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To Alan Eggleston

Company Australian Senate

Fax number 02 6277 5818

From Sean Nicholls

Subject Inquiry into the Broadcasting Services amendment (Anti-Siphoning) Bill 2004

Date 28th February 2005

No. of pages 2
(inclusive)

Dear Mr Eggleston,

RE: Inquiry into the Broadcasting Services amendment (Anti-Siphoning) Bill 2004

Further to your recent enquiry, I write to confirm that we have today made arrangements to search and review our archive in order to find written confirmation of meetings or conversations that took place with the free to air broadcasters in 2001, specifically with respect to their possible acquisition of rights to the 2005 Ashes Tour.

Unfortunately given that our aged archive is stored off-site, I may not be able to get the material to you within the proposed time frame.

The other issue is the fact that Octagon's General Manager of Television at the time, Jarrod Frykberg is no longer with us, hence our internal processes have been slowed as a result.

Similarly, I would suggest that given that the Ch 7, Ch 9, Ch 10 and ABC Heads of Sport that were there at the time are no longer in these roles, it may make their tasks equally difficult given that these files are now 4 years old.

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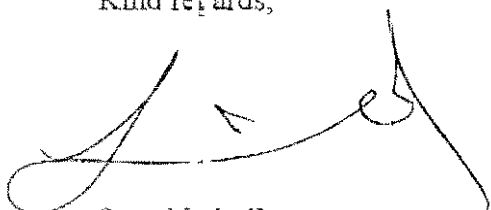
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If any material that is available is likely to be of use to you after the deadline, please advise and we will let you know what we have.

As an aside, let me also say that I was personally involved in the 2001 meetings with SBS, Ch 9 and Ch 7 to discuss the Ashes series and am happy to supply formal documentation to that effect. I believe that it has also been suggested today that the meetings with CH 7 were only preliminary, but the reality is if you are told by the Head of Sport that their last experience with the property was horrendous and that they had no interest whatsoever, the meeting could hardly be described as preliminary. I would suggest that that is a fairly definite expression of disinterest.

I look forward to hearing from you.

Kind regards,



Sean Nicholls
Managing Director
Octagon Australia