



National Rugby League Limited
Fox Studios Development
Lang Road, Moore Park NSW 1363
Postal Address:
GPO Box 3498 Sydney NSW 2001
ABN 23 082 088 962
Internet: www.nrl.com
Telephone: (02) 9339 8500
Facsimile: (02) 9339 8508

4 February 2005

Committee Secretary
Senate Environment, Communications,
Information Technology and the Arts Committee
Department of the Senate
Parliament House
CANBERRA ACT 2600

By email: ecita.sen@aph.gov.au

NRL SUBMISSION ON ANTI SIPHONING FEBRUARY 2005

The NRL welcomes the opportunity to make a submission to the Senate Environment, Communications, Information Technology and the Arts Committee relating to anti-siphoning.

Rugby League has been in existence since 1908 and has forged a strong relationship with millions of fans on a weekly basis. The NRL has been able to grow record attendances and provide increased television access with a mixture of free to air and subscription television.

Our position on anti-siphoning has been clear and consistent for a number of years. We are not supportive of the current scheme because it imposes regulatory restrictions on the game's ability to negotiate broadcast agreements.

The NRL has consistently stated and indeed shown its commitment to free to air viewers and put forward the reality that it would not jeopardize this relationship.

The NRL would like to see coverage of Rugby League on both free-to-air and subscription television. This is the case irrespective of any anti-siphoning legislation which may or may not be in operation.

We seek to get national coverage and to get a commercial return for our rights.

Currently, free to air networks are preparing for rights negotiations in the knowledge that our position is highly regulated and, in terms of pressing for a more national coverage of the game for instance, we are therefore at a disadvantage. Free to air broadcasters indeed have little incentive to extend coverage to so called lesser markets, knowing that the sport has no alternative option.

Similarly, our last round of subscription television negotiations was indeed affected by the claims a free to air broadcaster may have been able to make in terms of extra matches. These were claims that were never actually made, but the Broadcaster's ability to do so (an ability backed by anti siphoning legislation) had some impact.

If an anti-siphoning scheme is to apply, the NRL would prefer a situation where only key NRL matches and some parts of the competition are listed, rather than every NRL match.

This would allow us more flexibility to get the best mix in terms of coverage and in terms of commercial return for a professional game that in turn funds the grass roots of Rugby League.

Given the fact that a free to air broadcaster is incapable of covering every match live, our ability to negotiate broadcasting agreements across both television mediums is important in widening viewer access.

In relation to the current legislation being considered by parliament, the *Broadcasting Services Amendment (Anti Siphoning) Bill 2004*, the NRL notes that the changes proposed will extend the automatic de-listing period from six to twelve weeks. The NRL also notes that the Bill is supported by both the Government and the ALP and that statements supporting the Bill have made by both sides of politics.

The NRL also supports the Bill which we believe will improve the operation of the anti-siphoning scheme and help find a better balance between the interests of free-to-air and subscription television broadcasters.

In our view this change is minor and will apply to a small number of sporting events as most rights negotiations are concluded well in advance of twelve weeks before the event takes place. However, the automatic period of twelve weeks is an important safety net in that it will assist in finalising broadcast plans for those events to which it does apply well before they occur, rather than having to rely on the current period of six weeks.

Please let us know if you require any further information from the NRL about anti-siphoning,

Yours sincerely



David Gallop
Chief Executive Officer