senator the Hon. Ron Boswell
NATS, Queensland**

**Senator the Hon. Nick Minchin
LP, South Australia**

**Senator Stephen Parry
LP, Tasmania**

