

16 October 2009



To: Department of Broadband
Communications and the Digital Economy

By email: sportontvreview@dbcde.gov.au

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Dear Sir/Madam

I write on behalf of the Australian Mobile Telecommunications Association (AMTA), the peak industry body representing Australia's mobile telecommunications industry, in response to the Department of Broadband, Communications and the Digital Economy's (DBCDE) '*A Review of the Anti Siphoning Scheme in the Contemporary Digital Environment*' (the 'Discussion Paper').

AMTA focuses solely on Key Issue 7 in your Discussion Paper, 'Coverage of sports on new media platforms'.

AMTA understands that the current regime is in place to ensure that sports of national significance can be enjoyed by all Australians. As summarised by the Productivity Commission in its recent review of regulatory burdens, the objective of the regime is to 'prevent major sporting events from being siphoned off by Subscription Television (STV) to the detriment of free-to-air (FTA) viewers'¹

As the DBCDE recognises, since the inception of the anti-siphoning regime there has been a major shift in how Australian consumers engage, watch and interact with content that was traditionally delivered only via FTA networks.

For example, 35 per cent of Australian households now have subscription television services. There have also been improvements to the capacity and speed of mobile and fixed broadband networks to accommodate the delivery of video services. And Australian consumers can expect to enjoy and benefit from more new and innovative services in the next few years, with increased access to a broader range of mobile television and Internet Protocol Television (IPTV).

It is AMTA's view that for the foreseeable future FTA and STV will remain the overwhelmingly dominant platforms for provision of sporting content in Australia. Sport content accessed through new media platforms such as those highlighted in the Discussion Paper is, and is likely to remain complementary rather than a substitute to consumers' FTA or STV television viewing.

¹ Productivity Commission 'Annual Review of Regulatory Burdens on Business: social and economic infrastructure services', August 2009, p 154

It is also AMTA's view that new media platforms are still in early development and must be provided the opportunity to grow and evolve without the burden of regulation that would, in effect, simply stifle innovation and protect the strongest players. In fact, the Discussion Paper indicates that, "there is little evidence that sporting events are being exclusively 'siphoned' to new technology platforms".

It is for these reasons that AMTA is strongly opposed to the extension of the anti-siphoning scheme in its current or any revised form to new media platforms.

Please do not hesitate to contact me or my Policy Manager, Peppi Wilson, on 02 6239 6555 for further information or with any questions.

Yours Sincerely

A handwritten signature in black ink, appearing to read "C Althaus".

Chris Althaus
Chief Executive