

9 April 2004

The Secretary
Senate Select Committee on the USTFA
Parliament House
Canberra ACT 2600

Dear Members,

I am writing as technician member of the Media Entertainment & Arts Alliance and a fellow Australian to urge you to make recommendation **against** the proposed Free Trade Agreement negotiated between the Federal Government and the United States Administration.

The Australian entertainment industry only exists because of an intricate web of support mechanisms provided by the Australian and State Governments. These mechanisms have changed over time to respond to the ever-changing landscape in the entertainment industry.

The free trade agreement negotiated between the United States and Australia puts strict limits on the ability of Government to respond to future changes. These limits include:

1. The Government may not impose local content requirements on most pay television channels;
2. Of those pay television channels where the Government may act to impose local content rules the level of local content is set at very low levels, in no way similar to the current free to air television rules;
3. The Government will never be able to regulate existing media (unless currently regulated) for local content. This means cinema (including e-cinema) may never be regulated;
4. The Government may not begin to act to introduce rules for interactive media until the level of access for Australian audiences to local production is already found to be at unacceptably low levels. There is no ability to take pre-emptive action.

Any free trade agreement we enter into should ensure that Australia remains free to respond to changes as and when it sees fit. Australia must be free to introduce any new measures at any point in time and for all technologies to meet Australia's cultural objectives as our Governments determine them. The Federal Government did secure such an arrangement in the Singapore/Australia Free Trade Agreement

On behalf of our current and future Australians, I urge you to please vote against any and all legislative changes required to bring this proposed agreement into effect.

Yours faithfully

Zenon "Butch" Sawko